

# STATE OF NEW YORK

8260

## IN SENATE

April 29, 2020

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

AN ACT to authorize Shawn Houseman to receive certain 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 Shawn Houseman, a member of the New York state and local police and fire  
3 retirement system covered under section 384-d of the retirement and  
4 social security law, who for the period beginning September 3, 1996 and  
5 ending September 2002, was employed as a deputy sheriff by the Orleans  
6 county sheriff's office where he was a member of the New York state and  
7 local employees' retirement system, and who, for reasons not ascribable  
8 to his own negligence, was not granted service credit under section  
9 384-d of the retirement and social security law for such period of  
10 employment with the county of Orleans, shall be granted such service  
11 credit under section 384-d of the retirement and social security law and  
12 shall be entitled to the full rights and benefits associated with cover-  
13 age under such section as well as section 384-e of such law, provided  
14 that a request to that effect is filed with the state comptroller within  
15 one year from the effective date of this act.

16 § 2. All past service costs incurred in implementing the provisions of  
17 this act shall be borne by the county of Orleans.

18 § 3. This act shall take effect immediately.

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

This bill will grant service credit under section 384-d together with section 384-e of the Retirement and Social Security Law to Shawn Houseman, a former member of the New York State Employees' Retirement System (ERS) and a current member of the New York State and Local Police and Fire Retirement System (PFRS) employed by the Town of Brighton, for the period of September 1996 through September 2002, during which he was employed as a deputy sheriff in the County of Orleans. Currently, deputy sheriff service is not creditable in a PFRS twenty year police retirement plan. Prior to being granted such service credit, Officer Houseman,

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

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who voluntarily withdrew his membership in the ERS effective January 2003, must reinstate and transfer his former ERS membership to the PFRS.

If this bill is enacted during the 2020 legislative session, there will be an immediate past service cost of approximately \$107,000 which will be borne by the County of Orleans as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2021.

There will be no increase in the annual contributions of the Town of Brighton.

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 April 22, 2020, and intended for use only during the 2020 Legislative Session, is Fiscal Note No. 2020-106, prepared by the Actuary for the New York State and Local Retirement System.