

# STATE OF NEW YORK

11213

## IN ASSEMBLY

May 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, the education law, the military law, the general municipal law and the administrative code of the city of New York, in relation to extending the twenty-five year presumptive eligibility period for certain retirement benefits for injuries or illnesses related to World Trade Center rescue, recovery and clean-up operations

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

1 Section 1. Subdivision h of section 63 of the retirement and social  
2 security law, as amended by chapter 489 of the laws of 2008, is amended  
3 to read as follows:  
4 h. Notwithstanding any other provision of this chapter or of any  
5 general, special or local law, charter, administrative code or rule or  
6 regulation to the contrary, if a retiree who: (1) has met the criteria  
7 of subdivision g of this section and retired on a service or disability  
8 retirement, or would have met the criteria if not already retired on an  
9 accidental disability; and (2) has not been retired for more than [~~twen-~~  
10 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade  
11 Center condition, as defined in section two of this article, as deter-  
12 mined by the applicable head of the retirement system or applicable  
13 medical board, then unless the contrary be proven by competent evidence,  
14 such retiree shall be deemed to have died as a natural and proximate  
15 result of an accident sustained in the performance of duty and not as a  
16 result of willful negligence on [~~his or her~~] such retiree's part. Such  
17 retiree's eligible beneficiary, as set forth in section sixty-one of  
18 this title, shall be entitled to an accidental death benefit as provided  
19 by section sixty-one of this title, however, for the purposes of deter-  
20 mining the salary base upon which the accidental death benefit is calcu-  
21 lated, the retiree shall be deemed to have died on the date of [~~his or~~  
22 ~~her~~] such retiree's retirement. Upon the retiree's death, the eligible  
23 beneficiary shall make a written application to the head of the retire-  
24 ment system within the time for filing an application for an accidental

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

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1 death benefit as set forth in section sixty-one of this title requesting  
2 conversion of such retiree's service or disability retirement benefit to  
3 an accidental death benefit. At the time of such conversion, the eligi-  
4 ble beneficiary shall relinquish all rights to the prospective benefits  
5 payable under the service or disability retirement benefit, including  
6 any post-retirement death benefits, since the retiree's death. If the  
7 eligible beneficiary is not the only beneficiary receiving or entitled  
8 to receive a benefit under the service or disability retirement benefit  
9 (including, but not limited to, post-retirement death benefits or bene-  
10 fits paid or payable pursuant to the retiree's option selection), the  
11 accidental death benefit payments to the eligible beneficiary will be  
12 reduced by any amounts paid or payable to any other beneficiary.

13 § 2. Subdivision h of section 363 of the retirement and social securi-  
14 ty law, as amended by chapter 489 of the laws of 2008, is amended to  
15 read as follows:

16 h. Notwithstanding any other provision of this chapter or of any  
17 general, special or local law, charter, administrative code or rule or  
18 regulation to the contrary, if a retiree who: (1) has met the criteria  
19 of subdivision g of this section and retired on a service or disability  
20 retirement, or would have met the criteria if not already retired on an  
21 accidental disability; and (2) has not been retired for more than [~~twen-~~  
22 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade  
23 Center condition, as defined in section two of this chapter, as deter-  
24 mined by the applicable head of the retirement system or applicable  
25 medical board, then unless the contrary be proven by competent evidence,  
26 such retiree shall be deemed to have died as a natural and proximate  
27 result of an accident sustained in the performance of duty and not as a  
28 result of willful negligence on [~~his or her~~] such retiree's part. Such  
29 retiree's eligible beneficiary, as set forth in section three hundred  
30 sixty-one of this title, shall be entitled to an accidental death bene-  
31 fit as provided by section three hundred sixty-one of this title, howev-  
32 er, for the purposes of determining the salary base upon which the acci-  
33 dental death benefit is calculated, the retiree shall be deemed to have  
34 died on the date of [~~his or her~~] such retiree's retirement. Upon the  
35 retiree's death, the eligible beneficiary shall make a written applica-  
36 tion to the head of the retirement system within the time for filing an  
37 application for an accidental death benefit as set forth in section  
38 three hundred sixty-one of this title requesting conversion of such  
39 retiree's service or disability retirement benefit to an accidental  
40 death benefit. At the time of such conversion, the eligible beneficiary  
41 shall relinquish all rights to the prospective benefits payable under  
42 the service or disability retirement benefit, including any post-retire-  
43 ment death benefits, since the retiree's death. If the eligible benefi-  
44 ciary is not the only beneficiary receiving or entitled to receive a  
45 benefit under the service or disability retirement benefit (including,  
46 but not limited to, post-retirement death benefits or benefits paid or  
47 payable pursuant to the retiree's option selection), the accidental  
48 death benefit payments to the eligible beneficiary will be reduced by  
49 any amounts paid or payable to any other beneficiary.

50 § 3. Subdivision h of section 507 of the retirement and social securi-  
51 ty law, as amended by chapter 489 of the laws of 2008, is amended to  
52 read as follows:

53 h. Notwithstanding any other provision of this chapter or of any  
54 general, special or local law, charter, administrative code or rule or  
55 regulation to the contrary, if a retiree who: (1) has met the criteria  
56 of subdivision g of this section and retired on a service or disability

1 retirement, or would have met the criteria if not already retired on an  
2 accidental disability; and (2) has not been retired for more than [~~twen-~~  
3 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade  
4 Center condition, as defined in section two of this chapter, as deter-  
5 mined by the applicable head of the retirement system or applicable  
6 medical board, then unless the contrary be proven by competent evidence,  
7 such retiree shall be deemed to have died as a natural and proximate  
8 result of an accident sustained in the performance of duty and not as a  
9 result of willful negligence on [~~his or her~~] such retiree's part. Such  
10 retiree's eligible beneficiary, as set forth in section five hundred one  
11 of this article, shall be entitled to an accidental death benefit as  
12 provided by section five hundred nine of this article, however, for the  
13 purposes of determining the salary base upon which the accidental death  
14 benefit is calculated, the retiree shall be deemed to have died on the  
15 date of [~~his or her~~] such retiree's retirement. Upon the retiree's  
16 death, the eligible beneficiary shall make a written application to the  
17 head of the retirement system within the time for filing an application  
18 for an accidental death benefit as set forth in section five hundred  
19 nine of this article requesting conversion of such retiree's service or  
20 disability retirement benefit to an accidental death benefit. At the  
21 time of such conversion, the eligible beneficiary shall relinquish all  
22 rights to the prospective benefits payable under the service or disabil-  
23 ity retirement benefit, including any post-retirement death benefits,  
24 since the retiree's death. If the eligible beneficiary is not the only  
25 beneficiary receiving or entitled to receive a benefit under the service  
26 or disability retirement benefit (including, but not limited to, post-  
27 retirement death benefits or benefits paid or payable pursuant to the  
28 retiree's option selection), the accidental death benefit payments to  
29 the eligible beneficiary will be reduced by any amounts paid or payable  
30 to any other beneficiary.

