

# STATE OF NEW YORK

8370

## IN SENATE

January 23, 2024

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

AN ACT in relation to authorizing Sgt. Bethany Kidd to receive certain service credit under a twenty year retirement plan

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
2 Sergeant Bethany Kidd, a member of the New York state and local police  
3 and fire retirement system, who was appointed as a police officer with  
4 the Seneca Falls Police Department, in the town of Seneca Falls, county  
5 of Seneca, on February 4, 2014, and who, through no fault of her own,  
6 was enrolled to participate in the special twenty-five year retirement  
7 plan contained in section 384 of the retirement and social security law,  
8 shall be given full credit in the special twenty year retirement plan  
9 contained in section 384-d of the retirement and social security law for  
10 such service upon the election of the town of Seneca Falls to assume the  
11 additional cost of such service. The town of Seneca Falls may so elect  
12 by filing with the state comptroller within 180 days of the effective  
13 date of this act, a resolution of its legislative body, together with  
14 certification that such police officer did not bar herself from partic-  
15 ipation in such retirement plan as a result of her own negligence.  
16 Thereafter, such officer may elect to be covered by the provisions of  
17 section 384-d of the retirement and social security law, and shall be  
18 entitled to the full rights and benefits associated with coverage under  
19 such section, by filing a request to such effect with the state comp-  
20 troller within one year of the effective date of this act.

21 § 2. All past service costs associated with implementing the  
22 provisions of this act shall be borne by the town of Seneca Falls, in  
23 the county of Seneca, and may be amortized over a ten year period.

24 § 3. This act shall take effect immediately.

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

This bill would allow the Town of Seneca Falls to reopen the provisions of section 384-d of the Retirement and Social Security Law for police officer Bethany Kidd.

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

LBD13454-02-4

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$10,000 in the annual contributions of the Town of Seneca Falls for the fiscal year ending March 31, 2025. In future years, this cost will vary as the billing rates and salary of Bethany Kidd change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$161,000 which will be borne by the Town of Seneca Falls as a one-time payment. This estimate assumes that payment will be made on February 1, 2025. If the Town of Seneca Falls elects to amortize this cost over a 10-year period, the cost for each year including interest would be \$20,600.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 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, 2023 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 January 22, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-74, prepared by the Actuary for the New York State and Local Retirement System.