

STATE OF NEW YORK

7866

2025-2026 Regular Sessions

IN SENATE

May 12, 2025

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 establishing a twenty-two year retirement program for deputy sheriff members

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

1 Section 1. Subdivisions 5, 7, 12 and 17 of section 501 of the retire-
2 ment and social security law, subdivisions 5, 12 and 17 as amended by
3 chapter 18 of the laws of 2012, subdivision 7 as amended by chapter 457
4 of the laws of 2017, are amended to read as follows:

5 5. "Early retirement age" shall mean age fifty-five, for general
6 members, and the age on which a member completes or would have completed
7 twenty years of service, for police/fire members, New York city
8 uniformed correction/sanitation revised plan members [~~and~~], investigator
9 revised plan members and New York city deputy sheriff revised plan
10 members.

11 7. "Eligible beneficiary" for the purposes of section five hundred
12 nine of this article shall mean the following persons or classes of
13 persons in the order set forth: (a) a surviving spouse who has not
14 renounced survivorship rights in a separation agreement, until remar-
15 riage, (b) surviving children until age twenty-five, (c) dependent
16 parents, determined under regulations promulgated by the comptroller,
17 (d) any other person who qualified as a dependent on the final federal
18 income tax return of the member or the return filed in the year imme-
19 diately preceding the year of death, until such person reaches twenty-
20 one years of age, (e) with respect to members of the New York city
21 employees' retirement system (other than a New York city uniformed
22 correction/sanitation revised plan member [~~or~~], an investigator revised
23 plan member or a New York city deputy sheriff revised plan member) and
24 the board of education retirement system of the city of New York, a

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

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1 person whom the member shall have nominated in the form of a written
2 designation, duly acknowledged and filed with the head of the retirement
3 system for the purpose of section five hundred eight of this article. In
4 the event that a class of eligible beneficiaries consists of more than
5 one person, benefits shall be divided equally among the persons in such
6 class. For the purposes of section five hundred eight of this article
7 the term "eligible beneficiary" shall mean such person as the member
8 shall have nominated to receive the benefits provided in this article.
9 To be effective, such a nomination must be in the form of a written
10 designation, duly acknowledged and filed with the head of the retirement
11 system for this specific purpose. In the event such designated benefi-
12 ciary does not survive [~~him~~] such member, or if [~~he~~] such member shall not
13 have so designated a beneficiary, such benefits shall be payable to the
14 deceased member's estate or as provided in section one thousand three
15 hundred ten of the surrogate's court procedure act and (f) notwithstand-
16 ing any other provisions of law, "eligible beneficiary" of a New York
17 city uniformed sanitation revised plan member for the purposes of
18 section five hundred nine of this article shall mean the following
19 persons or classes of persons in the order set forth: (i) a surviving
20 spouse who has not renounced survivorship rights in a separation agree-
21 ment, (ii) surviving children until age twenty-five, (iii) dependent
22 parents, determined under regulations promulgated by the comptroller and
23 (iv) any other person who qualified as a dependent on the final federal
24 income tax return of the member or the return filed in the year imme-
25 diately preceding the year of death, until such person reaches twenty-
26 one years of age.

27 12. "General member" shall mean a member subject to the provisions of
28 this article who is not a police/fire member, a New York city uniformed
29 correction/sanitation revised plan member [~~or~~], an investigator revised
30 plan member or a New York city deputy sheriff revised plan member.

31 17. "Normal retirement age" shall be age sixty-two, for general
32 members, and the age at which a member completes or would have completed
33 twenty-two years of service, for police/fire members, New York city
34 uniformed correction/sanitation revised plan members [~~and~~], investigator
35 revised plan members and New York city deputy sheriff revised plan
36 members.

37 § 2. Section 501 of the retirement and social security law is amended
38 by adding a new subdivision 29 to read as follows:

39 29. "New York city deputy sheriff revised plan member" shall mean a
40 member who is performing the duties of a deputy sheriff in the New York
41 city sheriff's department and who makes an election pursuant to section
42 five hundred four-e of this article to become a participant in the New
43 York city deputy sheriff revised plan.

44 § 3. Subdivisions c and d of section 503 of the retirement and social
45 security law, as amended by chapter 18 of the laws of 2012, are amended
46 to read as follows:

47 c. A general member shall be eligible for early service retirement at
48 age fifty-five with five years of credited service. A general member in
49 the uniformed correction force of the New York city department of
50 correction, who is not eligible for early service retirement pursuant to
51 subdivision c of section five hundred four-a of this article or subdivi-
52 sion c of section five hundred four-b of this article or subdivision c
53 of section five hundred four-d of this article, or a general member in
54 the uniformed personnel in institutions under the jurisdiction of the
55 department of corrections and community supervision, as defined in
56 subdivision i of section eighty-nine of this chapter or serving in

1 institutions who is also in a title defined in such subdivision and who
2 has made an election pursuant to the provisions of article seventeen of
3 this chapter, shall also be eligible for early service retirement after
4 twenty-five years of credited service, provided, however, that the
5 provisions of this subdivision and subdivision a of this section shall
6 not apply to a New York city uniformed correction/sanitation revised
7 plan member [~~or~~], an investigator revised plan member or a New York city
8 deputy sheriff revised plan member.

