§ 800. Definitions. The following words and phrases as used in this article shall have the following meanings unless a different meaning is plainly required by the context.

a. "Public retirement system" shall mean the New York state and local employees' retirement system, the New York state and local police and fire retirement system, New York state teachers' retirement system, New York city employees' retirement system, New York city teachers' retirement system, New York city police pension fund, New York city fire department pension fund and the New York city board of education retirement system.

b. "Employer" or "participating employer" shall mean the state of New York and any other unit of government or organization which makes contributions to a public retirement system on behalf of its employees. Provided however, that the provisions of this article shall not apply to the city of New York until such city enacts a local law adopting this article in its entirety. Until such date (subject to the provisions of section eight hundred six of this article), no member of a public retirement system: (i) who is an employee of the city of New York shall have any rights created by the provisions of this article or (ii) who is not an employee of the city of New York shall have any rights created by this article resulting from any prior employment by the city of New York. For the purposes herein: (i) the "city of New York" shall include: (a) every employer other than a state employer which participates in the New York city employees' retirement system, New York city teachers' retirement system, New York city police pension fund, New York city fire department pension fund or the New York city board of education retirement system, and (b) a city of New York funded college of the state university of New York located within such city, the city of New York libraries subject to section thirty-two of this chapter, and the civilian and uniformed employees described in subdivision sixteen of section twelve hundred four of the public authorities law; and (ii) a "state employer" shall mean the unified court system, the senior colleges of the city university of New York and a public benefit corporation, public corporation or subsidiary corporation a majority of the members of which are appointed by the governor, designated by virtue

of their state office or appointed or designated by any combination of the foregoing.

c. "Head of the retirement system" shall mean the state comptroller, with respect to the state and local employees' retirement system and the state and local police and fire retirement system, and the retirement board of the other public retirement systems.