STATE OF NEW YORK

6499

2017-2018 Regular Sessions

IN ASSEMBLY

March 7, 2017

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law and the retirement and social security law, in relation to prohibiting elected officials from receiving compensation or pension credit for service as a delegate, officer or employee of a constitutional convention

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

Section 1. The legislative law is amended by adding a new section 66-c to read as follows:

§ 66-c. Constitutional conventions. Notwithstanding anything to the contrary contained in this chapter or any other general or local law, charter or code, any elected official of the state or of any municipality of the state, who is a member of a local pension system, and who at the time of his or her tenure as an elected official, also serves as a delegate, officer or employee of a convention to revise and amend the constitution of the state shall not be entitled to: (i) receive salary or have wages paid or credited to him or her for such convention service while he or she is receiving salary as an elected official; or (ii) have time, salary or wages otherwise credited to or creditable to him or her for service at such constitutional convention included in the calculation of his or her credited time for purposes of pension calculation. Nothing in this section shall prohibit such person from receiving reimbursement for expenses actually incurred by him or her in the course of his or her service as a delegate, officer or employee of such constitutional convention.

§ 2. Section 44 of the retirement and social security law is amended by adding a new subdivision g to read as follows:

g. Notwithstanding anything to the contrary contained in this chapter or any other general or local law, charter or code, any elected official of the state or of any municipality of the state, who is a member of a

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

LBD09677-01-7

local pension system, and who at the time of his or her tenure as an elected official, also serves as a delegate, officer or employee of a convention to revise and amend the constitution of the state shall not be entitled to: (i) receive salary or have wages paid or credited to him or her for such convention service while he or she is receiving salary as an elected official; or (ii) to have time, salary or wages otherwise credited to or creditable to him or her for service at such constitutional convention included in the calculation of his or her credited time for purposes of pension calculation. Nothing in this subdivision shall prohibit such person from receiving reimbursement for expenses actually incurred by him or her in the course of his or her service as a delegate, officer or employee of such constitutional convention.

§ 3. This act shall take effect immediately and shall apply to service at any constitutional convention held on or after such date.