

3357--A

Cal. No. 67

2015-2016 Regular Sessions

I N   S E N A T E

February 5, 2015

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Introduced by Sens. BOYLE, GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the retirement and social security law, in relation to the limitation for retired police officers employed as school resource officers

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

1     Section 1. Subdivision 3 of section 212 of the retirement and social  
2 security law, as added by section 1 of part Y of chapter 55 of the laws  
3 of 2013, is amended to read as follows:  
4     3. Notwithstanding the provisions of subdivisions one and two of this  
5 section, [the commissioner of education may determine, pursuant to  
6 section two hundred eleven of this article, that] such earnings limita-  
7 tions shall not apply to a retired police officer employed by a school  
8 district IN EITHER THE CLASSIFIED OR UNCLASSIFIED SERVICE as a school  
9 resource officer, SCHOOL SAFETY OFFICER, SCHOOL SECURITY OFFICER OR ANY  
10 OTHER SUBSTANTIALLY SIMILAR POSITION OR OFFICE THAT IS DESIGNED TO  
11 PROVIDE SAFETY AND/OR SECURITY ON SCHOOL GROUNDS, PROVIDED THAT SUCH  
12 RETIRED POLICE OFFICER IS DULY QUALIFIED, COMPETENT AND PHYSICALLY FIT  
13 FOR PERFORMANCE OF THE DUTIES OF THE POSITION IN WHICH HE OR SHE IS TO  
14 BE EMPLOYED AS DETERMINED BY THE SCHOOL DISTRICT AND IS PROPERLY CERTI-  
15 FIED WHERE SUCH CERTIFICATION IS REQUIRED.  
16     S 2. This act shall take effect immediately.  
17     FISCAL NOTE. -- Pursuant to Legislative Law, Section 50:  
18     This bill will allow retired police officers to be employed by a  
19 school district as a school safety officer, school security officer or  
20 any other substantially similar position and continue to receive their

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

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1 full retirement benefit. Currently, this privilege is only allowed to  
2 retired police officers who are employed as a school resource officer.

3 If this bill is enacted, insofar as it will affect the New York State  
4 and Local Police and Fire retirement System, we expect few retirees to  
5 be affected. There would be negligible additional annual costs.

6 Summary of relevant resources:

7 The membership data used in measuring the impact of the proposed  
8 change was the same as that used in the March 31, 2015 actuarial valu-  
9 ation. Distributions and other statistics can be found in the 2015  
10 Report of the Actuary and the 2015 Comprehensive Annual Financial  
11 Report.

12 The actuarial assumptions and methods used are described in the 2015  
13 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes  
14 Rules and Regulations of the State of New York: Audit and Control.

15 The Market Assets and GASB Disclosures are found in the March 31, 2015  
16 New York State and Local Retirement System Financial Statements and  
17 Supplementary Information.

18 I am a member of the American Academy of Actuaries and meet the Quali-  
19 fication Standards to render the actuarial opinion contained herein.

20 This estimate, dated January 26, 2016, and intended for use only  
21 during the 2016 Legislative Session, is Fiscal Note No. 2016-44,  
22 prepared by the Actuary for the New York State and Local Retirement  
23 System.