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

4292--A

2015-2016 Regular Sessions

I N S E N A T E

March 11, 2015

Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing James Mallan to apply for an increase in his disability pension

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

Section 1. Notwithstanding any provision of law to the contrary, James Mallan who commenced employment with the state department of correctional services on May 30, 1988, and who through no negligence of his own was disabled while completing his training at the academy on June 29, 1988 and who was granted disability retirement in April 1990 at one-third of his final salary, and who was reinstated by the state department of corrections and community supervision, shall have his retirement benefits calculated based on his final average salary at the time of his application for disability retirement benefits on February 28, 2008, if he shall file an application therefor with the state comptroller on or before December 31, 2016.

S 2. This act shall take effect immediately.

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

This bill will deem James T. Mallan, currently a Section 507-a disability retiree receiving an annual benefit of 1/3 of final average salary earned as of April, 1990, to have his pension recalculated based on his final average salary with the New York State Department of Correctional Services earned as of February, 2008.

If this bill is enacted, we anticipate that there will be a one-time cost of approximately $191,000 which will be shared by the State of New

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

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York and all participating employers in the New York State and Local Employees' Retirement System.

Summary of relevant sources:

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2015 actuarial valuation. Distributions and other statistics can be found in the 2015 report of the Actuary and the 2015 Comprehensive Annual Financial Report.

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

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

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

This estimate, date March 4, 2016 and intended for use only during the 2016 Legislative Session, is Fiscal Note No. 2016-71, prepared by the Actuary for the New York State and Local Retirement System.