

STATE OF NEW YORK

5209

2023-2024 Regular Sessions

IN ASSEMBLY

March 6, 2023

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law and the education law, in relation to member contribution per centum increases

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

1 Section 1. Paragraphs 1, 2, 3, 4 and 5 of subdivision a of section 517
2 of the retirement and social security law, as added by chapter 18 of the
3 laws of 2012, are amended to read as follows:

4 1. members with wages of forty-five thousand dollars per annum or less
5 shall contribute three per centum of annual wages. On April one, two
6 thousand twenty-four, members with wages of fifty thousand dollars per
7 annum or less shall contribute three per centum of annual wages, and
8 beginning on April one, two thousand twenty-five, the wages in this
9 subparagraph shall be increased by the annual inflation, as determined
10 from the increase in the consumer price index in the one year period
11 ending on December thirty-first of the year prior. Said percentage shall
12 then be rounded up to the next higher one-tenth of one percent and shall
13 not exceed three percent;

14 2. members with wages greater than forty-five thousand per annum, but
15 not more than fifty-five thousand per annum shall contribute three and
16 one-half per centum of annual wages. On April one, two thousand twenty-
17 four, members with wages greater than fifty thousand per annum, but not
18 more than sixty thousand per annum shall contribute three and one-half
19 per centum of annual wages, and beginning on April one, two thousand
20 twenty-five, the wages in this subparagraph shall be increased by the
21 annual inflation, as determined from the increase in the consumer price
22 index in the one year period ending on December thirty-first of the year
23 prior. Said percentage shall then be rounded up to the next higher one-
24 tenth of one percent and shall not exceed three percent;

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

LBD03315-02-3

3. members with wages greater than fifty-five thousand per annum, but not more than seventy-five thousand per annum shall contribute four and one-half per centum of annual wages. On April one, two thousand twenty-four, members with wages greater than sixty thousand per annum, but not more than eighty thousand per annum shall contribute four and one-half per centum of annual wages, and beginning on April one, two thousand twenty-five, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

4. members with wages greater than seventy-five thousand per annum but not more than one hundred thousand per annum shall contribute five and three-quarters per centum of annual wages. On April one, two thousand twenty-four, members with wages greater than eighty thousand dollars per annum but not more than one hundred five thousand dollars per annum shall contribute five and three-quarters per centum of annual wages, and beginning on April one, two thousand twenty-five, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent; and

5. members with wages greater than one hundred thousand per annum shall contribute six per centum of annual wages. On April one, two thousand twenty-four, members with wages greater than one hundred five thousand dollars per annum shall contribute six per centum of annual wages, and beginning on April one, two thousand twenty-five, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent.

§ 2. Subparagraphs (i), (ii), (iii), (iv) and (v) of paragraph 1 of subdivision a, subparagraphs (i), (ii), (iii), (iv) and (v) of paragraph 2 of subdivision a, paragraphs 1, 2, 3, 4 and 5 of subdivision f and paragraphs 1, 2, 3, 4 and 5 of subdivision g of section 613 of the retirement and social security law, subparagraphs (i), (ii), (iii), (iv) and (v) of paragraph 1 and subparagraphs (i), (ii), (iii), (iv) and (v) of paragraph 2 of subdivision a as amended by chapter 510 of the laws of 2015 and paragraphs 1, 2, 3, 4 and 5 of subdivision f and paragraphs 1, 2, 3, 4 and 5 of subdivision g as added by chapter 18 of the laws of 2012, are amended to read as follows:

(i) members with wages of forty-five thousand dollars per annum or less shall contribute three per centum of annual wages. On April one, two thousand twenty-four, members with wages of fifty thousand dollars per annum or less shall contribute three per centum of annual wages, and beginning on April one, two thousand twenty-five, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

(ii) members with wages greater than forty-five thousand per annum, but not more than fifty-five thousand per annum shall contribute three and one-half per centum of annual wages. On April one, two thousand

