STATE OF NEW YORK

6939--A

2017-2018 Regular Sessions

IN SENATE

November 8, 2017

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- 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 county of Erie to offer an optional twenty year retirement plan to certain deputy sheriffs employed by such county

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 to the contrary, the county of Erie, a participating employer in the New York state and local employees' retirement system, which previously elected to offer the optional twenty year retirement plan established pursuant to sections 552 and 553 of the retirement and social security law, to deputy sheriffs employed by such county, is hereby authorized to make participation in such plan available to Christopher J. Lysy, Kristin M. Rozycki, Marc J. Bristow, Daniel E. Walczak, Thomas Van Wie and Donald Hoelscher, deputy sheriffs employed by the county of Erie, who, for reasons not ascribable to their own negligence failed to make timely application to participate in such twenty year retirement plan. The county of Erie may so elect by filing with the state comptroller within three months of the effective date of this act, a resolution of the Erie county legislature together with certification that such deputy sheriffs did not bar themselves from participation in such retirement plan as a result of their own negligence. Thereafter, such deputy sheriffs may elect to be covered by the provisions of sections 552 and 553 of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such sections, by filing a request to that effect with the state comptroller on or before June 30, 2019.

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

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§ 2. All past service costs associated with implementing the provisions of this act shall be borne by the county of Erie.

§ 3. This act shall take effect immediately.

FISCAL NOTE.-- This bill will allow Erie County to elect to reopen the provisions of Section 552 together with Section 553 of the Retirement and Social Security Law for deputy sheriffs Christopher J. Lysy, Kristin M. Rozycki, Marc J. Bristow, Daniel E. Walczak, Thomas Van Wie, and Donald Hoelscher.

If this bill is enacted and these deputy sheriffs become covered under the provisions of Section 552 together with Section 553, we anticipate that there will be an increase of approximately $59,000 in the annual contributions of Erie County for the fiscal year ending March 31, 2019. In future years, this cost will vary as the billing rates and salaries of these deputy sheriffs change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $381,000 which will be borne by Erie County 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:

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 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 January 22, 2018, and intended for use only during the 2018 Legislative Session, if Fiscal Note No. 2018-2, prepared by the Actuary for the New York State and Local Retirement System.