STATE OF NEW YORK

10787

IN ASSEMBLY

April 1, 2026

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law, in relation to service rendered by police officers in the agency police services unit

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

Section 1. Subdivision a of section 381-b of the retirement and social security law, as amended by section 6 of part L of chapter 58 of the laws of 2024, is amended to read as follows:

a. Membership. **(1)** Every member or officer of the division of state police in the executive department who enters or re-enters service in the division on or after April first, nineteen hundred sixty-nine, and every **member or officer of the division of state police in the executive department in such service on such date may elect to be covered by the provisions of this section by filing an election therefor with the comptroller on or before March thirty-first, nineteen hundred seventy-two. To be effective, such election shall be duly executed and acknowledged on a form prepared by the comptroller for that purpose.**

(2) Every investigator or sworn officer employed by the commission created by section six of chapter eight hundred eighty-two of the laws of nineteen hundred fifty-three, constituting the waterfront commission act, as amended, on or after July first, two thousand twenty-three, and every investigator or sworn officer employed by the New York Waterfront Commission in the executive department shall be covered by the provisions of this section[~~, and every member or officer of the division of state police in the executive department in such service on such date may elect to be covered by the provisions of this section by filing an election therefor with the comptroller on or before March thirty-first, nineteen hundred seventy-two. To be effective, such election must be duly executed and acknowledged on a form prepared by the comptroller for that purpose~~].

(3) Every non-seasonally appointed sworn member or officer of the division of law enforcement in the department of environmental conservation, a forest ranger in the service of the department of environmental

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

LBD14774-05-6

conservation, which shall mean a person who serves on a full-time basis in the title of forest ranger I, forest ranger II, forest ranger III, assistant superintendent of forest fire control, superintendent of forest fire control or any successor titles or new titles in the forest ranger title series in the department of environmental conservation, a police officer in the department of environmental conservation, the regional state park police, and university police officers shall be covered by the provisions of this section.

§ 2. Subdivision c of section 381-b of the retirement and social security law, as amended by chapter 581 of the laws of 2001, paragraph 1 as amended by chapter 187 of the laws of 2023, subparagraph (ii) of paragraph 1 as amended by section 6 of part L of chapter 58 of the laws of 2024 and paragraph 2 as amended by chapter 440 of the laws of 2017, is amended and a new subdivision h is added to read as follows:

c. Credit for previous police service. (1) Police service. In computing the years of total creditable service in such division, full credit shall be given and full allowance shall be made:

(i) for service rendered as a police officer or member of a police force or department of a state park authority or commission or an organized police force or department of a county, city, town, village, police district, authority or other participating employer or member of the capital police force in the office of general services while a member of the New York state and local police and fire retirement system, of the New York state and local employees' retirement system or of the New York city police pension fund;

(ii) for service rendered as an investigator or sworn officer of the waterfront commission of New York harbor, for service rendered as an investigator or sworn officer of the New York Waterfront Commission, for service rendered as an investigator-trainee of the waterfront commission of New York harbor, and for service rendered as an investigator-trainee of the New York Waterfront Commission, that was creditable under subdivision w of section three hundred eighty-four-d of this article; [~~and~~]

(iii) for all service for which full credit has been given and full allowance made pursuant to the provisions of section three hundred seventy-five-h of this chapter provided, however, that full credit pursuant to the provisions of such section shall mean only such service as would be creditable service pursuant to the provisions of section three hundred eighty-three or section three hundred eighty-three-a or three hundred eighty-three-b enacted by chapter six hundred seventy-seven of the laws of nineteen hundred eighty-six of this chapter or pursuant to the provisions of title thirteen of the administrative code of the city of New York for any member contributing pursuant to this section who transferred to the division of state police[~~.~~

~~(2) State university police officer service. Upon completion of more than twenty years of service, and upon retirement, each such member who was previously credited with service credit in the New York state and local employees' retirement system or the New York state and local police and fire retirement system as an officer appointed by the state university pursuant to paragraph l of subdivision two of section three hundred fifty-five of the education law and who has successfully completed a course of law enforcement training as provided in such section of the education law or for any such officer who retires on and after January first, two thousand eighteen who has successfully completed such course of law enforcement training within two years of his or her date of appointment shall receive for each such year of previous service, up to a total of no greater than five years of previ-~~

~~ous service, additional service credit equal to one-sixtieth of his or her final average salary.~~]; and

(iv) for service rendered as a non-seasonally appointed sworn member or officer of the division of law enforcement in the department of environmental conservation, a forest ranger in the service of the department of environmental conservation, which shall mean a person who serves on a full-time basis in the title of forest ranger I, forest ranger II, forest ranger III, assistant superintendent of forest fire control, superintendent of forest fire control or any successor titles or new titles in the forest ranger title series in the department of environmental conservation, a police officer in the department of environmental conservation, the regional state park police, university police officers, and university peace officers.

(2) Notwithstanding any other provision of law to the contrary, any creditable service provided under this subdivision shall be creditable service under any other section of this chapter.

h. The provisions of this section shall be controlling, notwithstanding any provision of this article to the contrary.

§ 3. This act shall take effect July 1, 2026.

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

This bill would amend the retirement and social security law (RSSL) to require members or officers of the division of law enforcement in the department of environmental conservation, forest rangers in the service of the department of environmental conservation, police officers in the department of environmental conservation, the regional state park police, and university police officers to be covered under § 381-b. Currently, these members are covered under the RSSL § 383-series.

There are 10 members in affected titles who are covered under the provisions of Article 14. These members could lose the ability to retire with superior benefits under the provisions of Article 11, to which they are currently entitled. Additionally, these members would be required to pay 3% member contributions.

We estimate that the state of New York's annual contributions will increase $10 million beginning FYE 2027, with near-term costs increasing 6.7% of salary for Tier 6 participants, from 25.6% to 32.3%. Subsequent costs will vary annually but are expected to average 4.9% of salary long-term.

In addition, there will be an immediate past service cost of $90 million borne by the state of New York as a one-time payment. This cost assumes that payment will be made on March 1, 2027.

These estimated costs are based on 1,233 affected members employed by the state of New York, with annual salary of approximately $134 million as of March 31, 2025.

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 20, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-139 REVISED. 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.