STATE OF NEW YORK

11572

IN ASSEMBLY

June 3, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Santabarbara) -- read once and referred to the Committee on Governmental Employees

AN ACT in relation to granting retroactive tier II membership in the New York state and local police and fire retirement system to Jason Dutcher

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, Jason Dutcher, who is currently an employee of the New York state police and currently a Tier VI member of the New York state and local police and fire retirement system, and who was on the trooper candidate eligible list to compete for a position in the December 2008 academy class and who would have been eligible to enroll as a member in the New York state and local police and fire retirement system as a Tier II status member if he had joined the New York state police at such time, and who requested a deferment on September 10, 2008, and was granted such deferment on December 10, 2008, due to his service with the United States department of state in Iraq from June 23, 2007 through June 22, 2010, and who, through no fault of his own, did not join the New York state police until November 26, 2012 as a result of such service with the United States department of state and a state police hiring freeze, shall be granted a date of membership with the New York state and local police and fire retirement system of December 10, 2008 if, within one year after the effective date of this act, he shall file a written request with the state comptroller.

§ 2. No contributions made to the New York state and local police and fire retirement system by Jason Dutcher shall be returned or refunded to him pursuant to this act.

§ 3. All past service costs associated with implementing the provisions of this act shall be borne by the state of New York.

§ 4. This act shall take effect immediately.

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

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

LBD14417-04-6

This bill would grant Tier 2 status in the New York State and Local Police and Fire Retirement System to Jason Dutcher, a current Tier 6 member employed by the Division of State Police, by changing their date of membership to December 10, 2008, the date they were first eligible to compete for a position in the state trooper academy. There will be no refund of member contributions.

We estimate that the state of New York's annual contributions will increase $15,000 beginning FYE 2027. Annual costs will vary as the billing rates and salary of Jason Dutcher change.

In addition, there will be an immediate past service cost of $2,610 borne by the state of New York as a one-time payment. This cost assumes that payment will be made on March 1, 2027.

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 June 2, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-225. 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.