# STATE OF NEW YORK

8025--A

2021-2022 Regular Sessions

# IN ASSEMBLY

June 7, 2021

Introduced by M. of A. HAWLEY -- 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 tier III membership in the New York state and local employees' retirement system to Steven R. Grice

**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, Steven R. Grice, who is currently a Tier VI member of the New York state and local employees' retirement system and currently employed by the county of Genesee, and who commenced employment with the county of Genesee on June 22, 1981, and who, for reasons not ascribable to his own negligence, failed to become a member of the New York state and local employees' retirement system in 1981, may be deemed to have become a member of the New York state and local employees' retirement system on June 22, 1981, if within one year of the effective date of this act he shall file an application therefor with the state comptroller. Upon receipt of such application, Steven R. Grice shall be granted Tier III status in the New York state and local employees' retirement system and be eligible for all the rights and benefits thereof. No contributions made to the New York state and local employees' retirement system by Steven R. Grice shall be returned to him pursuant to this act.

§ 2. Any past service costs incurred in implementing the provisions of this act shall be borne by the county of Genesee.

§ 3. This act shall take effect immediately.

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

This bill would grant Tier 3 status in the New York State and Local Employees' Retirement System to Steven R. Grice, a current Tier 6 member employed by the County of Genesee, by changing their date of membership

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

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to June 22, 1981, the first date of Steven Grice's employment with the County of Genesee. There will be no refund of member contributions.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately $3,900 in the annual contributions of the County of Genesee for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of Steven Grice change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $18,600 which will be borne by the County of Genesee as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023.

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 May 11, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-139, prepared by the Actuary for the New York State and Local Retirement System.