9 d. The normal service retirement benefit specified in section five
10 hundred five of this article shall be paid to police/fire members, New
11 York city uniformed correction/sanitation revised plan members [~~and~~],
12 investigator revised plan members and New York city deputy sheriff
13 revised plan members without regard to age upon retirement after twen-
14 ty-two years of service. Early service retirement shall be permitted
15 upon retirement after twenty years of credited service or attainment of
16 age sixty-two, provided, however, that New York city police/fire revised
17 plan members, New York city uniformed correction/sanitation revised plan
18 members [~~and~~], investigator revised plan members and New York city depu-
19 ty sheriff revised plan members shall not be eligible to retire for
20 service prior to the attainment of twenty years of credited service.

21 § 4. The retirement and social security law is amended by adding a new
22 section 504-e to read as follows:

23 § 504-e. Twenty-two year retirement program for deputy sheriff
24 members. a. Definitions. The following words and phrases as used in
25 this section shall have the following meanings unless a different mean-
26 ing is plainly required by the context.

27 1. "Deputy sheriff" shall mean a member who is employed by the city of
28 New York as a deputy city sheriff level one, deputy city sheriff level
29 two, supervising deputy sheriff or administrative sheriff.

30 2. "Twenty-two year retirement program" shall mean all the terms and
31 conditions of this section.

32 3. "Starting date of the twenty-two year retirement program" shall
33 mean the effective date of this section, as such date is certified
34 pursuant to section forty-one of the legislative law.

35 4. "Participant in the twenty-two year retirement program" shall mean
36 any deputy sheriff member who, under the applicable provisions of subdi-
37 vision b of this section, is entitled to the rights, benefits and privi-
38 leges and is subject to the obligations of the twenty-two year retire-
39 ment program, as applicable to such member.

40 5. "Discontinued member" shall mean a participant in the twenty-two
41 year retirement program who, while such member was a deputy sheriff
42 member, discontinued service as such a member and has a right to a
43 deferred vested benefit under subdivision d of this section.

44 b. Participation in the twenty-two year retirement program. 1. Subject
45 to the provisions of paragraphs five and six of this subdivision and
46 notwithstanding any provision of law to the contrary, any person who is
47 a deputy sheriff member on the starting date of the twenty-two year
48 retirement program may elect to become a participant in the twenty-two
49 year retirement program by filing, within one hundred eighty days after
50 the starting date of the twenty-two year retirement program, a duly
51 executed application for such participation with the retirement system
52 of which such person is a member, provided such person is a deputy sher-
53 iff member on the date such application is filed.

54 2. Subject to the provisions of paragraphs five and six of this subdi-
55 vision and notwithstanding any provision of law to the contrary, any
56 person who becomes a deputy sheriff member after the starting date of

1 the twenty-two year retirement program, may elect to become a partic-
2 ipant in the twenty-two year retirement program by filing, within one
3 hundred eighty days after becoming such a deputy sheriff member, a duly
4 executed application for such participation with the retirement system
5 for which such person is a member, provided such person is such a deputy
6 sheriff member on the date such application is filed.

7 3. Any election to be a participant in the twenty-two year retirement
8 program shall be irrevocable.

9 4. Where any participant in the twenty-two year retirement program
10 shall cease to be employed by the city of New York as a deputy sheriff
11 member, such person shall cease to be a participant and, during any
12 period in which such member is not so employed, such member shall not be
13 a participant in the twenty-two year retirement program and shall not be
14 eligible for the benefits of subdivision c of this section.

15 5. Where any participant in the twenty-two year retirement program
16 terminates service as a deputy sheriff member and returns to such
17 service as a deputy sheriff member at a later date, such member shall
18 again become such a participant on that date.

19 6. Notwithstanding any other provision of law to the contrary, any
20 person who is eligible to elect to become a participant in the twenty-
21 two year retirement program pursuant to paragraph one or two of this
22 subdivision for the full one hundred eighty day period provided for in
23 such applicable paragraph and who fails to timely file a duly executed
24 application for such participation with the retirement system, shall not
25 thereafter be eligible to become a participant in such program.

26 7. Notwithstanding any provision of law to the contrary, no member
27 electing to participate in the twenty-two year retirement program shall
28 be entitled to a refund of any contributions made prior to the effective
29 date of such election.

30 c. Service retirement benefits. A participant in the twenty-two year
31 retirement program who:

32 1. has completed twenty or more years of credited service; and

33 2. who has paid, before the effective date of retirement, all addi-
34 tional member contributions and interest (if any) required by subdivi-
35 sion e of this section; and

36 3. who files with the retirement system of which such person is a
37 member an application for service retirement setting forth at what time,
38 not less than thirty days subsequent to the execution and filing there-
39 of, such member desires to be retired; and

40 4. who shall be a participant in the twenty-two year retirement
41 program at the time so specified for such person's retirement; shall be
42 retired pursuant to the provisions of section five hundred five of this
43 article.

