

STATE OF NEW YORK

11213

IN ASSEMBLY

May 1, 2026

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, the education law, the military law, the general municipal law and the administrative code of the city of New York, in relation to extending the twenty-five year presumptive eligibility period for certain retirement benefits for injuries or illnesses related to World Trade Center rescue, recovery and clean-up operations

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

Section 1. Subdivision h of section 63 of the retirement and social security law, as amended by chapter 489 of the laws of 2008, is amended to read as follows:

h. Notwithstanding any other provision of this chapter or of any general, special or local law, charter, administrative code or rule or regulation to the contrary, if a retiree who: (1) has met the criteria of subdivision g of this section and retired on a service or disability retirement, or would have met the criteria if not already retired on an accidental disability; and (2) has not been retired for more than [~~twenty-five~~] thirty-five years; and (3) dies from a qualifying World Trade Center condition, as defined in section two of this article, as determined by the applicable head of the retirement system or applicable medical board, then unless the contrary be proven by competent evidence, such retiree shall be deemed to have died as a natural and proximate result of an accident sustained in the performance of duty and not as a result of willful negligence on [~~his or her~~] such retiree's part. Such retiree's eligible beneficiary, as set forth in section sixty-one of this title, shall be entitled to an accidental death benefit as provided by section sixty-one of this title, however, for the purposes of determining the salary base upon which the accidental death benefit is calculated, the retiree shall be deemed to have died on the date of [~~his or her~~] such retiree's retirement. Upon the retiree's death, the eligible beneficiary shall make a written application to the head of the retirement system within the time for filing an application for an accidental

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

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1 death benefit as set forth in section sixty-one of this title requesting
2 conversion of such retiree's service or disability retirement benefit to
3 an accidental death benefit. At the time of such conversion, the eligi-
4 ble beneficiary shall relinquish all rights to the prospective benefits
5 payable under the service or disability retirement benefit, including
6 any post-retirement death benefits, since the retiree's death. If the
7 eligible beneficiary is not the only beneficiary receiving or entitled
8 to receive a benefit under the service or disability retirement benefit
9 (including, but not limited to, post-retirement death benefits or bene-
10 fits paid or payable pursuant to the retiree's option selection), the
11 accidental death benefit payments to the eligible beneficiary will be
12 reduced by any amounts paid or payable to any other beneficiary.

13 § 2. Subdivision h of section 363 of the retirement and social securi-
14 ty law, as amended by chapter 489 of the laws of 2008, is amended to
15 read as follows:

16 h. Notwithstanding any other provision of this chapter or of any
17 general, special or local law, charter, administrative code or rule or
18 regulation to the contrary, if a retiree who: (1) has met the criteria
19 of subdivision g of this section and retired on a service or disability
20 retirement, or would have met the criteria if not already retired on an
21 accidental disability; and (2) has not been retired for more than [~~twen-~~
22 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade
23 Center condition, as defined in section two of this chapter, as deter-
24 mined by the applicable head of the retirement system or applicable
25 medical board, then unless the contrary be proven by competent evidence,
26 such retiree shall be deemed to have died as a natural and proximate
27 result of an accident sustained in the performance of duty and not as a
28 result of willful negligence on [~~his or her~~] such retiree's part. Such
29 retiree's eligible beneficiary, as set forth in section three hundred
30 sixty-one of this title, shall be entitled to an accidental death bene-
31 fit as provided by section three hundred sixty-one of this title, howev-
32 er, for the purposes of determining the salary base upon which the acci-
33 dental death benefit is calculated, the retiree shall be deemed to have
34 died on the date of [~~his or her~~] such retiree's retirement. Upon the
35 retiree's death, the eligible beneficiary shall make a written applica-
36 tion to the head of the retirement system within the time for filing an
37 application for an accidental death benefit as set forth in section
38 three hundred sixty-one of this title requesting conversion of such
39 retiree's service or disability retirement benefit to an accidental
40 death benefit. At the time of such conversion, the eligible beneficiary
41 shall relinquish all rights to the prospective benefits payable under
42 the service or disability retirement benefit, including any post-retire-
43 ment death benefits, since the retiree's death. If the eligible benefi-
44 ciary is not the only beneficiary receiving or entitled to receive a
45 benefit under the service or disability retirement benefit (including,
46 but not limited to, post-retirement death benefits or benefits paid or
47 payable pursuant to the retiree's option selection), the accidental
48 death benefit payments to the eligible beneficiary will be reduced by
49 any amounts paid or payable to any other beneficiary.

50 § 3. Subdivision h of section 507 of the retirement and social securi-
51 ty law, as amended by chapter 489 of the laws of 2008, is amended to
52 read as follows:

53 h. Notwithstanding any other provision of this chapter or of any
54 general, special or local law, charter, administrative code or rule or
55 regulation to the contrary, if a retiree who: (1) has met the criteria
56 of subdivision g of this section and retired on a service or disability

1 retirement, or would have met the criteria if not already retired on an
2 accidental disability; and (2) has not been retired for more than [~~twen-~~
3 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade
4 Center condition, as defined in section two of this chapter, as deter-
5 mined by the applicable head of the retirement system or applicable
6 medical board, then unless the contrary be proven by competent evidence,
7 such retiree shall be deemed to have died as a natural and proximate
8 result of an accident sustained in the performance of duty and not as a
9 result of willful negligence on [~~his or her~~] such retiree's part. Such
10 retiree's eligible beneficiary, as set forth in section five hundred one
11 of this article, shall be entitled to an accidental death benefit as
12 provided by section five hundred nine of this article, however, for the
13 purposes of determining the salary base upon which the accidental death
14 benefit is calculated, the retiree shall be deemed to have died on the
15 date of [~~his or her~~] such retiree's retirement. Upon the retiree's
16 death, the eligible beneficiary shall make a written application to the
17 head of the retirement system within the time for filing an application
18 for an accidental death benefit as set forth in section five hundred
19 nine of this article requesting conversion of such retiree's service or
20 disability retirement benefit to an accidental death benefit. At the
21 time of such conversion, the eligible beneficiary shall relinquish all
22 rights to the prospective benefits payable under the service or disabili-
23 ty retirement benefit, including any post-retirement death benefits,
24 since the retiree's death. If the eligible beneficiary is not the only
25 beneficiary receiving or entitled to receive a benefit under the service
26 or disability retirement benefit (including, but not limited to, post-
27 retirement death benefits or benefits paid or payable pursuant to the
28 retiree's option selection), the accidental death benefit payments to
29 the eligible beneficiary will be reduced by any amounts paid or payable
30 to any other beneficiary.

