

STATE OF NEW YORK

8259--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. JONES, LUPARDO -- read once and referred to the Committee on Governmental Employees -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to the retirement of state, county and municipal 911 operators and dispatchers

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

1 Section 1. The retirement and social security law is amended by adding
2 a new section 89-z to read as follows:

3 § 89-z. Optional twenty-five year retirement plan for certain public
4 safety dispatchers, public safety telecommunicators, 911 operators,
5 communications officers, police communication technicians, emergency
6 services operators and emergency services dispatchers employed by the
7 state, or a county or municipal emergency services department. a. A
8 member employed by the state, a county or a municipality shall be eligi-
9 ble to retire pursuant to the provisions of this section if such
10 member's employer elects to make the benefits authorized by this section
11 available as provided in subdivision j of this section, and if such
12 member is a public safety dispatcher, public safety telecommunicator,
13 911 operator, communications officers, or any similar title that is
14 responsible for receiving and managing emergency calls, and dispatching
15 appropriate emergency services, including but not limited to, law
16 enforcement, fire, and medical assistance employed by the state, or a
17 county or municipality. Such eligibility shall be an alternative to the
18 eligibility provisions available under any other plan of this article to
19 which such member is subject. The comptroller shall have the authority
20 to include positions within the provisions of this section that compre-
21 hend the same duties and responsibilities, but are named differently.

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

LBD09821-04-5

1 b. Such member shall be entitled to retire upon the completion of
2 twenty-five years of total creditable service by filing an application
3 therefor in the manner provided for in section seventy of this article.

4 c. Upon completion of twenty-five years of such service and upon
5 retirement, each such member shall receive a pension which, together
6 with an annuity which shall be the actuarial equivalent of such member's
7 accumulated contributions at the time of such member's retirement and an
8 additional pension which is the actuarial equivalent of the reserved-
9 for-increased-take-home-pay to which such member may then be entitled
10 shall be sufficient to provide such member with a retirement allowance
11 equal to one-half of such member's final average salary.

12 d. As used in this section, "creditable service" shall include any and
13 all services performed as a public safety dispatcher, public safety
14 telecommunicator, 911 operator, communications officers, police communi-
15 cation technician, emergency services operator, emergency services
16 dispatcher, or any similar title, employed by the state, or a county or
17 municipal emergency services department who is responsible for receiving
18 and managing emergency calls, and dispatching appropriate emergency
19 services, including but not limited to, law enforcement, fire, and
20 medical assistance.

21 e. Credit for service as a member or officer of the state police or as
22 a paid firefighter, police officer or officer of any organized fire
23 department or police force or department of any county, city, village,
24 town, fire district or police district, or as a criminal investigator in
25 the office of a district attorney, shall also be deemed to be creditable
26 service and shall be included in computing years of total service for
27 retirement pursuant to this section.

28 f. The officer of the state, or chief executive officer of a county or
29 municipality that makes the election provided for in subdivision j of
30 this section shall certify to the comptroller, periodically and at such
31 intervals of time as may be required of them and in such fashion as may
32 be prescribed, the identity of members in eligible titles as defined in
33 subdivisions a and d of this section.

34 g. A member contributing on the basis of this section at the time of
35 retirement may retire after the completion of twenty-five years of total
36 creditable service. Application therefor may be filed in a manner simi-
37 lar to that provided in section seventy of this article. Upon completion
38 of twenty-five years of such service and upon retirement, each such
39 member shall receive a pension which, together with an annuity which
40 shall be the actuarial equivalent of such member's accumulated contrib-
41 utions at the time of such member's retirement and an additional pension
42 which is the actuarial equivalent of the reserved-for-increased-take-
43 home-pay to which such member may be entitled shall be sufficient to
44 provide such member with a retirement allowance equal to one-half of
45 such member's final average salary. For service beyond twenty-five
46 years, the benefit shall be increased by one-sixtieth of final average
47 salary for each year of additional service credit provided, however, the
48 total allowance payable pursuant to this section shall not exceed three-
49 fourths of such member's final average salary.

