STATE OF NEW YORK

1235

2019-2020 Regular Sessions

IN SENATE

January 11, 2019

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

AN ACT to authorize Lois J. Reid to apply for ordinary disability retirement benefits from 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 any other provision of law, Lois J. Reid, who was employed by the Erie County Youth Board on March 6, 1970, and who was employed by the New York state department of social services on May 16, 1985, was a member of the New York state and local employees' retirement system for approximately 17.5 years, was diagnosed with chronic fatigue syndrome in 1990, which is a symptom of mitochondrial disease, of which was diagnosed on March 1, 2011, and which was only recently identified by the medical community, was declared to be totally and permanently disabled by the New York state department of social services in 1990, and who was declared to be totally and permanently disabled by the United States social security administration in the early 1990s, and who was denied ordinary disability retirement benefits, shall be allowed to reapply for ordinary disability retirement benefits from the New York state and local employees' retirement system covering the period from June 19, 1992 through March 1, 2003 if, within one year of the effective date of this act, she shall file a written request to that effect with the state comptroller.

§ 2. All costs associated with the implementation of this act shall be borne by the state.

§ 3. This act shall take effect immediately.

Fiscal Note. -- Pursuant to Legislative Law, Section 50:

This bill will allow Lois J. Reid, a service retiree of the New York State and Local Employees' Retirement System with a date of retirement

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

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of March 1, 2003, to apply for a temporary ordinary disability retirement benefit for the period from June 19, 1992 through March 1, 2003.

If this bill is enacted, and Lois J. Reid is granted a temporary disability benefit, we anticipate that there will be an immediate past service cost of approximately $127,000. This cost will 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 judgment of an attorney.

This estimate, dated January 3, 2019, and intended for use only during the 2019 Legislative Session, is Fiscal Note No. 2019-8, prepared by the Actuary for the New York State and Local Retirement System.