31 § 4. Subdivision i of section 556 of the retirement and social securi-
32 ty law, as amended by chapter 489 of the laws of 2008, is amended to
33 read as follows:

34 i. Notwithstanding any other provision of this chapter or of any
35 general, special or local law, charter, administrative code or rule or
36 regulation to the contrary, if a retiree who: (1) has met the criteria
37 of subdivision h of this section and retired on a service or disability
38 retirement, or would have met the criteria if not already retired on an
39 accidental disability; and (2) has not been retired for more than [~~twen-~~
40 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade
41 Center condition, as defined in section two of this chapter, as deter-
42 mined by the applicable head of the retirement system or applicable
43 medical board, then unless the contrary be proven by competent evidence,
44 such retiree shall be deemed to have died as a natural and proximate
45 result of an accident sustained in the performance of duty and not as a
46 result of willful negligence on [~~his or her~~] such retiree's part. Such
47 retiree's eligible beneficiary, as set forth in section five hundred one
48 of this [~~article~~] chapter, shall be entitled to an accidental death
49 benefit as provided by section five hundred nine of this [~~article~~] chap-
50 ter, however, for the purposes of determining the salary base upon which
51 the accidental death benefit is calculated, the retiree shall be deemed
52 to have died on the date of [~~his or her~~] such retiree's retirement. Upon
53 the retiree's death, the eligible beneficiary shall make a written
54 application to the head of the retirement system within the time for
55 filing an application for an accidental death benefit as set forth in
56 section five hundred nine of this [~~article~~] chapter requesting conver-

1 sion of such retiree's service or disability retirement benefit to an
2 accidental death benefit. At the time of such conversion, the eligible
3 beneficiary shall relinquish all rights to the prospective benefits
4 payable under the service or disability retirement benefit, including
5 any post-retirement death benefits, since the retiree's death. If the
6 eligible beneficiary is not the only beneficiary receiving or entitled
7 to receive a benefit under the service or disability retirement benefit
8 (including, but not limited to, post-retirement death benefits or bene-
9 fits paid or payable pursuant to the retiree's option selection), the
10 accidental death benefit payments to the eligible beneficiary will be
11 reduced by any amounts paid or payable to any other beneficiary.

12 § 5. Subdivision i of section 605 of the retirement and social securi-
13 ty law, as amended by chapter 489 of the laws of 2008, is amended to
14 read as follows:

15 i. Notwithstanding any other provision of this chapter or of any
16 general, special or local law, charter, administrative code or rule or
17 regulation to the contrary, if a retiree who: (1) has met the criteria
18 of subdivision h of this section and retired on a service or disability
19 retirement, or would have met the criteria if not already retired on an
20 accidental disability; and (2) has not been retired for more than [~~twen-~~
21 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade
22 Center condition, as defined in section two of this chapter, as deter-
23 mined by the applicable head of the retirement system or applicable
24 medical board, then unless the contrary be proven by competent evidence,
25 such retiree shall be deemed to have died as a natural and proximate
26 result of an accident sustained in the performance of duty and not as a
27 result of willful negligence on [~~his or her~~] such retiree's part. Such
28 retiree's eligible beneficiary, as set forth in section six hundred one
29 of this article, shall be entitled to an accidental death benefit as
30 provided by section six hundred seven of this article, however, for the
31 purposes of determining the salary base upon which the accidental death
32 benefit is calculated, the retiree shall be deemed to have died on the
33 date of [~~his or her~~] such retiree's retirement. Upon the retiree's
34 death, the eligible beneficiary shall make a written application to the
35 head of the retirement system within the time for filing an application
36 for an accidental death benefit as set forth in section six hundred
37 seven of this article requesting conversion of such retiree's service or
38 disability retirement benefit to an accidental death benefit. At the
39 time of such conversion, the eligible beneficiary shall relinquish all
40 rights to the prospective benefits payable under the service or disabil-
41 ity retirement benefit, including any post-retirement death benefits,
42 since the retiree's death. If the eligible beneficiary is not the only
43 beneficiary receiving or entitled to receive a benefit under the service
44 or disability retirement benefit (including, but not limited to, post-
45 retirement death benefits or benefits paid or payable pursuant to the
46 retiree's option selection), the accidental death benefit payments to
47 the eligible beneficiary will be reduced by any amounts paid or payable
48 to any other beneficiary.

49 § 6. Subdivision i of section 605-a of the retirement and social secu-
50 rity law, as amended by chapter 489 of the laws of 2008, is amended to
51 read as follows:

52 i. Notwithstanding any other provision of this chapter or of any
53 general, special or local law, charter, administrative code or rule or
54 regulation to the contrary, if a retiree who: (1) has met the criteria
55 of subdivision h of this section and retired on a service or disability
56 retirement, or would have met the criteria if not already retired on an

1 accidental disability; and (2) has not been retired for more than [~~twenty-five~~
2 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade
3 Center condition, as defined in section two of this chapter, as deter-
4 mined by the applicable head of the retirement system or applicable
5 medical board, then unless the contrary be proven by competent evidence,
6 such retiree shall be deemed to have died as a natural and proximate
7 result of an accident sustained in the performance of duty and not as a
8 result of willful negligence on [~~his or her~~] such retiree's part. Such
9 retiree's eligible beneficiary, as set forth in section six hundred one
10 of this article, shall be entitled to an accidental death benefit as
11 provided by section six hundred seven of this article, however, for the
12 purposes of determining the salary base upon which the accidental death
13 benefit is calculated, the retiree shall be deemed to have died on the
14 date of [~~his or her~~] such retiree's retirement. Upon the retiree's
15 death, the eligible beneficiary shall make a written application to the
16 head of the retirement system within the time for filing an application
17 for an accidental death benefit as set forth in section six hundred
18 seven of this article requesting conversion of such retiree's service or
19 disability retirement benefit to an accidental death benefit. At the
20 time of such conversion, the eligible beneficiary shall relinquish all
21 rights to the prospective benefits payable under the service or disabili-
22 ty retirement benefit, including any post-retirement death benefits,
23 since the retiree's death. If the eligible beneficiary is not the only
24 beneficiary receiving or entitled to receive a benefit under the service
25 or disability retirement benefit (including, but not limited to, post-
26 retirement death benefits or benefits paid or payable pursuant to the
27 retiree's option selection), the accidental death benefit payments to
28 the eligible beneficiary will be reduced by any amounts paid or payable
29 to any other beneficiary.

