

# STATE OF NEW YORK

6718

2025-2026 Regular Sessions

## IN ASSEMBLY

March 10, 2025

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 establishing alternative twenty and twenty-five year plans for certain officers of state law enforcement

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  
2 adding two new sections 383-e and 383-f to read as follows:

3 § 383-e. Retirement of officers of state law enforcement; twenty year  
4 retirement plan. a. Membership. Every non-seasonally appointed sworn  
5 member or officer of the division of law enforcement in the department  
6 of environmental conservation, a forest ranger in the service of the  
7 department of environmental conservation, which shall mean a person who  
8 serves on a full-time basis in the title of forest ranger I, forest  
9 ranger II, forest ranger III, assistant superintendent of forest fire  
10 control, superintendent of forest fire control or any successor titles  
11 or new titles in the forest ranger title series in the department of  
12 environmental conservation, a police officer in the department of envi-  
13 ronmental conservation, the regional state park police, and university  
14 police officers who enter or re-enter service in any such title whose  
15 date of membership is on or after January first, two thousand ten shall  
16 be covered by the provisions of this section, and every member described  
17 in this subdivision in such service on or before one year prior to the  
18 effective date of this section may elect to be covered by the provisions  
19 of this section by filing an election therefor with the comptroller. To  
20 be effective, such election must be duly executed and acknowledged on a  
21 form prepared by the comptroller for that purpose.

22 b. Retirement allowance. A member, covered by the provisions of this  
23 section at the time of retirement, shall be entitled to retire upon  
24 completion of twenty years of total creditable service in such titles,

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

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1 and shall retire upon the attainment of the mandatory retirement age  
2 prescribed by this section, by filing an application therefor in a  
3 manner similar to that provided in section three hundred seventy of this  
4 article.

5 1. Upon completion of twenty years of such service and upon retire-  
6 ment, each such member shall receive a pension which, together with an  
7 annuity for such years of service as provided in paragraph four of this  
8 subdivision, shall be sufficient to provide such member with a retire-  
9 ment allowance of one-half of such member's final average salary.

10 2. Upon completion of more than twenty years of such service and upon  
11 retirement, each such member shall receive, for each year of service in  
12 excess of twenty, an additional pension which, together with an annuity  
13 for each such year as provided in paragraph four of this subdivision,  
14 shall be equal to one-sixtieth of such member's final average salary,  
15 provided, however, that the pension payable pursuant to this section  
16 shall not exceed three-quarters of final average salary.

17 3. Upon attainment of the mandatory retirement age without completion  
18 of twenty years of such service, each such member shall receive a  
19 pension which, together with an annuity for such years of service as  
20 provided in paragraph four of this subdivision, shall be equal to one-  
21 fortieth of such member's final average salary for each year of credita-  
22 ble service in such titles. Every such member shall also be entitled to  
23 an additional pension equal to the pension for any creditable service  
24 rendered while not an employee in such titles as provided under para-  
25 graphs three and four of subdivision a of section three hundred seven-  
26 ty-five of this article. This latter pension shall not increase the  
27 total allowance to more than one-half of such member's final average  
28 salary.

29 4. The annuity provided under paragraphs one, two and three of this  
30 subdivision shall be the actuarial equivalent, at the time of retire-  
31 ment, of the member's accumulated contributions based upon the rate of  
32 contribution fixed under section three hundred eighty-three of this  
33 title and upon the salaries earned while in such service. Such annuity  
34 shall be computed as it would be if it were not reduced by the actuarial  
35 equivalent of any outstanding loan nor by reason of the member's  
36 election to decrease such member's contributions toward retirement in  
37 order to apply the resulting amount toward payment of contributions for  
38 old age and survivor's insurance. Any accumulated contributions in  
39 excess of the amount required to provide the annuity computed pursuant  
40 to this paragraph shall be used to increase the member's retirement  
41 allowance.

42 c. Credit for previous service. In computing the years of total cred-  
43 itable service for each member described herein, full credit shall be  
44 given and full allowance shall be made for service rendered as a police  
45 officer or state university peace officer or member of a police force or  
46 department of a state park authority or commission or an organized  
47 police force or department of a county, city, town, village, police  
48 district, authority or other participating employer or member of the  
49 capital police force in the office of general services while a member of  
50 the New York state and local police and fire retirement system, of the  
51 New York state and local employees' retirement system or of the New York  
52 city police pension fund and for all service for which full credit has  
53 been given and full allowance made pursuant to the provisions of section  
54 three hundred seventy-five-h of this article provided, however, that  
55 full credit pursuant to the provisions of such section shall mean only  
56 such service as would be creditable service pursuant to the provisions

1 of section three hundred eighty-three, three hundred eighty-three-a,  
2 three hundred eighty-three-b, as added by chapter six hundred seventy-  
3 four of the laws of nineteen hundred eighty-six, three hundred eighty-  
4 three-b, as added by chapter six hundred seventy-seven of the laws of  
5 nineteen hundred eighty-six, three hundred eighty-three-c or three  
6 hundred eighty-three-d of this title or pursuant to the provisions of  
7 title thirteen of the administrative code of the city of New York for  
8 any member contributing pursuant to this section who transferred to the  
9 jurisdiction of the department of environmental conservation including  
10 but not limited to environmental conservation officers and forest  
11 rangers, regional state park police or state university of New York  
12 peace officers.

13 d. Retirement for cause. Upon receipt of a certificate from the head  
14 of the entity where such member is employed or such member's designee, a  
15 member as described in subdivision a of this section, who has accrued  
16 twenty-five or more years of service credit under this section shall be  
17 retired on the first day of the second month next succeeding the date  
18 such certificate was filed with the comptroller.