44 d. Vesting. 1. A participant in the twenty-two year retirement
45 program:

46 (i) who discontinues service as such a participant, other than by
47 death or retirement; and

48 (ii) who prior to such discontinuance, completed five but less than
49 twenty years of credited service; and

50 (iii) who, subject to the provisions of paragraph seven of subdivision
51 e of this section, has paid, prior to such discontinuance, all addi-
52 tional member contributions and interest (if any) required by subdivi-
53 sion e of this section; and

54 (iv) who does not withdraw in whole or in part such participant's
55 accumulated member contributions pursuant to section five hundred seven-
56 teen of this article unless such participant thereafter returns to

1 public service and repays the amounts so withdrawn, together with inter-
2 est, pursuant to such section five hundred seventeen shall be entitled
3 to receive a deferred vested benefit.

4 2. (i) Upon such discontinuance under the conditions and in compliance
5 with the provisions of paragraph one of this subdivision, such deferred
6 vested benefit shall vest automatically.

7 (ii) Such vested benefit shall become payable on the earliest date on
8 which such discontinued member could have retired for service if such
9 discontinuance had not occurred.

10 3. Subject to the provisions of paragraph seven of subdivision e of
11 this section, such deferred vested benefit shall be a retirement allow-
12 ance as provided for in section five hundred sixteen of this article.

13 e. Additional member contributions. 1. In addition to the member
14 contributions required by section five hundred seventeen of this arti-
15 cle, each participant in the twenty-two year retirement program shall
16 contribute to the retirement system of which such participant is a
17 member (subject to subdivision j of section five hundred seventeen of
18 this article) an additional six and three-quarters percent of such
19 participant's compensation earned from (i) all credited service, as a
20 participant in the twenty-two year retirement program, rendered on or
21 after the starting date of such member's participation in the twenty-two
22 year retirement program, and (ii) all credited service after such person
23 ceases to be a participant, but before such participant again becomes a
24 participant pursuant to paragraph five of subdivision b of this section.

25 2. A participant in the twenty-two year retirement program shall
26 contribute additional member contributions until the later of (i) the
27 first anniversary of the starting date of the twenty-two year retirement
28 program, or (ii) the date on which such participant completes thirty
29 years of credited service as a deputy sheriff member.

30 3. Commencing with the first full payroll period after each person
31 becomes a participant in the twenty-two year retirement program, addi-
32 tional member contributions at the rate specified in paragraph one of
33 this subdivision shall be deducted (subject to subdivision j of section
34 five hundred seventeen of this article) from the compensation of such
35 participant on each and every payroll of such participant for each and
36 every payroll period for which such person is such a participant.

37 4. (i) Each participant in the twenty-two year retirement program
38 shall be charged with a contribution deficiency consisting of the total
39 amounts of additional member contributions such person is required to
40 make pursuant to paragraphs one and two of this subdivision which are
41 not deducted from their compensation pursuant to paragraph three of this
42 subdivision, if any, together with interest thereon, compounded annual-
43 ly, and computed in accordance with the provisions of subparagraphs (ii)
44 and (iii) of this paragraph.

45 (ii) (A) The interest required to be paid on each such amount speci-
46 fied in subparagraph (i) of this paragraph shall accrue from the end of
47 the payroll period for which such amount would have been deducted from
48 compensation if such person had been a participant at the beginning of
49 that payroll period and such deduction had been required for such
50 payroll period, until such amount is paid to the retirement system.

51 (B) The rate of interest to be applied to each such amount during the
52 period for which interest accrues on that amount shall be equal to the
53 rate or rates of interest required by law to be used during that same
54 period to credit interest on the accumulated deductions of retirement
55 system members.

1 (iii) Except as otherwise provided in paragraph five of this subdivi-
2 sion, no interest shall be due on any unpaid additional member contrib-
3 utions which are not attributable to a period prior to the first full
4 payroll period referred to in paragraph three of this subdivision.

5 5. (i) Should any person who, pursuant to subparagraph (ii) of para-
6 graph ten of this subdivision, has received a refund of their additional
7 member contributions including any interest paid on such contributions,
8 again become a participant in the twenty-two year retirement program
9 pursuant to paragraph six of subdivision b of this section, an appropri-
10 ate amount shall be included in such participant's contribution defi-
11 ciency (including interest thereon as calculated pursuant to subpara-
12 graph (ii) of this paragraph) for any credited service for which such
13 person received a refund of such additional member contributions
14 (including any amount of an unpaid loan balance deemed to have been
15 returned to such person pursuant to this subdivision), as if such addi-
16 tional member contributions never had been paid.

17 (ii)(A) Interest on a participant's additional member contributions
18 included in such participant's contribution deficiency pursuant to
19 subparagraph (i) of this paragraph shall be calculated as if such addi-
20 tional member contributions had never been paid by such participant, and
21 such interest shall accrue from the end of the payroll period to which
22 an amount of such additional member contributions is attributable, until
23 such amount is paid to the retirement system.

24 (B) The rate of interest to be applied to each such amount during the
25 period for which interest accrues on that amount shall be five percent
26 per annum, compounded annually.

27 6. Where a participant who is otherwise eligible for service retire-
28 ment pursuant to subdivision c of this section did not, prior to the
29 effective date of retirement, pay the entire amount of a contribution
30 deficiency chargeable to such participant pursuant to paragraphs four
31 and five of this subdivision, that participant, nevertheless, shall be
32 eligible to retire pursuant to subdivision c of this section, provided,
33 however, that such participant's service retirement benefit calculated
34 pursuant to paragraph two of such subdivision c shall be reduced by a
35 life annuity (calculated in accordance with the method set forth in
36 subdivision i of section six hundred thirteen-b of this article) which
37 is actuarially equivalent to the amount of any unpaid contribution defi-
38 ciency chargeable to such member pursuant to paragraphs four and five of
39 this subdivision.

