STATE OF NEW YORK

10436

IN SENATE

May 15, 2026

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to the ordinary disability benefit for enhanced plan members of the New York city fire department pension fund

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

Section 1. Subdivision c-1 of section 506 of the retirement and social security law, as added by chapter 298 of the laws of 2016, is amended to read as follows:

c-1. Notwithstanding any inconsistent provision of subdivision a or b of this section, the ordinary disability benefit for a New York city enhanced plan member in active service who is not eligible for a normal retirement benefit[~~, has completed five years or more of service, and has been determined to be eligible for primary social security disability benefits shall be a pension equal to the greater of (i) thirty-three and one-third percent of final average salary, or (ii) two percent of final average salary times years of credited service not in excess of the maximum years of service for computing service retirement, such benefit in each case to be reduced by one hundred percent of any workers' compensation benefits payable~~] **shall be a pension equal to one-fortieth of such member's annual earnable compensation on the date of retirement multiplied by the number of years of city-service credited to such member, but not less than (i) one-half of their annual earnable compensation on the date of retirement, if the years of city-service credited to such member are ten or more, or (ii) one-third of their annual earnable compensation on the date of retirement, if the years of city-service credited to such member are less than ten. If the New York city enhanced plan member had been in active public service prior to joining the New York city fire department pension fund, then all continuous public service immediately prior to the date of membership shall be counted toward the years of city-service credited to such member. For the purposes of this subdivision, continuous public service shall mean service during a period in which an employee was not off the payroll of a public employer for more than thirty days**.

§ 2. This act shall take effect immediately.

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

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