

# STATE OF NEW YORK

6450--A

2025-2026 Regular Sessions

## IN ASSEMBLY

March 5, 2025

Introduced by M. of A. BAILEY, DeSTEFANO, BOLOGNA -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to the retirement of county 911 operators

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

1 Section 1. The retirement and social security law is amended by adding  
2 a new section 89-z to read as follows:

3 § 89-z. Optional twenty-five year retirement plan for county police  
4 communications operators, police communications operator supervisors,  
5 assistant bureau directors (police 911 communications) and bureau direc-  
6 tors (police 911 communications). a. Any member who is a county police  
7 communications operator, police communications operator supervisor,  
8 assistant bureau director (police 911 communications) or bureau director  
9 (police 911 communications) in an electing county, shall be eligible to  
10 retire pursuant to the provisions of this section. Such eligibility  
11 shall be an alternative to the eligibility provisions available under  
12 any other plan of this article to which such member is subject. The  
13 comptroller shall have the authority to include positions herein that  
14 comprehend the same duties and responsibilities, but are named differ-  
15 ently.

16 b. Such member shall be entitled to retire upon the completion of  
17 twenty-five years of total creditable service by filing an application  
18 therefor in the manner provided for in section seventy of this article.

19 c. Upon completion of twenty-five years of such service and upon  
20 retirement, each such member shall receive a pension which, together  
21 with an annuity which shall be the actuarial equivalent of such member's  
22 accumulated contributions at the time of retirement and an additional

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

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1 pension which is the actuarial equivalent of the reserved-for-in-  
2 creased-take-home-pay to which such member may then be entitled shall be  
3 sufficient to provide such member with a retirement allowance equal to  
4 one-half of their final average salary.

5 d. As used in this section "creditable service" shall include any and  
6 all services performed as a county police communications operator,  
7 police communications operator supervisor, assistant bureau director  
8 (police 911 communications) and bureau director (police 911 communi-  
9 cations).

10 e. Credit for service as a member or officer of the state police or as  
11 a paid firefighter, police officer or officer of any organized fire  
12 department or police force or department of any county, city, village,  
13 town, fire district or police district, or as a criminal investigator in  
14 the office of a district attorney, or as a probation assistant in a  
15 county probation department, shall also be deemed to be creditable  
16 service and shall be included in computing years of total service for  
17 retirement pursuant to this section.

18 f. The chief executive officer in each county shall certify to the  
19 comptroller, periodically and at such intervals of time as may be  
20 required and in such fashion as may be prescribed, the identity of the  
21 eligible police communications operators, police communications operator  
22 supervisors, assistant bureau directors (police 911 communications) and  
23 bureau directors (police 911 communications) in such chief executive  
24 officer's employ.

25 g. A member contributing on the basis of this section at the time of  
26 retirement shall retire after the completion of twenty-five years of  
27 total creditable service. Application therefor may be filed in a manner  
28 similar to that provided in section seventy of this article. Upon  
29 completion of twenty-five years of such service and upon retirement,  
30 each such member shall receive a pension which, together with an annuity  
31 which shall be the actuarial equivalent of their accumulated contrib-  
32 utions at the time of retirement and an additional pension which is the  
33 actuarial equivalent of the reserved-for-increased-take-home-pay to  
34 which such member may then be entitled, shall be sufficient to provide  
35 such member with a retirement allowance equal to one-half of their final  
36 average salary.

37 h. In computing the twenty-five years of total service of a member  
38 pursuant to this section full credit shall be given and full allowance  
39 shall be made for service of such member in time of war after World War  
40 I as defined in section two of this chapter, provided such member at the  
41 time of their entrance into the armed forces was in the service of the  
42 county of their employer that makes the election provided for herein.

43 i. Nothing herein shall be construed to prevent a member, who does not  
44 retire pursuant to the provisions of this section, from utilizing  
45 service which is creditable service pursuant to the provisions of this  
46 section for service credit pursuant to the provisions of any other plan  
47 of this article to which such member is subject.