50 h. In computing the twenty-five years of total service of a member
51 pursuant to this section, full credit shall be given and full allowance
52 shall be made for service of such member in time of war after World War
53 I as defined in section two of this chapter, provided such member at the
54 time of such member's entrance into the armed forces was in the service
55 of the county of such member's employer that makes the election provided
56 for in this section.

1 i. Nothing in this section shall be construed to prevent a member, who
2 does not retire pursuant to the provisions of this section, from utiliz-
3 ing service which is creditable service pursuant to the provisions of
4 this section for service credit pursuant to the provisions of any other
5 plan of this article to which such member is subject.

6 j. (1) Each employer that elects pursuant to the provisions of this
7 subdivision shall pay the cost attributable therefor.

8 (2) The benefits of this section shall be available only to those
9 members as defined in subdivisions a and d of this section whose employ-
10 er elects to provide such benefits by adopting a resolution to such
11 effect and filing a certified copy thereof with the comptroller. Such
12 resolution may also contain an election that any past services cost be
13 paid over either a five-year or ten-year period. Such resolution shall
14 be accompanied by the affidavit of the officer of the state making an
15 election pursuant to this subdivision or the chief executive officer of
16 the county or municipality that the state, county or municipality has
17 received an estimate from the retirement system of the cost of the bene-
18 fit provided by this section.

19 (3) Such resolution shall apply to all members defined in subdivisions
20 a and d of this section, except those already subject to a retirement
21 plan which permits immediate retirement with a benefit upon a specified
22 period of service of twenty-five years or less without regard to age.

23 k. The provisions of this section shall be controlling notwithstanding
24 any other provisions in this article to the contrary.

25 § 2. Subdivision a of section 445 of the retirement and social securi-
26 ty law, as amended by chapter 714 of the laws of 2023, is amended to
27 read as follows:

28 a. No member of a retirement system who is subject to the provisions
29 of this article shall retire without regard to age, exclusive of retire-
30 ment for disability, unless ~~[he or she]~~ such member is a police officer,
31 an investigator member of the New York city employees' retirement
32 system, firefighter, correction officer, a qualifying member as defined
33 in section eighty-nine-t, as added by chapter six hundred fifty-seven of
34 the laws of nineteen hundred ninety-eight, of this chapter, sanitation
35 worker, a special officer (including persons employed by the city of New
36 York in the title urban park ranger or associate urban park ranger),
37 school safety agent, campus peace officer or a taxi and limousine
38 commission inspector member of the New York city employees' retirement
39 system or the New York city board of education retirement system, a
40 dispatcher member of the New York city employees' retirement system, a
41 police communications member of the New York city employees' retirement
42 system, an EMT member of the New York city employees' retirement system,
43 a deputy sheriff member of the New York city employees' retirement
44 system, a correction officer of the Westchester county correction
45 department as defined in section eighty-nine-e of this chapter or
46 employed in Suffolk county as a peace officer, as defined in section
47 eighty-nine-s, as added by chapter five hundred eighty-eight of the laws
48 of nineteen hundred ninety-seven, of this chapter, employed in Suffolk
49 county as a correction officer, as defined in section eighty-nine-f of
50 this chapter, or employed in Nassau county as a correction officer,
51 uniformed correction division personnel, sheriff, undersheriff or deputy
52 sheriff, as defined in section eighty-nine-g of this chapter, or
53 employed in Nassau county as an ambulance medical technician, an ambu-
54 lance medical technician/supervisor or a member who performs ambulance
55 medical technician related services, or a police medic, police medic
56 supervisor or a member who performs police medic related services, as

