STATE OF NEW YORK

3455

2019-2020 Regular Sessions

IN SENATE

February 7, 2019

Introduced by Sen. BIAGGI -- 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 annual earnings limitations for retired police officers

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

Section 1. Section 212 of the retirement and social security law is amended by adding a new subdivision 4 to read as follows:

4. Notwithstanding the provisions of subdivisions one and two of this section, such annual earnings limitations for a retired police officer employed by a school district or a board of cooperative educational services, in either the classified or unclassified service as a school resource officer, school safety officer, school security officer or any other substantially similar position or office that is designed to provide safety and/or security on school grounds, provided that such retired police officer is duly qualified, competent and physically fit for performance of the duties of the position in which he or she is to be employed as determined by the school district or board of cooperative educational services and is properly certified where such certification is required, shall be fifty thousand dollars for the year two thousand nineteen and thereafter.

§ 2. This act shall take effect immediately.

FISCAL NOTE: Insofar as this bill will affect the New York State and Local Police and Fire Retirement System (PFRS), this bill will allow retired police officers who are employed by a school district as a school resource officer, school safety officer, school security officer or any other substantially similar position with an annual salary of $50,000 or less and continue to receive their full retirement benefit. Currently, the salary limit is $30,000.

If this bill is enacted, we expect few retirees to be affected. There would be negotiable additional annual costs. However, if large numbers

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

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of retirees are hired into such positions, there would be additional annual costs which would be shared by the state of New York and all of the participating employers in the PFRS.

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 the 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. 2019-18, prepared by the Actuary for the New York State and Local Retirement System.