STATE OF NEW YORK

6110

2019-2020 Regular Sessions

IN SENATE

May 16, 2019

Introduced by Sen. SAVINO -- 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:

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

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

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

2. The term "optional retirement program" shall mean the optional retirement program established pursuant to article eight-B of the education law.

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

c. An eligible employee who files an application to become a member of the New York state and local employees' retirement system shall be 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.

LBD08687-01-9

ship as of the date said eligible employee was first employed by the state university of New York. The eligible employee's membership in the optional retirement program shall terminate as of the date said application is filed.

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

§ 2. Notwithstanding any other provision of law to the contrary, none of the provisions of this act shall be subject to section 25 of the retirement and social security law.

§ 3. This act shall take effect immediately.