

STATE OF NEW YORK

8093

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to allowing members of the New York city fire department pension fund to obtain service credit for retirement eligibility and retirement allowance from any of the public retirement systems of New York state

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

1 Section 1. Subparagraph (iii) of paragraph 2 of subdivision c of
2 section 513 of the retirement and social security law is renumbered
3 subparagraph (iv) and a new subparagraph (iii) is added to read as
4 follows:

5 (iii) Notwithstanding any other provision of law to the contrary, a
6 member of the New York city fire department pension fund subject to this
7 article shall be eligible to obtain credit for any period of allowable
8 prior service, in any of the public retirement systems of the state, as
9 defined in subdivision twenty-three of section five hundred one of this
10 article, including the New York state and local employees' retirement
11 system, New York state and local police and fire retirement system, New
12 York state teachers' retirement system, New York city employees' retire-
13 ment system, New York city teachers' retirement system, New York city
14 police pension fund, New York city fire department pension fund and the
15 New York city board of education retirement system, and such service
16 shall be deemed to be in service of the uniformed force of the New York
17 city fire department for purposes of eligibility for benefits and to
18 determine the amount of benefits under the New York city fire department
19 pension fund, provided that such member pays or transfers into the New
20 York city fire department pension fund all member contributions set
21 forth in section five hundred seventeen of this article plus interest,
22 at a rate of five percent per annum. For a member who transfers such
23 contributions from any of the public retirement systems of the state, as

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

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1 defined in subdivision twenty-three of section five hundred one of this
2 article, and set forth in this subparagraph, to the New York city fire
3 department pension fund, or for a member who withdraws such contrib-
4 utions from any of the public retirement systems, such member's member-
5 ship in the public retirement system from where such contributions were
6 transferred or withdrawn shall cease upon such transfer or withdrawal,
7 and such member shall retain no credited service in such system.

8 § 2. Subdivision c of section 446 of the retirement and social securi-
9 ty law, as amended by chapter 426 of the laws of 1974 and as relettered
10 by chapter 465 of the laws of 1980, is amended to read as follows:

11 c. Creditable service.

12 (i) A member of a retirement system who is subject to the provisions
13 of this article shall not be eligible to obtain retirement credit for
14 service with a public employer other than the state of New York, a poli-
15 tical subdivision thereof, a public benefit corporation, or a partic-
16 ipating employer; provided, however, military service with the federal
17 government may be credited pursuant to section two hundred forty-three
18 of the military law up to a maximum of four years; and further provided
19 that retirement credit may be granted for service with an agency located
20 within the state of New York currently specified in the law as providing
21 retirement credit for service.

22 (ii) Notwithstanding any other provision of law to the contrary, a
23 member of the New York city fire department pension fund subject to this
24 article shall be eligible to obtain credit for any period of allowable
25 prior service, in any of the public retirement systems of the state, as
26 defined in subdivision twenty-three of section five hundred one of this
27 article, including the New York state and local employees' retirement
28 system, New York state and local police and fire retirement system, New
29 York state teachers' retirement system, New York city employees' retire-
30 ment system, New York city teachers' retirement system, New York city
31 police pension fund, New York city fire department pension fund and the
32 New York city board of education retirement system, and such service
33 shall be deemed to be in service of the uniformed force of the New York
34 city fire department for purposes of eligibility for benefits and to
35 determine the amount of benefits under the New York city fire department
36 pension fund, provided that such member pays or transfers into the New
37 York city fire department pension fund all member contributions plus
38 interest, at a rate of eight and one quarter percent per annum. For a
39 member who transfers such contributions from any of the public retire-
40 ment systems of the state, as defined in subdivision twenty-three of
41 section five hundred one of this article, and set forth in this para-
42 graph, to the New York city fire department pension fund, or for a
43 member who withdraws such contributions from any of the public retire-
44 ment systems, such member's membership in the public retirement system
45 from where such contributions were transferred or withdrawn shall cease
46 upon such transfer or withdrawal, and such member shall retain no cred-
47 ited service in such system.

48 § 3. This act shall take effect immediately.