

# STATE OF NEW YORK

6435

2017-2018 Regular Sessions

## IN SENATE

May 18, 2017

Introduced by Sen. FLANAGAN -- 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 transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit

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

1 Section 1. The retirement and social security law is amended by adding  
2 a new section 618 to read as follows:

3 § 618. Transfer of membership into New York state and local employees'  
4 retirement system. a. Definitions. Whenever used in this section:

5 1. The term "eligible employee" shall mean a person who as of the  
6 effective date of this section is an employee of the state university of  
7 New York in a position within the professional, scientific and technical  
8 bargaining unit and who is, as of said effective date, a member of the  
9 optional retirement program and who is a registered nurse who first  
10 became an employee of the state university of New York at Stony Brook  
11 Hospital on a date between January first, nineteen hundred ninety-six  
12 and December thirty-first, nineteen hundred ninety-nine and who is still  
13 employed by the state university of New York as of the date said employ-  
14 ee files an application pursuant to subdivision b of this section;

15 2. The term "optional retirement program" shall mean the optional  
16 retirement program established pursuant to article eight-B of the educa-  
17 tion law.

18 b. Notwithstanding any other provision of law, an eligible employee  
19 shall be allowed to become a member of the New York state and local  
20 employees' retirement system by filing an application with said retire-  
21 ment system no later than December thirty-first, two thousand eighteen.

22 c. An eligible employee who files an application to become a member of  
23 the New York state and local employees' retirement system shall be  
24 deemed to be a member of that retirement system with a date of member-

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

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1 ship as of the date said eligible employee was first employed by the  
2 state university of New York. The eligible employee's membership in the  
3 optional retirement program shall terminate as of the date said applica-  
4 tion is filed.

5 d. An eligible employee who becomes a member of the New York state and  
6 local employees' retirement system pursuant to subdivision b of this  
7 section may elect to purchase credit for previous service for any period  
8 during which said employee was a member of the optional retirement  
9 program by filing an application with the New York state and local  
10 employees' retirement system no later than December thirty-first, two  
11 thousand eighteen and by paying to said retirement system an amount as  
12 determined by the comptroller equal to the full cost of such previous  
13 service credit purchased which shall include an amount equivalent to the  
14 additional costs to the employer of providing retirement service credit  
15 to such employee while such employee was a member of the optional  
16 retirement program as determined by the actuary for the retirement  
17 system. Said payment may be made by a transfer of funds from the employ-  
18 ee's optional retirement program account to the New York state and local  
19 employees' retirement system. Said payment may also be made in one  
20 payment by the employee or by payroll deduction over a period not to  
21 exceed five years.

22 § 2. This act shall take effect immediately.