30 § 7. Subdivision e of section 605-b of the retirement and social secu-
31 rity law, as amended by chapter 489 of the laws of 2013, is amended to
32 read as follows:

33 e. Notwithstanding any other provision of this chapter or of any
34 general, special or local law, charter, administrative code or rule or
35 regulation to the contrary, if a retiree or vestee who: (1) has met the
36 criteria of subdivision d of this section and retired on a service or
37 disability retirement, would have met the criteria if not already
38 retired on an accidental disability, or was separated from service with
39 a vested right to deferred payability of a retirement allowance; and (2)
40 has not been retired for more than [~~twenty-five~~] thirty-five years; and
41 (3) dies from a qualifying World Trade Center condition, as defined in
42 section two of this chapter, as determined by the applicable head of the
43 retirement system or applicable medical board, then unless the contrary
44 be proven by competent evidence, such retiree or vestee shall be deemed
45 to have died as a natural and proximate result of an accident sustained
46 in the performance of duty and not as a result of willful negligence on
47 [~~his or her~~] such retiree's or vestee's part. Such retiree's or vestee's
48 eligible beneficiary, as set forth in section six hundred one of this
49 article, shall be entitled to an accidental death benefit as provided by
50 section six hundred seven of this article, however, for the purposes of
51 determining the salary base upon which the accidental death benefit is
52 calculated, the retiree or vestee shall be deemed to have died on the
53 date of [~~his or her~~] such retiree's or vestee's retirement or separation
54 from service with vested rights. Upon the retiree's or vestee's death,
55 the eligible beneficiary shall make a written application to the head of
56 the retirement system within the time for filing an application for an

1 accidental death benefit as set forth in section six hundred seven of
2 this article requesting conversion of such retiree's or vestee's service
3 or disability retirement benefit to an accidental death benefit. At the
4 time of such conversion, the eligible beneficiary shall relinquish all
5 rights to the prospective benefits payable under the service or disabili-
6 ty retirement benefit, or vested right to such benefit, including any
7 post-retirement death benefits, since the retiree's or vestee's death.
8 If the eligible beneficiary is not the only beneficiary receiving or
9 entitled to receive a benefit under the service or disability retirement
10 benefit (including, but not limited to, post-retirement death benefits
11 or benefits paid or payable pursuant to the retiree's option selection),
12 or that will be eligible under the vested right, the accidental death
13 benefit payments to the eligible beneficiary will be reduced by any
14 amounts paid or payable to any other beneficiary.

15 § 8. Subdivision c of section 605-c of the retirement and social secu-
16 rity law, as amended by chapter 489 of the laws of 2013, is amended to
17 read as follows:

18 c. Notwithstanding any other provision of this chapter or of any
19 general, special or local law, charter, administrative code or rule or
20 regulation to the contrary, if a retiree or vestee who: (1) has met the
21 criteria of subdivision b of this section and retired on a service or
22 disability retirement, would have met the criteria if not already
23 retired on an accidental disability, or was separated from service with
24 a vested right to deferred payability of a retirement allowance; and (2)
25 has not been retired for more than [~~twenty-five~~ thirty-five] years; and
26 (3) dies from a qualifying World Trade Center condition as defined in
27 section two of this chapter, as determined by the applicable head of the
28 retirement system or applicable medical board, then unless the contrary
29 be proven by competent evidence, such retiree or vestee shall be deemed
30 to have died as a natural and proximate result of an accident sustained
31 in the performance of duty and not as a result of willful negligence on
32 [~~his or her~~ such retiree's or vestee's] part. Such retiree's or vestee's
33 eligible beneficiary, as set forth in section six hundred one of this
34 article, shall be entitled to an accidental death benefit as provided by
35 section six hundred seven of this article, however, for the purposes of
36 determining the salary base upon which the accidental death benefit is
37 calculated, the retiree or vestee shall be deemed to have died on the
38 date of [~~his or her~~ such retiree's or vestee's] retirement or separation
39 from service with vested rights. Upon the retiree's or vestee's death,
40 the eligible beneficiary shall make a written application to the head of
41 the retirement system within the time for filing an application for an
42 accidental death benefit as set forth in section six hundred seven of
43 this article requesting conversion of such retiree's service, vested
44 right or disability retirement benefit to an accidental death benefit.
45 At the time of such conversion, the eligible beneficiary shall relin-
46 quish all rights to the prospective benefits payable under the service
47 or disability retirement benefit, or vested right to such benefit,
48 including any post-retirement death benefits, since the retiree's or
49 vestee's death. If the eligible beneficiary is not the only beneficiary
50 receiving or entitled to receive a benefit under the service or disabili-
51 ty retirement benefit (including, but not limited to, post-retirement
52 death benefits or benefits paid or payable pursuant to the retiree's
53 option selection), or that will be eligible under the vested right, the
54 accidental death benefit payments to the eligible beneficiary will be
55 reduced by any amounts paid or payable to any other beneficiary.

§ 9. Paragraph (a) of subdivision 36 of section 2 of the retirement and social security law, as amended by chapter 561 of the laws of 2022, is amended to read as follows:

(a) "Qualifying World Trade Center condition" shall mean a qualifying condition or impairment of health resulting in disability to a member who participated in World Trade Center rescue, recovery or cleanup operations for a qualifying period, as those terms are defined below, provided the following conditions have been met: (i) such member, or eligible beneficiary in the case of the member's death, must have either filed a written and sworn statement with the member's retirement system on a form provided by such system, or as allowed by the member's retirement system, electronically submitted a statement on a form provided by such system through a secure online portal maintained by the member's retirement system that has duly validated the member's identity, indicating the underlying dates and locations of employment not later than September eleventh, two thousand ~~twenty-six~~ **thirty-six**, and (ii) such member has either successfully passed a physical examination for entry into public service, or authorized release of all relevant medical records, if the member did not undergo a physical examination for entry into public service; and (iii) there is no evidence of the qualifying condition or impairment of health that formed the basis for the disability in such physical examination for entry into public service or in the relevant medical records, prior to September eleventh, two thousand one except for such member, or eligible beneficiary in the case of the member's death, of a local retirement system of a city with a population of one million or more that is covered by section 13-551 of the administrative code of the city of New York, or by section twenty-five hundred seventy-five of the education law and for such member who separated from service with vested rights, or eligible beneficiary of such member who separated from service with vested rights in the case of the member's death, of a local retirement system of a city with a population of one million or more who are covered by sections 13-168, 13-252.1 or 13-353.1 of the administrative code of the city of New York or sections five hundred seven-c, six hundred five-b, six hundred five-c, or six hundred seven-b of this chapter. The deadline for filing a written and sworn statement required by subparagraph (i) of this paragraph shall be September eleventh, two thousand ~~twenty-six~~ **thirty-six** for such member, or eligible beneficiary in the case of the member's death, of a local retirement system of a city with a population of one million or more that is covered by section 13-551 of the administrative code of the city of New York, or by section twenty-five hundred seventy-five of the education law and for such member who separated from service with vested rights, or eligible beneficiary of such member who separated from service with vested rights in the case of the member's death, of a local retirement system of a city with a population of one million or more who are covered by sections 13-168, 13-252.1 or 13-353.1 of the administrative code of the city of New York and sections five hundred seven-c, six hundred five-b, six hundred five-c, or six hundred seven-b of this chapter. Every retirement system shall keep a copy of every written and sworn statement that is presented for filing not later than September eleventh, two thousand ~~twenty-six~~ **thirty-six**, including those that are rejected for filing as untimely.

