

6617

2013-2014 Regular Sessions

I N A S S E M B L Y

April 12, 2013

Introduced by M. of A. ENGLEBRIGHT, BENEDETTO, MAISEL, GABRYSZAK --
Multi-Sponsored by -- M. of A. COOK, HEASTIE -- read once and
referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law and the civil
service law, in relation to university police officers appointed by
the state university

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 11 of section 302 of the retirement and social
2 security law is amended by adding a new paragraph i to read as follows:
3 I. SERVICE AS A UNIVERSITY POLICE OFFICER APPOINTED BY THE STATE
4 UNIVERSITY PURSUANT TO PARAGRAPH L OF SUBDIVISION TWO OF SECTION THREE
5 HUNDRED FIFTY-FIVE OF THE EDUCATION LAW.
6 S 2. Subdivision d of section 375-f of the retirement and social secu-
7 rity law, as separately amended by chapters 674 and 677 of the laws of
8 1986, is amended to read as follows:
9 d. In addition to the retirement allowance provided pursuant to the
10 plans set forth in sections three hundred eighty-three, three hundred
11 eighty-three-a [and], three hundred eighty-three-b AND THREE HUNDRED
12 EIGHTY-THREE-D of this [chapter] ARTICLE, a member of either such plan
13 who retires on or after April first, nineteen hundred sixty-nine with
14 more than twenty-five years of total service shall be entitled to
15 receive, in addition to the benefits provided pursuant to [either] ANY
16 such section and notwithstanding the limitations of [either] ANY such
17 section, an additional retirement allowance for such years of service
18 rendered in excess of twenty-five. The additional retirement allowance
19 for such additional years of service shall be computed as if such member
20 had been eligible to have his OR HER retirement allowance computed
21 pursuant to the provisions of subdivision b of section three hundred
22 seventy-five-c and of paragraph one of subdivision a of section three
23 hundred seventy-five-d of this [chapter] TITLE.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD09400-01-3

1 S 3. The retirement and social security law is amended by adding a new
2 section 383-d to read as follows:

3 S 383-D. ALTERNATE RETIREMENT BENEFITS FOR UNIVERSITY POLICE OFFICERS
4 APPOINTED BY THE STATE UNIVERSITY. A. AS USED IN THIS SECTION, THE TERM
5 "UNIVERSITY POLICE OFFICER" SHALL MEAN A PERSON WHO IS SO APPOINTED
6 PURSUANT TO PARAGRAPH L OF SUBDIVISION TWO OF SECTION THREE HUNDRED
7 FIFTY-FIVE OF THE EDUCATION LAW.

8 B. NOTWITHSTANDING ANY OTHER PROVISION OF LAW PROVIDING FOR TRANSFERS
9 BETWEEN RETIREMENT SYSTEMS, ANY UNIVERSITY POLICE OFFICER IN THE SERVICE
10 OF THE STATE UNIVERSITY WHO IS A MEMBER OF THE NEW YORK STATE AND LOCAL
11 EMPLOYEES' RETIREMENT SYSTEM MAY TRANSFER TO THE NEW YORK STATE AND
12 LOCAL POLICE AND FIRE RETIREMENT SYSTEM AND SHALL RECEIVE CREDIT PURSU-
13 ANT TO AND BE ENTITLED TO THE RETIREMENT BENEFITS AFFORDED IN ACCORDANCE
14 WITH THIS SECTION. UPON ANY SUCH TRANSFER THE MEMBER SHALL BE ENTITLED
15 TO THE AMOUNT OF SERVICE WHICH WOULD HAVE BEEN DEEMED CREDITABLE AND
16 SUCH MEMBER SHALL BE ENTITLED TO THE AMOUNT OF SERVICE WHICH WOULD HAVE
17 BEEN DEEMED CREDITABLE HAD SUCH MEMBER BEEN SUBJECT TO SUCH SYSTEM
18 DURING THE COURSE OF HIS OR HER MEMBERSHIP WITHIN SUCH SYSTEM. CONTRIB-
19 UTIONS TO SUCH SYSTEM SHALL BE MADE IN ACCORDANCE WITH APPROPRIATE
20 PROVISIONS OF LAW RELATING THERETO. APPLICATION FOR SUCH TRANSFER MUST
21 BE MADE TO THE STATE COMPTROLLER ON OR BEFORE DECEMBER THIRTY-FIRST, TWO
22 THOUSAND THIRTEEN. THE PROVISIONS OF SECTION THREE HUNDRED FORTY-THREE
23 OF THIS ARTICLE SHALL APPLY TO ANY MEMBER MAKING APPLICATION FOR TRANS-
24 FER UNDER THIS SUBDIVISION.

