

STATE OF NEW YORK

8123

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. GOUNARDES -- 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 and the administrative code of the city of New York, in relation to disability retirement benefits for certain participants in World Trade Center rescue, recovery, or cleanup operations

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

1 Section 1. Paragraph 4 of subdivision d of section 605 of the retire-
2 ment and social security law, as added by chapter 252 of the laws of
3 2019, is amended to read as follows:

4 4. Notwithstanding any other law, rule or regulation to the contrary,
5 any member who had an active membership in the New York state and local
6 employees' retirement system [~~or~~], the New York state teachers' retire-
7 ment system or the New York city teachers' retirement system, when such
8 member participated in World Trade Center rescue, recovery, or cleanup
9 operations, as such participation is defined in section two of this
10 chapter, who incurred a qualifying World Trade Center condition, as
11 defined in section two of this chapter, that is determined to have been
12 incurred in the performance and discharge of duty and is the natural and
13 proximate result of an accident not caused by such member's own willful
14 negligence, shall be paid a performance of duty disability retirement
15 allowance equal to three-quarters of final average salary. The payment
16 of such pension shall be subject to the provisions of section sixty-four
17 of this chapter.

18 § 2. Subdivision h-1 of section 507 of the retirement and social secu-
19 rity law, as added by chapter 252 of the laws of 2019, is amended to
20 read as follows:

21 h-1. Notwithstanding any other law, rule or regulation to the contra-
22 ry, any member who had an active membership in the New York state and
23 local employees' retirement system [~~or~~], the New York state teachers'

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

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1 retirement system or the New York city teachers' retirement system, when
2 such member participated in World Trade Center rescue, recovery, or
3 cleanup operations, as such participation is defined in section two of
4 this chapter, who incurred a qualifying World Trade Center condition, as
5 defined in section two of this chapter, that is determined to have been
6 incurred in the performance and discharge of duty and is the natural and
7 proximate result of an accident not caused by such member's own willful
8 negligence, shall be paid a performance of duty disability retirement
9 allowance equal to three-quarters of final average salary. The payment
10 of such pension shall be subject to the provisions of section sixty-four
11 of this chapter.

12 § 3. Section 13-550 of the administrative code of the city of New York
13 is amended by adding a new subdivision d-1 to read as follows:

14 d-1. Any member who satisfies the requirements of subdivision a of
15 this section and who participated in World Trade Center rescue, recov-
16 ery, or cleanup operations during the time of membership, who incurred a
17 qualifying World Trade Center condition that is determined to have been
18 incurred in the performance and discharge of duty and is the natural and
19 proximate result of an accident not caused by such member's own willful
20 negligence, shall be eligible for a disability benefit pursuant to the
21 provisions of paragraph four of subdivision d of section six hundred
22 five of the retirement and social security law.

23 § 4. This act shall take effect immediately and shall apply to all
24 active New York city teachers' retirement system members who are deter-
25 mined to have incurred a qualifying World Trade Center condition in the
26 performance and discharge of duty that is the natural and proximate
27 result of an accident not caused by such member's own willful negligence
28 prior to the effective date of this act.