§ 10. Subdivision e of section 507-b of the retirement and social security law, as added by chapter 489 of the laws of 2008, is amended to read as follows:

e. Notwithstanding any other provision of this chapter or of any general, special or local law, charter, administrative code or rule or regulation to the contrary, if a retiree who:

1. has met the criteria of subdivision d of this section and retired on a service or disability retirement, or would have met the criteria if not already retired on an accidental disability; and

2. has not been retired for more than [~~twenty-five~~] thirty-five years; and

3. dies from a qualifying World Trade Center condition, as defined in section two of this chapter, as determined by the applicable head of the retirement system or applicable medical board, then unless the contrary be proven by competent evidence, such retiree shall be deemed to have died as a natural and proximate result of an accident sustained in the performance of duty and not as a result of willful negligence on [~~his or her~~] such retiree's part. Such retiree's eligible beneficiary, as set forth in section five hundred one of this article, shall be entitled to an accidental death benefit as provided by section five hundred nine of this article, however, for the purposes of determining the salary base upon which the accidental death benefit is calculated, the retiree shall be deemed to have died on the date of [~~his or her~~] such retiree's retirement. Upon the retiree's death, the eligible beneficiary shall make a written application to the head of the retirement system within the time for filing an application for an accidental death benefit as set forth in section five hundred nine of this article requesting conversion of such retiree's service or disability retirement benefit to an accidental death benefit. At the time of such conversion, the eligible beneficiary shall relinquish all rights to the prospective benefits payable under the service or disability retirement benefit, including any post-retirement death benefits, since the retiree's death. If the eligible beneficiary is not the only beneficiary receiving or entitled to receive a benefit under the service or disability retirement benefit (including, but not limited to, post-retirement death benefits or benefits paid or payable pursuant to the retiree's option selection), the accidental death benefit payments to the eligible beneficiary shall be reduced by any amounts paid or payable to any other beneficiary.

§ 11. Subdivision d of section 507-c of the retirement and social security law, as amended by chapter 489 of the laws of 2013, is amended to read as follows:

d. Notwithstanding any other provision of this chapter or of any general, special or local law, charter, administrative code or rule or regulation to the contrary, if a retiree or vestee who: (1) has met the criteria of subdivision c of this section and retired on a service or disability retirement, would have met the criteria if not already retired on an accidental disability, or was separated from service with a vested right to deferred payability of a retirement allowance; and (2) has not been retired for more than [~~twenty-five~~] thirty-five years; and (3) dies from a qualifying World Trade center condition, as defined in section two of this chapter, that is determined by the applicable head of the retirement system or applicable medical board, then unless the contrary be proven by competent evidence, such retiree or vestee shall be deemed to have died as a natural and proximate result of an accident sustained in the performance of duty and not as a result of willful negligence on [~~his or her~~] such retiree's or vestee's part. Such retiree's or vestee's eligible beneficiary, as set forth in section five hundred one of this article, shall be entitled to an accidental death benefit as provided by section five hundred nine of this article, howev-

er, for the purposes of determining the salary base upon which the accidental death benefit is calculated, the retiree or vestee shall be deemed to have died on the date of ~~[his or her]~~ such retiree's or vestee's retirement or separation from service with vested rights. Upon the retiree's or vestee's death, the eligible beneficiary shall make a written application to the head of the retirement system within the time for filing an application for an accidental death benefit as set forth in section five hundred nine of this article requesting conversion of such retiree's service, vested right or disability retirement benefit to an accidental death benefit. At the time of such conversion, the eligible beneficiary shall relinquish all rights to the prospective benefits payable under the service or disability retirement benefit, or vested right to such benefit, including any post-retirement death benefits, since the retiree's or vestee's death. If the eligible beneficiary is not the only beneficiary receiving or entitled to receive a benefit under the service or disability retirement benefit (including, but not limited to, post-retirement death benefits or benefits paid or payable pursuant to the retiree's option selection), or that will be eligible under the vested right the accidental death benefit payments to the eligible beneficiary will be reduced by any amounts paid or payable to any other beneficiary.

§ 12. Subdivision k of section 558 of the retirement and social security law, as added by chapter 489 of the laws of 2008, is amended to read as follows:

k. Notwithstanding any other provision of this chapter or of any general, special or local law, charter, administrative code or rule or regulation to the contrary, if a retiree who:

(1) has met the criteria of subdivision j of this section and retired on a service or disability retirement, or would have met the criteria if not already retired on an accidental disability; and

(2) has not been retired for more than ~~[twenty-five]~~ thirty-five years; and

(3) dies from a qualifying World Trade Center condition, as defined in section two of this chapter, as determined by the applicable head of the retirement system or applicable medical board, then unless the contrary be proven by competent evidence, such retiree shall be deemed to have died as a natural and proximate result of an accident sustained in the performance of duty and not as a result of willful negligence on ~~[his or her]~~ such retiree's part. Such retiree's eligible beneficiary, as set forth in section five hundred one of this ~~[article]~~ chapter, shall be entitled to an accidental death benefit as provided by section five hundred nine of this ~~[article]~~ chapter, however, for the purposes of determining the salary base upon which the accidental death benefit is calculated, the retiree shall be deemed to have died on the date of ~~[his or her]~~ such retiree's retirement. Upon the retiree's death, the eligible beneficiary shall make a written application to the head of the retirement system within the time for filing an application for an accidental death benefit as set forth in section five hundred nine of this ~~[article]~~ chapter requesting conversion of such retiree's service or disability retirement benefit to an accidental death benefit. At the time of such conversion, the eligible beneficiary shall relinquish all rights to the respective benefits payable under the service or disability retirement benefit, including any post-retirement death benefits, since the retiree's death. If the eligible beneficiary is not the only beneficiary receiving or entitled to receive a benefit under this service or disability retirement benefit (including, but not limited to,

1 post-retirement death benefits or benefits paid or payable pursuant to
2 the retiree's option selection), the accidental death benefit payments
3 to the eligible beneficiary will be reduced by any amounts paid or paya-
4 ble to any other beneficiary.

5 § 13. Subdivision d of section 607-b of the retirement and social
6 security law, as amended by chapter 489 of the laws of 2013, is amended
7 to read as follows:

8 d. Notwithstanding any other provision of this chapter or of any
9 general, special or local law, charter, administrative code or rule or
10 regulation to the contrary, if a retiree or vestee who: (1) has met the
11 criteria of subdivision c of this section and retired on a service or
12 disability retirement, would have met the criteria if not already
13 retired on an accidental disability, or was separated from service with
14 a vested right to deferred payability of a retirement allowance; and (2)
15 has not been retired for more than [~~twenty-five~~ thirty-five] years; and
16 (3) dies from a qualifying World Trade Center condition, as defined in
17 section two of this chapter, as determined by the applicable head of the
18 retirement system or applicable medical board, then unless the contrary
19 be proven by competent evidence, such retiree or vestee shall be deemed
20 to have died as a natural and proximate result of an accident sustained
21 in the performance of duty and not as a result of willful negligence on
22 [~~his or her~~ such retiree's or vestee's] part. Such retiree's or vestee's
23 eligible beneficiary, as set forth in section six hundred one of this
24 article, shall be entitled to an accidental death benefit as provided by
25 section six hundred seven of this article, however, for the purposes of
26 determining the salary base upon which the accidental death benefit is
27 calculated, the retiree or vestee shall be deemed to have died on the
28 date of [~~his or her~~ such retiree's or vestee's] retirement or separation
29 from service with vested rights. Upon the retiree's or vestee's death,
30 the eligible beneficiary shall make a written application to the head of
31 the retirement system within the time for filing an application for an
32 accidental death benefit as set forth in section six hundred seven of
33 this article requesting conversion of such retiree's service, vested
34 right or disability retirement benefit to an accidental death benefit.
35 At the time of such conversion, the eligible beneficiary shall relin-
36 quish all rights to the prospective benefits payable under the service
37 or disability retirement benefit, or vested right to such benefit,
38 including any post-retirement death benefits, since the retiree's or
39 vestee's death. If the eligible beneficiary is not the only beneficiary
40 receiving or entitled to receive a benefit under the service or disabil-
41 ity retirement benefit (including, but not limited to, post-retirement
42 death benefits or benefits paid or payable pursuant to the retiree's
43 option selection), or that will be eligible under the vested right, the
44 accidental death benefit payments to the eligible beneficiary will be
45 reduced by any amounts paid or payable to any other beneficiary.

46 § 14. Subdivision d of section 607-c of the retirement and social
47 security law, as added by chapter 489 of the laws of 2008, is amended to
48 read as follows:

49 d. Notwithstanding any other provision of this chapter or of any
50 general, special or local law, charter, administrative code or rule or
51 regulation to the contrary, if a retiree who: (1) has met the criteria
52 of subdivision c of this section and retired on a service or disability
53 retirement, or would have met the criteria if not already retired on an
54 accidental disability; and (2) has not been retired for more than [~~twen-~~
55 ~~ty-five~~ thirty-five] years; and (3) dies from a qualifying World Trade
56 Center condition, as defined in section two of this chapter, as deter-

1 mined by the applicable head of the retirement system or applicable
2 medical board, then unless the contrary be proven by competent evidence,
3 such retiree shall be deemed to have died as a natural and proximate
4 result of an accident sustained in the performance of duty and not as a
5 result of willful negligence on [~~his or her~~] such retiree's part. Such
6 retiree's eligible beneficiary, as set forth in section six hundred one
7 of this article, shall be entitled to an accidental death benefit as
8 provided by section six hundred seven of this article, however, for the
9 purposes of determining the salary base upon which the accidental death
10 benefit is calculated, the retiree shall be deemed to have died on the
11 date of [~~his or her~~] such retiree's retirement. Upon the retiree's
12 death, the eligible beneficiary shall make a written application to the
13 head of the retirement system within the time for filing an application
14 for an accidental death benefit as set forth in section six hundred
15 seven of this article requesting conversion of such retiree's service or
16 disability retirement benefit to an accidental death benefit. At the
17 time of such conversion, the eligible beneficiary shall relinquish all
18 rights to the prospective benefits payable under the service or disabili-
19 ty retirement benefit, including any post-retirement death benefits,
20 since the retiree's death. If the eligible beneficiary is not the only
21 beneficiary receiving or entitled to receive a benefit under the service
22 or disability retirement benefit (including, but not limited to, post-
23 retirement death benefits or benefits paid or payable pursuant to the
24 retiree's option selection), the accidental death benefit payments to
25 the eligible beneficiary will be reduced by any amounts paid or payable
26 to any other beneficiary.

27 § 15. Subparagraph (e) of subdivision 25 of section 2575 of the educa-
28 tion law, as added by chapter 489 of the laws of 2013, is amended to
29 read as follows:

30 (e) Notwithstanding any other provision of law to the contrary, the
31 rules and regulations adopted pursuant to this section shall be deemed
32 to be amended to provide that if a retiree or vestee who: (1) has met
33 the criteria of paragraph (d) of this subdivision and retired on a
34 service or disability retirement, would have met the criteria if not
35 already retired on an accidental disability, or was separated from
36 service with a vested right to deferred payability of a retirement
37 allowance; and (2) has not been retired for more than [~~twenty-five~~]
38 thirty-five years; and (3) dies from a qualifying World Trade Center
39 condition, as defined in section two of the retirement and social secu-
40 rity law, as determined by the applicable head of the retirement system
41 or applicable medical board, then unless the contrary be proven by
42 competent evidence, such retiree or vestee shall be deemed to have died
43 as a natural and proximate result of an accident sustained in the
44 performance of duty and not as a result of willful negligence on [~~his or~~
45 ~~her~~] such retiree's or vestee's part. Such retiree's or vestee's eligi-
46 ble beneficiary, as set forth in title twenty-one of the rules and
47 [~~regulation~~] regulations, shall be entitled to an accidental death bene-
48 fit as provided by title twenty-one of the rules and regulations, howev-
49 er, for the purposes of determining the salary base upon which the acci-
50 dental death benefit is calculated, the retiree or vestee shall be
51 deemed to have died on the date of [~~his or her~~] such retiree's or
52 vestee's retirement or separation from service with vested rights. Upon
53 the retiree's or vestee's death, the eligible beneficiary shall make a
54 written application to the head of the retirement system within the time
55 for filing an application for an accidental death benefit as set forth
56 in title twenty-one of the rules and regulations requesting conversion

1 of such retiree's service, vested right or disability retirement benefit
2 to an accidental death benefit. At the time of such conversion, the
3 eligible beneficiary shall relinquish all rights to the prospective
4 benefits payable under the service or disability retirement benefit, or
5 vested right to such benefit, including any post-retirement death bene-
6 fits, since the retiree's or vestee's death. If the eligible beneficiary
7 is not the only beneficiary receiving or entitled to receive a benefit
8 under the service or disability retirement benefit (including, but not
9 limited to, post-retirement death benefits or benefits paid or payable
10 pursuant to the retiree's option selection), or that will be eligible
11 under the vested right the accidental death benefit payments to the
12 eligible beneficiary will be reduced by any amounts paid or payable to
13 any other beneficiary.

14 § 16. Paragraph (b) of subdivision 1 and paragraph (b) of subdivision
15 2 of section 217 of the military law, as added by section 1 of part J of
16 chapter 55 of the laws of 2023, are amended to read as follows:

17 (b) was activated on state active duty on or after September eleventh,
18 two thousand one, to participate in World Trade Center site rescue,
19 recovery, or cleanup operations as part of such state active duty, and
20 who is determined to have incurred a qualifying World Trade Center
21 condition, as hereinafter provided, shall be entitled to a performance
22 of duty disability pension equivalent to three-quarters of the member's
23 final annual pay as provided for under this chapter. The deadline for
24 submitting any qualifying claim under this paragraph shall be on or
25 before September eleventh, two thousand [~~twenty-six~~] thirty-six. The
26 adjutant general of the division of military and naval affairs is
27 authorized to promulgate regulations to implement the provisions of this
28 section.