31 § 4. Subdivision i of section 556 of the retirement and social securi-  
32 ty law, as amended by chapter 489 of the laws of 2008, is amended to  
33 read as follows:

34 i. Notwithstanding any other provision of this chapter or of any  
35 general, special or local law, charter, administrative code or rule or  
36 regulation to the contrary, if a retiree who: (1) has met the criteria  
37 of subdivision h of this section and retired on a service or disability  
38 retirement, or would have met the criteria if not already retired on an  
39 accidental disability; and (2) has not been retired for more than [~~twen-~~  
40 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade  
41 Center condition, as defined in section two of this chapter, as deter-  
42 mined by the applicable head of the retirement system or applicable  
43 medical board, then unless the contrary be proven by competent evidence,  
44 such retiree shall be deemed to have died as a natural and proximate  
45 result of an accident sustained in the performance of duty and not as a  
46 result of willful negligence on [~~his or her~~] such retiree's part. Such  
47 retiree's eligible beneficiary, as set forth in section five hundred one  
48 of this [~~article~~] chapter, shall be entitled to an accidental death  
49 benefit as provided by section five hundred nine of this [~~article~~] chap-  
50 ter, however, for the purposes of determining the salary base upon which  
51 the accidental death benefit is calculated, the retiree shall be deemed  
52 to have died on the date of [~~his or her~~] such retiree's retirement. Upon  
53 the retiree's death, the eligible beneficiary shall make a written  
54 application to the head of the retirement system within the time for  
55 filing an application for an accidental death benefit as set forth in  
56 section five hundred nine of this [~~article~~] chapter requesting conver-

1 sion of such retiree's service or disability retirement benefit to an  
2 accidental death benefit. At the time of such conversion, the eligible  
3 beneficiary shall relinquish all rights to the prospective benefits  
4 payable under the service or disability retirement benefit, including  
5 any post-retirement death benefits, since the retiree's death. If the  
6 eligible beneficiary is not the only beneficiary receiving or entitled  
7 to receive a benefit under the service or disability retirement benefit  
8 (including, but not limited to, post-retirement death benefits or bene-  
9 fits paid or payable pursuant to the retiree's option selection), the  
10 accidental death benefit payments to the eligible beneficiary will be  
11 reduced by any amounts paid or payable to any other beneficiary.

12 § 5. Subdivision i of section 605 of the retirement and social securi-  
13 ty law, as amended by chapter 489 of the laws of 2008, is amended to  
14 read as follows:

15 i. Notwithstanding any other provision of this chapter or of any  
16 general, special or local law, charter, administrative code or rule or  
17 regulation to the contrary, if a retiree who: (1) has met the criteria  
18 of subdivision h of this section and retired on a service or disability  
19 retirement, or would have met the criteria if not already retired on an  
20 accidental disability; and (2) has not been retired for more than [~~twen-~~  
21 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade  
22 Center condition, as defined in section two of this chapter, as deter-  
23 mined by the applicable head of the retirement system or applicable  
24 medical board, then unless the contrary be proven by competent evidence,  
25 such retiree shall be deemed to have died as a natural and proximate  
26 result of an accident sustained in the performance of duty and not as a  
27 result of willful negligence on [~~his or her~~] such retiree's part. Such  
28 retiree's eligible beneficiary, as set forth in section six hundred one  
29 of this article, shall be entitled to an accidental death benefit as  
30 provided by section six hundred seven of this article, however, for the  
31 purposes of determining the salary base upon which the accidental death  
32 benefit is calculated, the retiree shall be deemed to have died on the  
33 date of [~~his or her~~] such retiree's retirement. Upon the retiree's  
34 death, the eligible beneficiary shall make a written application to the  
35 head of the retirement system within the time for filing an application  
36 for an accidental death benefit as set forth in section six hundred  
37 seven of this article requesting conversion of such retiree's service or  
38 disability retirement benefit to an accidental death benefit. At the  
39 time of such conversion, the eligible beneficiary shall relinquish all  
40 rights to the prospective benefits payable under the service or disabil-  
41 ity retirement benefit, including any post-retirement death benefits,  
42 since the retiree's death. If the eligible beneficiary is not the only  
43 beneficiary receiving or entitled to receive a benefit under the service  
44 or disability retirement benefit (including, but not limited to, post-  
45 retirement death benefits or benefits paid or payable pursuant to the  
46 retiree's option selection), the accidental death benefit payments to  
47 the eligible beneficiary will be reduced by any amounts paid or payable  
48 to any other beneficiary.

49 § 6. Subdivision i of section 605-a of the retirement and social secu-  
50 rity law, as amended by chapter 489 of the laws of 2008, is amended to  
51 read as follows:

52 i. Notwithstanding any other provision of this chapter or of any  
53 general, special or local law, charter, administrative code or rule or  
54 regulation to the contrary, if a retiree who: (1) has met the criteria  
55 of subdivision h of this section and retired on a service or disability  
56 retirement, or would have met the criteria if not already retired on an

1 accidental disability; and (2) has not been retired for more than [~~twen-~~  
2 ~~ty-five~~] thirty-five years; and (3) dies from a qualifying World Trade  
3 Center condition, as defined in section two of this chapter, as deter-  
4 mined by the applicable head of the retirement system or applicable  
5 medical board, then unless the contrary be proven by competent evidence,  
6 such retiree shall be deemed to have died as a natural and proximate  
7 result of an accident sustained in the performance of duty and not as a  
8 result of willful negligence on [~~his or her~~] such retiree's part. Such  
9 retiree's eligible beneficiary, as set forth in section six hundred one  
10 of this article, shall be entitled to an accidental death benefit as  
11 provided by section six hundred seven of this article, however, for the  
12 purposes of determining the salary base upon which the accidental death  
13 benefit is calculated, the retiree shall be deemed to have died on the  
14 date of [~~his or her~~] such retiree's retirement. Upon the retiree's  
15 death, the eligible beneficiary shall make a written application to the  
16 head of the retirement system within the time for filing an application  
17 for an accidental death benefit as set forth in section six hundred  
18 seven of this article requesting conversion of such retiree's service or  
19 disability retirement benefit to an accidental death benefit. At the  
20 time of such conversion, the eligible beneficiary shall relinquish all  
21 rights to the prospective benefits payable under the service or disabil-  
22 ity retirement benefit, including any post-retirement death benefits,  
23 since the retiree's death. If the eligible beneficiary is not the only  
24 beneficiary receiving or entitled to receive a benefit under the service  
25 or disability retirement benefit (including, but not limited to, post-  
26 retirement death benefits or benefits paid or payable pursuant to the  
27 retiree's option selection), the accidental death benefit payments to  
28 the eligible beneficiary will be reduced by any amounts paid or payable  
29 to any other beneficiary.