19 e. Credit for military service. In computing the years of total cred-  
20 itable service full credit shall be given and full allowance shall be  
21 made for service of such member in war after world war I as defined in  
22 section three hundred two of this article, provided such member at the  
23 time of such member's entrance into the armed forces was in police  
24 service as defined in subdivision eleven of section three hundred two of  
25 this article.

26 f. Transfer of membership to employees' retirement system. Any member  
27 currently enrolled pursuant to this section and who previously trans-  
28 ferred service credit from the New York state and local employees'  
29 retirement system to the New York state and local police and fire  
30 retirement system, may elect to transfer such previously transferred  
31 service credit back to the New York state and local employees' retire-  
32 ment system, and such member shall have the option to retroactively  
33 transfer such member's membership into such employees' retirement  
34 system.

35 g. The provisions of this section shall be controlling, notwithstand-  
36 ing any provision of this article to the contrary.

37 § 383-f. Retirement of officers of state law enforcement; alternative  
38 twenty-five year retirement plan. a. Membership. Every non-seasonally  
39 appointed sworn member or officer of the division of law enforcement in  
40 the department of environmental conservation, a forest ranger in the  
41 service of the department of environmental conservation, which shall  
42 mean a person who serves on a full-time basis in the title of forest  
43 ranger I, forest ranger II, forest ranger III, assistant superintendent  
44 of forest fire control, or any successor titles or new titles in the  
45 forest ranger title series in the department of environmental conserva-  
46 tion, a police officer in the department of environmental conservation,  
47 the regional state park police, and university police officers whose  
48 date of membership is prior to January first, two thousand ten shall be  
49 covered by the provisions of this section, and every member described in  
50 this subdivision in such service within one year of the effective date  
51 of this section or within one year of employment in an eligible title,  
52 whichever is later, may elect to be covered by the provisions of this  
53 section by filing an election therefor with the comptroller. Upon  
54 completion of twenty-five years of such service and upon retirement,  
55 each such member shall receive a pension which, together with an annui-  
56 ty, if any, which shall be the actuarial equivalent of such member's

1 accumulated contributions at the time of their retirement and an addi-  
2 tional pension which is the actuarial equivalent of the reserve-for-in-  
3 creased-take-home-pay to which such member may then be entitled, if any,  
4 shall be sufficient to provide such member with a retirement allowance  
5 equal to fifty-eight percent of their final average salary. To be  
6 effective, such election must be duly executed and acknowledged on a  
7 form prepared by the comptroller for such purpose.

8 b. Retirement allowance. 1. A member, covered by the provisions of  
9 this section at the time of retirement, shall be entitled to retire upon  
10 completion of twenty-five years of total creditable service in such  
11 titles by filing an application therefor in a manner similar to that  
12 provided in section three hundred seventy of this article.

13 2. Upon completion of more than twenty-five years of such service and  
14 upon retirement, each such member shall receive, for each year of  
15 service in excess of twenty-five, an additional pension which, together  
16 with an annuity for each such year as provided in paragraph three of  
17 this subdivision, shall be equal to one-sixtieth of their final average  
18 salary, provided, however, that the pension payable pursuant to this  
19 section shall not exceed three-quarters of such member's final average  
20 salary.

21 3. The annuity provided under paragraph two of this subdivision shall  
22 be the actuarial equivalent, at the time of retirement, of the member's  
23 accumulated contributions based upon the rate of contributions fixed  
24 under section three hundred eighty-three of this title and upon the  
25 salaries earned while in such service. Such annuity shall be computed as  
26 it would be if it were not reduced by the actuarial equivalent of any  
27 outstanding loan nor by reason of the member's election to decrease such  
28 member's contributions for old age and survivor's insurance. Any accumu-  
29 lated contributions in excess of the amount required to provide the  
30 annuity computed pursuant to this paragraph shall be used to increase  
31 the member's retirement allowance.

32 c. Credit for previous service. In computing the years of total cred-  
33 itable service for each member described herein, full credit shall be  
34 given and full allowance shall be made for service rendered as a police  
35 officer or state university peace officer or member of a police force or  
36 department of a state park authority or commission or an organized  
37 police force or department of a county, city, town, village, police  
38 district, authority or other participating employer or member of the  
39 capital police force in the office of general services while a member of  
40 the New York state and local police and fire retirement system, of the  
41 New York state and local employees' retirement system or of the New York  
42 city police pension fund and for all service for which full credit has  
43 been given and full allowance made pursuant to the provisions of section  
44 three hundred seventy-five-h of this article provided, however, that  
45 full credit pursuant to the provisions of such section shall mean only  
46 such service as would be creditable service pursuant to the provisions  
47 of section three hundred eighty-three, three hundred eighty-three-a,  
48 three hundred eighty-three-b, as added by chapter six hundred seventy-  
49 four of the laws of nineteen hundred eighty-six, three hundred eighty-  
50 three-b, as added by chapter six hundred seventy-seven of the laws of  
51 nineteen hundred eighty-six, three hundred eighty-three-c or three  
52 hundred eighty-three-d of this title or pursuant to the provisions of  
53 title thirteen of the administrative code of the city of New York for  
54 any member contributing pursuant to this section who transferred to the  
55 jurisdiction of the department of environmental conservation including  
56 but not limited to environmental conservation officers and forest

1 rangers, regional state park police or state university of New York  
2 peace officers.

3 § 2. This act shall take effect on the first of January next succeed-  
4 ing the date on which it shall have become a law.