STATE OF NEW YORK

6130--B

2017-2018 Regular Sessions

IN SENATE

May 11, 2017

Introduced by Sens. AMEDORE, TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the granting of retroactive tier IV membership in the New York state and local employees' retirement system to Christopher M. Allen

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

Section 1. Notwithstanding any other provision of law, Christopher M. Allen, a member of the New York state and local employees' retirement system, who began employment with the capital region board of cooperative educational services in March 2008, and who for reasons not ascribed to his own negligence, did not file a membership application in such system until October 2013, which gave him Tier VI status instead of Tier IV status, where he would have been able to file a membership application when he became a permanent employee in March 2008 may be deemed to have become a member of the New York state and local employees' retirement system in March 2008 if on or before December 31, 2018 he shall file with the state comptroller a written request to that effect. Upon the granting of such retroactive membership, Christopher M. Allen shall not be granted a refund of any employee contribution made by him to the New York state and local employees' retirement system.

§ 2. Any past service costs incurred in implementing the provisions of this act shall be borne by the capital region board of cooperative educational services.

§ 3. This act shall take effect immediately.

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

LBD11664-04-8

FISCAL NOTE.-- This bill will grant Tier 4 status in the New York State and Local Employees' Retirement System to Christopher M. Allen, by changing his date of membership to be in March, 2008, the date he was employed by the capital region board of cooperative educational services. He currently is a Tier 6 member employed by the state of New York as a unified court peace officer.

If this legislation is enacted during the 2018 legislative session, we anticipate that there will be an increase of approximately $4,300 in the annual contributions of the state of New York for the fiscal year ending March 31, 2019. In future years, this cost will vary as the billing rates and salaries of Christopher M. Allen change.

In addition to the annual contributions discussed above, there will be a one-time past service cost of $19,200 which will be borne by the capital region board of cooperative educational services as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2019.

Summary of relevant resources:

If 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 December 15, 2017, and intended for use only during the 2018 Legislative Session, is Fiscal Note No. 2018-23, prepared by the Actuary for the New York State and Local Retirement System.