30 § 7. Subdivision e of section 605-b of the retirement and social secu-  
31 rity law, as amended by chapter 489 of the laws of 2013, is amended to  
32 read as follows:

33 e. Notwithstanding any other provision of this chapter or of any  
34 general, special or local law, charter, administrative code or rule or  
35 regulation to the contrary, if a retiree or vestee who: (1) has met the  
36 criteria of subdivision d of this section and retired on a service or  
37 disability retirement, would have met the criteria if not already  
38 retired on an accidental disability, or was separated from service with  
39 a vested right to deferred payability of a retirement allowance; and (2)  
40 has not been retired for more than [~~twenty-five~~] thirty-five years; and  
41 (3) dies from a qualifying World Trade Center condition, as defined in  
42 section two of this chapter, as determined by the applicable head of the  
43 retirement system or applicable medical board, then unless the contrary  
44 be proven by competent evidence, such retiree or vestee shall be deemed  
45 to have died as a natural and proximate result of an accident sustained  
46 in the performance of duty and not as a result of willful negligence on  
47 [~~his or her~~] such retiree's or vestee's part. Such retiree's or vestee's  
48 eligible beneficiary, as set forth in section six hundred one of this  
49 article, shall be entitled to an accidental death benefit as provided by  
50 section six hundred seven of this article, however, for the purposes of  
51 determining the salary base upon which the accidental death benefit is  
52 calculated, the retiree or vestee shall be deemed to have died on the  
53 date of [~~his or her~~] such retiree's or vestee's retirement or separation  
54 from service with vested rights. Upon the retiree's or vestee's death,  
55 the eligible beneficiary shall make a written application to the head of  
56 the retirement system within the time for filing an application for an

1 accidental death benefit as set forth in section six hundred seven of  
2 this article requesting conversion of such retiree's or vestee's service  
3 or disability retirement benefit to an accidental death benefit. At the  
4 time of such conversion, the eligible beneficiary shall relinquish all  
5 rights to the prospective benefits payable under the service or disabili-  
6 ty retirement benefit, or vested right to such benefit, including any  
7 post-retirement death benefits, since the retiree's or vestee's death.  
8 If the eligible beneficiary is not the only beneficiary receiving or  
9 entitled to receive a benefit under the service or disability retirement  
10 benefit (including, but not limited to, post-retirement death benefits  
11 or benefits paid or payable pursuant to the retiree's option selection),  
12 or that will be eligible under the vested right, the accidental death  
13 benefit payments to the eligible beneficiary will be reduced by any  
14 amounts paid or payable to any other beneficiary.

15 § 8. Subdivision c of section 605-c of the retirement and social secu-  
16 rity law, as amended by chapter 489 of the laws of 2013, is amended to  
17 read as follows:

18 c. Notwithstanding any other provision of this chapter or of any  
19 general, special or local law, charter, administrative code or rule or  
20 regulation to the contrary, if a retiree or vestee who: (1) has met the  
21 criteria of subdivision b of this section and retired on a service or  
22 disability retirement, would have met the criteria if not already  
23 retired on an accidental disability, or was separated from service with  
24 a vested right to deferred payability of a retirement allowance; and (2)  
25 has not been retired for more than [~~twenty-five~~ thirty-five years; and  
26 (3) dies from a qualifying World Trade Center condition as defined in  
27 section two of this chapter, as determined by the applicable head of the  
28 retirement system or applicable medical board, then unless the contrary  
29 be proven by competent evidence, such retiree or vestee shall be deemed  
30 to have died as a natural and proximate result of an accident sustained  
31 in the performance of duty and not as a result of willful negligence on  
32 [~~his or her~~ such retiree's or vestee's part. Such retiree's or vestee's  
33 eligible beneficiary, as set forth in section six hundred one of this  
34 article, shall be entitled to an accidental death benefit as provided by  
35 section six hundred seven of this article, however, for the purposes of  
36 determining the salary base upon which the accidental death benefit is  
37 calculated, the retiree or vestee shall be deemed to have died on the  
38 date of [~~his or her~~ such retiree's or vestee's retirement or separation  
39 from service with vested rights. Upon the retiree's or vestee's death,  
40 the eligible beneficiary shall make a written application to the head of  
41 the retirement system within the time for filing an application for an  
42 accidental death benefit as set forth in section six hundred seven of  
43 this article requesting conversion of such retiree's service, vested  
44 right or disability retirement benefit to an accidental death benefit.  
45 At the time of such conversion, the eligible beneficiary shall relin-  
46 quish all rights to the prospective benefits payable under the service  
47 or disability retirement benefit, or vested right to such benefit,  
48 including any post-retirement death benefits, since the retiree's or  
49 vestee's death. If the eligible beneficiary is not the only beneficiary  
50 receiving or entitled to receive a benefit under the service or disabil-  
51 ity retirement benefit (including, but not limited to, post-retirement  
52 death benefits or benefits paid or payable pursuant to the retiree's  
53 option selection), or that will be eligible under the vested right, the  
54 accidental death benefit payments to the eligible beneficiary will be  
55 reduced by any amounts paid or payable to any other beneficiary.

1 § 9. Paragraph (a) of subdivision 36 of section 2 of the retirement  
2 and social security law, as amended by chapter 561 of the laws of 2022,  
3 is amended to read as follows:

4 (a) "Qualifying World Trade Center condition" shall mean a qualifying  
5 condition or impairment of health resulting in disability to a member  
6 who participated in World Trade Center rescue, recovery or cleanup oper-  
7 ations for a qualifying period, as those terms are defined below,  
8 provided the following conditions have been met: (i) such member, or  
9 eligible beneficiary in the case of the member's death, must have either  
10 filed a written and sworn statement with the member's retirement system  
11 on a form provided by such system, or as allowed by the member's retire-  
12 ment system, electronically submitted a statement on a form provided by  
13 such system through a secure online portal maintained by the member's  
14 retirement system that has duly validated the member's identity, indi-  
15 cating the underlying dates and locations of employment not later than  
16 September eleventh, two thousand ~~twenty-six~~ thirty-six, and (ii) such  
17 member has either successfully passed a physical examination for entry  
18 into public service, or authorized release of all relevant medical  
19 records, if the member did not undergo a physical examination for entry  
20 into public service; and (iii) there is no evidence of the qualifying  
21 condition or impairment of health that formed the basis for the disabil-  
22 ity in such physical examination for entry into public service or in the  
23 relevant medical records, prior to September eleventh, two thousand one  
24 except for such member, or eligible beneficiary in the case of the  
25 member's death, of a local retirement system of a city with a population  
26 of one million or more that is covered by section 13-551 of the adminis-  
27 trative code of the city of New York, or by section twenty-five hundred  
28 seventy-five of the education law and for such member who separated from  
29 service with vested rights, or eligible beneficiary of such member who  
30 separated from service with vested rights in the case of the member's  
31 death, of a local retirement system of a city with a population of one  
32 million or more who are covered by sections 13-168, 13-252.1 or 13-353.1  
33 of the administrative code of the city of New York or sections five  
34 hundred seven-c, six hundred five-b, six hundred five-c, or six hundred  
35 seven-b of this chapter. The deadline for filing a written and sworn  
36 statement required by subparagraph (i) of this paragraph shall be  
37 September eleventh, two thousand ~~twenty-six~~ thirty-six for such  
38 member, or eligible beneficiary in the case of the member's death, of a  
39 local retirement system of a city with a population of one million or  
40 more that is covered by section 13-551 of the administrative code of the  
41 city of New York, or by section twenty-five hundred seventy-five of the  
42 education law and for such member who separated from service with vested  
43 rights, or eligible beneficiary of such member who separated from  
44 service with vested rights in the case of the member's death, of a local  
45 retirement system of a city with a population of one million or more who  
46 are covered by sections 13-168, 13-252.1 or 13-353.1 of the administra-  
47 tive code of the city of New York and sections five hundred seven-c, six  
48 hundred five-b, six hundred five-c, or six hundred seven-b of this chap-  
49 ter. Every retirement system shall keep a copy of every written and  
50 sworn statement that is presented for filing not later than September  
51 eleventh, two thousand ~~twenty-six~~ thirty-six, including those that are  
52 rejected for filing as untimely.

