

STATE OF NEW YORK

1505--A

2023-2024 Regular Sessions

IN SENATE

January 12, 2023

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize Lois J. Reid to apply for ordinary disability retirement benefits from the New York state and local employees' retirement system

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, Lois J. Reid,
2 who was employed by the Erie County Youth Board on March 6, 1970, and
3 who was employed by the New York state department of social services on
4 May 16, 1985, was a member of the New York state and local employees'
5 retirement system for approximately 17.5 years, was diagnosed with
6 chronic fatigue syndrome in 1990, which is a symptom of mitochondrial
7 disease, of which was diagnosed on March 1, 2011, and which was only
8 recently identified by the medical community, was declared to be totally
9 and permanently disabled by the New York state department of social
10 services in 1990, and who was declared to be totally and permanently
11 disabled by the United States social security administration in the
12 early 1990s, and who was denied ordinary disability retirement benefits,
13 shall be allowed to reapply for ordinary disability retirement benefits
14 from the New York state and local employees' retirement system covering
15 the period from June 19, 1992 through March 1, 2003 if, within one year
16 of the effective date of this act, she shall file a written request to
17 that effect with the state comptroller.

18 § 2. All costs associated with the implementation of this act shall be
19 borne by the state.

20 § 3. This act shall take effect immediately.

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

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

LBD00550-03-3

This bill would allow Lois J. Reid, a service retiree of the New York State and Local Employees' Retirement System with a date of retirement of March 1, 2003, to apply for a temporary ordinary disability retirement benefit for the period from June 19, 1992 through March 1, 2003.

If this bill is enacted during the 2023 legislative session, and Lois J. Reid is granted a temporary disability benefit, there will be an immediate past service cost of approximately \$127,000 which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2024.

Summary of relevant resources:

Membership data as of March 31, 2022 was used in measuring the impact of the proposed change, the same data used in the April 1, 2022 actuarial valuation. Distributions and other statistics can be found in the 2022 Report of the Actuary and the 2022 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2020, 2021, and 2022 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, 2022 New York State and Local Retirement System Financial Statements and Supplementary Information.

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 11, 2023, and intended for use only during the 2023 Legislative Session, is Fiscal Note No. 2023-14, prepared by the Actuary for the New York State and Local Retirement System.