STATE OF NEW YORK

10884

IN ASSEMBLY

May 25, 2018

Introduced by M. of A. HAWLEY, CASTORINA, CROUCH, GIGLIO, MURRAY, NORRIS, RA, RAIA, TAGUE, THIELE -- Multi-Sponsored by -- M. of A. FRIEND -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the retirement and social security law, in relation to annual earnings limitations 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:

Section 1. Section 212 of the retirement and social security law is amended by adding a new subdivision 4 to read as follows:

4. Notwithstanding the provisions of subdivisions one and two of this section, such annual earnings limitations for a retired police officer employed by a school district in either the classified or unclassified service as a school resource officer, school safety officer, school security officer or any other substantially similar position or office that is designed to provide safety and/or security on school grounds, provided that such retired police officer is duly qualified, competent and physically fit for performance of the duties of the position in which he or she is to be employed as determined by the school district and is properly certified where such certification is required, shall be $50,000 for the year 2018 and thereafter.

§ 2. This act shall take effect immediately.

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

This bill will allow retired police officers to be employed by a school district as a school safety officer, school security officer or any other substantially similar position for an annual salary of less than $50,000 and continue to receive their full retirement benefit. Currently, this privilege is only allowed to retired police officers who are employed as a school resource officer.

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

Summary of relevant resources:

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

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The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2016 actuarial valuation. Distributions and other statistics can be found in the 2016 Report of the Actuary and the 2016 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015 and 2016 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2016 New York State and Local Retirement System Financial Statements and Supplementary Information.

This estimate, dated February 23, 2018 and intended for use only during the 2018 Legislative Session, is Fiscal Note No. 1, prepared by the New York State Senate Standing Committee on Finance.