29 (b) was activated on state active duty on or after September eleventh,
30 two thousand one, to participate in World Trade Center site rescue,
31 recovery, or cleanup operations as part of such state active duty, and
32 whose death is determined to be the result of incurring a qualifying
33 World Trade Center condition, as hereinafter provided, the surviving
34 spouse, children under twenty-one years of age or dependent parent of
35 such member of the organized militia shall be entitled to an accidental
36 death benefit equivalent to one-half of the member's final annual pay as
37 provided under this chapter. The deadline for submitting any qualifying
38 claim under this paragraph shall be on or before September eleventh, two
39 thousand [~~twenty-six~~] thirty-six. The adjutant general of the division
40 of military and naval affairs is authorized to promulgate regulations to
41 implement the provisions of this section.

42 § 17. Subdivision i of section 208-f of the general municipal law, as
43 added by chapter 5 of the laws of 2007, is amended to read as follows:

44 i. Notwithstanding any other provision of law, if (i) a retiree of a
45 pension or retirement system covering a police department or paid fire
46 department of a city, town or village; (ii) a retiree of a pension or
47 retirement system covering the uniformed corrections force of the New
48 York city department of corrections; (iii) a retiree of a pension or
49 retirement system covering a county sheriff's department (outside of the
50 city of New York); (iv) a retired deputy sheriff member of the New York
51 city employees' retirement system; (v) a retired member of the New York
52 city employees' retirement system who was an employee of the city of New
53 York or the New York city health and hospitals corporation in a title
54 whose duties are those of an emergency medical technician or advanced
55 emergency medical technician (as those terms are defined in section
56 three thousand one of the public health law) or in a title whose duties

1 require the supervision of employees whose duties are those of an emer-
2 gency medical technician or advanced emergency medical technician (as
3 those terms are defined in section three thousand one of the public
4 health law); or (vi) a retired bridge and tunnel member of the New York
5 city employees' retirement system, who: (1) has met the criteria of
6 subdivision g of section sixty-three of the retirement and social secu-
7 rity law, subdivision g of section three hundred sixty-three of the
8 retirement and social security law, subdivision h of section three
9 hundred sixty-three-bb of the retirement and social security law, subdivi-
10 sion g of section five hundred seven of the retirement and social
11 security law, subdivision c of section five hundred seven-c of the
12 retirement and social security law, subdivision h of section five
13 hundred fifty-six of the retirement and social security law, subdivision
14 h of section six hundred five of the retirement and social security law,
15 subdivision h of section six hundred five-a of the retirement and social
16 security law, subdivision d of section six hundred five-b of the retire-
17 ment and social security law as added by chapter five hundred four of
18 the laws of two thousand two, subdivision b of section six hundred
19 five-c of the retirement and social security law, subdivision c of
20 section six hundred seven-b of the retirement and social security law,
21 subdivision one of section 13-252.1 of the administrative code of the
22 city of New York, subdivision one of section 13-353.1 of the administra-
23 tive code of the city of New York, or subdivision b of section 13-168 of
24 the administrative code of the city of New York, or would have met the
25 criteria if not already retired on an accidental disability; and (2) has
26 not been retired for more than [~~twenty-five~~ thirty-five] years; and (3)
27 dies from a qualifying condition or impairment of health, as defined in
28 each of the foregoing subdivisions, that is determined by the applicable
29 head of the retirement system or applicable medical board to have been
30 caused by such retiree's participation in the World Trade Center rescue,
31 recovery or cleanup operations, then unless the contrary be proven by
32 competent evidence, such retiree shall be deemed to have died as a
33 natural and proximate result of an accident sustained in the performance
34 of duty and not as a result of willful negligence on [~~his or her~~] such
35 retiree's part. Upon such determination, the eligible beneficiary of
36 such retiree, as defined in either section sixty-one, five hundred one
37 or six hundred one of the retirement and social security law or section
38 13-149, 13-244, or 13-347 of the administrative code of the city of New
39 York shall be entitled to a special accidental death benefit as provided
40 by this section, payable in accordance with subdivisions b, c and d of
41 this section, however, for the purposes of determining the salary base
42 upon which the special accidental death benefit is calculated, the reti-
43 ree shall be deemed to have died on the date of [~~his or her~~] such
44 retiree's retirement. In no event shall the special accidental death
45 benefit be paid unless a written application is made by the eligible
46 beneficiary of such retiree to the head of the applicable retirement
47 system requesting conversion of the retiree's service or disability
48 benefit to an accidental death benefit and upon the approval of said
49 application. At the time of such conversion, the eligible beneficiary
50 shall relinquish all rights to the prospective benefits under the
51 service or disability retirement benefit, including any post-retirement
52 death benefits, since the retiree's death. If the eligible beneficiary
53 is not the only beneficiary receiving or entitled to receive a benefit
54 under the service or disability retirement benefit (including, but not
55 limited to, post-retirement death benefits or benefits paid or payable
56 pursuant to the retiree's option selection), the special accidental

1 death benefit payments to the eligible beneficiary will be reduced by
2 any amounts paid or payable to any other beneficiary.

3 § 18. Subdivision c of section 13-168 of the administrative code of
4 the city of New York, as amended by chapter 489 of the laws of 2013, is
5 amended to read as follows:

6 c. Notwithstanding any other provision of this chapter or of any
7 general, special or local law, charter, administrative code or rule or
8 regulation to the contrary, if a retiree or vestee who: (1) has met the
9 criteria of subdivision b of this section and retired on a service or
10 disability retirement, would have met the criteria if not already
11 retired on an accidental disability, or was separated from service with
12 a vested right to deferred payability of a retirement allowance; and (2)
13 has not been retired for more than [~~twenty-five~~ thirty-five] years; and
14 (3) dies from a qualifying World Trade Center condition as defined in
15 section two of the retirement and social security law, as determined by
16 the applicable head of the retirement system or applicable medical
17 board, then unless the contrary be proven by competent evidence, such
18 retiree or vestee shall be deemed to have died as a natural and proximate
19 result of an accident sustained in the performance of duty and not
20 as a result of willful negligence on [~~his or her~~] such retiree's or
21 vestee's part. Such retiree's or vestee's eligible beneficiary, as set
22 forth in section 13-149 of this chapter, shall be entitled to an acci-
23 dental death benefit as provided by section 13-149 of this chapter,
24 however, for the purposes of determining the salary base upon which the
25 accidental death benefit is calculated, the retiree or vestee shall be
26 deemed to have died on the date of [~~his or her~~] such retiree's or
27 vestee's retirement or separation from service with vested rights. Upon
28 the retiree's or vestee's death, the eligible beneficiary shall make a
29 written application to the head of the retirement system within the time
30 for filing an application for an accidental death benefit as set forth
31 in section 13-149 of this chapter requesting conversion of such
32 retiree's service, vested right or disability retirement benefit to an
33 accidental death benefit. At the time of such conversion, the eligible
34 beneficiary shall relinquish all rights to the prospective benefits
35 payable under the service or disability retirement benefit, or vested
36 right to such benefit, including any post-retirement death benefits,
37 since the retiree's or vestee's death. If the eligible beneficiary is
38 not the only beneficiary receiving or entitled to receive a benefit
39 under the service or disability retirement benefit (including, but not
40 limited to, post-retirement death benefits or benefits paid or payable
41 pursuant to the retiree's option selection), or that will be eligible
42 under the vested right, the accidental death benefit payments to the
43 eligible beneficiary will be reduced by any amounts paid or payable to
44 any other beneficiary.