1 twenty-four, members with wages greater than fifty thousand per annum,
2 but not more than of sixty thousand per annum shall contribute three
3 and one-half per centum of annual wages, and beginning on April one, two
4 thousand twenty-five, the wages in this subparagraph shall be increased
5 by the annual inflation, as determined from the increase in the consumer
6 price index in the one year period ending on December thirty-first of
7 the year prior. Said percentage shall then be rounded up to the next
8 higher one-tenth of one percent and shall not exceed three percent;

9 (iii) members with wages greater than fifty-five thousand per annum,
10 but not more than seventy-five thousand per annum shall contribute four
11 and one-half per centum of annual wages. On April one, two thousand
12 twenty-four, members with wages greater than sixty thousand per annum,
13 but not more than eighty thousand per annum shall contribute four and
14 one-half per centum of annual wages, and beginning on April one, two
15 thousand twenty-five, the wages in this subparagraph shall be increased
16 by the annual inflation, as determined from the increase in the consumer
17 price index in the one year period ending on December thirty-first of
18 the year prior. Said percentage shall then be rounded up to the next
19 higher one-tenth of one percent and shall not exceed three percent;

20 (iv) members with wages greater than seventy-five thousand per annum
21 but not more than one hundred thousand per annum shall contribute five
22 and three-quarters per centum of annual wages. On April one, two thou-
23 sand twenty-four, members with wages greater than eighty thousand
24 dollars per annum but not more than one hundred five thousand dollars
25 per annum shall contribute five and three-quarters per centum of annual
26 wages, and beginning on April one, two thousand twenty-five, the wages
27 in this subparagraph shall be increased by the annual inflation, as
28 determined from the increase in the consumer price index in the one year
29 period ending on December thirty-first of the year prior. Said percent-
30 age shall then be rounded up to the next higher one-tenth of one percent
31 and shall not exceed three percent; and

32 (v) members with wages greater than one hundred thousand per annum
33 shall contribute six per centum of annual wages. On April one, two thou-
34 sand twenty-four, members with wages greater than one hundred five thou-
35 sand dollars per annum shall contribute six per centum of annual wages,
36 and beginning on April one, two thousand twenty-five, the wages in this
37 subparagraph shall be increased by the annual inflation, as determined
38 from the increase in the consumer price index in the one year period
39 ending on December thirty-first of the year prior. Said percentage shall
40 then be rounded up to the next higher one-tenth of one percent and shall
41 not exceed three percent.

42 (i) members with wages of forty-five thousand dollars per annum or
43 less shall contribute three per centum of annual wages. On April one,
44 two thousand twenty-four, members with wages of fifty thousand dollars
45 per annum or less shall contribute three per centum of annual wages, and
46 beginning on April one, two thousand twenty-five, the wages in this
47 subparagraph shall be increased by the annual inflation, as determined
48 from the increase in the consumer price index in the one year period
49 ending on December thirty-first of the year prior. Said percentage shall
50 then be rounded up to the next higher one-tenth of one percent and shall
51 not exceed three percent;

52 (ii) members with wages greater than forty-five thousand per annum,
53 but not more than fifty-five thousand per annum shall contribute three
54 and one-half per centum of annual wages. On April one, two thousand
55 twenty-four, members with wages greater than fifty thousand per annum,
56 but not more than of sixty thousand per annum shall contribute three

1 and one-half per centum of annual wages, and beginning on April one, two
2 thousand twenty-five, the wages in this subparagraph shall be increased
3 by the annual inflation, as determined from the increase in the consumer
4 price index in the one year period ending on December thirty-first of
5 the year prior. Said percentage shall then be rounded up to the next
6 higher one-tenth of one percent and shall not exceed three percent;

7 (iii) members with wages greater than fifty-five thousand per annum,
8 but not more than seventy-five thousand per annum shall contribute four
9 and one-half per centum of annual wages. On April one, two thousand
10 twenty-four, members with wages greater than sixty thousand per annum,
11 but not more than eighty thousand per annum shall contribute four and
12 one-half per centum of annual wages, and beginning on April one, two
13 thousand twenty-five, the wages in this subparagraph shall be increased
14 by the annual inflation, as determined from the increase in the consumer
15 price index in the one year period ending on December thirty-first of
16 the year prior. Said percentage shall then be rounded up to the next
17 higher one-tenth of one percent and shall not exceed three percent;