48 j. 1. Each county that elects pursuant to the provisions of this  
49 subdivision shall pay the cost attributable therefor.

50 2. The benefits of this section shall be available only to those  
51 members defined in subdivision a of this section whose employer elects  
52 to provide such benefits by adopting a resolution to such effect and  
53 filing a certified copy thereof with the comptroller. Such resolution  
54 shall be accompanied by the affidavit of the chief executive officer of  
55 the county that the county has received an estimate from the retirement  
56 system of the cost of the benefit provided by this section.

1 k. The provisions of this section shall be controlling notwithstanding  
2 any other provision in this article to the contrary.

3 § 2. Subdivision a of section 445 of the retirement and social securi-  
4 ty law, as amended by section 2 of part TT of chapter 55 of the laws of  
5 2025, is amended to read as follows:

6 a. No member of a retirement system who is subject to the provisions  
7 of this article shall retire without regard to age, exclusive of retire-  
8 ment for disability, unless they are a police officer, an investigator  
9 member of the New York city employees' retirement system, firefighter,  
10 correction officer, a qualifying member as defined in section eighty-  
11 nine-t, as added by chapter six hundred fifty-seven of the laws of nine-  
12 teen hundred ninety-eight, of this chapter, sanitation worker, a special  
13 officer (including persons employed by the city of New York in the title  
14 urban park ranger or associate urban park ranger), school safety agent,  
15 campus peace officer or a taxi and limousine commission inspector member  
16 of the New York city employees' retirement system or the New York city  
17 board of education retirement system, a dispatcher member of the New  
18 York city employees' retirement system, a police communications member  
19 of the New York city employees' retirement system, an EMT member of the  
20 New York city employees' retirement system, a deputy sheriff member of  
21 the New York city employees' retirement system, a correction officer of  
22 the Westchester county correction department as defined in section  
23 eighty-nine-e of this chapter or employed in Suffolk county as a peace  
24 officer, as defined in section eighty-nine-s, as added by chapter five  
25 hundred eighty-eight of the laws of nineteen hundred ninety-seven, of  
26 this chapter, employed in Suffolk county as a correction officer, as  
27 defined in section eighty-nine-f of this chapter, or employed in Nassau  
28 county as a correction officer, uniformed correction division personnel,  
29 sheriff, undersheriff or deputy sheriff, as defined in section eighty-  
30 nine-g of this chapter, or employed in Nassau county as an ambulance  
31 medical technician, an ambulance medical technician/supervisor or a  
32 member who performs ambulance medical technician related services, or a  
33 police medic, police medic supervisor or a member who performs police  
34 medic related services, as defined in section eighty-nine-s, as amended  
35 by chapter five hundred seventy-eight of the laws of nineteen hundred  
36 ninety-eight, of this chapter, or employed in Nassau county as a peace  
37 officer, as defined in section eighty-nine-s, as added by chapter five  
38 hundred ninety-five of the laws of nineteen hundred ninety-seven, of  
39 this chapter, or employed in Albany county as a sheriff, undersheriff,  
40 deputy sheriff, correction officer or identification officer, as defined  
41 in section eighty-nine-h of this chapter or is employed in St. Lawrence  
42 county as a sheriff, undersheriff, deputy sheriff or correction officer,  
43 as defined in section eighty-nine-i of this chapter or is employed in  
44 Orleans county as a sheriff, undersheriff, deputy sheriff or correction  
45 officer, as defined in section eighty-nine-l of this chapter or is  
46 employed in Jefferson county as a sheriff, undersheriff, deputy sheriff  
47 or correction officer, as defined in section eighty-nine-j of this chap-  
48 ter or is employed in Onondaga county as a deputy sheriff-jail division  
49 competitively appointed or as a correction officer, as defined in  
50 section eighty-nine-k of this chapter or is employed in a county which  
51 makes an election under subdivision j of section eighty-nine-p of this  
52 chapter as a sheriff, undersheriff, deputy sheriff or correction officer  
53 as defined in such section eighty-nine-p or is employed in Broome County  
54 as a sheriff, undersheriff, deputy sheriff or correction officer, as  
55 defined in section eighty-nine-m of this chapter or is a Monroe county  
56 deputy sheriff-court security, or deputy sheriff-jailor as defined in

