

STATE OF NEW YORK

10263--A

IN ASSEMBLY

February 12, 2026

Introduced by M. of A. BUTTENSCHON, BRONSON -- read once and referred to the Committee on Governmental Employees -- 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 establishing an optional twenty-five year retirement plan for certain employees of the New York Power Authority

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

1 Section 1. The retirement and social security law is amended by adding
2 a new section 89-z to read as follows:

3 § 89-z. Retirement of certain employees employed by the New York power
4 authority. a. Any person who is employed by the New York power authority
5 with the job title of mechanic, technician, electrician, equipment oper-
6 ator, power plant operator, utility security officer, or lineperson
7 shall be eligible to retire pursuant to the provisions of this section.
8 Such eligibility shall be an alternative to the eligibility provisions
9 available under any other plan of this article to which such member is
10 subject.

11 b. Such member shall be entitled to retire upon the completion of
12 twenty-five years of total creditable service by filing an application
13 therefor in the manner provided for in section seventy of this article.

14 c. Upon completion of twenty-five years of such service and upon
15 retirement, each such member shall receive a pension which, together
16 with an annuity which shall be the actuarial equivalent of such member's
17 accumulated contributions at the time of their retirement and an addi-
18 tional pension which is the actuarial equivalent of the reserved-for-in-
19 creased-take-home-pay to which such member may then be entitled shall be
20 sufficient to provide such member with a retirement allowance equal to
21 fifty percent of such member's final average salary.

22 d. Notwithstanding section forty-one of this article, as used in this
23 section "creditable service" shall include any and all services
24 performed as an employee of the New York power authority.

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

LBD00633-16-6

1 e. A member, contributing on the basis of this section at the time of
2 retirement, shall retire after the completion of twenty-five years of
3 total creditable service. Application therefor may be filed in a manner
4 similar to that provided in section seventy of this article. Upon
5 completion of twenty-five years of such service and upon retirement,
6 each such member shall receive a pension which, together with an annuity
7 which shall be the actuarial equivalent of such member's accumulated
8 contributions at the time of their retirement and an additional pension
9 which is the actuarial equivalent of the reserve-for-increased-take-
10 home-pay to which such member may then be entitled shall be sufficient
11 to provide such member with a retirement allowance equal to fifty
12 percent of such member's final average salary.

13 f. In computing the twenty-five years of total service of a member
14 pursuant to this section full credit shall be given and full allowance
15 shall be made for service of such member in time of war after World War
16 I as defined in section two of this chapter, provided such member at the
17 time of such member's entrance into the armed forces was in state
18 service.

19 g. Nothing herein shall be construed to prevent a member, who does not
20 retire pursuant to the provisions of this section, from utilizing
21 service which is creditable service pursuant to the provisions of this
22 section for service credit pursuant to the provisions of any other plan
23 of this article to which such member is subject.

24 h. The provisions of this section shall be controlling notwithstanding
25 any other provision in this article to the contrary.

26 § 2. Subdivision a of section 445 of the retirement and social securi-
27 ty law, as amended by section 2 of part TT of chapter 55 of the laws of
28 2025, is amended to read as follows:

29 a. No member of a retirement system who is subject to the provisions
30 of this article shall retire without regard to age, exclusive of retire-
31 ment for disability, unless they are a police officer, an investigator
32 member of the New York city employees' retirement system, firefighter,
33 correction officer, a qualifying member as defined in section eighty-
34 nine-t, as added by chapter six hundred fifty-seven of the laws of nine-
35 teen hundred ninety-eight, of this chapter, sanitation worker, a special
36 officer (including persons employed by the city of New York in the title
37 urban park ranger or associate urban park ranger), school safety agent,
38 campus peace officer or a taxi and limousine commission inspector member
39 of the New York city employees' retirement system or the New York city
40 board of education retirement system, a dispatcher member of the New
41 York city employees' retirement system, a police communications member
42 of the New York city employees' retirement system, an EMT member of the
43 New York city employees' retirement system, a deputy sheriff member of
44 the New York city employees' retirement system, a correction officer of
45 the Westchester county correction department as defined in section
46 eighty-nine-e of this chapter or employed in Suffolk county as a peace
47 officer, as defined in section eighty-nine-s, as added by chapter five
48 hundred eighty-eight of the laws of nineteen hundred ninety-seven, of
49 this chapter, employed in Suffolk county as a correction officer, as
50 defined in section eighty-nine-f of this chapter, or employed in Nassau
51 county as a correction officer, uniformed correction division personnel,
52 sheriff, undersheriff or deputy sheriff, as defined in section eighty-
53 nine-g of this chapter, or employed in Nassau county as an ambulance
54 medical technician, an ambulance medical technician/supervisor or a
55 member who performs ambulance medical technician related services, or a
56 police medic, police medic supervisor or a member who performs police

1 medic related services, as defined in section eighty-nine-s, as amended
2 by chapter five hundred seventy-eight of the laws of nineteen hundred
3 ninety-eight, of this chapter, or employed in Nassau county as a peace
4 officer, as defined in section eighty-nine-s, as added by chapter five
5 hundred ninety-five of the laws of nineteen hundred ninety-seven, of
6 this chapter, or employed in Albany county as a sheriff, undersheriff,
7 deputy sheriff, correction officer or identification officer, as defined
8 in section eighty-nine-h of this chapter or is employed in St. Lawrence
9 county as a sheriff, undersheriff, deputy sheriff or correction officer,
10 as defined in section eighty-nine-i of this chapter or is employed in
11 Orleans county as a sheriff, undersheriff, deputy sheriff or correction
12 officer, as defined in section eighty-nine-l of this chapter or is
13 employed in Jefferson county as a sheriff, undersheriff, deputy sheriff
14 or correction officer, as defined in section eighty-nine-j of this chap-
15 ter or is employed in Onondaga county as a deputy sheriff-jail division
16 competitively appointed or as a correction officer, as defined in
17 section eighty-nine-k of this chapter or is employed in a county which
18 makes an election under subdivision j of section eighty-nine-p of this
19 chapter as a sheriff, undersheriff, deputy sheriff or correction officer
20 as defined in such section eighty-nine-p or is employed in Broome County
21 as a sheriff, undersheriff, deputy sheriff or correction officer, as
22 defined in section eighty-nine-m of this chapter or is a Monroe county
23 deputy sheriff-court security, or deputy sheriff-jailor as defined in
24 section eighty-nine-n, as added by chapter five hundred ninety-seven of
25 the laws of nineteen hundred ninety-one, of this chapter or is employed
26 in Greene county as a sheriff, undersheriff, deputy sheriff or
27 correction officer, as defined in section eighty-nine-o of this chapter
28 or is a traffic officer with the town of Elmira as defined in section
29 eighty-nine-q of this chapter or is employed by Suffolk county as a park
30 police officer, as defined in section eighty-nine-r of this chapter or
31 is a peace officer employed by a county probation department as defined
32 in section eighty-nine-t, as added by chapter six hundred three of the
33 laws of nineteen hundred ninety-eight, of this chapter or is employed in
34 Rockland county as a deputy sheriff-civil as defined in section eighty-
35 nine-v of this chapter as added by chapter four hundred forty-one of the
36 laws of two thousand one, or is employed in Rockland county as a superi-
37 or correction officer as defined in section eighty-nine-v of this chap-
38 ter as added by chapter five hundred fifty-six of the laws of two thou-
39 sand one or is a paramedic employed by the police department in the town
40 of Tonawanda and retires under the provisions of section eighty-nine-v
41 of this chapter, as added by chapter four hundred seventy-two of the
42 laws of two thousand one, or is a county fire marshal, supervising fire
43 marshal, fire marshal, assistant fire marshal, assistant chief fire
44 marshal, chief fire marshal, division supervising fire marshal or fire
45 marshal trainee employed by the county of Nassau as defined in section
46 eighty-nine-w of this chapter or is employed in Monroe county as a depu-
47 ty sheriff-civil as defined in section eighty-nine-x of this chapter,
48 employed as an emergency medical technician, critical care technician,
49 advanced emergency medical technician, paramedic or supervisor of such
50 titles in a participating Suffolk county fire district as defined in
51 section eighty-nine-ss of this chapter, or is a firefighter apprentice,
52 airport firefighter I, airport firefighter II, airport firefighter III,
53 or training and safety officer employed by the division of military and
54 naval affairs as defined in section eighty-nine-y of this chapter, or is
55 employed by the New York power authority with the job title of mechanic,
56 technician, electrician, equipment operator, power plant operator, util-

