STATE OF NEW YORK

11108

IN ASSEMBLY

April 24, 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 retirement eligibility for certain members

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

Section 1. Subdivision a 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:

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

§ 2. Subdivisions a and c of section 504 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, are amended to read as follows:

a. The service retirement benefit for general members at normal retirement age with twenty or more years of credited service shall be a pension equal to one-fiftieth of final average salary times years of credited service, not in excess of thirty years, less fifty percent of

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

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the primary social security retirement benefit as provided in section five hundred eleven of this article. The service retirement benefit for general members at normal retirement age with twenty or more years of service who first become members of the New York state and local employees' retirement system on or after April first, two thousand twelve at normal retirement age shall be a pension equal to the sum of thirty-five per centum and one-fiftieth of final average salary for each year of service in excess of twenty, but not in excess of thirty, times final average salary times years of credited service**, provided, however, that such members may retire without reduction of their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service**.

c. The early service retirement benefit for general members, except for general members whose early retirement benefit is specified in subdivision d of this section, shall be the service retirement benefit specified in subdivision a or b of this section, as the case may be, without social security offset, reduced by one-fifteenth for each of the first two years by which early retirement precedes age sixty-two, plus a further reduction of: (1) one-thirtieth; or (2) one-twentieth for members who first join the New York state and local employees' retirement system on or after January first, two thousand ten, for each year by which early retirement precedes age sixty, provided however, that for members who first become members of the New York state and local employees' retirement system on or after the effective date of the chapter of the laws of two thousand twelve which amended this subdivision, the early service retirement benefit for general members, except for general members whose early retirement benefit is specified in subdivision d of this section, shall be the service retirement benefit specified in subdivision a or b of this section, as the case may be, without social security offset, reduced by six and one-half per centum for each year by which early retirement precedes age sixty-three. At age sixty-two, the benefit shall be reduced by fifty percent of the primary social security retirement benefit, as provided in section five hundred eleven of this article**, provided, however, that such members may retire without reduction of their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service**.

§ 3. Paragraphs 1 and 3 of subdivision i of section 603 of the retirement and social security law, paragraph 1 as amended by section 8 of part B of chapter 504 of the laws of 2009, paragraph 3 as added by chapter 18 of the laws of 2012, are amended to read as follows:

1. A member of a teachers' retirement system or the New York state and local employees' retirement system who has met the minimum service requirements but who has less than thirty years of credited service or a member who first joins the New York state and local employees' retirement system or the New York state teachers' retirement system on or after January first, two thousand ten may retire prior to normal retirement age, but no earlier than attainment of age fifty-five, in which event, unless such person is a member of the New York city teachers' retirement system who is otherwise eligible for early service retirement pursuant to subdivision c of section six hundred four-i of this article, the amount of [~~his or her~~] **their** retirement benefit otherwise computed without optional modification shall be reduced in accordance with the following schedule**, provided, however, that such member may retire without reduction of their retirement benefit upon attainment of at least**

fifty-five years of age and completion of thirty or more years of service:

(i) for each of the first twenty-four full months that retirement predates age sixty-two, one-half of one per centum per month; provided, however, that for members who first join the New York state and local employees' retirement system or the New York state teachers' retirement system on or after January first, two thousand ten, such amounts shall be equal to one-fifteenth per year; and

(ii) for each full month that retirement predates age sixty, one-quarter of one per centum per month; provided, however, that for members who first join the New York state and local employees' retirement system or the New York state teachers' retirement system on or after January first, two thousand ten, such amounts shall be equal to one-twentieth per year, but in no event shall retirement be permitted prior to attainment of age fifty-five.

3. A member of a public retirement system of the state who has met the minimum service requirement, but who is not a New York city transit authority member, as defined in paragraph one of subdivision a of section six hundred four-b of this article, may retire prior to normal retirement age, but no earlier than attainment of age fifty-five, in which event, the amount of [~~his or her~~] their retirement benefit computed without optional modification shall be reduced by six and one-half per centum for each year by which early retirement precedes age sixty-three, provided, however, that such member may retire without reduction of their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service.

§ 4. Subdivisions a, a-1 and t of section 603 of the retirement and social security law, subdivision a as amended by section 3 of part EE of chapter 55 of the laws of 2024, subdivision a-1 as added and subdivision t as amended by chapter 18 of the laws of 2012, are amended to read as follows:

a. The service retirement benefit specified in section six hundred four of this article shall be payable to members who have met the minimum service requirements upon retirement and attainment of age sixty-two, other than members who are eligible for early service retirement pursuant to subdivision c of section six hundred four-b of this article, subdivision c of section six hundred four-c of this article, subdivision d of section six hundred four-d of this article, subdivision c of section six hundred four-e of this article, subdivision c of section six hundred four-f of this article, subdivision c of section six hundred four-g of this article, subdivision c of section six hundred four-h of this article, subdivision c of section six hundred four-i of this article, or subdivision c of section six hundred four-j of this article, provided, however, a member of a teachers' retirement system or the New York state and local employees' retirement system [~~who first joins such system before January first, two thousand ten or a member who is a uniformed court officer or peace officer employed by the unified court system who first becomes a member of the New York state and local employees' retirement system before April first, two thousand twelve~~] may retire without reduction of their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service, provided, however, that a uniformed court officer or peace officer employed by the unified court system who first becomes a member of the New York state and local employees' retirement system on or after January first, two thousand ten and retires without reduction

of their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service pursuant to this section shall be required to make the member contributions required by subdivision f of section six hundred thirteen of this article for all years of credited and creditable service, provided further that the preceding provisions of this subdivision shall not apply to a New York city revised plan member.