1 defined in section eighty-nine-s, as amended by chapter five hundred
2 seventy-eight of the laws of nineteen hundred ninety-eight, of this
3 chapter, or employed in Nassau county as a peace officer, as defined in
4 section eighty-nine-s, as added by chapter five hundred ninety-five of
5 the laws of nineteen hundred ninety-seven, of this chapter, or employed
6 in Albany county as a sheriff, undersheriff, deputy sheriff, correction
7 officer or identification officer, as defined in section eighty-nine-h
8 of this chapter or is employed in St. Lawrence county as a sheriff,
9 undersheriff, deputy sheriff or correction officer, as defined in
10 section eighty-nine-i of this chapter or is employed in Orleans county
11 as a sheriff, undersheriff, deputy sheriff or correction officer, as
12 defined in section eighty-nine-l of this chapter or is employed in
13 Jefferson county as a sheriff, undersheriff, deputy sheriff or
14 correction officer, as defined in section eighty-nine-j of this chapter
15 or is employed in Onondaga county as a deputy sheriff-jail division
16 competitively appointed or as a correction officer, as defined in
17 section eighty-nine-k of this chapter or is employed in a county which
18 makes an election under subdivision j of section eighty-nine-p of this
19 chapter as a sheriff, undersheriff, deputy sheriff or correction officer
20 as defined in such section eighty-nine-p or is employed in Broome County
21 as a sheriff, undersheriff, deputy sheriff or correction officer, as
22 defined in section eighty-nine-m of this chapter or is a Monroe county
23 deputy sheriff-court security, or deputy sheriff-jailor as defined in
24 section eighty-nine-n, as added by chapter five hundred ninety-seven of
25 the laws of nineteen hundred ninety-one, of this chapter or is employed
26 in Greene county as a sheriff, undersheriff, deputy sheriff or
27 correction officer, as defined in section eighty-nine-o of this chapter
28 or is a traffic officer with the town of Elmira as defined in section
29 eighty-nine-q of this chapter or is employed by Suffolk county as a park
30 police officer, as defined in section eighty-nine-r of this chapter or
31 is a peace officer employed by a county probation department as defined
32 in section eighty-nine-t, as added by chapter six hundred three of the
33 laws of nineteen hundred ninety-eight, of this chapter or is employed in
34 Rockland county as a deputy sheriff-civil as defined in section eighty-
35 nine-v of this chapter as added by chapter four hundred forty-one of the
36 laws of two thousand one, or is employed in Rockland county as a superi-
37 or correction officer as defined in section eighty-nine-v of this chap-
38 ter as added by chapter five hundred fifty-six of the laws of two thou-
39 sand one or is a paramedic employed by the police department in the town
40 of Tonawanda and retires under the provisions of section eighty-nine-v
41 of this chapter, as added by chapter four hundred seventy-two of the
42 laws of two thousand one, or is a county fire marshal, supervising fire
43 marshal, fire marshal, assistant fire marshal, assistant chief fire
44 marshal, chief fire marshal, division supervising fire marshal or fire
45 marshal trainee employed by the county of Nassau as defined in section
46 eighty-nine-w of this chapter or is employed in Monroe county as a depu-
47 ty sheriff-civil as defined in section eighty-nine-x of this chapter,
48 employed as an emergency medical technician, critical care technician,
49 advanced emergency medical technician, paramedic or supervisor of such
50 titles in a participating Suffolk county fire district as defined in
51 section eighty-nine-ss of this chapter, or is employed as a public safe-
52 ty dispatcher, public safety telecommunicator, 911 operator, communi-
53 cations officers, police communication technician, emergency services
54 operator, emergency services dispatcher, or any similar title, employed
55 by the state, or a county or municipal emergency services department who
56 is responsible for receiving and managing emergency calls, and dispatch-

1 ing appropriate emergency services, including but not limited to, law
2 enforcement, fire, and medical assistance as defined in section eighty-
3 nine-z of this chapter, and is in a plan which permits immediate retire-
4 ment upon completion of a specified period of service without regard to
5 age. Except as provided in subdivision c of section four hundred
6 forty-five-a of this article, subdivision c of section four hundred
7 forty-five-b of this article, subdivision c of section four hundred
8 forty-five-c of this article, subdivision c of section four hundred
9 forty-five-d of this article, subdivision c of section four hundred
10 forty-five-e of this article, subdivision c of section four hundred
11 forty-five-f of this article and subdivision c of section four hundred
12 forty-five-h of this article, a member in such a plan and such an occupa-
13 tion, other than a police officer or investigator member of the New
14 York city employees' retirement system or a firefighter, shall not be
15 permitted to retire prior to the completion of twenty-five years of
16 credited service; provided, however, if such a member in such an occupa-
17 tion is in a plan which permits retirement upon completion of twenty
18 years of service regardless of age, [~~he or she~~] such member may retire
19 upon completion of twenty years of credited service and prior to the
20 completion of twenty-five years of service, but in such event the bene-
21 fit provided from funds other than those based on such a member's own
22 contributions shall not exceed two per centum of final average salary
23 per each year of credited service.

