# STATE OF NEW YORK

9538

# IN SENATE

May 16, 2024

Introduced by Sen. WEIK -- 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 active members of the New York state and local police and fire retirement system to purchase service credit for service with the Long Island Railroad Company police department

**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, any active member of the New York state and local police and fire retirement system who was a former police officer of the Long Island Railroad company police department shall be eligible to apply to purchase up to three years of service credit for such employment if, within one year of the effective date of this act, the member shall (1) file a written request to that effect with such retirement system; and (2) shall pay to the New York state and local police and fire retirement system a sum equal to the product of the number of years of service being claimed and three percent of such member's compensation earned during the twelve months of credited service immediately preceding the date that the member made application for credit pursuant to this section. Such members shall have at least five years of credited service, not including service credited by this section, to be eligible to receive the credit authorized pursuant to this section.

§ 2. All past service costs attributable to the implementation of this act shall be borne by the state of New York.

§ 3. This act shall take effect immediately.

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

This bill would allow active members of the New York State and Local Police and Fire Retirement System (NYSLPFRS) to purchase up to three years of service credit for time rendered as a police officer in the Long Island Railroad company police department. Members must have at least five years of credited service (not including Long Island Railroad company police department service). Under current law, service with the Long Island Railroad Company must be credited in the Metropolitan Transportation Authority police retirement program before it can be trans-

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

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ferred to the NYSLPFRS. Members would be required to make a payment of three percent of their most recent compensation per year of additional service credit granted by this bill.

If this bill is enacted during the 2024 Legislative Session, insofar as this proposal affects the NYSLPFRS, it is estimated that the past service cost will be 22% of an affected member's compensation for each year of service credit that is purchased. For the NYSLPFRS, this cost will be billed to the State of New York annually, based on those benefiting from this provision.

The exact number of current members as well as future members who could be affected by this legislation cannot be readily determined. For one member known to be impacted by this bill, the cost to the State of New York will be approximately $158,000, based on the assumption that payment will be made on March 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 May 15, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-78, prepared by the Actuary for the New York State and Local Retirement System.