18 (iv) members with wages greater than seventy-five thousand per annum
19 but not more than one hundred thousand per annum shall contribute five
20 and three-quarters per centum of annual wages. On April one, two thou-
21 sand twenty-four, members with wages greater than eighty thousand
22 dollars per annum but not more than one hundred five thousand dollars
23 per annum shall contribute five and three-quarters per centum of annual
24 wages, and beginning on April one, two thousand twenty-five, the wages
25 in this subparagraph shall be increased by the annual inflation, as
26 determined from the increase in the consumer price index in the one year
27 period ending on December thirty-first of the year prior. Said percent-
28 age shall then be rounded up to the next higher one-tenth of one percent
29 and shall not exceed three percent; and

30 (v) members with wages greater than one hundred thousand per annum
31 shall contribute six per centum of annual wages. On April one, two thou-
32 sand twenty-four, members with wages greater than one hundred five thou-
33 sand dollars per annum shall contribute six per centum of annual wages,
34 and beginning on April one, two thousand twenty-five, the wages in this
35 subparagraph shall be increased by the annual inflation, as determined
36 from the increase in the consumer price index in the one year period
37 ending on December thirty-first of the year prior. Said percentage shall
38 then be rounded up to the next higher one-tenth of one percent and shall
39 not exceed three percent.

40 1. members with wages of forty-five thousand dollars per annum or less
41 shall contribute three per centum of annual wages. On April one, two
42 thousand twenty-four, members with wages of fifty thousand dollars per
43 annum or less shall contribute three per centum of annual wages, and
44 beginning on April one, two thousand twenty-five, the wages in this
45 subparagraph shall be increased by the annual inflation, as determined
46 from the increase in the consumer price index in the one year period
47 ending on December thirty-first of the year prior. Said percentage shall
48 then be rounded up to the next higher one-tenth of one percent and shall
49 not exceed three percent;

50 2. members with wages greater than forty-five thousand per annum, but
51 not more than fifty-five thousand per annum shall contribute three and
52 one-half per centum of annual wages. On April one, two thousand twenty-
53 four, members with wages greater than fifty thousand per annum, but not
54 more than of sixty thousand per annum shall contribute three and one-
55 half per centum of annual wages, and beginning on April one, two thou-
56 sand twenty-five, the wages in this subparagraph shall be increased by

1 the annual inflation, as determined from the increase in the consumer
2 price index in the one year period ending on December thirty-first of
3 the year prior. Said percentage shall then be rounded up to the next
4 higher one-tenth of one percent and shall not exceed three percent;

5 3. members with wages greater than fifty-five thousand per annum, but
6 not more than seventy-five thousand per annum shall contribute four and
7 one-half per centum of annual wages. On April one, two thousand twenty-
8 four, members with wages greater than sixty thousand per annum, but not
9 more than eighty thousand per annum shall contribute four and one-half
10 per centum of annual wages, and beginning on April one, two thousand
11 twenty-five, the wages in this subparagraph shall be increased by the
12 annual inflation, as determined from the increase in the consumer price
13 index in the one year period ending on December thirty-first of the year
14 prior. Said percentage shall then be rounded up to the next higher one-
15 tenth of one percent and shall not exceed three percent;

16 4. members with wages greater than seventy-five thousand per annum but
17 not more than one hundred thousand per annum shall contribute five and
18 three-quarters per centum of annual wages. On April one, two thousand
19 twenty-four, members with wages greater than eighty thousand dollars per
20 annum but not more than one hundred five thousand dollars per annum
21 shall contribute five and three-quarters per centum of annual wages, and
22 beginning on April one, two thousand twenty-five, the wages in this
23 subparagraph shall be increased by the annual inflation, as determined
24 from the increase in the consumer price index in the one year period
25 ending on December thirty-first of the year prior. Said percentage shall
26 then be rounded up to the next higher one-tenth of one percent and shall
27 not exceed three percent; and

