STATE OF NEW YORK

10018

IN ASSEMBLY

May 1, 2024

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 normal retirement age for police/fire members of the New York city fire department pension fund

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

Section 1. Subdivision 17 of section 501 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

17. "Normal retirement age" shall be age sixty-two, for general members, [~~and~~] the age at which a member completes or would have completed twenty-two years of service, for police/fire members, New York city uniformed correction/sanitation revised plan members and investigator revised plan members**, and the age at which a member completes twenty years of service for police/fire members who are members of the New York city fire department pension fund**.

§ 2. Subdivision d of section 503 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

d. The normal service retirement benefit specified in section five hundred five of this article shall be paid to police/fire members, New York city uniformed correction/sanitation revised plan members and investigator revised plan members without regard to age upon retirement after twenty-two years of service**; provided, however, that such normal service retirement benefit for police/fire members who are members of the New York city fire department pension fund shall be paid to such members of the New York city fire department pension fund without regard to age upon retirement after twenty years of service**. Early service retirement shall be permitted upon retirement after twenty years of credited service or attainment of age sixty-two, provided, however, that New York city police/fire revised plan members, New York city uniformed correction/sanitation revised plan members and investigator revised plan

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

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members shall not be eligible to retire for service prior to the attainment of twenty years of credited service.

§ 3. Notwithstanding the provisions of section 13-379 of the administrative code of the city of New York, the provisions of this act amending sections 501 and 503 of the retirement and social security law shall apply to chapter three of title thirteen of the administrative code of the city of New York.

§ 4. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would reduce the Normal Retirement Age for Tier 3 members of the New York City Fire Pension Fund (FIRE) to be the age at which a member completes twenty years of service.

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

Year	FIRE
2025	2.5
2026	2.7
2027	2.9
2028	3.2
2029	3.4
2030	3.6
2031	3.9
2032	4.1
2033	4.4
2034	4.7
2035	5.1
2036	5.4
2037	5.9
2038	6.2
2039	6.6
2040	6.9
2041	7.3
2042	7.6
2043	7.0
2044	7.3
2045	7.5
2046	7.7
2047	8.0
2048	8.2
2049	8.5

Employer Contribution impact beyond Fiscal Year 2049 is not shown.
Projected contributions include future new hires that may be impacted.

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

INITIAL INCREASE (DECREASE) IN ACTUARIAL LIABILITIES
as of June 30, 2023 ($ in Millions)

Present Value (PV)	FIRE
PV of Benefits:	12.2
PV of Employee Contributions:	(2.9)
PV of Employer Contributions:	15.1
Unfunded Accrued Liabilities:	8.4

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	FIRE
Number of Payments:	18
Fiscal Year of Last Payment:	2042
Amortization Payment:	0.9 M

Unfunded Accrued Liability increases were amortized over the expected remaining working lifetime of those impacted by the benefit changes using level dollar payments.

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2023. The census data for the impacted population is summarized below.

	FIRE
Active Members	
- Number Count:	5,030
- Average Age:	33.5
- Average Service:	5.5
- Average Salary:	112,400

IMPACT ON MEMBER BENEFITS: Currently, Tier 3 FIRE members who retire with 20 years of service are eligible to receive an annual benefit that is equal to 42% of Final Average Salary (FAS), increasing to a maximum benefit of 50% of FAS after 22 years of service.

Under the proposed legislation, Tier 3 FIRE members who retire with 20 years of service would be eligible to receive the maximum benefit equal to 50% of FAS.

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

* Retirement rates were adjusted to reflect the earlier payability of the service retirement benefit associated with the proposed legislation.

* 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).

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 2024-27 dated March 14, 2024 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session.