1 ity security officer, or lineperson as defined in section eighty-nine-z
2 of this chapter, and is in a plan which permits immediate retirement
3 upon completion of a specified period of service without regard to age.
4 Except as provided in subdivision c of section four hundred forty-five-a
5 of this article, subdivision c of section four hundred forty-five-b of
6 this article, subdivision c of section four hundred forty-five-c of this
7 article, subdivision c of section four hundred forty-five-d of this
8 article, subdivision c of section four hundred forty-five-e of this
9 article, subdivision c of section four hundred forty-five-f of this
10 article and subdivision c of section four hundred forty-five-h of this
11 article, a member in such a plan and such an occupation, other than a
12 police officer or investigator member of the New York city employees'
13 retirement system or a firefighter, shall not be permitted to retire
14 prior to the completion of twenty-five years of credited service;
15 provided, however, if such a member in such an occupation is in a plan
16 which permits retirement upon completion of twenty years of service
17 regardless of age, they may retire upon completion of twenty years of
18 credited service and prior to the completion of twenty-five years of
19 service, but in such event the benefit provided from funds other than
20 those based on such a member's own contributions shall not exceed two
21 per centum of final average salary per each year of credited service.

22 § 3. Section 603 of the retirement and social security law is amended
23 by adding a new subdivision x to read as follows:

24 x. The service retirement benefit specified in section six hundred
25 four of this article shall be payable to members with twenty-five or
26 more years of creditable service, without regard to age, who are
27 employed by the New York power authority with the job title of mechanic,
28 technician, electrician, equipment operator, power plant operator, util-
29 ity security officer, or lineperson, as defined in section eighty-nine-z
30 of this chapter if: (i) such members have met the minimum service
31 requirements upon retirement, and (ii) in the case of a member subject
32 to the provisions of article fourteen of this chapter, such member files
33 an election therefor which provides that such member will be subject to
34 the provisions of this article and to none of the provisions of such
35 article fourteen. Such election, which shall be irrevocable, shall be in
36 writing, duly executed and shall be filed with the comptroller within
37 one year of the effective date of this subdivision or within one year of
38 entering into service as an employee of the New York power authority.
39 The term "creditable service" shall have the meaning as so defined in
40 section eighty-nine-z of this chapter and subdivision c of section six
41 hundred one of this article.

42 § 4. Subdivision a of section 503 of the retirement and social securi-
43 ty law, as amended by chapter 18 of the laws of 2012, is amended to read
44 as follows:

45 a. The normal service retirement benefit specified in section five
46 hundred four of this article shall be payable to general members, other
47 than elective members, who have met the minimum service requirements
48 upon retirement and attainment of age sixty-two, provided, however, a
49 general member who is a peace officer employed by the unified court
50 system or a member of a teachers' retirement system may retire without
51 reduction of [~~his or her~~] such member's retirement benefit upon attain-
52 ment of at least fifty-five years of age and completion of thirty or
53 more years of service. For members who become members of the New York
54 state and local employees' retirement system on or after April first,
55 two thousand twelve, the normal service retirement benefits specified in
56 section five hundred four of this article shall be payable to general

1 members, other than elective members, who have met the minimum service
2 requirements upon retirement and attainment of age sixty-three; provided
3 that, a member who is an employee of the New York power authority with
4 the job title of mechanic, technician, electrician, equipment operator,
5 power plant operator, utility security officer, or lineperson may retire
6 without reduction of such member's retirement benefit upon attainment of
7 twenty-five or more years of service if they have elected the special
8 retirement plan found in section eighty-nine-z of this chapter.