25 C. ANY UNIVERSITY POLICE OFFICER IN THE SERVICE OF THE STATE UNIVERSI-
26 TY WHO ELECTS OR IS REQUIRED TO CONTRIBUTE UNDER THIS SECTION SHALL
27 CONTRIBUTE TO THE NEW YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT
28 SYSTEM ON THE BASIS OF RETIREMENT UPON HIS OR HER:

29 1. COMPLETION OF TWENTY-FIVE YEARS OF TOTAL CREDITABLE SERVICE, OR
30 2. ATTAINMENT OF AGE SIXTY AS A UNIVERSITY POLICE OFFICER IN THE
31 SERVICE OF THE STATE UNIVERSITY, IF PRIOR THERETO, ON AN ALLOWANCE OF
32 ONE-FIFTIETH OF HIS OR HER FINAL AVERAGE SALARY FOR EACH YEAR OF TOTAL
33 CREDITABLE SERVICE NOT IN EXCESS OF TWENTY-FIVE YEARS. SUCH ELECTION
34 SHALL BE IN WRITING AND SHALL BE DULY EXECUTED AND FILED WITH THE COMP-
35 TROLLER.

36 D. EVERY EMPLOYEE ENTERING OR RE-ENTERING SERVICE AS A UNIVERSITY
37 POLICE OFFICER IN THE SERVICE OF THE STATE UNIVERSITY ON OR AFTER THE
38 EFFECTIVE DATE OF THIS SECTION SHALL CONTRIBUTE ON THE BASIS PROVIDED
39 FOR BY THIS SECTION.

40 E. A MEMBER WHO IS REQUIRED TO CONTRIBUTE IN ACCORDANCE WITH THIS
41 SECTION SHALL CONTRIBUTE, IN LIEU OF THE PROPORTION OF COMPENSATION AS
42 PROVIDED IN SECTION THREE HUNDRED TWENTY-ONE OF THIS ARTICLE, A PROPOR-
43 TION OF HIS OR HER COMPENSATION SIMILARLY DETERMINED. SUCH LATTER
44 PROPORTION SHALL BE COMPUTED TO PROVIDE AT THE TIME WHEN HE OR SHE SHALL
45 FIRST BECOME ELIGIBLE FOR RETIREMENT UNDER THIS SECTION, AN ANNUITY
46 EQUAL TO ONE-ONE HUNDREDTH OF HIS OR HER FINAL AVERAGE SALARY FOR EACH
47 YEAR OF SERVICE AS A MEMBER PRIOR TO THE ATTAINMENT OF THE AGE WHEN HE
48 OR SHE SHALL FIRST BECOME ELIGIBLE FOR RETIREMENT. SUCH MEMBER'S RATE OF
49 CONTRIBUTION PURSUANT TO THIS SECTION SHALL BE APPROPRIATELY REDUCED
50 PURSUANT TO SECTION THREE HUNDRED SEVENTY-A OF THIS ARTICLE FOR SUCH
51 PERIOD OF TIME AS HIS OR HER EMPLOYER CONTRIBUTES PURSUANT TO SUCH
52 SECTION TOWARD PENSIONS-PROVIDING-FOR-INCREASED-TAKE-HOME-PAY. NO SUCH
53 MEMBER SHALL BE REQUIRED TO CONTINUE CONTRIBUTIONS AFTER COMPLETING
54 TWENTY-FIVE YEARS OF SUCH SERVICE.

