

STATE OF NEW YORK

8874--A

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

Introduced by M. of A. BURKE -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the widow of Gerald J. Sullivan to file an application with the New York state and local police and fire retirement system on behalf of such deceased member and deem such application as timely filed

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

- 1 Section 1. Notwithstanding the provisions of any general or special
2 law, rule or regulation to the contrary, Bonnie E. Sullivan is author-
3 ized to file an application for accidental disability retirement with a
4 firefighters' cancer disability presumption pursuant to section 363-d of
5 the retirement and social security law on behalf of her deceased husband
6 Gerald J. Sullivan who was previously employed by the Buffalo Fire
7 Department and was a performance of duty disability retiree of the New
8 York state and local police and fire retirement system and the retire-
9 ment and social security law and passed away from cancer on December 17,
10 2020. Such application if filed with the state comptroller within one
11 year of the effective date of this act shall be deemed as timely filed.
12 § 2. Any additional costs for this act shall be paid by the city of
13 Buffalo.
14 § 3. This act shall take effect immediately.

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

This bill would authorize Bonnie E. Sullivan to file an application for accidental disability retirement pursuant to section 363-d of the retirement and social security law (RSSL) on behalf of their deceased husband Gerald J. Sullivan. The current retirement benefit will be recalculated, and payment will be made to Bonnie E. Sullivan retroactive

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

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to June 1, 2015, the date Gerald J. Sullivan first retired with a performance of duty disability benefit pursuant to section 363-c of the RSSL.

There will be an immediate past service cost of \$245,000 borne by the city of Buffalo as a one-time payment. This cost assumes that payment will be made on February 1, 2027.

This bill will not increase the city of Buffalo's annual contributions.

Summary of relevant resources:

Membership data as of March 31, 2025 was used to measure the impact of the bill, the same data used in the Actuarial Valuations dated April 1, 2025. Distributions and other statistics can be found in the 2025 Report of the Actuary and the 2025 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2025 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The fair value of assets and GASB disclosures can be found in the 2025 Financial Statements and Supplementary Information.

Assumptions, demographics, and other considerations may have been modified to better reflect specific provisions of any proposed benefit change(s).

This fiscal note does not constitute a legal opinion on the viability of the bill, nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 4, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-98. As Chief Actuary of the New York State and Local Retirement System (NYSLRS), 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. I am a member of NYSLRS but do not believe it impairs my objectivity.