1 section eighty-nine-n, as added by chapter five hundred ninety-seven of  
2 the laws of nineteen hundred ninety-one, of this chapter or is employed  
3 in Greene county as a sheriff, undersheriff, deputy sheriff or  
4 correction officer, as defined in section eighty-nine-o of this chapter  
5 or is a traffic officer with the town of Elmira as defined in section  
6 eighty-nine-q of this chapter or is employed by Suffolk county as a park  
7 police officer, as defined in section eighty-nine-r of this chapter or  
8 is a peace officer employed by a county probation department as defined  
9 in section eighty-nine-t, as added by chapter six hundred three of the  
10 laws of nineteen hundred ninety-eight, of this chapter or is employed in  
11 Rockland county as a deputy sheriff-civil as defined in section eighty-  
12 nine-v of this chapter as added by chapter four hundred forty-one of the  
13 laws of two thousand one, or is employed in Rockland county as a superi-  
14 or correction officer as defined in section eighty-nine-v of this chap-  
15 ter as added by chapter five hundred fifty-six of the laws of two thou-  
16 sand one or is a paramedic employed by the police department in the town  
17 of Tonawanda and retires under the provisions of section eighty-nine-v  
18 of this chapter, as added by chapter four hundred seventy-two of the  
19 laws of two thousand one, or is a county fire marshal, supervising fire  
20 marshal, fire marshal, assistant fire marshal, assistant chief fire  
21 marshal, chief fire marshal, division supervising fire marshal or fire  
22 marshal trainee employed by the county of Nassau as defined in section  
23 eighty-nine-w of this chapter or is employed in Monroe county as a depu-  
24 ty sheriff-civil as defined in section eighty-nine-x of this chapter,  
25 employed as an emergency medical technician, critical care technician,  
26 advanced emergency medical technician, paramedic or supervisor of such  
27 titles in a participating Suffolk county fire district as defined in  
28 section eighty-nine-ss of this chapter, or is a firefighter apprentice,  
29 airport firefighter I, airport firefighter II, airport firefighter III,  
30 or training and safety officer employed by the division of military and  
31 naval affairs as defined in section eighty-nine-y of this chapter, or is  
32 a county police communications operator, police communications operator  
33 supervisor, assistant bureau director (police 911 communications) and  
34 bureau director (police 911 communications) as defined in section eight-  
35 y-nine-z of this chapter and is in a plan which permits immediate  
36 retirement upon completion of a specified period of service without  
37 regard to age. Except as provided in subdivision c of section four  
38 hundred forty-five-a of this article, subdivision c of section four  
39 hundred forty-five-b of this article, subdivision c of section four  
40 hundred forty-five-c of this article, subdivision c of section four  
41 hundred forty-five-d of this article, subdivision c of section four  
42 hundred forty-five-e of this article, subdivision c of section four  
43 hundred forty-five-f of this article and subdivision c of section four  
44 hundred forty-five-h of this article, a member in such a plan and such  
45 an occupation, other than a police officer or investigator member of the  
46 New York city employees' retirement system or a firefighter, shall not  
47 be permitted to retire prior to the completion of twenty-five years of  
48 credited service; provided, however, if such a member in such an occupa-  
49 tion is in a plan which permits retirement upon completion of twenty  
50 years of service regardless of age, they may retire upon completion of  
51 twenty years of credited service and prior to the completion of twenty-  
52 five years of service, but in such event the benefit provided from funds  
53 other than those based on such a member's own contributions shall not  
54 exceed two per centum of final average salary per each year of credited  
55 service.