55 F. A MEMBER CONTRIBUTING ON THE BASIS OF THIS SECTION, AT THE TIME OF
56 RETIREMENT, SHALL BE ENTITLED TO RETIRE AFTER THE COMPLETION OF TWENTY-

1 FIVE YEARS OF TOTAL CREDITABLE SERVICE OR UPON THE ATTAINMENT OF AGE
2 SIXTY BY FILING AN APPLICATION THEREFOR IN A MANNER SIMILAR TO THAT
3 PROVIDED IN SECTION THREE HUNDRED SEVENTY OF THIS ARTICLE. HE OR SHE
4 SHALL RECEIVE, ON RETIREMENT, A RETIREMENT ALLOWANCE CONSISTING OF:
5 1. AN ANNUITY WHICH SHALL BE THE ACTUARIAL EQUIVALENT OF HIS OR HER
6 ACCUMULATED CONTRIBUTIONS AT THE TIME OF HIS OR HER RETIREMENT, PLUS
7 2. A PENSION WHICH, TOGETHER WITH SUCH ANNUITY AND A PENSION WHICH IS
8 THE ACTUARIAL EQUIVALENT OF THE RESERVE-FOR-INCREASED-TAKE-HOME-PAY TO
9 WHICH HE OR SHE MAY THEN BE ENTITLED, IF ANY, SHALL EQUAL ONE-FIFTIETH
10 OF HIS OR HER FINAL AVERAGE SALARY FOR EACH YEAR OF CREDITABLE SERVICE
11 IN SUCH DIVISION. THIS PENSION SHALL NOT EXCEED THE AMOUNT NEEDED TO
12 MAKE THE TOTAL AMOUNT OF THE BENEFITS PROVIDED UNDER THIS PARAGRAPH AND
13 PARAGRAPH ONE OF THIS SUBDIVISION EQUAL TO ONE-HALF OF FINAL AVERAGE
14 SALARY.
15 3. AN ADDITIONAL PENSION EQUAL TO THE PENSION FOR ANY CREDITABLE
16 SERVICE RENDERED WHILE NOT EMPLOYED AS A UNIVERSITY POLICE OFFICER IN
17 THE SERVICE OF THE STATE UNIVERSITY AS PROVIDED UNDER PARAGRAPHS TWO AND
18 THREE OF SUBDIVISION A OF SECTION THREE HUNDRED SEVENTY-FIVE OF THIS
19 ARTICLE. THIS PENSION SHALL:
20 (I) BE PAYABLE ONLY IF SUCH MEMBER HAS ATTAINED AGE SIXTY AT THE TIME
21 OF RETIREMENT AND HAS NOT COMPLETED TWENTY-FIVE YEARS OF SERVICE AS A
22 UNIVERSITY POLICE OFFICER IN THE SERVICE OF THE STATE UNIVERSITY FOR
23 WHICH HE OR SHE RECEIVES CREDIT UNDER THIS ARTICLE, AND
24 (II) NOT INCREASE THE TOTAL ALLOWANCE TO MORE THAN HE OR SHE WOULD
25 HAVE RECEIVED HAD HIS OR HER TOTAL SERVICE BEEN RENDERED AS A UNIVERSITY
26 POLICE OFFICER IN THE SERVICE OF THE STATE UNIVERSITY.
27 FOR THE PURPOSE ONLY OF DETERMINING THE AMOUNT OF THE PENSION PROVIDED
28 HEREIN, THE ANNUITY SHALL BE COMPUTED AS IT WOULD BE:
29 (A) IF NOT REDUCED BY THE ACTUARIAL EQUIVALENT OF ANY OUTSTANDING
30 LOAN, AND
31 (B) IF NOT INCREASED BY THE ACTUARIAL EQUIVALENT OF ANY ADDITIONAL
32 CONTRIBUTIONS, AND
33 (C) IF NOT REDUCED BY REASON OF THE MEMBER'S ELECTION TO DECREASE HIS
34 OR HER ANNUITY CONTRIBUTIONS TO THE RETIREMENT SYSTEMS IN ORDER TO APPLY
35 THE AMOUNT OF SUCH REDUCTION IN PAYMENT OF HIS OR HER CONTRIBUTIONS FOR
36 OLD-AGE AND SURVIVORS INSURANCE COVERAGE.
37 G. THE INCREASED PENSIONS TO A UNIVERSITY POLICE OFFICER IN THE
38 SERVICE OF THE STATE UNIVERSITY, AS PROVIDED BY THIS SECTION, SHALL BE
39 PAID FROM ADDITIONAL CONTRIBUTIONS MADE BY THE STATE ON ACCOUNT OF SUCH
40 MEMBERS. THE ACTUARY OF THE RETIREMENT SYSTEM SHALL COMPUTE THE ADDI-
41 TIONAL CONTRIBUTION OF EACH MEMBER WHO ELECTS TO RECEIVE THE SPECIAL
42 BENEFITS PROVIDED UNDER THIS SECTION. SUCH ADDITIONAL CONTRIBUTIONS
43 SHALL BE COMPUTED ON THE BASIS OF CONTRIBUTIONS DURING THE PROSPECTIVE
44 SERVICE OF SUCH MEMBER WHICH WILL COVER THE LIABILITY OF THE RETIREMENT
45 SYSTEM FOR SUCH EXTRA PENSIONS. UPON APPROVAL BY THE COMPTROLLER, SUCH
46 ADDITIONAL CONTRIBUTIONS SHALL BE CERTIFIED BY HIM OR HER TO THE CHAN-
47 CELLOR OF THE STATE UNIVERSITY. THE AMOUNT THEREOF SHALL BE INCLUDED IN
48 THE ANNUAL APPROPRIATION OF THE STATE FOR THE STATE UNIVERSITY. SUCH
49 AMOUNT SHALL BE PAID ON THE WARRANT OF THE COMPTROLLER TO THE PENSION
50 ACCUMULATION FUND OF THE RETIREMENT SYSTEM.
51 H. IN COMPUTING THE TWENTY-FIVE YEARS OF COMPLETED SERVICE OF A
52 UNIVERSITY POLICE OFFICER IN THE SERVICE OF THE STATE UNIVERSITY, FULL
53 CREDIT SHALL BE GIVEN AND FULL ALLOWANCE SHALL BE MADE FOR SERVICE OF
54 SUCH MEMBER IN WAR AFTER WORLD WAR I AS DEFINED IN SECTION TWO OF THIS
55 CHAPTER, PROVIDED SUCH MEMBER AT THE TIME OF HIS OR HER ENTRANCE INTO
56 THE ARMED FORCES WAS IN STATE SERVICE.

