

# STATE OF NEW YORK

8160

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

AN ACT to amend the retirement and social security law and the education law, in relation to increasing the base benefit amount for computation of pension cost-of-living adjustments

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

1 Section 1. Subdivisions c and d of section 78-a of the retirement and  
2 social security law, as added by chapter 125 of the laws of 2000, are  
3 amended to read as follows:

4 c. [~~said~~] (i) In calendar years two thousand three through two thou-  
5 sand twenty-five, said cost-of-living adjustment shall be computed on a  
6 base benefit amount not to exceed eighteen thousand dollars of the annu-  
7 al retirement allowance defined in subdivision b of this section.

8 (ii) In calendar year two thousand twenty-six and thereafter, said  
9 cost-of-living adjustment shall be computed on a base benefit amount not  
10 to exceed twenty-one thousand dollars of the annual retirement allowance  
11 defined in subdivision b of this section, except that effective on the  
12 first day of September, two thousand twenty-six, the cost-of-living  
13 adjustment shall be computed on a base benefit amount not to exceed  
14 twenty-one thousand dollars of the annual retirement allowance defined  
15 in subdivision b of this section.

16 d. The percentage referred to in this section shall be determined  
17 annually by reference to the consumer price index (all urban consumers,  
18 CPI-U, U.S. city average, all items, 1982-84=100), published by the  
19 United States bureau of labor statistics, for each applicable calendar  
20 year. Said percentage shall equal fifty percent of the annual inflation,  
21 as determined from the increase in the consumer price index in the one  
22 year period ending on the March thirty-first prior to the cost-of-living  
23 adjustment effective on the ensuing September first. [~~said~~] (i) In  
24 calendar years two thousand three through two thousand twenty-four, said

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

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1 percentage shall equal one hundred percent of the annual inflation, as  
2 determined from the increase in the consumer price index in the one-year  
3 period ending on the March thirty-first prior to the cost-of-living  
4 adjustment effective on the next succeeding September first.

5 (ii) In calendar year two thousand twenty-five and thereafter, said  
6 percentage shall then be rounded up to the next higher one-tenth of one  
7 percent and shall not exceed three percent nor be less than one percent,  
8 except that, commencing the first day of September, two thousand twen-  
9 ty-six, the cost-of-living adjustments paid between the first day of  
10 September, two thousand three and the first day of September, two thou-  
11 sand twenty-four shall equal one hundred percent of the annual  
12 inflation, as determined from the increase in the consumer price index  
13 in the one year period ending on the March thirty-first prior to the  
14 cost-of-living adjustment effective on the ensuing September first. Said  
15 percentage shall then be rounded up to the next higher one-tenth of one  
16 percent and shall not exceed three percent nor be less than one percent.

17 § 2. Subdivisions c and d of section 378-a of the retirement and  
18 social security law, as added by chapter 125 of the laws of 2000, are  
19 amended to read as follows:

20 c. Said cost-of-living adjustment shall be computed on a base benefit  
21 amount not to exceed eighteen thousand dollars of the annual retirement  
22 allowance defined in subdivision b of this section, except that, effec-  
23 tive on the first day of September, two thousand twenty-six, the cost-  
24 of-living adjustment shall be computed on a base benefit amount not to  
25 exceed twenty-one thousand dollars of the annual retirement allowance  
26 defined in subdivision b of this section.

27 d. The percentage referred to in this section shall be determined  
28 annually by reference to the consumer price index (all urban consumers,  
29 CPI-U, U.S. city average, all items, 1982-84=100), published by the  
30 United States bureau of labor statistics, for each applicable calendar  
31 year. Said percentage shall equal fifty percent of the annual inflation,  
32 as determined from the increase in the consumer price index in the one  
33 year period ending on the March thirty-first prior to the cost-of-living  
34 adjustment effective on the ensuing September first. Said percentage  
35 shall then be rounded up to the next higher one-tenth of one percent and  
36 shall not exceed three percent nor be less than one percent, except  
37 that, commencing the first day of September, two thousand twenty-six,  
38 the cost-of-living adjustments paid between the first day of September,  
39 two thousand three and the first day of September, two thousand twenty-  
40 three shall equal one hundred percent of the annual inflation, as deter-  
41 mined from the increase in the consumer price index in the one year  
42 period ending on the March thirty-first prior to the cost-of-living  
43 adjustment effective on the ensuing September first. Said percentage  
44 shall then be rounded up to the next higher one-tenth of one percent and  
45 shall not exceed three percent nor be less than one percent.

46 § 3. Subdivisions c and d of section 532-a of the education law, as  
47 added by chapter 125 of the laws of 2000, are amended to read as  
48 follows:

49 c. Said cost-of-living adjustment shall be computed on a base benefit  
50 amount not to exceed eighteen thousand dollars of the annual retirement  
51 allowance defined in subdivision b of this section, except that effec-  
52 tive on the first day of September, two thousand twenty-six, the cost-  
53 of-living adjustment shall be computed on a base benefit amount not to  
54 exceed twenty-one thousand dollars of the annual retirement allowance  
55 defined in subdivision b of this section.

1 d. The percentage referred to in this section shall be determined  
2 annually by reference to the consumer price index (all urban consumers,  
3 CPI-U, U.S. city average, all items, 1982-84=100), published by the  
4 United States bureau of labor statistics, for each applicable calendar  
5 year. Said percentage shall equal fifty percent of the annual inflation,  
6 as determined from the increase in the consumer price index in the one  
7 year period ending on the March thirty-first prior to the cost-of-living  
8 adjustment effective on the ensuing September first. Said percentage  
9 shall then be rounded up to the next higher one-tenth of one percent and  
10 shall not exceed three percent nor be less than one percent, except  
11 that, commencing the first day of September, two thousand twenty-six,  
12 the cost-of-living adjustments paid between the first day of September,  
13 two thousand three and the first day of September, two thousand twenty-  
14 four shall equal one hundred percent of the annual inflation, as deter-  
15 mined from the increase in the consumer price index in the one year  
16 period ending on the March thirty-first prior to the cost-of-living  
17 adjustment effective on the ensuing September first. Said percentage  
18 shall then be rounded up to the next higher one-tenth of one percent and  
19 shall not exceed three percent nor be less than one percent.

20 § 4. Notwithstanding any other provision of law to the contrary, none  
21 of the provisions of this act shall be subject to section 25 of the  
22 retirement and social security law.

23 § 5. This act shall take effect September 1, 2026; provided, however,  
24 that no benefits payable prior to the first day of September two thou-  
25 sand twenty-five shall be affected by this act.