STATE OF NEW YORK

8375--A

2017-2018 Regular Sessions

IN ASSEMBLY

June 12, 2017

Introduced by M. of A. ABBATE -- 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 amend the retirement and social security law, in relation to the certification of a deputy sheriff as a police officer

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

Section 1. Paragraph 2 of subdivision a of section 550 of the retirement and social security law, as added by chapter 542 of the laws of 2015, is amended to read as follows:

2. Notwithstanding the provisions of paragraph one of this subdivision, member shall also include a deputy sheriff who is a police officer pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police council **or as certified by the police department of the city of New York upon satisfactory completion of the basic training program and graduation from the New York city police academy**, provided that the employer has filed an election to that effect pursuant to paragraph two of subdivision j of section five hundred fifty-two of this article.

§ 2. Paragraph 2 of subdivision h of section 551 of the retirement and social security law, as added by chapter 542 of the laws of 2015, is amended to read as follows:

2. Notwithstanding the provisions of paragraph one of this subdivision, a participating employer may elect on a form filed with the comptroller for that purpose to provide that creditable service shall also include any and all service performed by a deputy sheriff who is a police officer pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police council **or as certified by the police department of the city of New York upon**

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

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satisfactory completion of the basic training program and graduation from the New York city police academy.

§ 3. Paragraph 2 of subdivision j of section 552 of the retirement and social security law, as added by chapter 542 of the laws of 2015, is amended to read as follows:

2. Notwithstanding the provisions of paragraph one of this subdivision, a participating employer may elect on a form filed with the comptroller for that purpose to provide that creditable service shall also include any and all service performed by a deputy sheriff who is a police officer pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police council **or as certified by the police department of the city of New York upon satisfactory completion of the basic training program and graduation from the New York city police academy**.

§ 4. This act shall take effect immediately.

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

This bill would allow a County to elect to provide that creditable service on the 20 or 25 year retirement plans for sheriffs shall also include all service performed by a deputy sheriff who has been awarded certification by the police department of New York City for the satisfactory completion of the basic training program and graduation for the New York City police academy.

If this bill is enacted, this bill could provide service credit on a 20 or 25 year retirement plan, where it otherwise would not be creditable. However, this bill is expected to impact very few members. The cost of this bill would be minimal.

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, 2017 actuarial valuation. Distributions and other statistics can be found in the 2017 Report of the Actuary and the 2017 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015, 2016, and 2017 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, 2017 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 November 15, 2017, and intended for use only during the 2018 Legislative Session, is Fiscal Note No. 2018-9, prepared by the Actuary for the New York State and Local Retirement System.