STATE OF NEW YORK

7471

2025-2026 Regular Sessions

IN ASSEMBLY

March 28, 2025

Introduced by M. of A. HUNTER -- read once and referred to the Committee on Governmental Employees

AN ACT granting retroactive retirement service credit to David M. Sturtz

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, David M. Sturtz, currently a village of Liverpool police officer and member of the New York state and local police and fire retirement system covered by section 384-d of the retirement and social security law, who between October 14, 2002 and April 12, 2011 was employed by the Onondaga county sheriff's department where he was a member of the New York state and local employees' retirement system, and who, for reasons not ascribable to his own negligence, was not granted service credit under section 384-d of the retirement and social security law for his period of employment with the Onondaga county sheriff's department, shall be granted such service credit under section 384-d of the retirement and social security law and shall be entitled to the full rights and benefits associated with coverage under such section, provided a request to that effect is filed with the state comptroller within one year from the effective date of this act. Prior to David M. Sturtz submitting such request, he shall first file an application for transfer of membership with the New York state and local employees' retirement system. Upon the completion of such transfer, David M. Sturtz shall not be granted a refund of any employee contributions made by him to the New York state and local employees' retirement system.

§ 2. All past services costs associated with the implementation of this act shall be borne by the village of Liverpool.

§ 3. This act shall take effect immediately.

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

This bill would grant service credit under section 384-d of the Retirement and Social Security Law (RSSL) to David M. Sturtz, a current

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

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member of the New York State and Local Police and Fire Retirement System (NYSLPFRS) employed by the Village of Liverpool, for the period of October 14, 2002 through April 12, 2011, during which time they were employed by the Onondaga County sheriff's department. Currently, deputy sheriff service is not creditable in a NYSLPFRS twenty-year police retirement plan.

If this bill is enacted during the 2025 Legislative Session, we anticipate that there will be an increase of approximately $2,000 in the annual contributions of the Village of Liverpool for the fiscal year ending March 31, 2026. In future years this cost will vary as the billing rates and salary of David M. Sturtz change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $233,000 which will be borne by the Village of Liverpool as a one-time payment. This estimate assumes that payment will be made on February 1, 2026.

David M. Sturtz must transfer the service credit earned while employed by the Onondaga County sheriff's department to the NYSLPFRS before the service credit can be granted under section 384-d of the RSSL.

Summary of relevant resources:

Membership data as of March 31, 2024 was used in measuring the impact of the proposed change, the same data used in the April 1, 2024 actuarial valuation. Distributions and other statistics can be found in the 2024 Report of the Actuary and the 2024 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2024 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, 2024 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 March 24, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-101. As Chief Actuary of the New York State and Local Retirement System, I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member.