# STATE OF NEW YORK

8386

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

AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs

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

Section 1. Paragraph 3 of subdivision e of section 556 of the retirement and social security law, as added by chapter 165 of the laws of 1995, is amended to read as follows:

3. A pension of two-thirds of his or her final average salary**; provided, however, a deputy sheriff shall receive a pension of three-quarters of his or her final average salary**. The payment of such pension shall be subject to the provisions of section three hundred sixty-four of this chapter.

§ 2. This act shall take effect immediately.

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

This bill would grant improved accidental disability pensions to deputy sheriffs who are employed by counties which have elected the provisions of Article 14-B of the Retirement and Social Security Law for their deputy sheriffs. The benefit for an accidental disability would be 75% of final average salary minus worker's compensation. The current benefit is 2/3 of final average salary minus worker's compensation.

If this bill is enacted, the estimated increase in the annual contributions of affected counties for the fiscal year ending March 31, 2018 would be 0.3% of the compensation of their deputy sheriffs.

In addition to the annual contributions discussed above, there will be a past service cost of 0.9% of the compensation of such deputy sheriffs which will be paid by such counties as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2018.

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

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These estimated costs are based on 2,764 deputy sheriffs having an annual salary for the fiscal year ending March 31, 2016 of approximately $224.1 million.

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 Mark 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 May 25, 2017, and intended for use only during the 2017 Legislative Session, is Fiscal Note No. 2017-106, prepared by the Actuary for the New York State and Local Retirement System.