STATE OF NEW YORK

8121--A

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to permitting certain twenty-five year retirement program dispatcher members to file elections not to participate

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

Section 1. Section 604-e of the retirement and social security law, as added by chapter 576 of the laws of 2000, is amended by adding a new subdivision f to read as follows:

f. 1. Notwithstanding any provision of law to the contrary, a dispatcher member who exceeded age thirty upon employment as a dispatcher member and failed to file their election not to participate with the retirement system within one hundred eighty days of becoming a dispatcher member, as required by paragraph three of subdivision b of this section, may file such an election with the retirement system within one hundred eighty days of the effective date of this subdivision.

2. The retirement system shall post, and announce on its homepage the posting of, the form and corresponding instructions for dispatcher members to elect not to participate on its website no later than thirty days after the effective date of this subdivision.

3. If the retirement system fails to post and announce the form and corresponding instructions no later than thirty days after the effective date of this subdivision, as prescribed by paragraph two of this subdivision, the period for a dispatcher member to elect not to participate prescribed by paragraph one of this subdivision shall be extended by sixty days for each month or part thereof that such form and instructions are not posted to the retirement system's website.

§ 2. This act shall take effect immediately.

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

LBD10892-02-5

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

SUMMARY: This proposed legislation would allow New York City Employees' Retirement System (NYCERS) Tier 4 and Tier 6 members who are members of a Dispatcher 25-Year Retirement Plan and were older than age 30 when they joined the plan, another 180-day period to opt out of the plan.

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

Year	NYCERS
2026	572,000
2027	574,000
2028	577,000
2029	579,000
2030	581,000
2031	583,000
2032	583,000
2033	580,000
2034	577,000
2035	574,000
2036	569,000
2037	563,000
2038	556,000
2039	178,000
2040	169,000
2041	160,000
2042	151,000
2043	141,000
2044	131,000
2045	121,000
2046	112,000
2047	103,000
2048	94,000
2049	85,000
2050	77,000

Employer Contribution impact beyond Fiscal Year 2050 is not shown.

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:	5.1
(2) PV of Employee Contributions:	**(2.2)**
Total PV of Benefits (1) + (2):	2.9

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:	3.0 M
Number of Payments:	13
Amortization Payment:	0.4 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the impacted population is summarized below.

	NYCERS
Active Members	
- Number Count:	54
- Average Age:	46.3
- Average Service:	12.9
- Average Salary:	84,400

BACKGROUND: Currently, Tier 4 or Tier 6 NYCERS members who exceed age 30 upon being mandated into a Dispatcher 25-Year Plan, have the option to irrevocably opt out of the plan within 180 days. Members who opt out of the plan are generally placed into one of the Tier 4 or Tier 6 underlying plans.

Under the proposed legislation, such members who failed to opt out of the Dispatcher 25-Year Plan in the original 180 days would have another 180-day period in which to opt out of the Plan.

For purposes of this Fiscal Note, it is assumed that members who opt out of the Dispatcher 25-Year Plan under the proposed legislation would be entitled to an immediate refund of excess Additional Member Contributions (AMC), with interest.

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

To determine the impact of the elective nature of the proposed legislation, a subgroup of members was developed based on who is assumed to benefit actuarially by comparing the net present value of future employer costs of each memberÆs benefit under their current plan and under their applicable underlying 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 2025-63 dated May 16, 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.