28 5. members with wages greater than one hundred thousand per annum
29 shall contribute six per centum of annual wages. On April one, two thou-
30 sand twenty-four, members with wages greater than one hundred five thou-
31 sand dollars per annum shall contribute six per centum of annual wages,
32 and beginning on April one, two thousand twenty-five, the wages in this
33 subparagraph shall be increased by the annual inflation, as determined
34 from the increase in the consumer price index in the one year period
35 ending on December thirty-first of the year prior. Said percentage shall
36 then be rounded up to the next higher one-tenth of one percent and shall
37 not exceed three percent.

38 1. members with wages of forty-five thousand dollars per annum or less
39 shall contribute three per centum of annual wages. On April one, two
40 thousand twenty-four, members with wages of fifty thousand dollars per
41 annum or less shall contribute three per centum of annual wages, and
42 beginning on April one, two thousand twenty-five, the wages in this
43 subparagraph shall be increased by the annual inflation, as determined
44 from the increase in the consumer price index in the one year period
45 ending on December thirty-first of the year prior. Said percentage shall
46 then be rounded up to the next higher one-tenth of one percent and shall
47 not exceed three percent;

48 2. members with wages greater than forty-five thousand per annum, but
49 not more than fifty-five thousand per annum shall contribute three and
50 one-half per centum of annual wages. On April one, two thousand twenty-
51 four, members with wages greater than fifty thousand per annum, but not
52 more than of sixty thousand per annum shall contribute three and one-
53 half per centum of annual wages, and beginning on April one, two thou-
54 sand twenty-five, the wages in this subparagraph shall be increased by
55 the annual inflation, as determined from the increase in the consumer
56 price index in the one year period ending on December thirty-first of

1 the year prior. Said percentage shall then be rounded up to the next
2 higher one-tenth of one percent and shall not exceed three percent;

3 3. members with wages greater than fifty-five thousand per annum, but
4 not more than seventy-five thousand per annum shall contribute four and
5 one-half per centum of annual wages. On April one, two thousand twenty-
6 four, members with wages greater than sixty thousand per annum, but not
7 more than eighty thousand per annum shall contribute four and one-half
8 per centum of annual wages, and beginning on April one, two thousand
9 twenty-five, the wages in this subparagraph shall be increased by the
10 annual inflation, as determined from the increase in the consumer price
11 index in the one year period ending on December thirty-first of the year
12 prior. Said percentage shall then be rounded up to the next higher one-
13 tenth of one percent and shall not exceed three percent;

14 4. members with wages greater than seventy-five thousand per annum but
15 not more than one hundred thousand per annum shall contribute five and
16 three-quarters per centum of annual wages. On April one, two thousand
17 twenty-four, members with wages greater than eighty thousand dollars per
18 annum but not more than one hundred five thousand dollars per annum
19 shall contribute five and three-quarters per centum of annual wages, and
20 beginning on April one, two thousand twenty-five, the wages in this
21 subparagraph shall be increased by the annual inflation, as determined
22 from the increase in the consumer price index in the one year period
23 ending on December thirty-first of the year prior. Said percentage shall
24 then be rounded up to the next higher one-tenth of one percent and shall
25 not exceed three percent; and

26 5. members with wages greater than one hundred thousand per annum
27 shall contribute six per centum of annual wages. On April one, two thou-
28 sand twenty-four, members with wages greater than one hundred five thou-
29 sand dollars per annum shall contribute six per centum of annual wages,
30 and beginning on April one, two thousand twenty-five, the wages in this
31 subparagraph shall be increased by the annual inflation, as determined
32 from the increase in the consumer price index in the one year period
33 ending on December thirty-first of the year prior. Said percentage shall
34 then be rounded up to the next higher one-tenth of one percent and shall
35 not exceed three percent.

