STATE OF NEW YORK

7011--A

2023-2024 Regular Sessions

IN SENATE

May 16, 2023

Introduced by Sen. WEBER -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT granting retroactive tier IV membership in the New York state and local employees' retirement system to Raymond Ruckel

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, Raymond Ruckel, a tier VI member of the New York state and local employees' retirement system employed by the Rockland county sheriff's office correction division and who was employed as a full-time employee with Clarkstown Central School District from August 1, 1990 through December 1, 1990 and who, through no fault of his own, did not become a member of the New York state and local employees' retirement system on August 1, 1990 when he became eligible for membership in such system, shall be deemed to have a date of membership with the New York state and local employees' retirement system of August 1, 1990 if he shall file an application therefore with the state comptroller within one year of the effective date of this act. Upon the receipt of such application, Raymond Ruckel shall be granted tier IV status in the New York state and local employees' retirement system and shall be eligible for all the rights and benefits thereof.

§ 2. All past service costs of implementing the provisions of this act shall be borne by Clarkstown Central School District, and there shall be no refund of member contributions to Raymond Ruckel.

§ 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.

LBD10878-05-4

This bill would grant Tier 4 status in the New York State and Local Employees' Retirement System to Raymond Ruckel, a current Tier 6 member employed by Rockland County, by changing their date of membership to August 1, 1990, their first date of employment with the Clarkstown Central School District. There will be no refund of member contributions.

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately $7,500 in the annual contributions of Rockland County for the fiscal year ending March 31, 2025. In future years this cost will vary as the billing rates and salary of Raymond Ruckel change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $19,100 which will be borne by the Clarkstown Central School District as a one-time payment. This estimate assumes that payment will be made on February 1, 2025.

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 April 15, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-163, prepared by the Actuary for the New York State and Local Retirement System.