1 I. THE PROVISIONS OF THIS SECTION SHALL BE CONTROLLING NOTWITHSTANDING
2 ANY PROVISION IN THIS ARTICLE TO THE CONTRARY.

3 J. NOTWITHSTANDING ANY PROVISION OF SUBDIVISION D, E OR I OF THIS
4 SECTION TO THE CONTRARY, A MEMBER WHO IS IN THE COLLECTIVE NEGOTIATING
5 UNIT DESIGNATED AS THE AGENCY LAW ENFORCEMENT SERVICES UNIT AND ESTAB-
6 LISHED PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW AND WHO HAS
7 ELECTED OR IS REQUIRED TO CONTRIBUTE IN ACCORDANCE WITH THIS SECTION
8 MAY, ON OR BEFORE MARCH THIRTY-FIRST, TWO THOUSAND FOURTEEN, ELECT TO
9 COME UNDER THE PROVISIONS OF SECTION THREE HUNDRED SEVENTY-FIVE-H OF
10 THIS ARTICLE. SUCH ELECTION SHALL BE DULY EXECUTED AND FILED WITH THE
11 COMPTROLLER.

12 K. COMMENCING WITH THE EFFECTIVE DATE OF THIS SECTION AND IN A MANNER
13 DETERMINED BY THE HEAD OF THE RETIREMENT SYSTEM, THE EMPLOYER SHALL MAKE
14 CONTRIBUTIONS TO THE RETIREMENT SYSTEM TO FUND THE PAST SERVICE LIABIL-
15 ITY COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS SECTION AS THOSE
16 COSTS ARE CALCULATED BY THE RETIREMENT SYSTEM ACTUARY. SUCH CONTRIB-
17 UTIONS MAY BE MADE, AT THE ELECTION OF THE EMPLOYER, IN LEVEL DOLLAR
18 INSTALLMENTS OVER A TEN YEAR PERIOD.

19 S 4. No employee contributions made to the New York state and local
20 employees' retirement system by any state university police officer who
21 elects to make a transfer pursuant to this act shall be returned to such
22 officer. Such employee contributions shall be used to offset any past
23 service costs incurred by operation of the provisions of this act.

24 S 5. Notwithstanding subdivision h of section 343 of the retirement
25 and social security law, the provisions of subdivisions c and d of
26 section 343 of the retirement and social security law shall apply and
27 the employer contributions reserve shall be transferred from the appro-
28 priate fund or funds of the New York state and local employees' retire-
29 ment system to the New York state and local police and fire retirement
30 system.