a-1. For members who first become a member of a public retirement system of the state on or after April first, two thousand twelve, the service retirement benefit specified in section six hundred four of this article shall be payable to members who have met the minimum service requirements upon retirement and have attained age sixty-three**, provided, however, that such member may retire without reduction of their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service**.

t. Members who join the New York state teachers' retirement system on or after January first, two thousand ten, shall be eligible to retire without reduction of [~~his or her~~] **their** retirement benefit upon attainment of at least [~~fifty-seven~~] **fifty-five** years of age and completion of thirty or more years of service. Members who retire pursuant to the provisions of this subdivision shall be required to make the member contributions required by subdivision g of section six hundred thirteen of this article for all years of credited and creditable service. [~~The provisions of this subdivision shall not apply to members who first become a member of the New York state teachers' retirement system on or after April first, two thousand twelve.~~]

§ 5. Subdivisions a and b-1 of section 604 of the retirement and social security law, subdivision a as amended and subdivision b-1 as added by chapter 18 of the laws of 2012, are amended to read as follows:

a. The service retirement benefit at normal retirement age for a member with less than twenty years of credited service, or less than twenty-five years credited service for a member who joins the New York state teachers' retirement system on or after January first, two thousand ten, shall be a retirement allowance equal to one-sixtieth of final average salary times years of credited service. Normal retirement age for members who first become members of a public retirement system of the state on or after April first, two thousand twelve shall be age sixty-three**, provided, however, that such member may retire without reduction of their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service**.

b-1. Notwithstanding any other provision of law to the contrary, the service retirement benefit for members with twenty or more years of credit service who first become a member of a public retirement system of the state on or after April first, two thousand twelve at age sixty-three **or for members who have attained at least fifty-five years of age and completion of thirty or more years of service** shall be a pension equal to the sum of thirty-five per centum and one-fiftieth of final average salary for each year of service in excess of twenty times final average salary times years of credited service. In no event shall any retirement benefit payable without optional modification be less than the actuarially equivalent annuitized value of the member's contributions accumulated with interest at five percent per annum compounded annually to the date of retirement.

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

§ 7. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 8. This act shall take effect immediately; provided, however that the amendments to subdivision a of section 603 of the retirement and social security law made by section four of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

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

This bill would allow Tier 5 and Tier 6 members in the New York State and Local Employees' Retirement System (NYSLERS) to retire prior to normal retirement age without reduction of their retirement benefit upon attainment of at least age 55 and completion of 30 years of service.

Insofar as this bill affects NYSLERS, the present value of benefits would increase by approximately $2.1 billion.

Benefit improvements will be funded by increasing the billing rates charged annually. The annual contribution required by all participating employers in NYSLERS would increase 0.9% of billable salary, or approximately $130 million to the state of New York and $190 million to the local participating employers. The annual billing rates for Tier 6 members would further increase by 0.2% of salary (for a 1.1% total annual rate increase).

Required contributions will increase significantly as Tier 6 grows. Employer costs would vary according to plan coverage and salary reported in Tier 6.

These estimated costs are based on 344,860 affected members in NYSLERS with annual salary of approximately $18 billion 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 April 1, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-179. 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.

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

Bill Description:

This fiscal note is prepared for legislative bill draft #15146-06-6. This bill would amend various sections of Retirement and Social Security Law to permit Tier 5 and 6 members of the New York State Teachers' Retirement System (NYSTRS) to retire with an unreduced benefit upon attainment of at least age 55 and 30 years of service credit. Tier 5 members are currently able to retire with an unreduced benefit upon attainment of at least age 57 and 30 years of service credit. Tier 6 members are currently unable to retire with an unreduced benefit until attainment of age 63, regardless of service credit.

Cost:

The annual cost to the participating employers of the New York State Teachers' Retirement System is estimated to be $371.5 million or 1.79% of payroll if this bill is enacted.

The System's "new entrant rate," a hypothetical employer contribution rate that would be charged if we started a new retirement system without any assets, is equal to 5.52% of pay under the current Tier 6 benefit structure. This can be thought of as the long-term expected employer cost of Tier 6, based on current actuarial assumptions. For the proposed change to the Tier 6 benefit structure under this bill, this new entrant rate is estimated to increase to 7.29% of pay, an increase of 1.77% of pay.

Data:

Member data as of June 30, 2025, prepared for the most recent actuarial valuation was used in determining this cost. The most recent data distributions and statistics can be found in the System's Annual Report for the fiscal year ended June 30, 2025. System assets are as reported in the System's financial statements which can be found in the System's Annual Report. This data will also be provided in the System's Actuarial Valuation Report as of June 30, 2025.

