STATE OF NEW YORK

2097

2023-2024 Regular Sessions

IN SENATE

January 18, 2023

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

AN ACT to amend the retirement and social security law, in relation to establishing a retirement benefit review panel

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

Section 1. The retirement and social security law is amended by adding a new section 803-b to read as follows:

§ 803-b. Retirement benefit review panel. a. The comptroller shall establish a retirement benefit review panel consisting of at least fifteen members, any three of whom may sit as a team to review a particular case. Members of the panel shall have expertise in the various retirement systems of the state, including, but not limited to, membership, service credit, retirement options and the transfer of retirement service between retirement systems within and without the state. To the extent practicable, the workload of the panel should be evenly distributed among its members. Members of the panel should be free to exercise independent professional judgment without pressure or retaliation for the exercise of that judgment from any source.

b. Any member of a retirement system in this state, after seeking relief pursuant to: (1) section eight hundred three of this article; (2) a hearing; and/or (3) any other provision of law, who has failed to obtain the relief sought, may have his or her case heard before the retirement benefit review panel. Such panel is authorized to hear testimony and admit evidence that such panel deems relevant to the case before it. Upon the hearing of all testimony and admission of all evidence, the panel shall make its determination regarding the relief sought. Any determination made by such panel shall be final.

c. The comptroller is authorized to promulgate rules and regulations to implement the provisions of this section.

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

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§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.