53 § 10. Subdivision e of section 507-b of the retirement and social  
54 security law, as added by chapter 489 of the laws of 2008, is amended to  
55 read as follows:

1 e. Notwithstanding any other provision of this chapter or of any  
2 general, special or local law, charter, administrative code or rule or  
3 regulation to the contrary, if a retiree who:

4 1. has met the criteria of subdivision d of this section and retired  
5 on a service or disability retirement, or would have met the criteria if  
6 not already retired on an accidental disability; and

7 2. has not been retired for more than [~~twenty-five~~] thirty-five years;  
8 and

9 3. dies from a qualifying World Trade Center condition, as defined in  
10 section two of this chapter, as determined by the applicable head of the  
11 retirement system or applicable medical board, then unless the contrary  
12 be proven by competent evidence, such retiree shall be deemed to have  
13 died as a natural and proximate result of an accident sustained in the  
14 performance of duty and not as a result of willful negligence on [~~his or~~  
15 ~~her~~] such retiree's part. Such retiree's eligible beneficiary, as set  
16 forth in section five hundred one of this article, shall be entitled to  
17 an accidental death benefit as provided by section five hundred nine of  
18 this article, however, for the purposes of determining the salary base  
19 upon which the accidental death benefit is calculated, the retiree shall  
20 be deemed to have died on the date of [~~his or her~~] such retiree's  
21 retirement. Upon the retiree's death, the eligible beneficiary shall  
22 make a written application to the head of the retirement system within  
23 the time for filing an application for an accidental death benefit as  
24 set forth in section five hundred nine of this article requesting  
25 conversion of such retiree's service or disability retirement benefit to  
26 an accidental death benefit. At the time of such conversion, the eligi-  
27 ble beneficiary shall relinquish all rights to the prospective benefits  
28 payable under the service or disability retirement benefit, including  
29 any post-retirement death benefits, since the retiree's death. If the  
30 eligible beneficiary is not the only beneficiary receiving or entitled  
31 to receive a benefit under the service or disability retirement benefit  
32 (including, but not limited to, post-retirement death benefits or bene-  
33 fits paid or payable pursuant to the retiree's option selection), the  
34 accidental death benefit payments to the eligible beneficiary shall be  
35 reduced by any amounts paid or payable to any other beneficiary.

36 § 11. Subdivision d of section 507-c of the retirement and social  
37 security law, as amended by chapter 489 of the laws of 2013, is amended  
38 to read as follows:

39 d. Notwithstanding any other provision of this chapter or of any  
40 general, special or local law, charter, administrative code or rule or  
41 regulation to the contrary, if a retiree or vestee who: (1) has met the  
42 criteria of subdivision c of this section and retired on a service or  
43 disability retirement, would have met the criteria if not already  
44 retired on an accidental disability, or was separated from service with  
45 a vested right to deferred payability of a retirement allowance; and (2)  
46 has not been retired for more than [~~twenty-five~~] thirty-five years; and  
47 (3) dies from a qualifying World Trade center condition, as defined in  
48 section two of this chapter, that is determined by the applicable head  
49 of the retirement system or applicable medical board, then unless the  
50 contrary be proven by competent evidence, such retiree or vestee shall  
51 be deemed to have died as a natural and proximate result of an accident  
52 sustained in the performance of duty and not as a result of willful  
53 negligence on [~~his or her~~] such retiree's or vestee's part. Such  
54 retiree's or vestee's eligible beneficiary, as set forth in section five  
55 hundred one of this article, shall be entitled to an accidental death  
56 benefit as provided by section five hundred nine of this article, howev-

1 er, for the purposes of determining the salary base upon which the acci-  
2 dental death benefit is calculated, the retiree or vestee shall be  
3 deemed to have died on the date of [~~his or her~~] such retiree's or  
4 vestee's retirement or separation from service with vested rights. Upon  
5 the retiree's or vestee's death, the eligible beneficiary shall make a  
6 written application to the head of the retirement system within the time  
7 for filing an application for an accidental death benefit as set forth  
8 in section five hundred nine of this article requesting conversion of  
9 such retiree's service, vested right or disability retirement benefit to  
10 an accidental death benefit. At the time of such conversion, the eligi-  
11 ble beneficiary shall relinquish all rights to the prospective benefits  
12 payable under the service or disability retirement benefit, or vested  
13 right to such benefit, including any post-retirement death benefits,  
14 since the retiree's or vestee's death. If the eligible beneficiary is  
15 not the only beneficiary receiving or entitled to receive a benefit  
16 under the service or disability retirement benefit (including, but not  
17 limited to, post-retirement death benefits or benefits paid or payable  
18 pursuant to the retiree's option selection), or that will be eligible  
19 under the vested right the accidental death benefit payments to the  
20 eligible beneficiary will be reduced by any amounts paid or payable to  
21 any other beneficiary.

22 § 12. Subdivision k of section 558 of the retirement and social secu-  
23 rity law, as added by chapter 489 of the laws of 2008, is amended to  
24 read as follows:

25 k. Notwithstanding any other provision of this chapter or of any  
26 general, special or local law, charter, administrative code or rule or  
27 regulation to the contrary, if a retiree who:

28 (1) has met the criteria of subdivision j of this section and retired  
29 on a service or disability retirement, or would have met the criteria if  
30 not already retired on an accidental disability; and

31 (2) has not been retired for more than [~~twenty-five~~] thirty-five  
32 years; and

33 (3) dies from a qualifying World Trade Center condition, as defined in  
34 section two of this chapter, as determined by the applicable head of the  
35 retirement system or applicable medical board, then unless the contrary  
36 be proven by competent evidence, such retiree shall be deemed to have  
37 died as a natural and proximate result of an accident sustained in the  
38 performance of duty and not as a result of willful negligence on [~~his or~~  
39 ~~her~~] such retiree's part. Such retiree's eligible beneficiary, as set  
40 forth in section five hundred one of this [~~article~~] chapter, shall be  
41 entitled to an accidental death benefit as provided by section five  
42 hundred nine of this [~~article~~] chapter, however, for the purposes of  
43 determining the salary base upon which the accidental death benefit is  
44 calculated, the retiree shall be deemed to have died on the date of [~~his~~  
45 ~~or her~~] such retiree's retirement. Upon the retiree's death, the eligi-  
46 ble beneficiary shall make a written application to the head of the  
47 retirement system within the time for filing an application for an acci-  
48 dental death benefit as set forth in section five hundred nine of this  
49 [~~article~~] chapter requesting conversion of such retiree's service or  
50 disability retirement benefit to an accidental death benefit. At the  
51 time of such conversion, the eligible beneficiary shall relinquish all  
52 rights to the respective benefits payable under the service or disabili-  
53 ty retirement benefit, including any post-retirement death benefits,  
54 since the retiree's death. If the eligible beneficiary is not the only  
55 beneficiary receiving or entitled to receive a benefit under this  
56 service or disability retirement benefit (including, but not limited to,

1 post-retirement death benefits or benefits paid or payable pursuant to  
2 the retiree's option selection), the accidental death benefit payments  
3 to the eligible beneficiary will be reduced by any amounts paid or paya-  
4 ble to any other beneficiary.