31 S 6. Subdivisions 1, 2 and 3 and paragraphs (a) and (b) of subdivision
32 4 of section 58 of the civil service law, subdivision 1 as amended by
33 chapter 560 of the laws of 1978, the opening paragraph of subdivision 1,
34 subdivision 3 and paragraphs (a) and (b) of subdivision 4 as amended by
35 chapter 435 of the laws of 1997, paragraph (a) of subdivision 1 as
36 amended by chapter 346 of the laws of 2008 and subdivision 2 as amended
37 by chapter 32 of the laws of 1999, are amended to read as follows:

38 1. Notwithstanding any other provision of this law or any general,
39 special or local law to the contrary, no person shall be eligible for
40 provisional or permanent appointment in the competitive class of the
41 civil service as a police officer of any police force or police depart-
42 ment of any county, city, town, village, housing authority [or], police
43 district OR OF THE STATE UNIVERSITY OF NEW YORK unless he OR SHE shall
44 satisfy the following basic requirements:

45 (a) he or she is not less than twenty years of age as of the date of
46 appointment nor more than thirty-five years of age as of the date when
47 the applicant takes the written examination, provided that the maximum
48 age requirement of thirty-five years of age as set forth in this para-
49 graph shall not apply to eligible lists finalized pursuant to an exam-
50 ination administered prior to May thirty-first, nineteen hundred nine-
51 ty-nine FOR THE POLICE OFFICERS DESCRIBED IN THIS SUBDIVISION EXCEPT FOR
52 POLICE OFFICERS OF THE STATE UNIVERSITY OF NEW YORK AND, WITH RESPECT TO
53 STATE UNIVERSITY POLICE OFFICERS ONLY, THE MAXIMUM AGE REQUIREMENT OF
54 THIRTY-FIVE YEARS OF AGE AS SET FORTH IN THIS PARAGRAPH SHALL NOT APPLY
55 TO ELIGIBLE LISTS FINALIZED PURSUANT TO AN EXAMINATION ADMINISTERED

1 PRIOR TO DECEMBER THIRTY-FIRST, TWO THOUSAND THIRTEEN, provided, howev-
2 er, that:

3 (i) time spent on military duty or on terminal leave, not exceeding a
4 total of six years, shall be subtracted from the age of any applicant
5 who has passed his or her thirty-fifth birthday as provided in subdivi-
6 sion ten-a of section two hundred forty-three of the military law;

7 (ii) such maximum age requirement of thirty-five years shall not apply
8 to any police officer as defined in subdivision thirty-four of section
9 1.20 of the criminal procedure law, who was continuously employed by the
10 Buffalo municipal housing authority between January first, two thousand
11 five and June thirtieth, two thousand five and who takes the next writ-
12 ten exam offered after the effective date of this subparagraph by the
13 city of Buffalo civil service commission for employment as a police
14 officer in the city of Buffalo police department, or June thirtieth, two
15 thousand six, whichever is later; and

16 (iii) such maximum age requirement of thirty-five years shall not
17 apply to any police officer of any county, town, city or village police
18 force not otherwise provided for in this section if the eligible list
19 has been exhausted and there are no other eligible candidates; provided,
20 however, the police officer themselves are on the eligible list of such
21 county, town, city or village and meet all other requirements of merit
22 and fitness set forth by this chapter and do not exceed the maximum age
23 of thirty-nine;

24 (b) he OR SHE is a high school graduate or a holder of a high school
25 equivalency diploma issued by an education department of any of the
26 states of the United States or a holder of a comparable diploma issued
27 by any commonwealth, territory or possession of the United States or by
28 the Canal Zone or a holder of a report from the United States armed
29 forces certifying his OR HER successful completion of the tests of
30 general educational development, high school level;

31 (c) he OR SHE satisfies the height, weight and physical fitness
32 requirements prescribed by the municipal police training council pursu-
33 ant to the provisions of section eight hundred forty of the executive
34 law; and

35 (d) he OR SHE is of good moral character.

36 2. The provisions of this section shall not prevent any county, city,
37 town, village, housing authority, transit authority [or], police
38 district OR THE STATE UNIVERSITY OF NEW YORK from setting more restric-
39 tive requirements of eligibility for its police officers, except the
40 maximum age to be a police officer as provided in paragraph (a) of
41 subdivision one of this section.