1 § 3. Section 603 of the retirement and social security law is amended  
2 by adding a new subdivision x to read as follows:

3 x. The service retirement benefit specified in section six hundred  
4 four of this article shall be payable to members with twenty-five years  
5 of creditable service, without regard to age, who are employed as a  
6 county police communications operator, police communications operator  
7 supervisor, assistant bureau director (police 911 communications) and  
8 bureau director (police 911 communications) as defined in section eight-  
9 y-nine-z of this chapter if: (i) such members have met the minimum  
10 service requirements upon retirement; and (ii) in the case of a member  
11 subject to the provisions of article fourteen of this chapter, such  
12 member files an election therefor which provides that they will be  
13 subject to the provisions of this article and to none of the provisions  
14 of such article fourteen. Such election, which shall be irrevocable,  
15 shall be in writing, duly executed and shall be filed with the comp-  
16 troller within one year of the effective date of this subdivision or  
17 within one year after entering the employment with such county upon  
18 which eligibility is based, whichever comes later. For the purposes of  
19 this subdivision, the term "creditable service" shall have the meaning  
20 as so defined in both sections eighty-nine-z and six hundred one of this  
21 chapter.

22 § 4. Section 604 of the retirement and social security law is amended  
23 by adding a new subdivision x to read as follows:

24 x. The early service retirement benefit for a member who is employed  
25 as a county police communications operator, police communications opera-  
26 tor supervisor, assistant bureau director (police 911 communications)  
27 and bureau director (police 911 communications) as defined in section  
28 eighty-nine-z of this chapter shall be a pension equal to one-fiftieth  
29 of final average salary times years of credited service at the  
30 completion of twenty-five years of service as such police communications  
31 operator, police communications operator supervisor, assistant bureau  
32 director (police 911 communications) and bureau director (police 911  
33 communications), but not exceeding one-half of their final average sala-  
34 ry; for service beyond twenty-five years the benefits shall increase by  
35 one-sixtieth of final average salary for each year of additional service  
36 credit provided, however, that the total allowance payable pursuant to  
37 this section shall not exceed three-fourths of such member's final aver-  
38 age salary.

39 § 5. All past service costs incurred with implementing the provisions  
40 of this act shall be borne by any county that elects to provide the  
41 benefits provided by this act.

42 § 6. This act shall take effect the first of January next succeeding  
43 the date on which it shall have become a law.

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

This bill would allow counties to elect to provide police communi-  
cations operators and similar titles, the option to retire with twenty-  
five years of service credit. The benefit would be one-half of final  
average salary (FAS) plus, for Tiers 3 through 6 only, one-sixtieth of  
FAS for each additional year of creditable service, not to exceed three-  
fourths (75%) of FAS. Additionally, members covered under Article 14  
would be permitted one year to make an irrevocable election to switch to  
the twenty-five-year plan benefit.

We estimate that the annual contribution required of an electing  
employer will increase by 7% of the salary paid to the affected members.  
Annual costs will vary as the billing rates and salary of the affected  
members change.

In addition, there will be an immediate past service cost borne by each electing employer as a one-time payment. This cost will vary by employer but is expected to average approximately 30% of the salary paid to the affected members.

Further, we anticipate additional administrative costs to implement the provisions of this legislation.

The exact number of current members as well as future members who could be affected by this legislation cannot be readily determined. Prior to electing to provide these benefits, an employer would be required to submit a roster of eligible members to the New York State and Local Retirement System. This roster would be used to determine an exact cost to the individual employer electing to provide these benefits.

Summary of relevant resources:

Membership data as of March 31, 2025 was used to measure the impact of the bill, the same data used in the Actuarial Valuations dated April 1, 2025. Distributions and other statistics can be found in the 2025 Report of the Actuary and the 2025 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2025 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The fair value of assets and GASB disclosures can be found in the 2025 Financial Statements and Supplementary Information.

Assumptions, demographics, and other considerations may have been modified to better reflect specific provisions of any proposed benefit change(s).

This fiscal note does not constitute a legal opinion on the viability of the bill, nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 11, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-56. As Chief Actuary of the New York State and Local Retirement System (NYSLRS), I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member. I am a member of NYSLRS but do not believe it impairs my objectivity.