

STATE OF NEW YORK

4638--A

2025-2026 Regular Sessions

IN SENATE

February 10, 2025

Introduced by Sens. WEIK, BORRELLO, HELMING, MATTERA, PALUMBO, RHOADS -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to establishing a temporary commission to reform tier V and tier VI status in the New York state and local employees' retirement system; and providing for the repeal of such provisions upon the expiration thereof

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

1 Section 1. Legislative findings. The legislature finds that the enact-
2 ment of chapter 18 of the laws of 2012 has caused severe employment
3 recruitment and retention shortages throughout the New York state and
4 local public workforce. These shortages have caused massive reductions
5 in the size of the public workforce, significant increases in overtime
6 costs, and unacceptable delays to the citizens of the state.
7 Further, New York state and local governments also face a coming wave
8 of retirements, with over one-quarter of the current workforce eligible
9 to retire in the next five years. These retirements will further exacer-
10 bate worker shortages and overtime costs to unsustainable levels.
11 It is incumbent on the state to proactively address these near-term
12 workforce management challenges to maintain acceptable levels of govern-
13 ment service delivery to all New York state residents.
14 § 2. Temporary state commission to reform tier V and tier VI status in
15 the New York state and local employees' retirement system. 1. A tempo-
16 rary state commission is hereby created to reform and improve tier V and
17 tier VI status in the New York state and local employees' retirement
18 system.

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

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1 2. The commission shall consist of nine members, to be appointed as
2 follows: five shall be appointed by the governor; one shall be appointed
3 by the temporary president of the senate; one shall be appointed by the
4 minority leader of the senate; one shall be appointed by the speaker of
5 the assembly; and one shall be appointed by the minority leader of the
6 assembly.

7 3. The commission may employ and at pleasure remove such personnel as
8 it may deem necessary for the performance of its functions and fix their
9 compensation within the amounts made available therefor.

10 4. The commission may meet within and without the state, shall hold at
11 least three public hearings, and shall have all the powers of a legisla-
12 tive committee pursuant to the legislative law.

13 5. The members of the commission shall receive no compensation for
14 their services, but shall be allowed their actual and necessary expenses
15 incurred in the performance of their duties hereunder.

16 6. To the maximum extent feasible, the commission shall be entitled to
17 request and receive and shall utilize and be provided with such facili-
18 ties, resources, and data of any court, department, division, board,
19 bureau, commission, or agency of the state or any political subdivision
20 thereof as it may reasonably request to properly carry out its powers
21 and duties hereunder.

22 7. No later than one year after the effective date of this act, the
23 commission shall submit a final report to the governor, the temporary
24 president of the senate, and the speaker of the assembly containing its
25 findings, conclusions, and recommendations for reforming and improving
26 tier V and tier VI status in the New York state and local employees'
27 retirement system.

28 § 3. This act shall take effect immediately and shall expire and be
29 deemed repealed 1 year after such date.