45 § 19. Subdivision 3 of section 13-353.1 of the administrative code of
46 the city of New York, as amended by chapter 489 of the laws of 2013, is
47 amended to read as follows:

48 3. Notwithstanding any other provision of this chapter or of any
49 general, special or local law, charter, administrative code or rule or
50 regulation to the contrary, if a retiree or vestee who: (1) has met the
51 criteria of subdivision one of this section and retired on a service or
52 disability retirement, would have met the criteria if not already
53 retired on an accidental disability, or was separated from service with
54 a vested right to deferred payability of a retirement allowance; and (2)
55 has not been retired for more than [~~twenty-five~~ thirty-five] years; and
56 (3) dies from a qualifying World Trade Center condition, as defined in

1 section two of the retirement and social security law, as determined by
2 the applicable head of the retirement system or applicable medical
3 board, then unless the contrary be proven by competent evidence, such
4 retiree or vestee shall be deemed to have died as a natural and proximate
5 result of an accident sustained in the performance of duty and not
6 as a result of willful negligence on [~~his or her~~] such retiree's or
7 vestee's part. Such retiree's or vestee's eligible beneficiary, as set
8 forth in section 13-347 of this subchapter, shall be entitled to an
9 accidental death benefit as provided by sections 13-347 and 13-348 of
10 this subchapter, however, for the purposes of determining the salary
11 base upon which the accidental death benefit is calculated, the retiree
12 or vestee shall be deemed to have died on the date of [~~his or her~~] such
13 retiree's or vestee's retirement or separation from service with vested
14 rights. Upon the retiree's or vestee's death, the eligible beneficiary
15 shall make a written application to the head of the retirement system
16 within the time for filing an application for an accidental death benefit
17 as set forth in sections 13-347 and 13-348 of this subchapter
18 requesting conversion of such retiree's service, vested right or disability
19 retirement benefit to an accidental death benefit. At the time of
20 such conversion, the eligible beneficiary shall relinquish all rights to
21 the prospective benefits payable under the service or disability retirement
22 benefit or vested right to such benefit, including any post-retirement
23 death benefits, since the retiree's or vestee's death. If the
24 eligible beneficiary is not the only beneficiary receiving or entitled
25 to receive a benefit under the service or disability retirement benefit
26 (including, but not limited to, post-retirement death benefits or benefits
27 paid or payable pursuant to the retiree's option selection), or
28 that will be eligible under the vested right the accidental death benefit
29 payments to the eligible beneficiary will be reduced by any amounts
30 paid or payable to any other beneficiary.

31 § 20. Subdivision g of section 13-551 of the administrative code of
32 the city of New York, as added by chapter 489 of the laws of 2013, is
33 amended to read as follows:

34 g. Notwithstanding any other provision of this chapter or of any
35 general, special or local law, charter, administrative code or rule or
36 regulation to the contrary, if a retiree or vestee who: (1) has met the
37 criteria of subdivision f of this section and retired on a service or
38 disability retirement, would have met the criteria if not already
39 retired on an accidental disability, or was separated from service with
40 a vested right to deferred payability of a retirement allowance; and (2)
41 has not been retired for more than [~~twenty-five~~] thirty-five years; and
42 (3) dies from a qualifying World Trade Center condition, as defined in
43 section two of the retirement and social security law, as determined by
44 the applicable head of the retirement system or applicable medical
45 board, then unless the contrary be proven by competent evidence, such
46 retiree or vestee shall be deemed to have died as a natural and proximate
47 result of an accident sustained in the performance of duty and not
48 as a result of willful negligence on [~~his or her~~] such retiree's or
49 vestee's part. Such retiree's or vestee's eligible beneficiary, as set
50 forth in section 13-544 of this chapter, shall be entitled to an accidental
51 death benefit as provided by section 13-544 of this chapter,
52 however, for the purposes of determining the salary base upon which the
53 accidental death benefit is calculated, the retiree or vestee shall be
54 deemed to have died on the date of [~~his or her~~] such retiree's or
55 vestee's retirement or separation from service with vested rights. Upon
56 the retiree's or vestee's death, the eligible beneficiary shall make a

1 written application to the head of the retirement system within the time
2 for filing an application for an accidental death benefit as set forth
3 in section 13-544 of this chapter requesting conversion of such
4 retiree's service, vested right or disability retirement benefit to an
5 accidental death benefit. At the time of such conversion, the eligible
6 beneficiary shall relinquish all rights to the prospective benefits
7 payable under the service or disability retirement benefit, or vested
8 right to such benefit, including any post-retirement death benefits,
9 since the retiree's or vestee's death. If the eligible beneficiary is
10 not the only beneficiary receiving or entitled to receive a benefit
11 under the service or disability retirement benefit (including, but not
12 limited to, post-retirement death benefits or benefits paid or payable
13 pursuant to the retiree's option selection), or that will be eligible
14 under the vested right, the accidental death benefit payments to the
15 eligible beneficiary will be reduced by any amounts paid or payable to
16 any other beneficiary.

17 § 21. Subdivision 3 of section 13-252.1 of the administrative of the
18 city of New York, as amended by chapter 489 of the laws of 2013, is
19 amended to read as follows:

