

# STATE OF NEW YORK

---

7843--A

2017-2018 Regular Sessions

## IN ASSEMBLY

May 17, 2017

---

Introduced by M. of A. BRABENEC -- Multi-Sponsored by -- M. of A. CROUCH  
-- read once and referred to the Committee on Governmental Employees  
-- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the New York state teachers' retirement system to accept an application for disability retirement benefits from James O'Connell

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Notwithstanding any other provision of law to the contrary,  
2 the application for disability retirement benefits of James O'Connell,  
3 who was employed as principal by the Port Jervis city school district  
4 and a member of the New York state teachers' retirement system, who  
5 ceased his employment with the Port Jervis city school district on  
6 August 31, 2008, and who, for reasons not ascribable to his own negligence,  
7 did not apply to the New York state teachers' retirement system  
8 for disability retirement benefits until September 14, 2009, shall be  
9 deemed to have applied to the New York state teachers' retirement system  
10 for disability retirement benefits within 30 days of his ceasing to be  
11 employed on August 31, 2008.

12 § 2. All costs incurred in implementing the provisions of this act,  
13 shall be borne by the employers of members of the New York state teachers' retirement system.

14 § 3. This act shall take effect immediately.

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

This bill concerns James O'Connell, a vested member of the New York State Teachers' Retirement System who ceased his employment as a teacher with the Port Jervis City School District on August 31, 2008, and did not apply for disability retirement benefits until September 14, 2009,

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

LBD04131-04-7

after the 12 month deadline to apply for disability had lapsed. He shall be deemed to have applied for disability retirement benefits within 30 days of ceasing his employment on August 31, 2008. Currently as a vested member Mr. O'Connell is eligible to apply for a service retirement benefit commencing on May 9, 2018.

The cost of this benefit is equal to the increase in the present value of liabilities, which is estimated to be \$370,000. This cost is to be borne by the employers of members of the New York State Teachers' Retirement System and is contingent upon the approval of James O'Connell's application for disability retirement by the Medical Board of the New York State Teachers' Retirement System.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Comprehensive Annual Financial Report (CAFR). System assets are as reported in the System's financial statements, and can also be found in the CAFR. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report.

The source of this estimate is Fiscal Note 2018-3 dated November 29, 2017 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2018 Legislative Session. I, Richard A. Young, am the Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.