STATE OF NEW YORK

8941--A

2025-2026 Regular Sessions

IN ASSEMBLY

July 16, 2025

Introduced by M. of A. PHEFFER AMATO -- 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 providing retirement credit to fire protection inspector members for a child care leave of absence

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

Section 1. Section 609 of the retirement and social security law is amended by adding a new subdivision i to read as follows:

i. 1. Notwithstanding any other law or code provision that prohibits a member from receiving retirement credit for any period during which the member was absent on leave without pay, including but not limited to, subdivision c of this section, any fire protection inspector member, as defined in paragraph two of this subdivision, who is absent without pay for a child care leave of absence pursuant to the terms of a collective bargaining agreement covering the fire protection inspector member shall be eligible for credit for such period of child care leave provided such member files a claim for such service credit with the pension fund by December thirty-first, two thousand twenty-six or within ninety days following termination of the child care leave, whichever is later, and contributes to the pension fund an amount which such member would have contributed during the period of such child care leave, together with interest thereon. Service credit provided pursuant to this subdivision shall not exceed one year of credit for each period of authorized child care leave.

2. For purposes of this subdivision, the term "fire protection inspector member" shall mean a member of the New York city employees' retirement system who is employed by the city of New York or by the New York

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

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city fire department in a title whose duties are those of a fire protection inspector or associate fire protection inspector, or in a title whose duties require the supervision of employees whose duties are those of a fire protection inspector or associate fire protection inspector.

§ 2. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would permit Fire Protection Inspectors of the New York City Employees' Retirement System (NYCERS) to apply for and purchase up to one year of service credit for each period of authorized unpaid childcare leave.

ILLUSTRATION - INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
by Fiscal Year for the first 25 years ($)

Year	One Year of Service Purchased	One Year of Service Purchased Per Year
2027	1,200	1,200
2028	1,200	2,500
2029	1,200	3,700
2030	1,200	5,100
2031	1,200	6,400
2032	1,200	7,800
2033	1,200	9,300
2034	1,200	10,800
2035	1,200	12,300
2036	1,200	13,900
2037	1,200	15,500
2038	1,200	17,200
2039	1,200	18,900
2040	1,200	20,700
2041	0	21,300
2042	0	22,000
2043	0	22,600
2044	0	23,300
2045	0	24,000
2046	0	24,700
2047	0	25,500
2048	0	26,200
2049	0	27,000
2050	0	27,800
2051	0	28,700

Employer contribution impact beyond Fiscal Year 2051 is not shown.

The potential increases 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, 2025 ($)

Present Value (PV)	Per Year of Service
(1) PV of Employer Contributions:	10,200

(2) PV of Employee Contributions:	4,100
Total PV of Benefits (1) + (2):	14,300

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL per incident would be recognized as ongoing gain/loss.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Recognized as Ongoing Gain/Loss	Per Year of Service
Increase (Decrease) in UAL:	10,200
Number of Payments:	14
Amortization Payment:	1,200

CENSUS DATA: The number of members who will benefit in the future from this proposed legislation is unknown. The estimates presented herein are based on preliminary census data collected as of June 30, 2025. The census data for the potentially impacted population used to develop the average costs is summarized below.

	NYCERS
Active Members	
- Number Count:	362
- Average Age:	48.1
- Average Service (before purchase):	11.2
- Average Salary:	91,900

IMPACT ON MEMBER BENEFITS: Currently, Fire Protection Inspector members of NYCERS are not able to purchase service credit for periods while on authorized unpaid childcare leave.

Under the proposed legislation, Fire Protection Inspector members would be eligible to purchase up to one year of service credit for each period of authorized unpaid childcare leave, provided that they file a claim within 90 days of the termination of such leave (or by December 31, 2026, if later) and pay the amount that would have been contributed during such leave, with interest.

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

The number of members who will benefit from this proposed legislation is unknown. The cost of this proposed legislation could vary greatly depending on the number of future members who benefit and on their length of service, age, and salary history.

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 2026-82 dated May 8, 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.