36 § 3. Subdivisions a, b, c, d and e of section 1204 of the retirement
37 and social security law, as added by chapter 18 of the laws of 2012, are
38 amended to read as follows:

39 a. members with wages of forty-five thousand dollars per annum or less
40 shall contribute three per centum of annual wages. On April one, two
41 thousand twenty-four, members with wages of fifty thousand dollars per
42 annum or less shall contribute three per centum of annual wages, and
43 beginning on April one, two thousand twenty-five, the wages in this
44 subparagraph shall be increased by the annual inflation, as determined
45 from the increase in the consumer price index in the one year period
46 ending on December thirty-first of the year prior. Said percentage shall
47 then be rounded up to the next higher one-tenth of one percent and shall
48 not exceed three percent;

49 b. members with wages greater than forty-five thousand per annum, but
50 not more than fifty-five thousand per annum shall contribute three and
51 one-half per centum of annual wages. On April one, two thousand twenty-
52 four, members with wages greater than fifty thousand per annum, but not
53 more than of sixty thousand per annum shall contribute three and one-
54 half per centum of annual wages, and beginning on April one, two thou-
55 sand twenty-five, the wages in this subparagraph shall be increased by
56 the annual inflation, as determined from the increase in the consumer

price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

c. members with wages greater than fifty-five thousand per annum, but not more than seventy-five thousand per annum shall contribute four and one-half per centum of annual wages. On April one, two thousand twenty-four, members with wages greater than sixty thousand per annum, but not more than eighty thousand per annum shall contribute four and one-half per centum of annual wages, and beginning on April one, two thousand twenty-five, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

d. members with wages greater than seventy-five thousand per annum but not more than one hundred thousand per annum shall contribute five and three-quarters per centum of annual wages. On April one, two thousand twenty-four, members with wages greater than eighty thousand dollars per annum but not more than one hundred five thousand dollars per annum shall contribute five and three-quarters per centum of annual wages, and beginning on April one, two thousand twenty-five, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent; and

e. members with wages greater than one hundred thousand per annum shall contribute six per centum of annual wages. On April one, two thousand twenty-four, members with wages greater than one hundred five thousand dollars per annum shall contribute six per centum of annual wages, and beginning on April one, two thousand twenty-five, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent.

§ 4. Paragraphs (a), (b), (c), (d) and (e) of subdivision 2 of section 182 of the education law, as added by chapter 18 of the laws of 2012, are amended to read as follows:

(a) members with wages of forty-five thousand dollars per annum or less shall contribute three per centum of annual wages. On April one, two thousand twenty-four, members with wages of fifty thousand dollars per annum or less shall contribute three per centum of annual wages, and beginning on April one, two thousand twenty-five, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

(b) members with wages greater than forty-five thousand per annum, but not more than fifty-five thousand per annum shall contribute three and one-half per centum of annual wages. On April one, two thousand twenty-four, members with wages greater than fifty thousand per annum, but not more than sixty thousand per annum shall contribute three and one-half per centum of annual wages, and beginning on April one, two thousand twenty-five, the wages in this subparagraph shall be increased by

1 the annual inflation, as determined from the increase in the consumer
2 price index in the one year period ending on December thirty-first of
3 the year prior. Said percentage shall then be rounded up to the next
4 higher one-tenth of one percent and shall not exceed three percent;

5 (c) members with wages greater than fifty-five thousand per annum, but
6 not more than seventy-five thousand per annum shall contribute four and
7 one-half per centum of annual wages. On April one, two thousand twenty-
8 four, members with wages greater than sixty thousand per annum, but not
9 more than eighty thousand per annum shall contribute four and one-half
10 per centum of annual wages, and beginning on April one, two thousand
11 twenty-five, the wages in this subparagraph shall be increased by the
12 annual inflation, as determined from the increase in the consumer price
13 index in the one year period ending on December thirty-first of the year
14 prior. Said percentage shall then be rounded up to the next higher one-
15 tenth of one percent and shall not exceed three percent;