5 § 13. Subdivision d of section 607-b of the retirement and social  
6 security law, as amended by chapter 489 of the laws of 2013, is amended  
7 to read as follows:

8 d. Notwithstanding any other provision of this chapter or of any  
9 general, special or local law, charter, administrative code or rule or  
10 regulation to the contrary, if a retiree or vestee who: (1) has met the  
11 criteria of subdivision c of this section and retired on a service or  
12 disability retirement, would have met the criteria if not already  
13 retired on an accidental disability, or was separated from service with  
14 a vested right to deferred payability of a retirement allowance; and (2)  
15 has not been retired for more than [~~twenty-five~~ thirty-five years; and  
16 (3) dies from a qualifying World Trade Center condition, as defined in  
17 section two of this chapter, as determined by the applicable head of the  
18 retirement system or applicable medical board, then unless the contrary  
19 be proven by competent evidence, such retiree or vestee shall be deemed  
20 to have died as a natural and proximate result of an accident sustained  
21 in the performance of duty and not as a result of willful negligence on  
22 [~~his or her~~ such retiree's or vestee's part. Such retiree's or vestee's  
23 eligible beneficiary, as set forth in section six hundred one of this  
24 article, shall be entitled to an accidental death benefit as provided by  
25 section six hundred seven of this article, however, for the purposes of  
26 determining the salary base upon which the accidental death benefit is  
27 calculated, the retiree or vestee shall be deemed to have died on the  
28 date of [~~his or her~~ such retiree's or vestee's retirement or separation  
29 from service with vested rights. Upon the retiree's or vestee's death,  
30 the eligible beneficiary shall make a written application to the head of  
31 the retirement system within the time for filing an application for an  
32 accidental death benefit as set forth in section six hundred seven of  
33 this article requesting conversion of such retiree's service, vested  
34 right or disability retirement benefit to an accidental death benefit.  
35 At the time of such conversion, the eligible beneficiary shall relin-  
36 quish all rights to the prospective benefits payable under the service  
37 or disability retirement benefit, or vested right to such benefit,  
38 including any post-retirement death benefits, since the retiree's or  
39 vestee's death. If the eligible beneficiary is not the only beneficiary  
40 receiving or entitled to receive a benefit under the service or disabil-  
41 ity retirement benefit (including, but not limited to, post-retirement  
42 death benefits or benefits paid or payable pursuant to the retiree's  
43 option selection), or that will be eligible under the vested right, the  
44 accidental death benefit payments to the eligible beneficiary will be  
45 reduced by any amounts paid or payable to any other beneficiary.

46 § 14. Subdivision d of section 607-c of the retirement and social  
47 security law, as added by chapter 489 of the laws of 2008, is amended to  
48 read as follows:

49 d. Notwithstanding any other provision of this chapter or of any  
50 general, special or local law, charter, administrative code or rule or  
51 regulation to the contrary, if a retiree who: (1) has met the criteria  
52 of subdivision c of this section and retired on a service or disability  
53 retirement, or would have met the criteria if not already retired on an  
54 accidental disability; and (2) has not been retired for more than [~~twen-~~  
55 ty-five thirty-five years; and (3) dies from a qualifying World Trade  
56 Center condition, as defined in section two of this chapter, as deter-

1 mined by the applicable head of the retirement system or applicable  
2 medical board, then unless the contrary be proven by competent evidence,  
3 such retiree shall be deemed to have died as a natural and proximate  
4 result of an accident sustained in the performance of duty and not as a  
5 result of willful negligence on [~~his or her~~] such retiree's part. Such  
6 retiree's eligible beneficiary, as set forth in section six hundred one  
7 of this article, shall be entitled to an accidental death benefit as  
8 provided by section six hundred seven of this article, however, for the  
9 purposes of determining the salary base upon which the accidental death  
10 benefit is calculated, the retiree shall be deemed to have died on the  
11 date of [~~his or her~~] such retiree's retirement. Upon the retiree's  
12 death, the eligible beneficiary shall make a written application to the  
13 head of the retirement system within the time for filing an application  
14 for an accidental death benefit as set forth in section six hundred  
15 seven of this article requesting conversion of such retiree's service or  
16 disability retirement benefit to an accidental death benefit. At the  
17 time of such conversion, the eligible beneficiary shall relinquish all  
18 rights to the prospective benefits payable under the service or disabili-  
19 ty retirement benefit, including any post-retirement death benefits,  
20 since the retiree's death. If the eligible beneficiary is not the only  
21 beneficiary receiving or entitled to receive a benefit under the service  
22 or disability retirement benefit (including, but not limited to, post-  
23 retirement death benefits or benefits paid or payable pursuant to the  
24 retiree's option selection), the accidental death benefit payments to  
25 the eligible beneficiary will be reduced by any amounts paid or payable  
26 to any other beneficiary.

27 § 15. Subparagraph (e) of subdivision 25 of section 2575 of the educa-  
28 tion law, as added by chapter 489 of the laws of 2013, is amended to  
29 read as follows:

30 (e) Notwithstanding any other provision of law to the contrary, the  
31 rules and regulations adopted pursuant to this section shall be deemed  
32 to be amended to provide that if a retiree or vestee who: (1) has met  
33 the criteria of paragraph (d) of this subdivision and retired on a  
34 service or disability retirement, would have met the criteria if not  
35 already retired on an accidental disability, or was separated from  
36 service with a vested right to deferred payability of a retirement  
37 allowance; and (2) has not been retired for more than [~~twenty-five~~]  
38 thirty-five years; and (3) dies from a qualifying World Trade Center  
39 condition, as defined in section two of the retirement and social secu-  
40 rity law, as determined by the applicable head of the retirement system  
41 or applicable medical board, then unless the contrary be proven by  
42 competent evidence, such retiree or vestee shall be deemed to have died  
43 as a natural and proximate result of an accident sustained in the  
44 performance of duty and not as a result of willful negligence on [~~his or~~  
45 ~~her~~] such retiree's or vestee's part. Such retiree's or vestee's eligi-  
46 ble beneficiary, as set forth in title twenty-one of the rules and  
47 [~~regulation~~] regulations, shall be entitled to an accidental death bene-  
48 fit as provided by title twenty-one of the rules and regulations, howev-  
49 er, for the purposes of determining the salary base upon which the acci-  
50 dental death benefit is calculated, the retiree or vestee shall be  
51 deemed to have died on the date of [~~his or her~~] such retiree's or  
52 vestee's retirement or separation from service with vested rights. Upon  
53 the retiree's or vestee's death, the eligible beneficiary shall make a  
54 written application to the head of the retirement system within the time  
55 for filing an application for an accidental death benefit as set forth  
56 in title twenty-one of the rules and regulations requesting conversion

1 of such retiree's service, vested right or disability retirement benefit  
2 to an accidental death benefit. At the time of such conversion, the  
3 eligible beneficiary shall relinquish all rights to the prospective  
4 benefits payable under the service or disability retirement benefit, or  
5 vested right to such benefit, including any post-retirement death bene-  
6 fits, since the retiree's or vestee's death. If the eligible beneficiary  
7 is not the only beneficiary receiving or entitled to receive a benefit  
8 under the service or disability retirement benefit (including, but not  
9 limited to, post-retirement death benefits or benefits paid or payable  
10 pursuant to the retiree's option selection), or that will be eligible  
11 under the vested right the accidental death benefit payments to the  
12 eligible beneficiary will be reduced by any amounts paid or payable to  
13 any other beneficiary.

