STATE OF NEW YORK

7824

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

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

AN ACT to authorize the widow of William James Middlebrooks to file a retirement option election form

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, Janice Middlebrooks, the widow of William James Middlebrooks who was employed by the Albion Correctional Facility, was a member of the New York state and local employees' retirement system, was diagnosed with cancer in January of 2004, was advised on October 31, 2004 that he would be unable to return to employment as the result of his malignancy and the treatment therefor, and died on December 3, 2006 prior to filing a retirement election form with the New York state and local employees' retirement system, shall be authorized to file such option election form on behalf of her deceased husband with a joint allowance full option, if on or before December 31, 2025 she shall submit a request therefor to the state comptroller. In addition, his application for disability retirement shall be deemed to have become effective on November 1, 2004. All retirement benefits payable pursuant to the provisions of this act shall be paid to Janice Middlebrooks and shall be in addition to any other death benefits paid.

§ 2. This act shall take effect immediately.

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

This bill would authorize Janice Middlebrooks, the widow of deceased retiree William James Middlebrooks, to file a new option election form with the New York State and Local Employees' Retirement System (NYSLERS) and revise the member's date of retirement. The option election will be a joint allowance full for a disability retirement effective November 1, 2004.

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

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If this bill is enacted during the 2025 Legislative Session, there will be an immediate past service cost of approximately $472,000 as of February 1, 2026, which will be shared by the State of New York and the local participating employers in NYSLERS.

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 12, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-104. 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.