40 7. Where a participant who is otherwise eligible for a vested right to
41 a deferred benefit pursuant to subdivision d of this section did not,
42 prior to the date of discontinuance of service, pay the entire amount of
43 a contribution deficiency chargeable to such participant pursuant to
44 paragraphs four and five of this subdivision, the participant neverthe-
45 less, shall be eligible for a vested right to a deferred benefit pursu-
46 ant to subdivision d of this section, provided, however, that the
47 deferred vested benefit calculated pursuant to paragraph three of such
48 subdivision d shall be reduced by a life annuity (calculated in accord-
49 ance with the method set forth in subdivision i of section five hundred
50 seventeen-b of this article) which is actuarially equivalent to the
51 amount of any unpaid contribution deficiency chargeable to such member
52 pursuant to paragraphs four and five of this subdivision.

53 8. The head of a retirement system which includes participants in the
54 twenty-two year retirement program in its membership may, consistent
55 with the provisions of this subdivision, promulgate regulations for the
56 payment of such additional member contributions, and any interest there-

1 on, by such participants (including the deduction of such contributions,
2 and any interest thereon, from the participant's compensation).

3 9. Subject to the provisions of paragraphs six and seven of this
4 subdivision, where a participant has not paid in full any contribution
5 deficiency chargeable to such participant pursuant to paragraphs four
6 and five of this subdivision, and a benefit, other than a refund of
7 member contributions pursuant to section five hundred seventeen of this
8 article or a refund of additional member contributions pursuant to
9 subparagraph (ii) of paragraph ten of this subdivision, becomes payable
10 under this article to the participant or to their designated beneficiary
11 or estate, the actuarial equivalent of any such unpaid amount shall be
12 deducted from the benefit otherwise payable.

13 10. (i) Such additional member contributions (and any interest there-
14 on) shall be paid into the contingent reserve fund of the retirement
15 system of which the participant is a member and shall not for any
16 purpose be deemed to be member contributions or accumulated contrib-
17 utions of a member under section five hundred seventeen of this article
18 or otherwise while such member is a participant in the twenty-two year
19 retirement program or otherwise, except that, a surplus of such addi-
20 tional member contributions that are paid into the retirement system's
21 contingent reserve fund may be used for the sole purpose of offsetting a
22 deficit of basic member contributions.

23 (ii) Should a participant in the twenty-two year retirement program
24 who has rendered less than fifteen years of credited service cease to
25 hold a position as a deputy sheriff member for any reason whatsoever,
26 such participant's accumulated additional member contributions made
27 pursuant to this subdivision (together with any interest thereon paid to
28 the retirement system) may be withdrawn by such participant pursuant to
29 procedures promulgated in regulations of the board of trustees of the
30 retirement system, together with interest thereon at the rate of five
31 percent per annum, compounded annually.

32 (iii) Notwithstanding any other provision of law to the contrary, (A)
33 no member shall be permitted to withdraw from the retirement system any
34 additional member contributions paid pursuant to this subdivision or any
35 interest paid thereon, except pursuant to and in accordance with the
36 preceding subparagraphs of this paragraph; and (B) no member, while such
37 person is a participant in the twenty-five year retirement program,
38 shall be permitted to withdraw any such additional member contributions
39 or any interest paid thereon pursuant to any of the preceding subpara-
40 graphs of this paragraph or otherwise.

41 11. No member of a public retirement system shall be permitted to
42 borrow any portion of the additional member contributions (including any
43 interest paid thereon by the participant) which are subject to this
44 subdivision.

45 § 5. Section 505 of the retirement and social security law, as amended
46 by chapter 18 of the laws of 2012, is amended to read as follows:

47 § 505. Service retirement benefits; police/fire members, New York city
48 uniformed correction/sanitation revised plan members [~~and~~], investigator
49 revised plan members and New York city deputy sheriff revised plan
50 members. a. The normal service retirement benefit for police/fire
51 members, New York city uniformed correction/sanitation revised plan
52 members [~~and~~], investigator revised plan members and New York city depu-
53 ty sheriff revised plan members at normal retirement age shall be a
54 pension equal to fifty percent of final average salary, less fifty
55 percent of the primary social security retirement benefit commencing at

1 age sixty-two, as provided in section five hundred eleven of this arti-
2 cle.

3 b. The early service retirement benefit for police/fire members, New
4 York city uniformed correction/sanitation revised plan members [~~and~~],
5 investigator revised plan members and New York city deputy sheriff
6 revised plan members shall be a pension equal to two and one-tenths
7 percent of final average salary times years of credited service at the
8 completion of twenty years of service or upon attainment of age sixty-
9 two, increased by one-third of one percent of final average salary for
10 each month of service in excess of twenty years, but not in excess of
11 fifty percent of final average salary, less fifty percent of the primary
12 social security retirement benefit commencing at age sixty-two as
13 provided in section five hundred eleven of this article, provided,
14 however, that New York city police/fire revised plan members, New York
15 city uniformed correction/sanitation revised plan members [~~and~~], inves-
16 tigator revised plan members and New York city deputy sheriff revised
17 plan members shall not be eligible to retire for service prior to the
18 attainment of twenty years of credited service.

