STATE OF NEW YORK

6978

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

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

AN ACT to authorize certain police officers to receive certain service credit under sections 384 and 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:

Section 1. Notwithstanding any other provision of law to the contrary, Jonathan Roman, David Arroyo, and Vincent Fiumara, members of the New York state and local police and fire retirement system, who were appointed as police officers with the village of Port Chester on August 4, 2014, and who, through no fault of their own, were enrolled to participate in the special twenty-five year retirement plan contained in section 384 of the retirement and social security law, shall be given full credit in the special twenty year retirement plan contained in section 384-d of the retirement and social security law for such service upon the election of the village of Port Chester to assume the additional cost of such service. The village of Port Chester may so elect by filing with the state comptroller within 180 days of the effective date of this act, a resolution of its legislative body, together with certification that such police officers did not bar themselves from participation in such retirement plan as a result of their own negligence. Thereafter, such officers may elect to be covered by the provisions of section 384-d of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such section, by filing a request to this effect with the state comptroller within one year of the effective date of this act.

§ 2. Notwithstanding any other provision of law to the contrary, Jason Behar, a member of the New York state and local police and fire retirement system, who transferred as a police officer from the city of Mount Vernon to the village of Port Chester on May 26, 2015, and who, through

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

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no fault of his own, was enrolled to participate in the special twenty year retirement plan contained in section 384-d of the retirement and social security law, shall be given full credit in the optional retirement plan contained in section 384 of the retirement and social security law for such service upon the election of the village of Port Chester to assume the additional cost of such service. The village of Port Chester may so elect by filing with the state comptroller, within 180 days of the effective date of this act, a resolution of its legislative body together with certification that such police officer did not bar himself from participation in such retirement plan as a result of his own negligence. Thereafter, Jason Behar may elect to be covered by the provisions of section 384 of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such section, by filing a request to that effect with the state comptroller within one year of the effective date of this act.

§ 3. All past service costs associated with implementing the provisions of this act shall be borne by the village of Port Chester and may be amortized over a ten year period.

§ 4. This act shall take effect immediately.