

STATE OF NEW YORK

6750

2025-2026 Regular Sessions

IN SENATE

March 21, 2025

Introduced by Sens. WEBB, BROUK, CLEARE, COMRIE, FERNANDEZ, JACKSON, ROLISON -- 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, the education law and the administrative code of the city of New York, in relation to permitting a retired member to change their option election or designate a new beneficiary where the beneficiary has been convicted of a family offense

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

1 Section 1. Section 90 of the retirement and social security law is
2 amended by adding a new subdivision f to read as follows:

3 f. Beneficiary convicted of a family offense. 1. Notwithstanding any
4 provision of law to the contrary, a retired member subject to the
5 provisions of this article shall be permitted to change such member's
6 option election or designate a new beneficiary where the beneficiary has
7 been convicted of a family offense as defined in section eight hundred
8 twelve of the family court act or section 530.11 of the criminal proce-
9 dure law and the retired member is a complainant.

10 2. A retired member shall have one hundred eighty days from the date
11 of the beneficiary's conviction to change such member's election or
12 designate a new beneficiary by submitting a request in writing to the
13 retirement system. Once the retirement system receives such written
14 request the member's beneficiary shall be changed or a new benefit shall
15 be calculated by the retirement system pursuant to this article.

16 3. The comptroller in consultation with the division of criminal
17 justice services and the New York state office for the prevention of
18 domestic violence shall ensure that retired members are provided notice
19 of the provisions of this subdivision.

20 4. The comptroller is authorized to promulgate rules and regulations
21 necessary for the implementation of this subdivision.

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

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1 § 2. Section 390 of the retirement and social security law is amended
2 by adding a new subdivision f to read as follows:

3 f. Beneficiary convicted of a family offense. 1. Notwithstanding any
4 provision of law to the contrary, a retired member subject to the
5 provisions of this article shall be permitted to change such member's
6 option election or designate a new beneficiary where the beneficiary has
7 been convicted of a family offense as defined in section eight hundred
8 twelve of the family court act or section 530.11 of the criminal proce-
9 cedure law and the retired member is a complainant.

10 2. A retired member shall have one hundred eighty days from the date
11 of the beneficiary's conviction to change such member's election or
12 designate a new beneficiary by submitting a request in writing to the
13 retirement system. Once the retirement system receives such written
14 request the member's beneficiary shall be changed or a new benefit shall
15 be calculated by the retirement system pursuant to this article.

16 3. The comptroller in consultation with the division of criminal
17 justice services and the New York state office for the prevention of
18 domestic violence shall ensure that retired members are provided notice
19 of the provisions of this subdivision.

20 4. The comptroller is authorized to promulgate rules and regulations
21 necessary for the implementation of this subdivision.

22 § 3. Section 513 of the education law is amended by adding a new
23 subdivision 5 to read as follows:

24 5. Beneficiary convicted of a family offense. a. Notwithstanding any
25 provision of law to the contrary, a retired member subject to the
26 provisions of this article shall be permitted to change such member's
27 option election or designate a new beneficiary where the beneficiary has
28 been convicted of a family offense as defined in section eight hundred
29 twelve of the family court act or section 530.11 of the criminal proce-
30 cedure law and the retired member is a complainant.

31 b. A retired member shall have one hundred eighty days from the date
32 of the beneficiary's conviction to change such member's election or
33 designate a new beneficiary by submitting a request in writing to the
34 retirement system. Once the retirement system receives such written
35 request the member's beneficiary shall be changed or a new benefit shall
36 be calculated by the retirement system pursuant to this article.

37 c. The comptroller in consultation with the division of criminal
38 justice services and the New York state office for the prevention of
39 domestic violence shall ensure that retired members are provided notice
40 of the provisions of this subdivision.

41 d. The comptroller is authorized to promulgate rules and regulations
42 necessary for the implementation of this subdivision.

43 § 4. The administrative code of the city of New York is amended by
44 adding a new section 13-177.2 to read as follows:

45 § 13-177.2 Beneficiary convicted of a family offense. a. Notwith-
46 standing any provision of law to the contrary, a retired member subject
47 to the provisions of this title shall be permitted to change such
48 member's option election or designate a new beneficiary where the bene-
49 fiary has been convicted of a family offense as defined in section
50 eight hundred twelve of the family court act or section 530.11 of the
51 criminal procedure law and the retired member is a complainant.

