STATE OF NEW YORK

10250

IN ASSEMBLY

February 12, 2026

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 granting certain county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals or chief fire marshals pension benefits for service rendered beyond twenty-five years

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

Section 1. Subdivision t of section 604 of the retirement and social security law, as amended by section 7 of part II of chapter 55 of the laws of 2023, is amended to read as follows:

t. The early service retirement benefit for a member who is employed in the county of Nassau as a county fire marshal, supervising fire marshal, fire marshal, assistant fire marshal, assistant chief fire marshal, chief fire marshal or division supervising fire marshal as defined in section eighty-nine-w of this chapter shall be a pension equal to one-fiftieth of final average salary times years of credited service at the completion of twenty-five years of service as such county fire marshal, supervising fire marshal, fire marshal, assistant fire marshal, assistant chief fire marshal, chief fire marshal or division supervising fire marshal, but not exceeding one-half of [~~his or her~~] **such member's** final average salary**, for service beyond twenty-five years and for non-fire marshal county service the benefit is increased by one-sixtieth of final average salary for each year of additional service credit, provided, however, that the total allowance payable pursuant to this subdivision shall not exceed three-quarters of such member's final average salary**.

§ 2. All past service costs associated with implementing the provisions of this act shall be borne by the county of Nassau and may be amortized over ten years.

§ 3. Notwithstanding any provision of law to the contrary none of the provisions of this act shall be subject to the appropriation requirement of section twenty-five of the retirement and social security law.

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

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§ 4. This act shall take effect immediately.

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

This bill would modify the service retirement benefit for members of the New York State and Local Employees' Retirement System employed by Nassau County in certain fire marshal job titles. Members are currently awarded 50 percent of final average salary (FAS) upon completion of 25 years of creditable service. The modified benefit will award additional sixtieths for each year of creditable service, including non-fire marshal service, in excess of 25 years. The benefit will be capped at 75 percent of FAS.

We estimate that Nassau County's annual contributions will increase $45,000 beginning FYE 2027. Annual costs will vary but are expected to average 0.5% of salary.

In addition, there will be an immediate past service cost of $629,000 borne by Nassau County as a one-time payment. This cost assumes that payment will be made on February 1, 2027. If Nassau County elects to amortize this cost over 10 years, the cost for each year will be $80,300.

These estimated costs are based on 42 affected members employed by Nassau County, with annual salary of approximately $7.2 million as of March 31, 2025.

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 6, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-48. 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.