42 3. As used in this section, the term "police officer" means a member
43 of the regional state park police, THE STATE UNIVERSITY OF NEW YORK
44 POLICE or a police force, police department, or other organization of a
45 county, city, town, village, housing authority, transit authority or
46 police district, who is responsible for the prevention and detection of
47 crime and the enforcement of the general criminal laws of the state, but
48 shall not include any person serving as such solely by virtue of his OR
49 HER occupying any other office or position, nor shall such term include
50 a sheriff, under-sheriff, commissioner of police, deputy or assistant
51 commissioner of police, chief of police, deputy or assistant chief of
52 police or any person having an equivalent title who is appointed or
53 employed to exercise equivalent supervisory authority.

54 (a) Any person who has received provisional or permanent appointment
55 in the competitive class of the civil service as a police officer of the
56 regional state park police, THE STATE UNIVERSITY OF NEW YORK POLICE or

1 any police force or police department of any county, city, town,
2 village, housing authority, transit authority or police district shall
3 be eligible to resign from any police force or police department, and to
4 be appointed as a police officer in the same or any other police force
5 or police department without satisfying the age requirements set forth
6 in paragraph (a) of subdivision one of this section at the time of such
7 second or subsequent appointment, provided such second or subsequent
8 appointment occurs within thirty days of the date of resignation.

9 (b) Any person who has received permanent appointment in the compet-
10 itive class of the civil service as a police officer of the regional
11 state park police, THE STATE UNIVERSITY OF NEW YORK POLICE or any police
12 force or police department of any county, city, town, village, housing
13 authority, transit authority or police district shall be eligible to
14 resign from any police force or police department and, subject to such
15 civil service rules as may be applicable, shall be eligible for rein-
16 statement in the same police force or police department or in any other
17 police force or police department to which he OR SHE was eligible for
18 transfer, without satisfying the age requirements set forth in paragraph
19 (a) of subdivision one of this section at the time of such rein-
20 statement, provided such reinstatement occurs within one year of the
21 date of resignation.

22 S 7. This act shall take effect immediately, provided, however, that
23 the provisions of subdivisions 1 and 2 of section 58 of the civil
24 service law, as amended by section six of this act, shall not apply to
25 university police officers in the service of the state university of New
26 York on or before such effective date.

FISCAL NOTE.-- Pursuant to Legislative Law, Section 50:

This bill would allow State University Police Officers to elect to transfer to the New York State and Local Police and Fire Retirement System and to be covered by the provisions of a new twenty-five (25) year half pay retirement plan, with additional one-sixtieths of final average salary for each year of service in excess of twenty-five (25) years, but not exceeding fifteen (15) such years. For Tiers 2, 5, and 6 members, the additional one-sixtieths can not exceed seven (7) such years. There will be no refund of Article 14 or Article 15 member contributions for officers who elect to transfer to the Police and Fire Retirement system.

If this bill is enacted, we anticipate that there will be an increase of approximately \$1.6 million in the annual contributions of the State of New York for the fiscal year ending March 31, 2014.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$10.9 million which would be borne by the State of New York. This estimate is based on the assumption that payment will be made on March 1, 2014. If this cost is amortized over ten (10) years, the cost for the first year, including interest, would be approximately \$1.4 million.

It should be noted that in addition to the increase in annual contributions given above, there would be increases in annual contributions for future State University Police Officers who would be Tier 6 members of the New York State and Local Police and Fire Retirement System rather than Tier 6 members of the New York State and Local Employees' Retirement-System.

These estimated costs are based on five hundred eighty-two (582) State University Police Officers with a total estimated salary of approximately \$41 million for the fiscal year ending March 31, 2013.

Summary of relevant resources:

Data: March 31, 2012 Actuarial Year End File with distributions of membership and other / statistics displayed in the 2012 Report of the Actuary and 2012 Comprehensive Annual Financial Report.

Assumptions and Methods: 2010, 2011 and 2012 Annual Report to the Comptroller on Actuarial Assumptions, Codes Rules and Regulations of the State of New York: Audit and Control.

Market Assets and GASB Disclosures: March 31, 2012 New York State and Local Retirement System Financial Statements and Supplementary Information.

Valuations of Benefit Liabilities and Actuarial Assets: summarized in the 2012 Actuarial Valuations report.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This estimate, dated January 25, 2013 and intended for use only during the 2013 Legislative Session, is Fiscal Note No. 2013-56 prepared by the Actuary for the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System.