20 3. Notwithstanding any other provision of this chapter or of any
21 general, special or local law, charter, administrative code or rule or
22 regulation to the contrary, if a retiree or vestee who: (1) has met the
23 criteria of subdivision one of this section and retired on a service or
24 disability retirement, would have met the criteria if not already
25 retired on an accidental disability, or was separated from service with
26 a vested right to deferred payability of a retirement allowance; and (2)
27 has not been retired for more than [~~twenty-five~~ thirty-five] years; and
28 (3) dies from a qualifying World Trade Center condition, as defined in
29 section two of the retirement and social security law, as determined by
30 the applicable head of the retirement system or applicable medical
31 board, then unless the contrary be proven by competent evidence, such
32 retiree or vestee shall be deemed to have died as a natural and proxi-
33 mate result of an accident sustained in the performance of duty and not
34 as a result of willful negligence on [~~his or her~~ such retiree's or
35 vestee's] part. Such retiree's or vestee's eligible beneficiary, as set
36 forth in section 13-244 of this subchapter, shall be entitled to an
37 accidental death benefit as provided by section 13-244 of this subchap-
38 ter, however, for the purposes of determining the salary base upon which
39 the accidental death benefit is calculated, the retiree or vestee shall
40 be deemed to have died on the date of [~~his or her~~ such retiree's or
41 vestee's] retirement or separation from service with vested rights. Upon
42 the retiree's or vestee's death, the eligible beneficiary shall make a
43 written application to the head of the retirement system within the time
44 for filing an application for an accidental death benefit as set forth
45 in section 13-244 of this subchapter requesting conversion of such
46 retiree's service, vested right or disability retirement benefit to an
47 accidental death benefit. At the time of such conversion, the eligible
48 beneficiary shall relinquish all rights to the prospective benefits
49 payable under the service or disability retirement benefit, or vested
50 right to such benefit, including any post-retirement death benefits,
51 since the retiree's or vestee's death. If the eligible beneficiary is
52 not the only beneficiary receiving or entitled to receive a benefit
53 under the service or disability retirement benefit (including, but not
54 limited to, post-retirement death benefits or benefits paid or payable
55 pursuant to the retiree's option selection), or that will be eligible
56 under the vested right, the accidental death benefit payments to the

- 1 eligible beneficiary will be reduced by any amounts paid or payable to
 2 any other beneficiary.
 3 § 22. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would extend provisions allowing for the reclassification of retiree deaths as World Trade Center qualifying accidental deaths for retirees who die after having been retired for more than 25 years up to a maximum of 35 years and extend the filing deadline for Notices of Participation by an additional 10 years.

ILLUSTRATED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
 by Fiscal Year for the first 25 years (\$ in Millions)

Year	Scenario A:	Scenario B:
	25% of Deaths Reclassify as WTC	75% of Deaths Reclassify as WTC
2027	786.6	1,771.6
2028	12.5	24.8
2029	12.3	24.2
2030	7.6	13.2
2031	1.4	3.0
2032	1.2	2.7
2033	0.7	1.2
2034	0.5	1.0
2035	0.5	0.7
2036	0.3	0.5
2037	0.1	0.4
2038	0.1	0.4
2039	0.1	0.2
2040	0.0	0.2
2041	0.0	0.1
2042	0.0	0.1
2043	0.0	0.0
2044	0.0	0.0
2045	0.0	0.0
2046	0.0	0.0
2047	0.0	0.0
2048	0.0	0.0
2049	0.0	0.0
2050	0.0	0.0
2051	0.0	0.0

Employer Contribution impact beyond Fiscal Year 2051 is not shown.
 See Assumption and Methods section for additional details regarding the two scenarios.

The increase in employer contributions will be allocated almost entirely to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
 as of June 30, 2025 (\$ in Millions)

Present Value (PV) - NYCERS TRS BERS POLICE FIRE
 Scenario A

A. 11213

18

(1) PV of Employer Contributions:	35.5	0.0	0.0	407.2	296.8
(2) PV of Employee Contributions:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Total PV of Benefits (1) + (2):	35.5	0.0	0.0	407.2	296.8

Present Value (PV) - Scenario B	NYCERS	TRS	BERS	POLICE	FIRE
(1) PV of Employer Contributions:	87.5	0.0	0.0	1,073.8	495.5
(2) PV of Employee Contributions:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Total PV of Benefits (1) + (2):	87.5	0.0	0.0	1,073.8	495.5

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL for active members were amortized over the expected remaining working lifetime of those impacted using level dollar payments. UAL attributable to inactive members was recognized in the first year.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Scenario A	NYCERS	TRS	BERS	POLICE	FIRE
Increase (Decrease) in UAL:	34.8 M	0.0 M	0.0 M	404.7 M	292.1 M
Number of Payments:	6	N/A	N/A	3	4
Amortization Payment:	0.4 M	0.0 M	0.0 M	4.5 M	5.9 M
Additional One-time Payment:	36.5 M	0.0 M	0.0 M	435.3 M	301.8 M
Scenario B	NYCERS	TRS	BERS	POLICE	FIRE
Increase (Decrease) in UAL:	85.5 M	0.0 M	0.0 M	1,068.5 M	488.3 M
Number of Payments:	6	N/A	N/A	3	4
Amortization Payment:	1.2 M	0.0 M	0.0 M	10.6 M	9.8 M
Additional One-time Payment:	88.4 M	0.0 M	0.0 M	1,152.8 M	505.1 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025. For receiving members, the data was supplemented with spousal information for health-benefit dependents obtained from the New York City Office of Labor Relations (OLR). The census data for the impacted population is summarized below.

	NYCERS	TRS	BERS	POLICE	FIRE
Active Members					
- Number Count:	1,185	Not	Not	1,246	1,506
- Average Age:	58.0	Available	Available	53.5	53.8
- Average Service:	28.9			28.5	27.8
- Average Salary:	125,300			191,500	184,800

	NYCERS	TRS	BERS	POLICE	FIRE
Term. Vested Members					

- Number Count:	208			18	1
- Average Age:	57.8			56.6	57.0
Receiving Members					
- Number Count:	4,040	1	2	18,155	7,401
- Average Age:	66.6	64.0	68.5	59.9	63.5

Data on who filed World Trade Center (WTC) Notices of Participation for TRS and BERS was unavailable when preparing this Fiscal Note, however, the impact of this bill on these systems is assumed to be minimal.

IMPACT ON SURVIVOR BENEFITS: Currently, NYCERS members who die within 25 years of retirement may be eligible for accidental death benefits if they participated in WTC rescue, recovery or clean-up operations and died from a WTC qualifying condition.

Under the proposed legislation, this benefit would be extended to those who die from a WTC qualifying condition within 35 years of retirement.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

- * Because there is insufficient data to determine the likelihood of WTC reclassification, a range of results are shown to illustrate the potential costs under two scenarios:

- o Under Scenario A, it is assumed that 25% of deaths that occur between 25 and 35 years from retirement would be eligible for WTC death benefit reclassification.

- o Under Scenario B, it is assumed that 75% of deaths that occur between 25 and 35 years from retirement would be eligible for WTC death benefit reclassification.

Actual WTC reclassification percents may be outside of the range presented in this Fiscal Note.

- * Under both scenarios, 100% of members who are currently receiving accidental disability benefits due to a WTC condition are assumed to be eligible for the accidental death benefit reclassification afforded by this proposed legislation.

- * For receiving members, supplemental OLR data was used to identify pensioners with spousal beneficiaries eligible for WTC benefits. Where there was no dependent spouse on the OLR data, it was assumed that such members would not benefit from the proposed legislation. For active and terminated vested members, 100% of deaths were assumed to qualify for spousal death benefits.

- * Costs associated with the 10-year deadline extension for filing Notices of Participation provided by this proposed legislation are assumed to be de minimis, as most eligible members have likely already filed the form required to register for participation.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2026-68 dated April 22, 2026 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2026 Legislative Session.