

STATE OF NEW YORK

7860--A

2019-2020 Regular Sessions

IN ASSEMBLY

May 24, 2019

Introduced by M. of A. STIRPE -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize James Renna to receive certain service credit under section 384-d of the retirement and social security law

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

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 James Renna, a member of the New York state and local police and fire
3 retirement system, who was employed as a police officer with the town of
4 Clay, from December 7, 1992 through April 11, 1994, and who, through no
5 fault of his own, failed to file a timely application to participate in
6 the special twenty-year retirement plan contained in section 384-d of
7 the retirement and social security law resulting in the crediting of his
8 service with the town of Clay in the general retirement plan contained
9 in section 375-i of such law, shall be given full credit in the special
10 twenty-year retirement plan for such additional service upon the
11 election of the town of Clay to assume the additional cost of such
12 service. The town of Clay may so elect by filing a resolution of its
13 local legislative body together with certification that such police
14 officer did not bar himself from participation in such retirement plan
15 as a result of his own negligence.

16 § 2. All employer past service costs associated with implementing the
17 provisions of this act shall be borne by the town of Clay and may be
18 amortized over a ten year period.

19 § 3. This act shall take effect immediately.

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

This bill will grant James Renna, a Tier 2 member of the New York State and Local Police and Fire Retirement System, additional service

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

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creditable under the provisions of section 384-d together with section 384-e of the Retirement and Social Security Law, for time worked as a police officer with the Town of Clay between December 1992 and April 1994. Such service is currently creditable only in the age 55 retirement plan of section 375-g. Officer Renna is currently employed by the City of Syracuse and covered under 384-d together with 384-e.

If this bill is enacted, there will be no change in anticipated future annual costs as the member continues to be covered by 384-d together with 384-e. There will be an immediate past service cost of \$38,500 to be borne by the Town of Clay as a one-time payment. This cost assumes a payment date of February 1, 2021. If the Town of Clay elects to amortize this cost over a 10-year period, the cost for the first year would be \$5,090.

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, 2019 actuarial valuation. Distributions and other statistics can be found in the 2019 Report of the Actuary and the 2019 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015, 2016, 2017, 2018 and 2019 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, 2019 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 judgment of an attorney.

This estimate, dated December 17, 2019, and intended for use only during the 2020 Legislative Session, is Fiscal Note No. 2020-17, prepared by the Actuary for the New York State and Local Retirement System.