

# STATE OF NEW YORK

2946

2017-2018 Regular Sessions

## IN SENATE

January 18, 2017

Introduced by Sens. BOYLE, GALLIVAN -- read twice and ordered printed,  
and when printed to be committed to the Committee on Civil Service and  
Pensions

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 Assem-  
bly, 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 § 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 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.

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

LBD02989-02-7

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:

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.

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

This estimate, dated January 12, 2017 and intended for use only during the 2017 Legislative Session, is Fiscal Note No. 2017-6, prepared by the Actuary for the New York State and Local Retirement System.