16 (d) members with wages greater than seventy-five thousand per annum
17 but not more than one hundred thousand per annum shall contribute five
18 and three-quarters per centum of annual wages. On April one, two thou-
19 sand twenty-four, members with wages greater than eighty thousand
20 dollars per annum but not more than one hundred five thousand dollars
21 per annum shall contribute five and three-quarters per centum of annual
22 wages, and beginning on April one, two thousand twenty-five, the wages
23 in this subparagraph shall be increased by the annual inflation, as
24 determined from the increase in the consumer price index in the one year
25 period ending on December thirty-first of the year prior. Said percent-
26 age shall then be rounded up to the next higher one-tenth of one percent
27 and shall not exceed three percent; and

28 (e) members with wages greater than one hundred thousand per annum
29 shall contribute six per centum of annual wages. On April one, two thou-
30 sand twenty-four, members with wages greater than one hundred five thou-
31 sand dollars per annum shall contribute six per centum of annual wages,
32 and beginning on April one, two thousand twenty-five, the wages in this
33 subparagraph shall be increased by the annual inflation, as determined
34 from the increase in the consumer price index in the one year period
35 ending on December thirty-first of the year prior. Said percentage shall
36 then be rounded up to the next higher one-tenth of one percent and shall
37 not exceed three percent.

38 § 5. Subparagraphs (i), (ii), (iii), (iv) and (v) of paragraph (d) of
39 subdivision 2 of section 392 of the education law, as added by chapter
40 18 of the laws of 2012, are amended to read as follows:

41 (i) members with wages of forty-five thousand dollars per annum or
42 less shall contribute three per centum of annual wages. On July one, two
43 thousand twenty-three, members with wages of fifty thousand dollars per
44 annum or less shall contribute three per centum of annual wages, and
45 beginning on July one, two thousand twenty-four, the wages in this
46 subparagraph shall be increased by the annual inflation, as determined
47 from the increase in the consumer price index in the one year period
48 ending on December thirty-first of the year prior. Said percentage shall
49 then be rounded up to the next higher one-tenth of one percent and shall
50 not exceed three percent;

51 (ii) members with wages greater than forty-five thousand per annum,
52 but not more than fifty-five thousand per annum shall contribute three
53 and one-half per centum of annual wages. On July one, two thousand twen-
54 ty-three, members with wages greater than fifty thousand per annum, but
55 not more than of sixty thousand per annum shall contribute three and
56 one-half per centum of annual wages, and beginning on July one, two

thousand twenty-four, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

(iii) members with wages greater than fifty-five thousand per annum, but not more than seventy-five thousand per annum shall contribute four and one-half per centum of annual wages. On July one, two thousand twenty-three, members with wages greater than sixty thousand per annum, but not more than eighty thousand per annum shall contribute four and one-half per centum of annual wages, and beginning on July one, two thousand twenty-four, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

(iv) members with wages greater than seventy-five thousand per annum but not more than one hundred thousand per annum shall contribute five and three-quarters per centum of annual wages. On July one, two thousand twenty-three, members with wages greater than eighty thousand dollars per annum but not more than one hundred five thousand dollars per annum shall contribute five and three-quarters per centum of annual wages, and beginning on July one, two thousand twenty-four, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent; and

(v) members with wages greater than one hundred thousand per annum shall contribute six per centum of annual wages. On July one, two thousand twenty-three, members with wages greater than one hundred five thousand dollars per annum shall contribute six per centum of annual wages, and beginning on July one, two thousand twenty-four, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent.

§ 6. Subparagraphs 1, 2, 3, 4 and 5 of paragraph (d) of subdivision 2 of section 6252 of the education law, as added by chapter 18 of the laws of 2012, are amended to read as follows:

(1) members with wages of forty-five thousand dollars per annum or less shall contribute three per centum of annual wages. On July one, two thousand twenty-three, members with wages of fifty thousand dollars per annum or less shall contribute three per centum of annual wages, and beginning on July one, two thousand twenty-four, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