19 c. A police/fire member, a New York city uniformed
20 correction/sanitation revised plan member [~~or~~], an investigator revised
21 plan member or a New York city deputy sheriff revised plan member who
22 retires with twenty-two years of credited service or less may become
23 eligible for annual escalation of the service retirement benefit if [~~he~~]
24 such member elects to have the payment of [~~his~~] their benefit commence
25 on the date [~~he~~] such member would have completed twenty-two years and
26 one month or more of service. In such event, the service retirement
27 benefit shall equal two percent of final average salary for each year of
28 credited service, less fifty percent of the primary social security
29 retirement benefit commencing at age sixty-two as provided in section
30 five hundred eleven of this article.

31 § 6. The retirement and social security law is amended by adding a new
32 section 507-j to read as follows:

33 § 507-j. Accidental disability retirement for deputy sheriffs employed
34 by the city of New York. a. A member of the New York city employees'
35 retirement system employed by the city of New York as a deputy city
36 sheriff, level one, deputy city sheriff, level two, supervising deputy
37 sheriff or administrative sheriff, who becomes physically or mentally
38 incapacitated for the performance of duties as the natural and proximate
39 result of an accident, sustained in the performance of such member's
40 duties, not caused by such member's willful negligence, sustained in
41 such service and while actually a member of the retirement system, shall
42 be paid an accidental disability retirement allowance equal to three-
43 quarters of final average salary as defined in section five hundred
44 twelve of this article, subject to the provisions of section 13-176 of
45 the administrative code of the city of New York.

46 b. 1. (i) Notwithstanding any provisions of this chapter or of any
47 general, special or local law, charter, administrative code or rule or
48 regulation to the contrary, if any condition or impairment of health is
49 caused by a qualifying World Trade Center condition, as defined in
50 section two of this chapter, it shall be presumptive evidence that it
51 was incurred in the performance and discharge of duty and the natural
52 and proximate result of an accident not caused by such member's own
53 willful negligence, unless the contrary be proved by competent evidence.

54 (ii) The head of the retirement system is hereby authorized to promul-
55 gate rules and regulations to implement the provisions of this para-
56 graph.

1 2. (i) Notwithstanding the provisions of this chapter or of any gener-
2 al, special or local law, charter, administrative code or rule or regu-
3 lation to the contrary, if a member who participated in World Trade
4 Center rescue, recovery or cleanup operations as defined in section two
5 of this chapter, and subsequently retired on a service retirement, an
6 ordinary disability retirement, a performance of duty disability retire-
7 ment, or was separated from service with a vested right to deferred
8 payability of a retirement allowance and subsequent to such retirement
9 or separation is determined by the head of the retirement system to have
10 a qualifying World Trade Center condition as defined in section two of
11 this chapter, upon such determination by the head of the retirement
12 system, it shall be presumed that such disability was incurred in the
13 performance and discharge of duty as the natural and proximate result of
14 an accident not caused by such member's own willful negligence, and that
15 the member would have been physically or mentally incapacitated for the
16 performance and discharge of duty of the position from which such member
17 retired had the condition been known and fully developed at the time of
18 the member's retirement, unless the contrary is proven by competent
19 evidence.

20 (ii) The head of the retirement system shall consider a reclassifica-
21 tion of the member's retirement or vesting as an accidental disability
22 retirement effective as of the date of such reclassification.

23 (iii) Such member's retirement option shall not be changed as a result
24 of such reclassification.

25 (iv) The member's former employer at the time of the member's retire-
26 ment shall have an opportunity to be heard on the member's application
27 for reclassification by the head of the retirement system according to
28 procedures developed by the comptroller.

29 (v) The head of the retirement system is hereby authorized to promul-
30 gate rules and regulations to implement the provisions of this para-
31 graph.

32 c. Notwithstanding any other provision of this chapter or of any
33 general, special or local law, charter, administrative code or rule or
34 regulation to the contrary, if a retiree or vestee who: (1) has met the
35 criteria of subdivision b of this section and retired on a service or
36 disability retirement, would have met the criteria if not already
37 retired on an accidental disability, or was separated from service with
38 a vested right to deferred payability of a retirement allowance; and (2)
39 has not been retired for more than twenty-five years; and (3) dies from
40 a qualifying World Trade Center condition as defined in section two of
41 this chapter, as determined by the applicable head of the retirement
42 system or applicable medical board, then unless the contrary be proven
43 by competent evidence, such retiree or vestee shall be deemed to have
44 died as a natural and proximate result of an accident sustained in the
45 performance of duty and not as a result of willful negligence on their
46 part. Such retiree's or vestee's eligible beneficiary, as set forth in
47 section five hundred one of this article, shall be entitled to an acci-
48 idental death benefit as provided by section five hundred nine of this
49 article, however, for the purposes of determining the salary base upon
50 which the accidental death benefit is calculated, the retiree or vestee
51 shall be deemed to have died on the date of their retirement or sepa-
52 ration from service with vested rights. Upon the retiree's or vestee's
53 death, the eligible beneficiary shall make a written application to the
54 head of the retirement system within the time for filing an application
55 for an accidental death benefit as set forth in section five hundred
56 nine of this article requesting conversion of such retiree's service,

