

10535

I N A S S E M B L Y

May 31, 2016

Introduced by M. of A. RA -- read once and referred to the Committee on
Governmental Employees

AN ACT to amend the retirement and social security law, in relation to
the retirement allowance of certain retired persons employed by a
community college

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

1 Section 1. Subdivision 2 of section 211 of the retirement and social
2 security law is amended by adding a new paragraph (d) to read as
3 follows:
4 (D) NOTWITHSTANDING ANY PROVISION OF THIS SUBDIVISION, ANY RETIRED NEW
5 YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT SYSTEM MEMBER WHO
6 RECEIVED APPROVAL PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION FOR
7 EMPLOYMENT BY A COMMUNITY COLLEGE AS A FULL-TIME TEACHING FACULTY MEMBER
8 UNDER A CRIMINAL JUSTICE, FIRE SCIENCE OR EMERGENCY MANAGEMENT PROGRAM
9 OF THE STATE UNIVERSITY OF NEW YORK OR CITY UNIVERSITY OF NEW YORK SHALL
10 BE DEEMED TO HAVE RECEIVED SUCH APPROVAL FOR THE DURATION OF HIS OR HER
11 CONTINUOUS EMPLOYMENT WITH SUCH COMMUNITY COLLEGE AS A FACULTY MEMBER
12 UNDER SUCH A PROGRAM. NOTWITHSTANDING ANY PROVISION OF LAW TO THE
13 CONTRARY, SUCH RETIRED MEMBER SHALL BE DEEMED TO HAVE BEEN GRANTED A
14 WAIVER OF ANY RETIREMENT EARNINGS LIMITATION AND MAY BE EMPLOYED WITHOUT
15 SUSPENSION OR DIMINUTION OF HIS OR HER RETIREMENT ALLOWANCE FOR THE
16 DURATION OF SUCH CONTINUOUS EMPLOYMENT. FOR PURPOSES OF THIS PARAGRAPH,
17 A RETIRED NEW YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT SYSTEM
18 MEMBER IS A PERSON WHO WAS NOT OTHERWISE GAINFULLY EMPLOYED AT ANY TIME
19 AFTER RETIREMENT FROM PUBLIC SERVICE PRIOR TO THE COMMENCEMENT OF
20 EMPLOYMENT WITH A COMMUNITY COLLEGE OF THE STATE UNIVERSITY OF NEW YORK
21 OR CITY UNIVERSITY OF NEW YORK AS A FULL-TIME TEACHING FACULTY MEMBER
22 UNDER A CRIMINAL JUSTICE, FIRE SCIENCE OR EMERGENCY MANAGEMENT PROGRAM.
23 S 2. Any person who is currently employed by a community college of
24 the state university of New York or city university of New York as a
25 full-time teaching faculty member under a criminal justice, fire science
26 or emergency management program, received approval pursuant to paragraph
27 (a) of subdivision two of section two hundred eleven of the retirement

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

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1 and social security law for such employment, and who was not otherwise
2 gainfully employed at any time after retirement from public service and
3 prior to the commencement of employment with a community college of the
4 state university of New York or city university of New York as a full-
5 time teaching faculty member under a criminal justice, fire science or
6 emergency management program shall be deemed to have received approval
7 pursuant to section two hundred eleven of the retirement and social
8 security law for the duration of his or her continuous employment with
9 such community college of the state university of New York or city
10 university of New York as a faculty member under a criminal justice,
11 fire science or emergency management program and shall be deemed to have
12 been granted a waiver of any retirement earnings limitation and may be
13 employed without suspension or diminution of his or her retirement
14 allowance.

15 S 3. This act shall take effect immediately.