14 § 16. Paragraph (b) of subdivision 1 and paragraph (b) of subdivision  
15 2 of section 217 of the military law, as added by section 1 of part J of  
16 chapter 55 of the laws of 2023, are amended to read as follows:

17 (b) was activated on state active duty on or after September eleventh,  
18 two thousand one, to participate in World Trade Center site rescue,  
19 recovery, or cleanup operations as part of such state active duty, and  
20 who is determined to have incurred a qualifying World Trade Center  
21 condition, as hereinafter provided, shall be entitled to a performance  
22 of duty disability pension equivalent to three-quarters of the member's  
23 final annual pay as provided for under this chapter. The deadline for  
24 submitting any qualifying claim under this paragraph shall be on or  
25 before September eleventh, two thousand [~~twenty-six~~] thirty-six. The  
26 adjutant general of the division of military and naval affairs is  
27 authorized to promulgate regulations to implement the provisions of this  
28 section.

29 (b) was activated on state active duty on or after September eleventh,  
30 two thousand one, to participate in World Trade Center site rescue,  
31 recovery, or cleanup operations as part of such state active duty, and  
32 whose death is determined to be the result of incurring a qualifying  
33 World Trade Center condition, as hereinafter provided, the surviving  
34 spouse, children under twenty-one years of age or dependent parent of  
35 such member of the organized militia shall be entitled to an accidental  
36 death benefit equivalent to one-half of the member's final annual pay as  
37 provided under this chapter. The deadline for submitting any qualifying  
38 claim under this paragraph shall be on or before September eleventh, two  
39 thousand [~~twenty-six~~] thirty-six. The adjutant general of the division  
40 of military and naval affairs is authorized to promulgate regulations to  
41 implement the provisions of this section.

42 § 17. Subdivision i of section 208-f of the general municipal law, as  
43 added by chapter 5 of the laws of 2007, is amended to read as follows:

44 i. Notwithstanding any other provision of law, if (i) a retiree of a  
45 pension or retirement system covering a police department or paid fire  
46 department of a city, town or village; (ii) a retiree of a pension or  
47 retirement system covering the uniformed corrections force of the New  
48 York city department of corrections; (iii) a retiree of a pension or  
49 retirement system covering a county sheriff's department (outside of the  
50 city of New York); (iv) a retired deputy sheriff member of the New York  
51 city employees' retirement system; (v) a retired member of the New York  
52 city employees' retirement system who was an employee of the city of New  
53 York or the New York city health and hospitals corporation in a title  
54 whose duties are those of an emergency medical technician or advanced  
55 emergency medical technician (as those terms are defined in section  
56 three thousand one of the public health law) or in a title whose duties

1 require the supervision of employees whose duties are those of an emer-  
2 gency medical technician or advanced emergency medical technician (as  
3 those terms are defined in section three thousand one of the public  
4 health law); or (vi) a retired bridge and tunnel member of the New York  
5 city employees' retirement system, who: (1) has met the criteria of  
6 subdivision g of section sixty-three of the retirement and social secu-  
7 rity law, subdivision g of section three hundred sixty-three of the  
8 retirement and social security law, subdivision h of section three  
9 hundred sixty-three-bb of the retirement and social security law, subdi-  
10 vision g of section five hundred seven of the retirement and social  
11 security law, subdivision c of section five hundred seven-c of the  
12 retirement and social security law, subdivision h of section five  
13 hundred fifty-six of the retirement and social security law, subdivision  
14 h of section six hundred five of the retirement and social security law,  
15 subdivision h of section six hundred five-a of the retirement and social  
16 security law, subdivision d of section six hundred five-b of the retire-  
17 ment and social security law as added by chapter five hundred four of  
18 the laws of two thousand two, subdivision b of section six hundred  
19 five-c of the retirement and social security law, subdivision c of  
20 section six hundred seven-b of the retirement and social security law,  
21 subdivision one of section 13-252.1 of the administrative code of the  
22 city of New York, subdivision one of section 13-353.1 of the administra-  
23 tive code of the city of New York, or subdivision b of section 13-168 of  
24 the administrative code of the city of New York, or would have met the  
25 criteria if not already retired on an accidental disability; and (2) has  
26 not been retired for more than [~~twenty-five~~ thirty-five years; and (3)  
27 dies from a qualifying condition or impairment of health, as defined in  
28 each of the foregoing subdivisions, that is determined by the applicable  
29 head of the retirement system or applicable medical board to have been  
30 caused by such retiree's participation in the World Trade Center rescue,  
31 recovery or cleanup operations, then unless the contrary be proven by  
32 competent evidence, such retiree shall be deemed to have died as a  
33 natural and proximate result of an accident sustained in the performance  
34 of duty and not as a result of willful negligence on [~~his or her~~] such  
35 retiree's part. Upon such determination, the eligible beneficiary of  
36 such retiree, as defined in either section sixty-one, five hundred one  
37 or six hundred one of the retirement and social security law or section  
38 13-149, 13-244, or 13-347 of the administrative code of the city of New  
39 York shall be entitled to a special accidental death benefit as provided  
40 by this section, payable in accordance with subdivisions b, c and d of  
41 this section, however, for the purposes of determining the salary base  
42 upon which the special accidental death benefit is calculated, the reti-  
43 ree shall be deemed to have died on the date of [~~his or her~~] such  
44 retiree's retirement. In no event shall the special accidental death  
45 benefit be paid unless a written application is made by the eligible  
46 beneficiary of such retiree to the head of the applicable retirement  
47 system requesting conversion of the retiree's service or disability  
48 benefit to an accidental death benefit and upon the approval of said  
49 application. At the time of such conversion, the eligible beneficiary  
50 shall relinquish all rights to the prospective benefits under the  
51 service or disability retirement benefit, including any post-retirement  
52 death benefits, since the retiree's death. If the eligible beneficiary  
53 is not the only beneficiary receiving or entitled to receive a benefit  
54 under the service or disability retirement benefit (including, but not  
55 limited to, post-retirement death benefits or benefits paid or payable  
56 pursuant to the retiree's option selection), the special accidental

1 death benefit payments to the eligible beneficiary will be reduced by  
2 any amounts paid or payable to any other beneficiary.

3 § 18. Subdivision c of section 13-168 of the administrative code of  
4 the city of New York, as amended by chapter 489 of the laws of 2013, is  
5 amended to read as follows:

6 c. Notwithstanding any other provision of this chapter or of any  
7 general, special or local law, charter, administrative code or rule or  
8 regulation to the contrary, if a retiree or vestee who: (1) has met the  
9 criteria of subdivision b of this section and retired on a service or  
10 disability retirement, would have met the criteria if not already  
11 retired on an accidental disability, or was separated from service with  
12 a vested right to deferred payability of a retirement allowance; and (2)  
13 has not been retired for more than [~~twenty-five~~ thirty-five years; and  
14 (3) dies from a qualifying World Trade Center condition as defined in  
15 section two of the retirement and social security law, as determined by  
16 the applicable head of the retirement system or applicable medical  
17 board, then unless the contrary be proven by competent evidence, such  
18 retiree or vestee shall be deemed to have died as a natural and proximate  
19 result of an accident sustained in the performance of duty and not  
20 as a result of willful negligence on [~~his or her~~ such retiree's or  
21 vestee's part. Such retiree's or vestee's eligible beneficiary, as set  
22 forth in section 13-149 of this chapter, shall be entitled to an acci-  
23 dental death benefit as provided by section 13-149 of this chapter,  
24 however, for the purposes of determining the salary base upon which the  
25 accidental death benefit is calculated, the retiree or vestee shall be  
26 deemed to have died on the date of [~~his or her~~ such retiree's or  
27 vestee's retirement or separation from service with vested rights. Upon  
28 the retiree's or vestee's death, the eligible beneficiary shall make a  
29 written application to the head of the retirement system within the time  
30 for filing an application for an accidental death benefit as set forth  
31 in section 13-149 of this chapter requesting conversion of such  
32 retiree's service, vested right or disability retirement benefit to an  
33 accidental death benefit. At the time of such conversion, the eligible  
34 beneficiary shall relinquish all rights to the prospective benefits  
35 payable under the service or disability retirement benefit, or vested  
36 right to such benefit, including any post-retirement death benefits,  
37 since the retiree's or vestee's death. If the eligible beneficiary is  
38 not the only beneficiary receiving or entitled to receive a benefit  
39 under the service or disability retirement benefit (including, but not  
40 limited to, post-retirement death benefits or benefits paid or payable  
41 pursuant to the retiree's option selection), or that will be eligible  
42 under the vested right, the accidental death benefit payments to the  
43 eligible beneficiary will be reduced by any amounts paid or payable to  
44 any other beneficiary.

45 § 19. Subdivision 3 of section 13-353.1 of the administrative code of  
46 the city of New York, as amended by chapter 489 of the laws of 2013, is  
47 amended to read as follows:

48 3. Notwithstanding any other provision of this chapter or of any  
49 general, special or local law, charter, administrative code or rule or  
50 regulation to the contrary, if a retiree or vestee who: (1) has met the  
51 criteria of subdivision one of this section and retired on a service or  
52 disability retirement, would have met the criteria if not already  
53 retired on an accidental disability, or was separated from service with  
54 a vested right to deferred payability of a retirement allowance; and (2)  
55 has not been retired for more than [~~twenty-five~~ thirty-five years; and  
56 (3) dies from a qualifying World Trade Center condition, as defined in

1 section two of the retirement and social security law, as determined by  
2 the applicable head of the retirement system or applicable medical  
3 board, then unless the contrary be proven by competent evidence, such  
4 retiree or vestee shall be deemed to have died as a natural and proximate  
5 result of an accident sustained in the performance of duty and not  
6 as a result of willful negligence on [~~his or her~~] such retiree's or  
7 vestee's part. Such retiree's or vestee's eligible beneficiary, as set  
8 forth in section 13-347 of this subchapter, shall be entitled to an  
9 accidental death benefit as provided by sections 13-347 and 13-348 of  
10 this subchapter, however, for the purposes of determining the salary  
11 base upon which the accidental death benefit is calculated, the retiree  
12 or vestee shall be deemed to have died on the date of [~~his or her~~] such  
13 retiree's or vestee's retirement or separation from service with vested  
14 rights. Upon the retiree's or vestee's death, the eligible beneficiary  
15 shall make a written application to the head of the retirement system  
16 within the time for filing an application for an accidental death benefit  
17 as set forth in sections 13-347 and 13-348 of this subchapter  
18 requesting conversion of such retiree's service, vested right or disability  
19 retirement benefit to an accidental death benefit. At the time of  
20 such conversion, the eligible beneficiary shall relinquish all rights to  
21 the prospective benefits payable under the service or disability retirement  
22 benefit or vested right to such benefit, including any post-retirement  
23 death benefits, since the retiree's or vestee's death. If the  
24 eligible beneficiary is not the only beneficiary receiving or entitled  
25 to receive a benefit under the service or disability retirement benefit  
26 (including, but not limited to, post-retirement death benefits or benefits  
27 paid or payable pursuant to the retiree's option selection), or  
28 that will be eligible under the vested right the accidental death benefit  
29 payments to the eligible beneficiary will be reduced by any amounts  
30 paid or payable to any other beneficiary.

31 § 20. Subdivision g of section 13-551 of the administrative code of  
32 the city of New York, as added by chapter 489 of the laws of 2013, is  
33 amended to read as follows:

34 g. Notwithstanding any other provision of this chapter or of any  
35 general, special or local law, charter, administrative code or rule or  
36 regulation to the contrary, if a retiree or vestee who: (1) has met the  
37 criteria of subdivision f of this section and retired on a service or  
38 disability retirement, would have met the criteria if not already  
39 retired on an accidental disability, or was separated from service with  
40 a vested right to deferred payability of a retirement allowance; and (2)  
41 has not been retired for more than [~~twenty-five~~] thirty-five years; and  
42 (3) dies from a qualifying World Trade Center condition, as defined in  
43 section two of the retirement and social security law, as determined by  
44 the applicable head of the retirement system or applicable medical  
45 board, then unless the contrary be proven by competent evidence, such  
46 retiree or vestee shall be deemed to have died as a natural and proximate  
47 result of an accident sustained in the performance of duty and not  
48 as a result of willful negligence on [~~his or her~~] such retiree's or  
49 vestee's part. Such retiree's or vestee's eligible beneficiary, as set  
50 forth in section 13-544 of this chapter, shall be entitled to an accidental  
51 death benefit as provided by section 13-544 of this chapter,  
52 however, for the purposes of determining the salary base upon which the  
53 accidental death benefit is calculated, the retiree or vestee shall be  
54 deemed to have died on the date of [~~his or her~~] such retiree's or  
55 vestee's retirement or separation from service with vested rights. Upon  
56 the retiree's or vestee's death, the eligible beneficiary shall make a

1 written application to the head of the retirement system within the time  
2 for filing an application for an accidental death benefit as set forth  
3 in section 13-544 of this chapter requesting conversion of such  
4 retiree's service, vested right or disability retirement benefit to an  
5 accidental death benefit. At the time of such conversion, the eligible  
6 beneficiary shall relinquish all rights to the prospective benefits  
7 payable under the service or disability retirement benefit, or vested  
8 right to such benefit, including any post-retirement death benefits,  
9 since the retiree's or vestee's death. If the eligible beneficiary is  
10 not the only beneficiary receiving or entitled to receive a benefit  
11 under the service or disability retirement benefit (including, but not  
12 limited to, post-retirement death benefits or benefits paid or payable  
13 pursuant to the retiree's option selection), or that will be eligible  
14 under the vested right, the accidental death benefit payments to the  
15 eligible beneficiary will be reduced by any amounts paid or payable to  
16 any other beneficiary.