Methods and Assumptions:

A summary of actuarial assumptions and methods will be provided in the System's Actuarial Valuation Report as of June 30, 2025. Further details can be found in the most recent Recommended Actuarial Assumptions 2025 Report.

Actuarial Certification:

We, the undersigned actuaries for the New York State Teachers' Retirement System, certify the following:

1. The actuarial assumptions, methods, and data used are reasonable for the purposes of this fiscal note, internally consistent and are in accordance with standards of practice prescribed by the Actuarial Standards Board and generally accepted actuarial principles and procedures.

2. We relied on member data supplied by the participating employers of the New York State Teachers' Retirement System and assets as supplied in the annual Financial Statements by NYSTRS' Finance Department.

3. Results were prepared based on our current understanding of the proposal as of the date of this fiscal note. If the language or our understanding of the proposal changes, the results could change and require the issuance of a new fiscal note. The next annual update of the

actuarial valuation could also produce different results. Results should not be relied upon for any other purpose.

4. This fiscal note was prepared in accordance with New York State Retirement and Social Security Law, New York State Education Law, applicable Internal Revenue Code, and accepted actuarial standards of practice as of the date of this fiscal note. This fiscal note does not constitute a legal opinion on the viability of this legislative proposal.

5. We are members of the American Academy of Actuaries and the Society of Actuaries, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. We are currently compliant with the Continuing Professional Development Requirement of the Society of Actuaries.

Fiscal Note Identification:

This Fiscal Note, 2026-6, revised March 30, 2026, was prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2026 Legislative Session.

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

SUMMARY: This proposed legislation, as it relates to the New York City Retirement Systems and Pension Funds (NYCRS) would provide an unreduced early retirement benefit for Tier 6 NYCRS members who attain age 55 and have at least 30 years of credited service.

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

Year	NYCERS	TRS	BERS	TOTAL
2027	15.6	123.9	4.9	144.4
2028	16.6	129.4	5.1	151.1
2029	17.7	135.4	5.3	158.4
2030	18.8	141.9	5.5	166.2
2031	19.9	148.9	5.7	174.5
2032	21.1	156.4	6.0	183.5
2033	22.3	164.4	6.2	192.9
2034	23.6	173.2	6.5	203.3
2035	24.8	182.6	6.7	214.1
2036	26.2	192.7	7.0	225.9
2037	27.5	203.4	7.3	238.2
2038	28.9	214.9	7.6	251.4
2039	30.4	227.0	8.0	265.4
2040	31.8	239.7	8.3	279.8
2041	33.4	252.8	8.6	294.8
2042	35.0	266.3	9.0	310.3
2043	36.6	280.0	9.3	325.9
2044	38.3	293.9	9.7	341.9
2045	40.0	307.8	10.1	357.9
2046	35.8	321.5	9.3	366.6
2047	37.6	283.4	9.8	330.8
2048	39.4	296.3	10.2	345.9
2049	41.2	308.8	10.7	360.7
2050	43.0	320.8	11.2	375.0
2051	44.7	332.4	11.7	388.8

Projected contributions include future new hires that may be impacted. For Fiscal Year 2052 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 0.12% for NYCERS, 0.95% for TRS, and 0.19% for BERS.

The initial increase in employer contributions of $144.4 million is estimated to be $136.7 million for New York City and $7.7 million for the other obligors of NYCRS.

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 ($ in Millions)

Present Value (PV)	NYCERS	TRS	BERS
(1) PV of Employer Contributions:	192.0	1,431.5	57.2
(2) PV of Employee Contributions:	(8.4)	(308.5)	(8.9)
Total PV of Benefits (1) + (2):	183.5	1,123.0	48.2

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working life-time of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS	TRS	BERS
Increase (Decrease) in UAL:	59.5 M	527.5 M	11.6 M
Number of Payments:	19	20	19
Amortization Payment:	6.0 M	51.5 M	1.2 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025. The census data for the impacted population is summarized below.

	NYCERS	TRS	BERS
Active Members			
- Number Count:	28,288	41,556	13,592
- Average Age:	32.0	32.5	27.8
- Average Service:	4.9	5.9	1.5
- Average Salary:	83,500	90,400	34,900

IMPACT ON MEMBER BENEFITS: Currently, Tier 6 NYCRS members are eligible for unreduced service retirement under the Tier 6 basic plan upon attainment of age 63 with at least 5 years of credited service. Members may retire as early as age 55 with a reduction of 6.5% for each year that retirement precedes age 63.

Under the proposed legislation, Tier 6 members would be eligible for unreduced service retirement under the Tier 6 basic plan upon attainment of age 55 with at least 30 years of credited service.

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

* 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.

* Retirement rates were adjusted on and after age 55 and 30 years of service to reflect the change in the plan provisions.

* In systems where the 55/30 plan was not available, assumptions were applied based on current plan offerings.

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 2026-64 dated April 17, 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.