STATE OF NEW YORK

7893--A

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

Introduced by M. of A. GALLAHAN -- 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 Lt. Thomas Cleere to receive certain service credit under a twenty year retirement plan

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, Lieutenant Thomas Cleere, a member of the New York state and local police and fire retirement system, who was appointed as a police officer with the Seneca Falls Police Department, in the town of Seneca Falls, county of Seneca, on February 4, 2014, and who, through no fault of his own, was enrolled to participate in the retirement plan contained in section 375-i of the retirement and social security law, shall be given full credit in the special twenty year retirement plan contained in section 384-d of the retirement and social security law for such service upon the election of the town of Seneca Falls to assume the additional cost of such service. The town of Seneca Falls may so elect by filing with the state comptroller within 180 days of the effective date of this act, a resolution of its legislative body, together with certification that such police officer did not bar himself from participation in such retirement plan as a result of his own negligence. Thereafter, such officer may elect to be covered by the provisions of 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, by filing a request to such effect with the state comptroller within one year of the effective date of this act.

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

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§ 2. All past service costs associated with implementing the provisions of this act shall be borne by the town of Seneca Falls, in the county of Seneca, and may be amortized over a ten year period.

§ 3. This act shall take effect immediately.

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

This bill would allow the town of Seneca Falls to reopen the provisions of § 384-d of the Retirement and Social Security Law (RSSL) for police officer Thomas Cleere, who is currently covered under § 375-i of the RSSL.

We estimate that the town of Seneca Falls' annual contributions will increase $13,000 beginning FYE 2027. Annual costs will vary as the billing rates and salary of Thomas Cleere change.

In addition, there will be an immediate past service cost of $191,000 borne by the town of Seneca Falls as a one-time payment. This cost assumes that payment will be made on February 1, 2027. If the town of Seneca Falls elects to amortize this cost over 10 years, the cost for each year will be $24,400.

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 February 23, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-129. 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.