1 vested right or disability retirement benefit to an accidental death
2 benefit. At the time of such conversion, the eligible beneficiary shall
3 relinquish all rights to the prospective benefits payable under the
4 service or disability retirement benefit, or vested right to such bene-
5 fit, including any post-retirement death benefits, since the retiree's
6 or vestee's death. If the eligible beneficiary is not the only benefici-
7 ary receiving or entitled to receive a benefit under the service or
8 disability retirement benefit (including, but not limited to, post-re-
9 irement death benefits or benefits paid or payable pursuant to the
10 retiree's option selection), or that will be eligible under the vested
11 right, the accidental death benefit payments to the eligible beneficiary
12 will be reduced by any amounts paid or payable to any other beneficiary.

13 d. Notwithstanding any other provision of this chapter or of any
14 general, special or local law, charter, administrative code or rule or
15 regulation to the contrary, if a member who: (1) has met the criteria of
16 subdivision b of this section; (2) dies in active service or after sepa-
17 rating from service with a vested right to deferred payability of a
18 retirement allowance, but prior to the payability of that retirement
19 allowance; and (3) dies from a qualifying World Trade Center condition,
20 as defined in section two of this chapter, as determined by the applica-
21 ble head of the retirement system or applicable medical board to have
22 been caused by such member's participation in the World Trade Center
23 rescue, recovery or cleanup operations, as defined in section two of
24 this chapter, then unless the contrary be proven by competent evidence,
25 such member shall be deemed to have died as a natural and proximate
26 result of an accident sustained in the performance of duty and not as a
27 result of willful negligence on such member's part. Such member's eligi-
28 ble beneficiary, as set forth in section five hundred one of this arti-
29 cle, shall be entitled to an accidental death benefit provided such
30 member's eligible beneficiary makes written application to the head of
31 the retirement system within the time for filing an application for an
32 accidental death benefit as set forth in section five hundred nine of
33 this article.

34 § 7. Subdivision b of section 508 of the retirement and social securi-
35 ty law, as amended by chapter 476 of the laws of 2018, is amended to
36 read as follows:

37 b. A member of a retirement system subject to the provisions of this
38 article who is a police officer, firefighter, correction officer, inves-
39 tigator revised plan member ~~[or]~~, sanitation worker or a New York city
40 deputy sheriff revised plan member and is in a plan which permits imme-
41 diate retirement upon completion of a specified period of service with-
42 out regard to age or who is subject to the provisions of section five
43 hundred four or five hundred five of this article, shall upon completion
44 of ninety days of service be covered for financial protection in the
45 event of death in service pursuant to this subdivision. Such death bene-
46 fit shall be equal to three times the member's salary raised to the next
47 highest multiple of one thousand dollars, but in no event shall it
48 exceed three times the maximum salary specified in section one hundred
49 thirty of the civil service law or, in the case of a member of a retire-
50 ment system other than the New York city employees' retirement system,
51 or in the case of a member of the New York city employees' retirement
52 system who is a New York city uniformed correction/sanitation revised
53 plan member ~~[or]~~, an investigator revised plan member or a New York city
54 deputy sheriff revised plan member, the specific limitations specified
55 for age of entrance into service contained in subparagraphs (b), (c),
56 (d), (e) and (f) of paragraph two of subdivision a of this section.

1 § 8. Paragraph 2 of subdivision b of section 510 of the retirement and
2 social security law, as amended by chapter 18 of the laws of 2012, is
3 amended to read as follows:

4 2. The first day of the month following the date on which a member
5 completes or would have completed twenty-five years of credited service,
6 with respect to service retirement benefits for police/fire members and
7 their beneficiaries, New York city uniformed correction/sanitation
8 revised plan members and their beneficiaries ~~[or]~~, investigator revised
9 plan members or New York city deputy sheriff revised plan members and
10 their beneficiaries.

11 § 9. Subdivisions c and d of section 512 of the retirement and social
12 security law, as amended by chapter 18 of the laws of 2012, are amended
13 to read as follows:

14 c. Notwithstanding the provisions of subdivisions a and b of this
15 section, the final average salary of an employee who has been a member
16 of the New York city employees' retirement system (other than a New York
17 city correction/sanitation revised plan member ~~[or]~~, an investigator
18 revised plan member or a New York city deputy sheriff revised plan
19 member) or the New York city teacher's retirement system for less than
20 one year shall be the projected one year salary, with the calculation
21 based upon a twelve month projection of the sums earned in the portion
22 of the year worked. If a member has been employed for more than one year
23 but less than two years, then the member's final average salary shall be
24 the average of the first year and projected second year earnings based
25 upon the calculation above, and if more than two years, but less than
26 three years, then one-third the total of the first two years of employ-
27 ment plus the projected third year's earnings, calculated as indicated
28 above.