17 § 21. Subdivision 3 of section 13-252.1 of the administrative of the  
18 city of New York, as amended by chapter 489 of the laws of 2013, is  
19 amended to read as follows:

20 3. Notwithstanding any other provision of this chapter or of any  
21 general, special or local law, charter, administrative code or rule or  
22 regulation to the contrary, if a retiree or vestee who: (1) has met the  
23 criteria of subdivision one of this section and retired on a service or  
24 disability retirement, would have met the criteria if not already  
25 retired on an accidental disability, or was separated from service with  
26 a vested right to deferred payability of a retirement allowance; and (2)  
27 has not been retired for more than [~~twenty-five~~ thirty-five] years; and  
28 (3) dies from a qualifying World Trade Center condition, as defined in  
29 section two of the retirement and social security law, as determined by  
30 the applicable head of the retirement system or applicable medical  
31 board, then unless the contrary be proven by competent evidence, such  
32 retiree or vestee shall be deemed to have died as a natural and proxi-  
33 mate result of an accident sustained in the performance of duty and not  
34 as a result of willful negligence on [~~his or her~~] such retiree's or  
35 vestee's part. Such retiree's or vestee's eligible beneficiary, as set  
36 forth in section 13-244 of this subchapter, shall be entitled to an  
37 accidental death benefit as provided by section 13-244 of this subchap-  
38 ter, however, for the purposes of determining the salary base upon which  
39 the accidental death benefit is calculated, the retiree or vestee shall  
40 be deemed to have died on the date of [~~his or her~~] such retiree's or  
41 vestee's retirement or separation from service with vested rights. Upon  
42 the retiree's or vestee's death, the eligible beneficiary shall make a  
43 written application to the head of the retirement system within the time  
44 for filing an application for an accidental death benefit as set forth  
45 in section 13-244 of this subchapter requesting conversion of such  
46 retiree's service, vested right or disability retirement benefit to an  
47 accidental death benefit. At the time of such conversion, the eligible  
48 beneficiary shall relinquish all rights to the prospective benefits  
49 payable under the service or disability retirement benefit, or vested  
50 right to such benefit, including any post-retirement death benefits,  
51 since the retiree's or vestee's death. If the eligible beneficiary is  
52 not the only beneficiary receiving or entitled to receive a benefit  
53 under the service or disability retirement benefit (including, but not  
54 limited to, post-retirement death benefits or benefits paid or payable  
55 pursuant to the retiree's option selection), or that will be eligible  
56 under the vested right, the accidental death benefit payments to the

1 eligible beneficiary will be reduced by any amounts paid or payable to  
2 any other beneficiary.

3 § 22. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would extend provisions allowing for the reclassification of retiree deaths as World Trade Center qualifying accidental deaths for retirees who die after having been retired for more than 25 years up to a maximum of 35 years and extend the filing deadline for Notices of Participation by an additional 10 years.

ILLUSTRATED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS  
by Fiscal Year for the first 25 years (\$ in Millions)

Year	Scenario A:	Scenario B:
	25% of Deaths	75% of Deaths
	Reclassify as WTC	Reclassify as WTC
2027	786.6	1,771.6
2028	12.5	24.8
2029	12.3	24.2
2030	7.6	13.2
2031	1.4	3.0
2032	1.2	2.7
2033	0.7	1.2
2034	0.5	1.0
2035	0.5	0.7
2036	0.3	0.5
2037	0.1	0.4
2038	0.1	0.4
2039	0.1	0.2
2040	0.0	0.2
2041	0.0	0.1
2042	0.0	0.1
2043	0.0	0.0
2044	0.0	0.0
2045	0.0	0.0
2046	0.0	0.0
2047	0.0	0.0
2048	0.0	0.0
2049	0.0	0.0
2050	0.0	0.0
2051	0.0	0.0

Employer Contribution impact beyond Fiscal Year 2051 is not shown.  
See Assumption and Methods section for additional details regarding the two scenarios.

The increase in employer contributions will be allocated almost entirely to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES  
as of June 30, 2025 (\$ in Millions)

Present Value (PV) - NYCERS TRS BERS POLICE FIRE  
Scenario A

A. 11213			18			
(1) PV of Employer Contributions:	35.5	0.0	0.0	407.2	296.8	
(2) PV of Employee Contributions:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	
Total PV of Benefits (1) + (2):	35.5	0.0	0.0	407.2	296.8	
Present Value (PV) - Scenario B	NYCERS	TRS	BERS	POLICE	FIRE	
(1) PV of Employer Contributions:	87.5	0.0	0.0	1,073.8	495.5	
(2) PV of Employee Contributions:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	
Total PV of Benefits (1) + (2):	87.5	0.0	0.0	1,073.8	495.5	

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL for active members were amortized over the expected remaining working lifetime of those impacted using level dollar payments. UAL attributable to inactive members was recognized in the first year.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Scenario A	NYCERS	TRS	BERS	POLICE	FIRE
Increase (Decrease) in UAL:	34.8 M	0.0 M	0.0 M	404.7 M	292.1 M
Number of Payments:	6	N/A	N/A	3	4
Amortization Payment:	0.4 M	0.0 M	0.0 M	4.5 M	5.9 M
Additional One-time Payment:	36.5 M	0.0 M	0.0 M	435.3 M	301.8 M
Scenario B	NYCERS	TRS	BERS	POLICE	FIRE
Increase (Decrease) in UAL:	85.5 M	0.0 M	0.0 M	1,068.5 M	488.3 M
Number of Payments:	6	N/A	N/A	3	4
Amortization Payment:	1.2 M	0.0 M	0.0 M	10.6 M	9.8 M
Additional One-time Payment:	88.4 M	0.0 M	0.0 M	1,152.8 M	505.1 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025. For receiving members, the data was supplemented with spousal information for health-benefit dependents obtained from the New York City Office of Labor Relations (OLR). The census data for the impacted population is summarized below.

	NYCERS	TRS	BERS	POLICE	FIRE
Active Members					
- Number Count:	1,185	Not Available	Not Available	1,246	1,506
- Average Age:	58.0	Available	Available	53.5	53.8
- Average Service:	28.9			28.5	27.8
- Average Salary:	125,300			191,500	184,800
Term. Vested Members	NYCERS	TRS	BERS	POLICE	FIRE

- Number Count:	208			18	1
- Average Age:	57.8			56.6	57.0
Receiving Members					
- Number Count:	4,040	1	2	18,155	7,401
- Average Age:	66.6	64.0	68.5	59.9	63.5

Data on who filed World Trade Center (WTC) Notices of Participation for TRS and BERS was unavailable when preparing this Fiscal Note, however, the impact of this bill on these systems is assumed to be minimal.

IMPACT ON SURVIVOR BENEFITS: Currently, NYCRS members who die within 25 years of retirement may be eligible for accidental death benefits if they participated in WTC rescue, recovery or clean-up operations and died from a WTC qualifying condition.

Under the proposed legislation, this benefit would be extended to those who die from a WTC qualifying condition within 35 years of retirement.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

\* Because there is insufficient data to determine the likelihood of WTC reclassification, a range of results are shown to illustrate the potential costs under two scenarios:

o Under Scenario A, it is assumed that 25% of deaths that occur between 25 and 35 years from retirement would be eligible for WTC death benefit reclassification.

o Under Scenario B, it is assumed that 75% of deaths that occur between 25 and 35 years from retirement would be eligible for WTC death benefit reclassification.

Actual WTC reclassification percents may be outside of the range presented in this Fiscal Note.

\* Under both scenarios, 100% of members who are currently receiving accidental disability benefits due to a WTC condition are assumed to be eligible for the accidental death benefit reclassification afforded by this proposed legislation.

\* For receiving members, supplemental OLR data was used to identify pensioners with spousal beneficiaries eligible for WTC benefits. Where there was no dependent spouse on the OLR data, it was assumed that such members would not benefit from the proposed legislation. For active and terminated vested members, 100% of deaths were assumed to qualify for spousal death benefits.

\* Costs associated with the 10-year deadline extension for filing Notices of Participation provided by this proposed legislation are assumed to be de minimis, as most eligible members have likely already filed the form required to register for participation.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2026-68 dated April 22, 2026 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2026 Legislative Session.