9 § 5. Section 604 of the retirement and social security law is amended
10 by adding a new subdivision x to read as follows:

11 x. The early service retirement for a member who is an employee of the
12 New York power authority with the job title of mechanic, technician,
13 electrician, equipment operator, power plant operator, utility security
14 officer, or lineperson as defined in section eighty-nine-z of this chap-
15 ter, shall be a pension equal to one-fiftieth of final average salary
16 times years of service as an employee of the New York power authority,
17 but not exceeding one-half of such member's final average salary.

18 § 6. Notwithstanding any provision of law to the contrary, none of the
19 provisions of this act shall be subject to the appropriation requirement
20 of section 25 of the retirement and social security law.

21 § 7. All past service costs associated with implementing the
22 provisions of this act shall be borne by the New York Power Authority.

23 § 8. This act shall take effect immediately.

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

25 This bill would permit members of the New York State and Local Employ-
26 ees' Retirement System employed by the New York power authority as a
27 mechanic, technician, electrician, equipment operator, power plant oper-
28 ator, utility security officer, or linesperson to retire upon completion
29 of twenty-five years of creditable service with a benefit of one-half
30 final average salary. Members covered under Article 14 would be permit-
31 ted one year to make an irrevocable election to switch to the twenty-
32 five-year plan. Membership in any labor organization certified or recog-
33 nized to represent the employees of the New York power authority is not
34 required.

35 We estimate that the New York power authority's annual contributions
36 will increase \$1.4 beginning FYE 2027. Annual costs will vary as the
37 billing rates and salary of the affected members change.

38 In addition, there will be an immediate past service cost of \$12.1
39 million borne by the New York power authority as a one-time payment.
40 This cost assumes that payment will be made on February 1, 2027.

41 These estimated costs are based on 435 affected members employed by
42 the New York power authority, with annual salary of approximately \$52
43 million as of March 31, 2025. The affected members were identified using
44 job title codes provided by the office of Senator Griffo.

45 Summary of relevant resources:

46 Membership data as of March 31, 2025 was used to measure the impact of
47 the bill, the same data used in the Actuarial Valuations dated April 1,
48 2025. Distributions and other statistics can be found in the 2025 Report
49 of the Actuary and the 2025 Annual Comprehensive Financial Report. The
50 actuarial assumptions and methods used are described in the 2025 Annual
51 Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules
52 and Regulations of the State of New York: Audit and Control. The fair
53 value of assets and GASB disclosures can be found in the 2025 Financial
54 Statements and Supplementary Information.

1 Assumptions, demographics, and other considerations may have been
2 modified to better reflect specific provisions of any proposed benefit
3 change(s).

4 This fiscal note does not constitute a legal opinion on the viability
5 of the bill, nor is it intended to serve as a substitute for the profes-
6 sional judgment of an attorney.

7 This estimate, dated March 27, 2026, and intended for use only during
8 the 2026 Legislative Session, is Fiscal Note Number 2026-158. As Chief
9 Actuary of the New York State and Local Retirement System (NYSLRS), I,
10 Aaron Schottin Young, hereby certify that this analysis complies with
11 applicable Actuarial Standards of Practice as well as the Code of
12 Professional Conduct and Qualification Standards for Actuaries Issuing
13 Statements of Actuarial Opinion of the American Academy of Actuaries, of
14 which I am a member. I am a member of NYSLRS but do not believe it
15 impairs my objectivity.