STATE OF NEW YORK

9300

IN SENATE

February 26, 2026

Introduced by Sen. SUTTON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the administrative code of the city of New York, in relation to increasing the mandatory retirement age of members of the uniformed force of the fire department of the city of New York from sixty-five to sixty-seven

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

Section 1. Section 15-121 of the administrative code of the city of New York is amended to read as follows:

§ 15-121 Termination of service of members of uniformed force because of superannuation. a. Except as otherwise provided in subdivision c of this section no member of the uniformed force of the department except medical officers, who is or hereafter attains the age of [~~sixty-five~~] **sixty-seven** years shall continue to serve as a member of such force but shall be retired and placed on the pension rolls of the department, provided however, that any member who is not eligible for retirement at age [~~sixty-five~~] **sixty-seven**, shall continue to serve as a member only until such time as such member becomes eligible for such pension retirement.

b. Notwithstanding the provisions of subdivision a of this section or of any other section of law, any member who shall not have completed thirty-five years of creditable city service within the meaning of subdivision h of section 13-304 of the code, prior to attaining the age of [~~sixty-five~~] **sixty-seven** years may continue to serve as a member until [~~he or she~~] **such member** shall have completed such thirty-five years of creditable city service, provided that [~~he or she~~] **such member** is capable of performing duty acceptable to the commissioner. This section does not apply to chaplains or medical officers. This section shall apply only to members who are in the department on the first day of December, nineteen hundred seventy-one.

c. Any member whose retirement has become mandatory under the provisions of subdivision a of this section may, upon approval of the commissioner, request of the board of estimate that [~~he or she~~] **such**

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

LBD14057-01-5

member be continued as a member of the uniformed force for a period not exceeding two years. The board, where advantageous to the public service, may grant such request for a period not exceeding two years. At the termination of such additional period of service, such board may in like manner permit such member to continue in the public service for successive periods each not exceeding two years. In no event shall a member be continued in public service upon attaining the age of seventy-five years.

§ 2. Subdivision j of section 13-145.1 of the administrative code of the city of New York, as added by chapter 823 of the laws of 1985, is amended to read as follows:

j. Any member who elects such transfer of membership shall be subject to mandatory retirement upon attainment of age [~~sixty-five~~] sixty-seven under subdivision a of section 15-121 of the code in the same manner as any other member of the uniformed force who is not a medical officer.

§ 3. This act shall take effect immediately.