S T A T E O F N E W Y O R K

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 211 of the retirement and social security law is amended by adding a new paragraph (d) to read as follows:

(D) NOTWITHSTANDING ANY PROVISION OF THIS SUBDIVISION, ANY RETIRED NEW YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT SYSTEM MEMBER WHO RECEIVED APPROVAL PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION FOR EMPLOYMENT BY A COMMUNITY COLLEGE AS A FULL-TIME TEACHING FACULTY MEMBER UNDER A CRIMINAL JUSTICE, FIRE SCIENCE OR EMERGENCY MANAGEMENT PROGRAM OF THE STATE UNIVERSITY OF NEW YORK OR CITY UNIVERSITY OF NEW YORK SHALL BE DEEMED TO HAVE RECEIVED SUCH APPROVAL FOR THE DURATION OF HIS OR HER CONTINUOUS EMPLOYMENT WITH SUCH COMMUNITY COLLEGE AS A FACULTY MEMBER UNDER SUCH A PROGRAM. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, SUCH RETIRED MEMBER SHALL BE DEEMED TO HAVE BEEN GRANTED A WAIVER OF ANY RETIREMENT EARNINGS LIMITATION AND MAY BE EMPLOYED WITHOUT SUSPENSION OR DIMINUTION OF HIS OR HER RETIREMENT ALLOWANCE FOR THE DURATION OF SUCH CONTINUOUS EMPLOYMENT. FOR PURPOSES OF THIS PARAGRAPH, A RETIRED NEW YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT SYSTEM MEMBER IS A PERSON WHO WAS NOT OTHERWISE GAINFULLY EMPLOYED AT ANY TIME AFTER RETIREMENT FROM PUBLIC SERVICE PRIOR TO THE COMMENCEMENT OF EMPLOYMENT WITH A COMMUNITY COLLEGE OF THE STATE UNIVERSITY OF NEW YORK OR CITY UNIVERSITY OF NEW YORK AS A FULL-TIME TEACHING FACULTY MEMBER UNDER A CRIMINAL JUSTICE, FIRE SCIENCE OR EMERGENCY MANAGEMENT PROGRAM.

S 2. Any person who is currently employed by a community college of the state university of New York or city university of New York as a full-time teaching faculty member under a criminal justice, fire science or emergency management program, received approval pursuant to paragraph (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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and social security law for such employment, and who was not otherwise gainfully employed at any time after retirement from public service and prior to the commencement of employment with a community college of the state university of New York or city university of New York as a full-time teaching faculty member under a criminal justice, fire science or emergency management program shall be deemed to have received approval pursuant to section two hundred eleven of the retirement and social security law for the duration of his or her continuous employment with such community college of the state university of New York or city university of New York as a faculty member under a criminal justice, fire science or emergency management program and shall be deemed to have been granted a waiver of any retirement earnings limitation and may be employed without suspension or diminution of his or her retirement allowance.

S 3. This act shall take effect immediately.