STATE OF NEW YORK

1407

2019-2020 Regular Sessions

IN SENATE

January 14, 2019

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize Joseph F. Delaney to apply for military service credit in the New York state and local employees' retirement system

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

Section 1. Notwithstanding subdivision 5 of section 1000 of the retirement and social security law, Joseph F. Delaney, a retired member of the New York state and local employees' retirement system having retired December 30, 1997; and who served in the United States military during the Korean conflict, shall be eligible to apply for military service credit in the New York state and local employees' retirement system as otherwise provided pursuant to provisions of section 1000 of the retirement and social security law, if, within one year of the effective date of this act, he shall: (1) file a written request to that effect with such retirement system; and (2) shall pay to the New York state and local employees' retirement system an amount equal to the product of the number of years of military service being claimed and three percent of his final average salary. Such benefit shall be recalculated as of the date of his retirement.

§ 2. All past service costs attributable to the implementation of this act shall be borne by the state of New York.

§ 3. This act shall take effect immediately.

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

This bill will authorize Joseph F. Delaney, who is a retired member of the New York State and Local Employees' Retirement System (NYSLERS), to apply for military service credit pursuant to §1000 of the Retirement and Social Security Law. The bill requires Mr. Delaney to pay to the NYSLERS an amount to equal the product of the number of years of military service being claimed and 3% of his final average salary. The

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

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retirement benefit will be recalculated and payment will be made retroactive to his date of retirement.

If this bill is enacted during the 2019 legislative session, there will be an immediate past service cost of approximately $103,000. Approximately $3,100 of this cost would be borne by Joseph Delaney and the remaining $99,900 would be borne by the State of New York as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2020.

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, 2018 actuarial valuation. Distributions and other statistics can be found in the 2018 Report of the Actuary and the 2018 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015, 2016, 2017 and 2018 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, 2018 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 fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgement of an attorney.

This estimate, date January 9, 2019, and intended for use only during the 2019 Legislative Session, is Fiscal Note No. 2019-12, prepared by the Actuary for the New York State and Local Retirement System.