STATE OF NEW YORK

7803--A

2025-2026 Regular Sessions

IN SENATE

May 9, 2025

Introduced by Sen. RHOADS -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing Joshua Kaye to receive certain retroactive membership in the New York state and local police and fire retirement system

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, Joshua Kaye, currently a member of the New York state and local police and fire retirement system, who was employed by North Merrick Public School District on April 7, 2003 who, for reasons not ascribable to his own negligence, failed to become a member of the New York state and local employees' retirement system during his employment with the North Merrick Public School District, shall be deemed to have joined the New York state and local police and fire retirement system on the date April 7, 2003 and shall be granted Tier II status in such retirement system, if within one year of the effective date of this act, he shall file a written request with the state comptroller to such effect. Upon the granting of such retroactive membership, Joshua Kaye shall not be granted a refund of any employee contributions made by him to the New York state and local police and fire retirement system.

§ 2. All past service costs associated with the implementation of this act shall be borne by the state of New York.

§ 3. This act shall take effect immediately.

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

This bill would grant Tier 2 status in the New York State and Local Police and Fire Retirement System to Joshua Kaye, a current Tier 6

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

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member employed by the Division of State Police, by changing their date of membership to April 7, 2003, their first date of employment with North Merrick Public School District. There will be no refund of member contributions.

We estimate that the state of New York's annual contributions will increase $17,000 beginning FYE 2027. Annual costs will vary as the billing rates and salary of Joshua Kaye change.

In addition, there will be an immediate past service cost of $1,030 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 May 19, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-205. 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.