

STATE OF NEW YORK

10441

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 administrative code of the city of New York, in relation to service retirement of 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:

1 Section 1. Section 13-696 of the administrative code of the city of
2 New York is amended by adding a new subdivision 1 to read as follows:

3 1. (1) Service retirement and survivor benefits for members and their
4 beneficiaries of the New York city fire department pension fund provided
5 pursuant to article eleven of the retirement and social security law
6 shall continue to be subject to the cost-of-living adjustment provided
7 in this section, unless such cost-of-living adjustment is exceeded by
8 the escalation of benefit calculation defined in the following subdivi-
9 sion, in which case only escalation shall be paid.

10 (2)(i) As used in this subdivision, the term "full escalation date"
11 shall mean the first day of the month following the date on which a
12 uniformed member becomes eligible for service retirement benefits for
13 uniformed members of the New York city fire department pension fund.

14 (ii) If the payment of benefits commences on the full escalation date,
15 the benefit shall be increased annually at an escalation rate equal to
16 the lesser of three percent or the increase in the cost-of-living index
17 as provided in subparagraph (iii) of this paragraph. In the event of a
18 decrease in the cost-of-living index, the annual benefit shall be
19 decreased by the lesser of three percent or the amount of the decrease
20 in the cost-of-living index, as provided in subparagraph (iii) of this
21 paragraph, provided that the benefit, in any event, shall not be reduced
22 below the benefit payable at the initial commencement date. For each
23 month that the benefit commencement date precedes the full escalation
24 date, the escalation rate shall be reduced by one thirty-sixth, and
25 there shall be no escalation where benefits commence more than three
26 years prior to the full escalation date.

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

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1 (iii) Cost-of-living index changes shall be computed on a cumulative
2 basis so that any increases or decreases not reflected in an adjustment
3 to the benefit level shall be carried forward and applied in subsequent
4 years. Benefits shall be escalated commencing with the payment due for
5 the month of April, based on the cost-of-living index as of December
6 thirty-first of the preceding year. If the initial benefit commencement
7 date is May first or later, the initial escalation adjustment for the
8 following April shall be reduced by one-twelfth for benefits commencing
9 on May first, plus a further reduction of one-twelfth for each month the
10 initial benefit commences thereafter.

11 (iv) If a member elects to defer the service retirement benefit, after
12 separation from service, for the purpose of becoming eligible for annual
13 escalation, the benefit so deferred shall be escalated at the full esca-
14 lation rate until the deferred payment date, and thereafter shall be
15 subject to annual escalation as provided in this section.

16 § 2. This act shall take effect immediately.