STATE OF NEW YORK

8840

IN SENATE

July 22, 2020
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Introduced by Sen. GRIFFO -- read twice and ordered printed, and when
  printed to be committed to the Committee on Rules

AN ACT to authorize Scott Berger to receive certain service 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 Scott Berger, a member of the New York state and local police and fire
3 retirement system, who was employed as a police officer with the village
4 of Frankfort, from May 5, 2000 through December, 2002, and who, through
5 no fault of his own, failed to file a timely application to participate
6 in the special twenty-year retirement plan contained in section 384-d of
7 the retirement and social security law resulting in the crediting of his
8 service with the village of Frankfort in the general retirement plan
9 contained in section 375-c of such law, shall be granted such service
10 credit under section 384-d of the retirement and social security law for
11 his period of employment with the village of Frankfort, provided a
12 request to that effect is filed with the state comptroller within one
13 year from the effective date of this act.
14   § 2. All employer past service costs associated with implementing the
15 provisions of this act shall be borne by the village of Frankfort and
16 may be amortized over a period of ten years.
17   § 3. This act shall take effect immediately.
18   FISCAL NOTE.--Pursuant to Legislative Law, Section 50:
19   This bill would grant Scott Berger, a Tier 2 member of the New York
20 State and Local Police and Fire Retirement System, additional service
21 creditable under the provisions of section 384-d together with section
22 384-e of the Retirement and Social Security Law for time worked as a
23 police officer with the Village of Frankfort between May 2000 and December
24 ber 2002. Such service is currently creditable only in the age 55
25 retirement plan of section 375-c. Officer Berger is currently employed
26 by the City of Utica and covered under 384-e.
27   If this bill is enacted during the 2020 legislative session, there
28 will be an immediate past service cost of approximately $36,000 which

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

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1 will be borne by the Village of Frankfort as a one-time payment. This
2 estimate is based on the assumption that payment will be made on Febru-
3 ary 1, 2021. If the Village of Frankfort elects to amortize this cost
4 over a 10 year period, the cost for the first year including interest
5 would be $4,760.
6   There will be no increase in the annual contributions of the City of
7 Utica.
8   Summary of relevant resources:
9   The membership data used in measuring the impact of the proposed
10 change was the same as that used in the March 31, 2019 actuarial valu-
11 ation.   Distributions and other statistics can be found in the 2019
12 Report of the Actuary and the 2019 Comprehensive Annual Financial
13 Report.
14   The actuarial assumptions and methods used are described in the 2015,
15 2016, 2017, 2018, and 2019 Annual Report to the Comptroller on Actuarial
16 Assumptions, and the Codes, Rules and Regulations of the State of New
17 York: Audit and Control.
18   The Market Assets and GASB Disclosures are found in the March 31, 2019
19 New York State and Local Retirement System Financial Statements and
20 Supplementary Information.
21   I am a member of the American Academy of Actuaries and meet the Quali-
22 fication Standards to render the actuarial opinion contained herein.
23   This fiscal note does not constitute a legal opinion on the viability
24 of the proposed change nor is it intended to serve as a substitute for
25 the professional judgment of an attorney.
26   This estimate, dated July 21, 2020, and intended for use only during
27 the 2020 Legislative Session, is Fiscal Note No. 2020-130, prepared by
28 the Actuary for the New York State and Local Retirement System.