

# STATE OF NEW YORK

7917

2025-2026 Regular Sessions

## IN SENATE

May 14, 2025

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

AN ACT to amend the retirement and social security law, in relation to  
participation by public or quasi-public organizations in the retire-  
ment system

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

1 Section 1. Subdivision a of section 31 of the retirement and social  
2 security law, as amended by chapter 379 of the laws of 1989, is amended  
3 to read as follows:  
4 a. Any public or quasi-public organization created wholly or partly or  
5 deriving its powers by the legislature of the state and which organiza-  
6 tion employs persons engaged in service to the public or any state agen-  
7 cy as defined in section fifty-three-a of the state finance law, or the  
8 New York state association of town superintendents of highways, inc. or  
9 any school board association, by resolution legally adopted by its  
10 governing body and approved by the comptroller, may elect to have its  
11 officers and employees become eligible to participate in the retirement  
12 system. Acceptance of the officers and employees of such an employer  
13 for membership in the retirement system shall be optional with the comp-  
14 troller. If [~~he~~] they shall approve their participation, such organiza-  
15 tion, except as specifically provided in this article to the contrary,  
16 shall thereafter be treated as a participating employer. Any election  
17 made pursuant to this subdivision by a school board association shall be  
18 applicable to current employees of such association. Notwithstanding  
19 the foregoing provisions, any officer or employee of the New York state  
20 association of town superintendents of highways, inc., the New York  
21 state school boards association, the New York state association of coun-  
22 ties, the association of towns of the state of New York, the New York  
23 conference of mayors and other municipal officials, or any school board

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

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1 association, first employed on or after the effective date of the chap-  
 2 ter of the laws of two thousand twenty-five which amended this subdivi-  
 3 sion, shall not be eligible to participate and/or receive service credit  
 4 in the retirement system based on such employment.

5 § 2. This act shall take effect immediately.

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

This bill would deny eligibility for membership in the New York State and Local Employees' Retirement System (NYSLERS) to persons first employed by the following organizations on or after the effective date:

1. The New York State Association of Town Superintendents of Highways, Inc.,
  2. The New York State School Boards Association,
  3. The New York State Association of Counties,
  4. The Association of Towns of the State of New York,
  5. The New York Conference of Mayors and Other Municipal Officials,
- and
6. any school board association.

If this bill is enacted into law, there will be no cost to 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 April 22, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-158. 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.