

# STATE OF NEW YORK

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3904--A

2019-2020 Regular Sessions

## IN SENATE

February 21, 2019

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Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to entitling Robert V. Vassallo, Sr. to reapply for a disability retirement from the New York state police

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, Robert V.  
2 Vassallo, Sr., who was employed as a correction officer with the depart-  
3 ment of correctional services for the state of New York for approximate-  
4 ly one year beginning in 1968, and who was employed as a correction  
5 officer with the department of correction for the city of New York for  
6 approximately one year until September 10, 1970, and who was employed as  
7 a police officer with the New York state parkway police for the period  
8 beginning September 10, 1970 and ending January 1, 1980, and who was  
9 employed as a trooper with the New York state police for the period  
10 beginning January 1, 1980 and ending March 1, 1990, and who was employed  
11 as an investigator in the bureau of criminal investigation with the New  
12 York state police for the period beginning March 1, 1990 and ending  
13 September 13, 1997, and who, on January 14, 1991, was critically injured  
14 in an automobile accident while working undercover in an unmarked police  
15 car, and, as a result of such critical injuries has been unable to  
16 return to work with the New York state police, and who, for reasons not  
17 ascribable to his own negligence, has been denied a disability retire-  
18 ment from the New York state police, and who, as of the effective date  
19 of this act, is on regular service retirement, shall be entitled to  
20 reapply for a disability retirement from the New York state police if on

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

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1 or before December 31, 2021, he files a written request with the state  
2 comptroller to that effect.

3 § 2. This act shall take effect immediately.

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

This bill will entitle Robert V. Vassallo, Sr., a service retiree who was formerly employed as a police officer with the New York State Police, to file an application to receive a state police disability benefit pursuant to section 363-b of the Retirement and Social Security Law from the New York State and Local Police and Fire Retirement System (PFRS) instead of his current service retirement benefit.

If this bill is enacted during the 2020 legislative session, there will be no increase in the annual benefit paid by the PFRS. Therefore, there would be no cost to 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, 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 March 18, 2020, and intended for use only during the 2020 Legislative Session, is Fiscal Note No. 2020-104, prepared by the Actuary for the New York State and Local Retirement System.