STATE OF NEW YORK

9905

IN SENATE

April 13, 2026

Introduced by Sen. JACKSON -- (at request of the State Comptroller) -- 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 the effective date of a reclassification for an accidental disability retirement benefit

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

Section 1. Subparagraph (b) of paragraph 2 of subdivision g of section 63 of the retirement and social security law, as amended by chapter 489 of the laws of 2008, is amended to read as follows:

(b) The comptroller shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification**; provided, however, for applications filed on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed**.

§ 2. Subparagraph (b) of paragraph 2 of subdivision g of section 363 of the retirement and social security law, as amended by chapter 489 of the laws of 2008, is amended to read as follows:

(b) The comptroller shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification**; provided, however, for applications filed on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed**.

§ 3. Subparagraph (c) of paragraph 2 of subdivision h of section 363-bb of the retirement and social security law, as amended by chapter 93 of the laws of 2005, is amended to read as follows:

(c) The comptroller shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification**; provided, however, for applications filed**

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

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on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed.

§ 4. Subparagraph (b) of paragraph 2 of subdivision g of section 507 of the retirement and social security law, as amended by chapter 489 of the laws of 2008, is amended to read as follows:

(b) The comptroller or applicable retirement system board of trustees shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification; provided, however, for applications filed on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed.

§ 5. Subparagraph (b) of paragraph 2 of subdivision d of section 507-b of the retirement and social security law, as added by chapter 489 of the laws of 2008, is amended to read as follows:

(b) The comptroller shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification; provided, however, for applications filed on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed.

§ 6. Subparagraph (b) of paragraph 2 of subdivision h of section 556 of the retirement and social security law, as amended by chapter 489 of the laws of 2008, is amended to read as follows:

(b) The comptroller shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification; provided, however, for applications filed on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed.

§ 7. Subparagraph (b) of paragraph 2 of subdivision j of section 558 of the retirement and social security law, as added by chapter 489 of the laws of 2008, is amended to read as follows:

(b) The comptroller shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification; provided, however, for applications filed on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed.

§ 8. Subparagraph (c) of paragraph 2 of subdivision h of section 605 of the retirement and social security law, as amended by chapter 489 of the laws of 2008, is amended to read as follows:

(c) The head of the retirement system shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification; provided, however, for applications filed on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed.

§ 9. Subparagraph (b) of paragraph 2 of subdivision h of section 605-a of the retirement and social security law, as amended by chapter 489 of the laws of 2008, is amended to read as follows:

(b) The comptroller shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification**; provided, however, for applications filed on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed**.

§ 10. Subparagraph (b) of paragraph 2 of subdivision c of section 607-c of the retirement and social security law, as added by chapter 489 of the laws of 2008, is amended to read as follows:

(b) The head of the retirement system shall consider a reclassification of the member's retirement as an accidental disability retirement effective as of the date of such reclassification**; provided, however, for applications filed on or after January first, two thousand twenty-seven, the comptroller's determination of a reclassification of the member's retirement as an accidental disability retirement shall be effective as of the date such application is filed**.

§ 11. Notwithstanding any other provision of law to the contrary, none of the provisions of this act shall be subject to the appropriation requirement of section twenty-five of the retirement and social security law.

§ 12. This act shall take effect immediately.

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

This bill would change the effective date of World Trade Center accidental disability benefit reclassifications to be the member's application filing date. Currently, the benefit commences when the application is approved.

Insofar as this bill affects the New York State and Local Employees' Retirement System (NYSLERS), the additional pension benefit is expected to average $16,000 for each approved application. Approximately 7 retirees would be affected each year, for an annual cost of $112,000. The provisions of section 25 of the RSSL shall not apply. All costs will be shared by the participating employers in NYSLERS and spread over future billing cycles.

Insofar as this bill affects the New York State and Local Police and Fire Retirement System (NYSLPFRS), the additional pension benefit is expected to average $26,000 for each approved application. Approximately 33 retirees would be affected each year, for an annual cost of $858,000. All costs will be shared by the participating employers in NYSLPFRS and spread over future billing cycles.

Summary of relevant resources:

Membership data as of March 31, 2025 was used to measure the impact of the bill, the same data used in the Actuarial Valuations dated April 1, 2025. Distributions and other statistics can be found in the 2025 Report of the Actuary and the 2025 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2025 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The fair value of assets and GASB disclosures can be found in the 2025 Financial Statements and Supplementary Information.

Assumptions, demographics, and other considerations may have been modified to better reflect specific provisions of any proposed benefit change(s).

This fiscal note does not constitute a legal opinion on the viability of the bill, nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 3, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-58. As Chief Actuary of the New York State and Local Retirement System (NYSLRS), I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member. I am a member of NYSLRS but do not believe it impairs my objectivity.