(2) members with wages greater than forty-five thousand per annum, but not more than fifty-five thousand per annum shall contribute three and one-half per centum of annual wages. On July one, two thousand twenty-three, members with wages greater than fifty thousand per annum, but not more than of sixty thousand per annum shall contribute three and one-

half per centum of annual wages, and beginning on July one, two thousand twenty-four, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

(3) members with wages greater than fifty-five thousand per annum, but not more than seventy-five thousand per annum shall contribute four and one-half per centum of annual wages. On July one, two thousand twenty-three, members with wages greater than sixty thousand per annum, but not more than eighty thousand per annum shall contribute four and one-half per centum of annual wages, and beginning on July one, two thousand twenty-four, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent;

(4) members with wages greater than seventy-five thousand per annum but not more than one hundred thousand per annum shall contribute five and three-quarters per centum of annual wages. On July one, two thousand twenty-three, members with wages greater than eighty thousand dollars per annum but not more than one hundred five thousand dollars per annum shall contribute five and three-quarters per centum of annual wages, and beginning on July one, two thousand twenty-four, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent; and

(5) members with wages greater than one hundred thousand per annum shall contribute six per centum of annual wages. On July one, two thousand twenty-three, members with wages greater than one hundred five thousand dollars per annum shall contribute six per centum of annual wages, and beginning on July one, two thousand twenty-four, the wages in this subparagraph shall be increased by the annual inflation, as determined from the increase in the consumer price index in the one year period ending on December thirty-first of the year prior. Said percentage shall then be rounded up to the next higher one-tenth of one percent and shall not exceed three percent.

§ 7. Notwithstanding any other provision of law to the contrary, none of the provisions of this act shall be subject to section 25 of the retirement and social security law.

§ 8. This act shall take effect immediately.

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

This bill would increase the wage ranges to which member contribution rates are applied for Tier 6 members effective April 1, 2024 by \$5,000. Beginning on April 1, 2025, the wage ranges would increase each year by the annual inflation rate rounded up to the next tenth of a percent, not to exceed 3%.

The current contribution rates and wage ranges for Tier 6 members are:
3% for wages of \$45,000 or less

3.5% for wages greater than \$45,000 and less than or equal to \$55,000

4.5% for wages greater than \$55,000 and less than or equal to \$75,000

5.75% for wages greater than \$75,000 and less than or equal to \$100,000

6.0% for wages greater than \$100,000

Insofar as this bill affects the New York State and Local Employees' Retirement System (NYSLERS), increased costs would be shared by the State of New York and all participating employers in the NYSLERS. If this bill is enacted during the 2023 legislative session, there will be an increase in the present value of future costs of approximately \$588 million.

In the NYSLERS, this benefit improvement will be funded by increasing the billing rates charged annually. The annual contribution required of all participating employers in NYSLERS is approximately 0.2% of billable salary, or \$26 million to the State of New York and approximately \$38 million to the local participating employers. This permanent annual cost will vary in subsequent billing cycles with changes in the wage ranges and salary of the affected members.

Insofar as this bill affects the New York State and Local Police and Fire Retirement System (NYSLPFRS), increased costs would be shared by the State of New York and all participating employers in the NYSLPFRS. If this bill is enacted during the 2023 legislative session, there will be an increase in the present value of future costs of approximately \$11.2 million.

In the NYSLPFRS, this benefit improvement will be funded by increasing the billing rates charged annually. The annual contribution required of all participating employers in NYSLERS is less than 0.1% of billable salary, or approximately \$225,000 to the State of New York and approximately \$890,000 to the local participating employers. This permanent annual cost will vary in subsequent billing cycles with changes in the wage ranges and salary of the affected members.

Summary of relevant resources:

Membership data as of March 31, 2022 was used in measuring the impact of the proposed change, the same data used in the April 1, 2022 actuarial valuation. Distributions and other statistics can be found in the 2022 Report of the Actuary and the 2022 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2020, 2021, and 2022 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, 2022 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

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 January 31, 2023, and intended for use only during the 2023 Legislative Session, is Fiscal Note No. 2023-30, prepared by the Actuary for the New York State and Local Retirement System.