STATE OF NEW YORK

9638

IN SENATE

May 16, 2024

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

AN ACT to provide pension benefits to the widow of deceased firefighter Derek Floyd

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

Section 1. Notwithstanding the provisions of any general or special law, rule, or regulation to the contrary, Derek Floyd, who was previously employed by the New York city fire department prior to his death on April 15, 2024, is hereby deemed to have vested in the New York city fire pension fund. Christine Floyd, the widow of deceased firefighter Derek Floyd is hereby eligible to file an application for and shall receive pension benefits to which she would have been entitled if Derek Floyd had been a member of such pension fund at the time of his death.

§ 2. All costs of implementing the provisions of this act shall be paid by the New York city fire department.

§ 3. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would deem deceased former probationary firefighter Derek Floyd as an active member at the time of his death, entitling his widow, Christine Floyd, a Tier 3 Ordinary Death Benefit of three times salary.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
by Fiscal Year for the first 25 years ($)

Year	FIRE
2025	0
2026	307,000
2027	0
2028	0
2029	0
2030	0
2031	0
2032	0

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

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2033	0
2034	0
2035	0
2036	0
2037	0
2038	0
2039	0
2040	0
2041	0
2042	0
2043	0
2044	0
2045	0
2046	0
2047	0
2048	0
2049	0

The entire increase in employer contributions will be allocated to New York City.

EXPECTED INCREASE (DECREASE) IN ACTUARIAL LIABILITIES
as of June 30, 2024 ($)

Present Value (PV)	FIRE
PV of Benefits:	277,000
PV of Employee Contributions:	0
PV of Employer Contributions:	277,000
Unfunded Accrued Liabilities:	277,000

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	FIRE
Number of Payments:	1
Fiscal Year of Last Payment:	2026
Amortization Payment:	307,000

Since Mr. Floyd is deceased, and therefore has no remaining working lifetime, the entire increase in Unfunded Accrued Liability would be recognized immediately.

CENSUS DATA: The estimates presented herein are based on salary data provided by the New York City Fire Pension Fund (FIRE). The Ordinary Death Benefit estimated is based on Mr. Floyd's earnings in his last 12 months of service of approximately $92,200. The salary data was not audited but was reviewed for reasonableness.

BACKGROUND: Former New York City probationary firefighter Derek Floyd died on April 15, 2024, after his employment with the New York City Fire Department ceased on November 9, 2023, so that his beneficiaries were not entitled to the Ordinary Death Benefit afforded to members in active service.

This proposed legislation would treat Mr. Floyd as an active member at the time of his death, entitling his beneficiary to an additional lump sum death benefit equal to three times his final year's earnings, rounded up to the nearest $1,000.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demo-

graphics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits).

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS but do not believe it impairs our objectivity and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2024-52 dated May 10, 2024 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session.