STATE OF NEW YORK

4686

2021-2022 Regular Sessions

IN SENATE

February 8, 2021

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

AN ACT granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore

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, Justin Whitmore, a member of the New York State and Local Police and Fire Retirement System currently employed by the city of Rochester, who was employed as a seasonal employee for Sampson State Park, beginning on July 7, 2007, who through no fault of his own, failed to become a member of the New York state and local employees' retirement system during such employment by Sampson State Park in 2007, shall be deemed to have joined the New York state and local employees' retirement system on the date July 7, 2007 and shall be granted Tier IV status in such retirement system, if, within one year of the effective date of this act, he shall file a written request with the state comptroller.

§ 2. All past service costs of implementing the provisions 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 provide Justin R. Whitmore a date of membership of July 7, 2007 resulting in Tier 2 status in the New York State and Local Police and Fire Retirement System. The member is currently in Tier 6.

If this bill is enacted during the 2021 legislative session, we anticipate that there will be an increase of approximately $10,000 in the annual contributions of the City of Rochester for the fiscal year ending March 31, 2022. In future years, this cost will vary as the billing rates and salary of Justin Whitmore change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $35,700 which will be

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

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borne by the State of New York as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2022.

Summary of relevant resources:

Membership data as of March 31, 2020 was used in measuring the impact of the proposed change, the same data used in the April 1, 2020 actuarial valuation. Distributions and other statistics can be found in the 2020 Report of the Actuary and the 2020 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 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, 2020 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 February 1, 2021, and intended for use only during the 2021 Legislative Session, is Fiscal Note No. 2021-27, prepared by the Actuary for the New York State and Local Retirement System.