

# STATE OF NEW YORK

9722

## IN ASSEMBLY

February 5, 2020

Introduced by M. of A. STERN -- read once and referred to the Committee  
on Governmental Employees

AN ACT granting retroactive membership with Tier II status in the New  
York state teachers' retirement system to Lori Cohen

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

1 Section 1. Notwithstanding any other law to the contrary, Lori Cohen,  
2 who was employed as a substitute teacher with the Oceanside school  
3 district and Rockville Centre school district with a start date of July  
4 1, 1975, and who is currently a retired member of the New York state  
5 teachers' retirement system, who through no fault of her own did not  
6 become a member of the New York state teachers' retirement system on  
7 July 1, 1975 when first employed by the Oceanside school district and  
8 Rockville Centre school district shall be deemed to have been a member  
9 of the New York state teachers' retirement system on such date she  
10 commenced her employment and shall be granted Tier II status, provided  
11 that an application is filed with the head of the New York state teach-  
12 ers' retirement system within one year from the effective date of this  
13 act.

14 § 2. This act shall take effect immediately.

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

This bill would allow Lori Cohen, a retired Tier 3 member of the New  
York State Teachers' Retirement System, to be reclassified as a Tier 2  
member. Her date of membership would be changed based upon her employ-  
ment as a substitute teacher with the Oceanside School District and  
Rockville Centre School District which commenced on July 1, 1975. Upon  
reclassification as a Tier 2 member, Ms. Cohen's pension would be recal-  
culated with retroactive adjustment to payments made since her date of  
retirement of July 1, 2018. Additionally, she would be refunded the  
member contributions she made under Tier 3 as well as her prior service  
payment. Ms. Cohen must file a written request with the head of the New  
York State Teachers' Retirement System within one year of the effective  
date of this bill.

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

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The cost of this benefit is equal to the increase in the present value of liabilities plus the refund of member contributions and prior service payments, which is estimated to be \$223,000. This cost is to be borne by the employers of members of the New York State Teachers' Retirement System.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Comprehensive Annual Financial Report (CAFR). System assets are as reported in the System's financial statements, and can also be found in the CAFR. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report.

The source of this estimate is Fiscal Note 2020-5 dated January 28, 2020 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2020 Legislative Session. I, Richard A. Young, am the Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.