29 d. Subject to the provisions of subdivision c of this section, and
30 notwithstanding the provisions of subdivision a of this section, with
31 respect to members of the New York city employees' retirement system
32 (other than a New York city uniformed correction/sanitation revised plan
33 member ~~[or]~~, an investigator revised plan member or a New York city
34 deputy sheriff revised plan member) and the New York city board of
35 education retirement system who are subject to the provisions of this
36 article, a member's final average salary shall be determined pursuant to
37 the provisions of paragraph thirteen of subdivision e of section
38 13-638.4 of the administrative code of the city of New York.

39 § 10. Subdivision c of section 516 of the retirement and social secu-
40 rity law, as amended by chapter 18 of the laws of 2012, is amended to
41 read as follows:

42 c. The deferred vested benefit of police/fire members, New York city
43 police/fire revised plan members, New York city uniformed
44 correction/sanitation revised plan members ~~[or]~~, investigator revised
45 plan members or New York city deputy sheriff revised plan members shall
46 be a pension commencing at early retirement age equal to two and one-
47 tenths percent of final average salary times years of credited service,
48 less fifty percent of the primary social security retirement benefit
49 commencing at age sixty-two, as provided in section five hundred eleven
50 of this article. A police/fire member, a New York city police/fire
51 revised plan member, a New York city uniformed correction/sanitation
52 revised plan member ~~[or]~~, investigator revised plan member or a New York
53 city deputy sheriff revised plan member may elect to receive ~~[his]~~ their
54 vested benefit commencing at early retirement age or age fifty-five. If
55 the vested benefit commences before early retirement age, the benefit
56 shall be reduced by one-fifteenth for each year, if any, that the

1 member's early retirement age is in excess of age sixty, and by one-
2 thirtieth for each additional year by which the vested benefit commences
3 prior to early retirement age. If such vested benefit is deferred until
4 after such member's normal retirement age, the benefit shall be computed
5 and subject to annual escalation in the same manner as provided for an
6 early retirement benefit pursuant to subdivision c of section five
7 hundred five of this article.

8 § 11. Section 517 of the retirement and social security law is amended
9 by adding two new subdivisions j and k to read as follows:

10 j. 1. Notwithstanding any provision of law to the contrary, the city
11 of New York shall, in the case of a deputy sheriff revised plan member,
12 pick up and pay to the retirement system of which such participant is a
13 member all additional member contributions which otherwise would be
14 required to be deducted from such member's compensation pursuant to
15 paragraphs one and two of subdivision e of section five hundred four-e
16 of this article (not including any additional member contributions due
17 for any period prior to the first full payroll period referred to in
18 such paragraph three of such subdivision e), and shall effect such pick
19 up on each and every payroll of such participant for each and every
20 payroll period with respect to which such paragraph three would other-
21 wise require such deductions.

22 2. An amount equal to the amount of additional contributions picked up
23 pursuant to this subdivision shall be deducted by such employer from the
24 compensation of such member (as such compensation would be in the
25 absence of a pick up program applicable to such member hereunder) and
26 shall not be paid to such member.

27 3. The additional member contributions picked up pursuant to this
28 subdivision for any such member shall be paid by such employer in lieu
29 of an equal amount of additional member contributions otherwise required
30 to be paid by such member under the applicable provisions of subdivision
31 e of section five hundred four-e of this article, and shall be deemed to
32 be and treated as employer contributions pursuant to section 414(h) of
33 the Internal Revenue Code.

34 4. For the purpose of determining the retirement system rights, bene-
35 fits and privileges of any member whose additional member contributions
36 are picked up pursuant to this subdivision, such picked up additional
37 member contributions shall be deemed to be and treated as part of such
38 member's additional member contributions under the applicable provisions
39 of subdivision e of section five hundred four-e of this article.

40 5. With the exception of federal income tax treatment, the additional
41 member contributions picked up pursuant to paragraph one of this subdi-
42 vision shall for all other purposes, including computation of retirement
43 benefits and contributions by employers and employees, be deemed employ-
44 ee salary. Nothing contained in this subdivision shall be construed as
45 superseding the provisions of section four hundred thirty-one of this
46 chapter, or any similar provision of law which limits the salary base
47 for computing retirement benefits payable by a public retirement system.

48 k. Notwithstanding any inconsistent provision of subdivision a of this
49 section, New York city deputy sheriff revised plan members shall
50 contribute three percent of annual wages to the pension fund in which
51 they have membership and such contributions shall not be required for
52 more than twenty-five years.

53 § 12. Paragraph 1 of subdivision b of section 517-c of the retirement
54 and social security law, as amended by section 1 of part JJ of chapter
55 of the laws of 2023, is amended to read as follows:

1 1. A member of the New York state and local employees' retirement
 2 system, the New York state and local police and fire retirement system,
 3 the New York city employees' retirement system, the New York city board
 4 of education retirement system or the New York city police pension fund
 5 in active service who has credit for at least one year of member service
 6 may borrow, no more than once during each twelve month period, an amount
 7 not exceeding seventy-five percent of the total contributions made
 8 pursuant to section five hundred seventeen of this article (including
 9 interest credited at the rate set forth in subdivision c of such section
 10 five hundred seventeen compounded annually) and not less than one thou-
 11 sand dollars, provided, however, that the provisions of this section
 12 shall not apply to a New York city uniformed correction/sanitation
 13 revised plan member [~~or~~], an investigator revised plan member or a New
 14 York city deputy sheriff revised plan member.

