STATE OF NEW YORK

7217--A

2021-2022 Regular Sessions

IN ASSEMBLY

April 29, 2021

Introduced by M. of A. GANDOLFO -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing Michael J. Cappiello to purchase service credit for service with the Long Island Railroad Company police department

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, Michael J. Cappiello, a former member of the Long Island Railroad Company police department, shall be eligible to apply to purchase up to three years of service credit for such employment with the New York state and local police and fire retirement system if, within one year of the effective date of this act, he shall (1) file a written request to that effect with such retirement system; and (2) shall pay to the New York state and local police and fire retirement system a sum equal to the product of the number of years of service being claimed and three percent of such member's compensation earned during the twelve months of credited service immediately preceding the date that the member made application for credit pursuant to this section.

§ 2. All past service costs attributable to the implementation of this act shall be borne by the state of New York.

§ 3. This act shall take effect immediately.

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

This bill would allow Michael J. Cappiello, a current member of the New York State and Local Police and Fire Retirement System (PFRS) employed by the County of Suffolk, the ability to transfer up to three years of his previous service credit earned as a police officer for the Long Island Railroad Company. Current law allows for Long Island Railroad Company service to be transferred in to PFRS only if the member was

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

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a member of the Metropolitan Transportation Authority police retirement program, which Michael was never a member of.

If this bill is enacted during the 2022 legislative session, there will be an immediate past service cost of approximately $182,000. Of this amount, approximately $13,300 will be borne by the member to purchase the additional service. The remaining $168,700 will be borne by the State of New York as a one-time payment, based on the assumption that payment will be made on March 1, 2023.

The annual contributions of the County of Suffolk would not change upon enactment of this legislation as the member's plan coverage is not affected.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 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, 2021 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 1, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-82, prepared by the Actuary for the New York State and Local Retirement System.