52 b. A retired member shall have one hundred eighty days from the date
53 of the beneficiary's conviction to change such member's election or
54 designate a new beneficiary by submitting a request in writing to the
55 retirement system. Once the retirement system receives such written

1 request the member's beneficiary shall be changed or a new benefit shall
2 be calculated pursuant to this title.

3 c. The comptroller in consultation with the office of criminal justice
4 and the New York state office for the prevention of domestic violence
5 shall ensure that retired members are provided notice of the provisions
6 of this section.

7 d. The comptroller is authorized to promulgate rules and regulations
8 necessary for the implementation of this section.

9 § 5. The administrative code of the city of New York is amended by
10 adding a new section 13-261.4 to read as follows:

11 § 13-261.4 Beneficiary convicted of a family offense. a. Notwith-
12 standing any provision of law to the contrary, a retired member subject
13 to the provisions of this title shall be permitted to change such
14 member's option election or designate a new beneficiary where the bene-
15 ficiary has been convicted of a family offense as defined in section
16 eight hundred twelve of the family court act or section 530.11 of the
17 criminal procedure law and the retired member is a complainant.

18 b. A retired member shall have one hundred eighty days from the date
19 of the beneficiary's conviction to change such member's election or
20 designate a new beneficiary by submitting a request in writing to the
21 retirement system. Once the retirement system receives such written
22 request the member's beneficiary shall be changed or a new benefit shall
23 be calculated by the retirement system pursuant to this title.

24 c. The comptroller in consultation with the office of criminal justice
25 and the New York state office for the prevention of domestic violence
26 shall ensure that retired members are provided notice of the provisions
27 of this section.

28 d. The comptroller is authorized to promulgate rules and regulations
29 necessary for the implementation of this section.

30 § 6. The administrative code of the city of New York is amended by
31 adding a new section 13-369.2 to read as follows:

32 § 13-369.2 Beneficiary convicted of a family offense. a. Notwith-
33 standing any provision of law to the contrary, a retired member subject
34 to the provisions of this title shall be permitted to change such
35 member's option election or designate a new beneficiary where the bene-
36 ficiary has been convicted of a family offense as defined in section
37 eight hundred twelve of the family court act or section 530.11 of the
38 criminal procedure law and the retired member is a complainant.

39 b. A retired member shall have one hundred eighty days from the date
40 of the beneficiary's conviction to change such member's election or
41 designate a new beneficiary by submitting a request in writing to the
42 retirement system. Once the retirement system receives such written
43 request the member's beneficiary shall be changed or a new benefit shall
44 be calculated by the retirement system pursuant to this title.

45 c. The comptroller in consultation with the office of criminal justice
46 and the New York state office for the prevention of domestic violence
47 shall ensure that retired members are provided notice of the provisions
48 of this section.

49 d. The comptroller is authorized to promulgate rules and regulations
50 necessary for the implementation of this section.

51 § 7. The administrative code of the city of New York is amended by
52 adding a new section 13-559.2 to read as follows:

53 § 13-559.2 Beneficiary convicted of a family offense. a. Notwith-
54 standing any provision of law to the contrary, a retired member subject
55 to the provisions of this title shall be permitted to change such
56 member's option election or designate a new beneficiary where the bene-

1 ficiary has been convicted of a family offense as defined in section
2 eight hundred twelve of the family court act or section 530.11 of the
3 criminal procedure law and the retired member is a complainant.

4 b. A retired member shall have one hundred eighty days from the date
5 of the beneficiary's conviction to change such member's election or
6 designate a new beneficiary by submitting a request in writing to the
7 retirement system. Once the retirement system receives such written
8 request the member's beneficiary shall be changed or a new benefit shall
9 be calculated by the retirement system pursuant to this title.

10 c. The comptroller in consultation with the office of criminal justice
11 and the New York state office for the prevention of domestic violence
12 shall ensure that retired members are provided notice of the provisions
13 of this section.

14 d. The comptroller is authorized to promulgate rules and regulations
15 necessary for the implementation of this section.

16 § 8. This act shall take effect on the one hundred eightieth day after
17 it shall have become a law.