15 § 13. Paragraphs 5 and 6 of subdivision a of section 600 of the
 16 retirement and social security law, paragraph 5 as amended and paragraph
 17 6 as added by chapter 18 of the laws of 2012, are amended and a new
 18 paragraph 7 is added to read as follows:

19 5. Investigator members of the New York city employees' retirement
 20 system; [~~and~~]

21 6. Members of the uniformed force of the New York city department of
 22 sanitation who join or rejoin a public retirement system of the state on
 23 or after April first, two thousand twelve[-]; ~~and~~

24 7. Deputy sheriff members of the New York city sheriff's department
 25 who join or rejoin a public retirement system of the state on or after
 26 the effective date of this paragraph and who make an election pursuant
 27 to section five hundred four-e of this chapter to become a participant
 28 in the New York city deputy sheriff revised plan.

29 § 14. Paragraph 1-b of subdivision b of section 911 of the retirement
 30 and social security law, as added by chapter 18 of the laws of 2012, is
 31 amended to read as follows:

32 1-b. The provisions of this subdivision shall not apply to a New York
 33 city uniformed correction/sanitation revised plan member (as defined in
 34 subdivision twenty-five of section five hundred one of this chapter), an
 35 investigator revised plan member (as defined in subdivision twenty-seven
 36 of section five hundred one of this chapter) [~~or~~], a New York city
 37 revised plan member (as defined in subdivision m of section six hundred
 38 one of this chapter) or a New York city deputy sheriff revised plan
 39 member (as defined in subdivision twenty-nine of section five hundred
 40 one of this chapter).

41 § 15. The New York city employees retirement system shall make the
 42 form for members to make an election pursuant to section 504-e of the
 43 retirement and social security law available on its website no later
 44 than thirty days following the effective date of this act.

45 § 16. Notwithstanding any other provision of law to the contrary, none
 46 of the provisions of this act shall be subject to the appropriation
 47 requirement of section 25 of the retirement and social security law.

48 § 17. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation would establish a Tier 3 22-Year Retirement Program for NYCERS Deputy Sheriffs (DS 22-Year Plan). Participation is optional and requires Additional Member Contributions equal to 6.75% of compensation.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
 by Fiscal Year for the first 25 years (\$ in Millions)

Year	NYCERS
2026	0.8
2027	0.8
2028	0.8
2029	0.8
2030	0.9
2031	0.9
2032	0.9
2033	0.9
2034	0.9
2035	0.9
2036	1.0
2037	1.0
2038	1.0
2039	0.5
2040	0.5
2041	0.6
2042	0.6
2043	0.6
2044	0.6
2045	0.7
2046	0.7
2047	0.7
2048	0.8
2049	0.8
2050	0.8

Projected contributions include future new hires that may be impacted. For Fiscal Year 2051 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 3.43%.

The entire increase in employer contributions will be allocated to New York City.

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, 2024 (\$ in Millions)

Present Value (PV)	NYCERS
(1) PV of Employer Contributions:	6.6
(2) PV of Employee Contributions:	<u>(2.8)</u>
Total PV of Benefits (1) + (2):	3.8

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

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS
Increase (Decrease) in UAL:	3.9 M
Number of Payments:	13
Amortization Payment:	0.5 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the deputy sheriffs assumed to elect the DS 22-Year Plan is summarized below.

	NYCERS
Active Members	
- Number Count:	94
- Average Age:	39.0
- Average Service:	9.4
- Average Salary:	90,000

IMPACT ON MEMBER BENEFITS AND CONTRIBUTIONS: The proposed legislation would provide the following benefits to deputy sheriffs who participate in the DS 22-Year Plan:

* Service retirement benefit of 42% of Final Average Salary (FAS) for the first 20 years of credited service, plus 4% of FAS for each additional year of credited service exceeding 20 years up to a maximum of 22 years. This benefit is subject to a social security offset starting at age 62.

* Accidental disability retirement benefit equal to 75% of FAS without an offset for social security.

* Vested benefit of 2.1% of FAS for each year of credited service, payable on the date they would have attained 20 years of credited service, and subject to a social security offset starting at age 62.

Benefits provided under the plan would be subject to the applicable Cost-of-Living Adjustment (COLA) or Escalation Adjustments. Current benefits are only subject to COLA provisions.

Members of the DS 22-Year Plan would be required to pay Basic Member Contributions of 3% for up to 25 years, and Additional Member Contributions equal to 6.75% of compensation for all service as a Plan participant on and after the starting date of the Plan until the later of the one-year anniversary of the effective date of the Plan or 30 years of Credited Service.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement system. In addition:

* The rates of retirement for the DS 22-Year Plan were assigned based on members' eligibility to elect. The DS 22-Year Plan will be optional for current and future deputy sheriffs.

* New entrants were assumed to replace exiting members so that total payroll for deputy sheriffs increases by 3% each year. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

To determine the impact of the elective nature of the proposed legislation, a subgroup of NYCERS deputy sheriffs was developed based on who is assumed to benefit actuarially by comparing the net present value of future employer costs of each member's benefit under their current plan and under the DS 22-Year Plan.

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 2025-56 dated May 6, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.