

STATE OF NEW YORK

9273--A

2025-2026 Regular Sessions

IN ASSEMBLY

November 21, 2025

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- 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 calculating certain pensions

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

1 Section 1. Subdivision a of section 504 of the retirement and social
2 security law, as amended by chapter 18 of the laws of 2012, is amended
3 to read as follows:

4 a. The service retirement benefit for general members at normal
5 retirement age with twenty or more years of credited service shall be a
6 pension equal to one-fiftieth of final average salary times years of
7 credited service, not in excess of thirty years, less fifty percent of
8 the primary social security retirement benefit as provided in section
9 five hundred eleven of this article. The service retirement benefit for
10 general members at normal retirement age with twenty or more years of
11 service who first become members of the New York state and local employ-
12 ees' retirement system on or after April first, two thousand twelve at
13 normal retirement age shall be a pension equal to the sum of [~~thirty-~~
14 ~~five~~] **forty** per centum and one-fiftieth of final average salary for each
15 year of service in excess of twenty, but not in excess of thirty, times
16 final average salary times years of credited service.

17 § 2. Subdivisions a, b and b-1 of section 604 of the retirement and
18 social security law, subdivision a as amended and subdivision b-1 as
19 added by chapter 18 of the laws of 2012, subdivision b as amended by
20 chapter 266 of the laws of 1998 and the opening paragraph of subdivision
21 b as amended by section 8-b of part B of chapter 504 of the laws of
22 2009, are amended to read as follows:

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

LBD06549-04-6

1 a. The service retirement benefit at normal retirement age for a
 2 member with less than twenty years of credited service[~~, or less than~~
 3 ~~twenty-five years credited service for a member who joins the New York~~
 4 ~~state teachers' retirement system on or after January first, two thou-~~
 5 ~~sand ten,~~] shall be a retirement allowance equal to one-sixtieth of
 6 final average salary times years of credited service. Normal retirement
 7 age for members who first become members of a public retirement system
 8 of the state on or after April first, two thousand twelve shall be age
 9 sixty-three.

10 b. The service retirement benefit at normal retirement age for a
 11 member with twenty years or more of credited service[~~, or with twenty-~~
 12 ~~five or more years credited service for a member who first joins the New~~
 13 ~~York state teachers' retirement system on or after January first, two~~
 14 ~~thousand ten,~~] shall be a retirement allowance equal to one-fiftieth of
 15 final average salary times years of credited service not in excess of
 16 thirty years.

17 Credited service in excess of thirty years shall provide an additional
 18 retirement allowance equal to three-two hundredths of the final average
 19 salary for each year of credited service in excess of thirty years.

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

31 § 3. Section 1312 of the retirement and social security law, as added
 32 by chapter 18 of the laws of 2012, is amended to read as follows:

33 § 1312. Benefit enhancements. Notwithstanding any other law to the
 34 contrary, eligible employees shall be permitted to retire, without
 35 penalty, upon reaching age fifty-seven and completing at least thirty
 36 years of credited service. Employees retiring pursuant to this section
 37 shall receive a pension allowance equal to the sum of [~~thirty-five~~]
 38 forty per centum and one-fiftieth of final average salary for each year
 39 of service in excess of twenty times final average salary times years of
 40 credited service.

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

44 § 5. This act shall take effect immediately.

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 increase the percentage of Final Average Salary payable to Tier 6 NYCERS, TRS, and BERS members who retire with 20 or more 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	75.3	90.7	13.3	179.3
2028	79.4	94.9	13.8	188.1

2029	83.8	99.5	14.4	197.7
2030	88.3	104.4	15.0	207.7
2031	92.9	109.6	15.6	218.1
2032	97.6	115.3	16.3	229.2
2033	102.3	121.3	17.0	240.6
2034	107.1	127.7	17.8	252.6
2035	112.0	134.5	18.5	265.0
2036	116.8	141.6	19.2	277.6
2037	121.7	149.1	20.0	290.8
2038	126.7	156.9	20.7	304.3
2039	131.6	165.1	21.5	318.2
2040	136.5	173.5	22.3	332.3
2041	141.5	182.1	18.4	342.0
2042	114.9	190.7	19.2	324.8
2043	119.9	199.1	20.0	339.0
2044	124.9	207.4	20.7	353.0
2045	130.0	177.7	21.5	329.2
2046	135.1	185.5	22.3	342.9
2047	140.2	193.0	23.0	356.2
2048	145.4	200.3	23.8	369.5
2049	150.7	207.3	24.6	382.6
2050	156.1	214.3	25.3	395.7
2051	161.7	221.2	26.1	409.0

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 0.49% for NYCERS, 0.76% for TRS, and 0.60% for BERS.

The initial increase in employer contributions of \$179.3 million is estimated to be \$138.7 million for New York City and \$40.6 million for the other obligors of NYCERS.

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:	792.7	1,196.0	142.6
(2) PV of Employee Contributions:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Total PV of Benefits (1) + (2):	792.7	1,196.0	142.6

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL for active members were amortized over the expected remaining working lifetime of those impacted using level dollar payments. UAL attributable to inactive members was recognized in the first year.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS	TRS	BERS
Increase (Decrease) in UAL:	278.2 M	368.2 M	38.7 M
Number of Payments:	15	18	14

Amortization Payment:	31.6 M	37.9 M	4.6 M
Additional One-time Payment:	0.1 M	0.1 M	0.0 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:	99,608	71,364	37,490
- Average Age:	43.0	39.0	41.5
- Average Service:	5.2	5.7	2.2
- Average Salary:	87,100	86,500	37,900
Term. Vested Members			
- Number Count:	2	2	1
- Average Age:	52.0	54.0	60.0

IMPACT ON MEMBER BENEFITS: Currently, the service retirement benefit for Tier 6 basic plan members of NYCERS, TRS, and BERS who have 20 or more years of Credited Service is equal to 35% of Final Average Salary (FAS) plus 2% of FAS for each year of Credited Service in excess of 20.

Under the proposed legislation, the service retirement benefit for Tier 6 basic plan members of NYCERS, TRS, and BERS who have 20 or more years of Credited Service would be equal to 40% of FAS plus 2% of FAS for each year of Credited Service in excess of 20.

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.

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 2026-16 dated February 13, 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.