

STATE OF NEW YORK

8756

2025-2026 Regular Sessions

IN ASSEMBLY

June 2, 2025

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, in relation to service retirement benefits for members of the New York city police pension fund

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

1 Section 1. Section 505 of the retirement and social security law, as
2 amended by chapter 18 of the laws of 2012 and subdivision d as added by
3 section 3 of part SS of chapter 55 of the laws of 2025, is amended to
4 read as follows:

5 § 505. Service retirement benefits; police/fire members, New York city
6 uniformed correction/sanitation revised plan members and investigator
7 revised plan members. a. The normal service retirement benefit for
8 police/fire members, New York city uniformed correction/sanitation
9 revised plan members and investigator revised plan members at normal
10 retirement age shall be a pension equal to fifty percent of final aver-
11 age salary, less fifty percent of the primary social security retirement
12 benefit commencing at age sixty-two, as provided in section five hundred
13 eleven of this article, except that for members of the New York city
14 police pension fund, the normal service retirement benefit shall not be
15 reduced by the primary social security retirement benefit commencing at
16 age sixty-two as provided in section five hundred eleven of this
17 article.

18 b. The early service retirement benefit for police/fire members, New
19 York city uniformed correction/sanitation revised plan members and
20 investigator revised plan members shall be a pension equal to two and
21 one-tenths percent of final average salary times years of credited
22 service at the completion of twenty years of service or upon attainment
23 of age sixty-two, increased by one-third of one percent of final average
24 salary for each month of service in excess of twenty years, but not in

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

LBD05892-04-5

1 excess of fifty percent of final average salary, less fifty percent of
2 the primary social security retirement benefit commencing at age sixty-
3 two as provided in section five hundred eleven of this article,
4 provided, however, that New York city police/fire revised plan members,
5 New York city uniformed correction/sanitation revised plan members and
6 investigator revised plan members shall not be eligible to retire for
7 service prior to the attainment of twenty years of credited service, and
8 provided further that for members of the New York city police pension
9 fund, the early service retirement benefit shall not be reduced by the
10 primary social security retirement benefit commencing at age sixty-two
11 as provided in section five hundred eleven of this article.

12 c. A police/fire member, a New York city uniformed
13 correction/sanitation revised plan member or an investigator revised
14 plan member who retires with twenty-two years of credited service or
15 less may become eligible for annual escalation of the service retirement
16 benefit if ~~[he]~~ such member elects to have the payment of ~~[his]~~ such
17 member's benefit commence on the date ~~[he]~~ such member would have
18 completed twenty-two years and one month or more of service. In such
19 event, the service retirement benefit shall equal two percent of final
20 average salary for each year of credited service, less fifty percent of
21 the primary social security retirement benefit commencing at age sixty-
22 two as provided in section five hundred eleven of this article, except
23 that for members of the New York city police pension fund, the service
24 retirement benefit shall not be reduced by the primary social security
25 retirement benefit commencing at age sixty-two as provided in section
26 five hundred eleven of this article.

27 d. Notwithstanding anything to the contrary in any other law,
28 police/fire members of the New York city police pension fund shall be
29 eligible for a normal service retirement benefit in lieu of an early
30 service retirement benefit upon completing twenty years of service
31 pursuant to subdivision d of section five hundred three of this article.

32 § 2. Section 511 of the retirement and social security law is amended
33 by adding a new subdivision h to read as follows:

34 h. This section shall not apply to members of the New York city police
35 pension fund who receive a service retirement benefit pursuant to
36 section five hundred five of this article or a deferred vested benefit
37 pursuant to section five hundred sixteen of this article.

38 § 3. Subdivision c of section 516 of the retirement and social securi-
39 ty law, as amended by chapter 18 of the laws of 2012, is amended to read
40 as follows:

41 c. The deferred vested benefit of police/fire members, New York city
42 police/fire revised plan members, New York city uniformed
43 correction/sanitation revised plan members or investigator revised plan
44 members shall be a pension commencing at early retirement age equal to
45 two and one-tenths percent of final average salary times years of cred-
46 ited service, less fifty percent of the primary social security retire-
47 ment benefit commencing at age sixty-two, as provided in section five
48 hundred eleven of this article, except that for members of the New York
49 city police pension fund, the deferred vested benefit shall not be
50 reduced by the primary social security retirement benefit commencing at
51 age sixty-two as provided in section five hundred eleven of this
52 article. A police/fire member, a New York city police/fire revised plan
53 member, a New York city uniformed correction/sanitation revised plan
54 member or investigator revised plan member may elect to receive ~~[his]~~
55 such member's vested benefit commencing at early retirement age or age
56 fifty-five. If the vested benefit commences before early retirement age,

the benefit shall be reduced by one-fifteenth for each year, if any, that the member's early retirement age is in excess of age sixty, and by one-thirtieth for each additional year by which the vested benefit commences prior to early retirement age. If such vested benefit is deferred until after such member's normal retirement age, the benefit shall be computed and subject to annual escalation in the same manner as provided for an early retirement benefit pursuant to subdivision c of section five hundred five of this article.

§ 4. Notwithstanding any provision of law, rule or regulation to the contrary, any effect on a participating employer's contribution rate due to the provisions of this act shall not apply to the calculation of such participating employer's contribution rate for the purposes of subdivision c of section 500 of the retirement and social security law.

§ 5. This act shall take effect on the sixtieth day after it shall have become a law.

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

SUMMARY: This proposed legislation would eliminate the offset equal to 50% of the primary social security benefit in the service, early service, and vested retirement benefits for Tier 3 members of the New York City Police Pension Fund (POLICE).

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

Year	POLICE
2026	87.4
2027	78.4
2028	84.6
2029	90.5
2030	96.6
2031	102.5
2032	107.5
2033	112.4
2034	117.1
2035	121.8
2036	126.3
2037	130.8
2038	135.3
2039	139.9
2040	144.5
2041	149.1
2042	124.0
2043	128.9
2044	134.0
2045	139.2
2046	144.5
2047	149.7
2048	155.2
2049	161.1
2050	167.2

Projected contributions include future new hires that may be impacted. For Fiscal Year 2051 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 1.76%.

The entire increase in employer contributions will be allocated 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, 2024 (\$ in Millions)

Present Value (PV)	POLICE
(1) PV of Employer Contributions:	923.5
(2) PV of Employee Contributions:	0.0
Total PV of Benefits (1) + (2):	923.5

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

	POLICE
Increase (Decrease) in UAL:	285.0 M
Number of Payments:	16
Amortization Payment:	29.8 M
Additional One-time Payment:	14.4 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the impacted population is summarized below.

	POLICE
Active Members	
- Number Count:	21,782
- Average Age:	33.2
- Average Service:	6.5
- Average Salary:	116,200
Term. Vested Members	
- Number Count:	1,012
- Average Age:	35.4

IMPACT ON MEMBER BENEFITS: Currently, Tier 3 normal service retirement, early service retirement, and vested retirement benefits are subject to an offset equal to 50% of the primary social security benefit as defined in Retirement and Social Security Law (RSSL) Section 511 beginning at age 62.

Under the proposed legislation, the offset for such benefits would be eliminated for POLICE members, resulting in an increase in benefits

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:

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

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.

This Fiscal Note does not include cost analyses relating to provisions contained in RSSL Section 500(c).

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 2025-68 dated May 22, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.