STATE OF NEW YORK

5814--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 25, 2021

Introduced by M. of A. BROWN -- 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 granting retroactive membership with Tier II status in the New York state teachers' retirement system to Lori Cohen

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

Section 1. Notwithstanding any other law to the contrary, Lori Cohen, who was employed as a substitute teacher with the Oceanside school district and Rockville Centre school district with a start date of July 1, 1975, and who is currently a retired member of the New York state teachers' retirement system, who through no fault of her own did not become a member of the New York state teachers' retirement system on July 1, 1975 when first employed by the Oceanside school district and Rockville Centre school district shall be deemed to have been a member of the New York state teachers' retirement system on such date she commenced her employment and shall be granted Tier II status, provided that an application is filed with the head of the New York state teachers' retirement system within one year from the effective date of this act.

§ 2. This act shall take effect immediately.

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

This bill would allow Lori Cohen, a retired Tier 3 member of the New York State Teachers' Retirement System, to be reclassified as a Tier 2 member. Her date of membership would be changed based upon her employment as a substitute teacher with the Oceanside School District and the Rockville Centre School District which commenced on July 1, 1975. Upon reclassification as a Tier 2 member, Ms. Cohen's pension would be recalculated with retroactive adjustment to payments made since her date of

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

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retirement of July 1, 2018. Additionally, she would be refunded the member contributions she made under Tier 3 as well as her prior service payment. Ms. Cohen must file a written request with the head of the New York State Teachers' Retirement System within one year of the effective date of this bill.

The cost of this benefit is equal to the increase in the present value of liabilities plus retroactive monthly payments, and the refund of member contributions and prior service payments, which is estimated to be $235,000. This cost is to be borne by the employers of members of the New York State Teachers' Retirement System.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Annual Report. System assets are as reported in the System's financial statements, and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report.

The source of this estimate is Fiscal Note 2022-3 dated December 9, 2021 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2022 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.