24 § 3. Subdivision a of section 445 of the retirement and social securi-
25 ty law, as amended by section 2 of part TT of chapter 55 of the laws of
26 2025, is amended to read as follows:

27 a. No member of a retirement system who is subject to the provisions
28 of this article shall retire without regard to age, exclusive of retire-
29 ment for disability, unless they are a police officer, an investigator
30 member of the New York city employees' retirement system, firefighter,
31 correction officer, a qualifying member as defined in section eighty-
32 nine-t, as added by chapter six hundred fifty-seven of the laws of nine-
33 teen hundred ninety-eight, of this chapter, sanitation worker, a special
34 officer (including persons employed by the city of New York in the title
35 urban park ranger or associate urban park ranger), school safety agent,
36 campus peace officer or a taxi and limousine commission inspector member
37 of the New York city employees' retirement system or the New York city
38 board of education retirement system, a dispatcher member of the New
39 York city employees' retirement system, a police communications member
40 of the New York city employees' retirement system, an EMT member of the
41 New York city employees' retirement system, a deputy sheriff member of
42 the New York city employees' retirement system, a correction officer of
43 the Westchester county correction department as defined in section
44 eighty-nine-e of this chapter or employed in Suffolk county as a peace
45 officer, as defined in section eighty-nine-s, as added by chapter five
46 hundred eighty-eight of the laws of nineteen hundred ninety-seven, of
47 this chapter, employed in Suffolk county as a correction officer, as
48 defined in section eighty-nine-f of this chapter, or employed in Nassau
49 county as a correction officer, uniformed correction division personnel,
50 sheriff, undersheriff or deputy sheriff, as defined in section eighty-
51 nine-g of this chapter, or employed in Nassau county as an ambulance
52 medical technician, an ambulance medical technician/supervisor or a
53 member who performs ambulance medical technician related services, or a
54 police medic, police medic supervisor or a member who performs police
55 medic related services, as defined in section eighty-nine-s, as amended
56 by chapter five hundred seventy-eight of the laws of nineteen hundred

1 ninety-eight, of this chapter, or employed in Nassau county as a peace
2 officer, as defined in section eighty-nine-s, as added by chapter five
3 hundred ninety-five of the laws of nineteen hundred ninety-seven, of
4 this chapter, or employed in Albany county as a sheriff, undersheriff,
5 deputy sheriff, correction officer or identification officer, as defined
6 in section eighty-nine-h of this chapter or is employed in St. Lawrence
7 county as a sheriff, undersheriff, deputy sheriff or correction officer,
8 as defined in section eighty-nine-i of this chapter or is employed in
9 Orleans county as a sheriff, undersheriff, deputy sheriff or correction
10 officer, as defined in section eighty-nine-l of this chapter or is
11 employed in Jefferson county as a sheriff, undersheriff, deputy sheriff
12 or correction officer, as defined in section eighty-nine-j of this chap-
13 ter or is employed in Onondaga county as a deputy sheriff-jail division
14 competitively appointed or as a correction officer, as defined in
15 section eighty-nine-k of this chapter or is employed in a county which
16 makes an election under subdivision j of section eighty-nine-p of this
17 chapter as a sheriff, undersheriff, deputy sheriff or correction officer
18 as defined in such section eighty-nine-p or is employed in Broome County
19 as a sheriff, undersheriff, deputy sheriff or correction officer, as
20 defined in section eighty-nine-m of this chapter or is a Monroe county
21 deputy sheriff-court security, or deputy sheriff-jailor as defined in
22 section eighty-nine-n, as added by chapter five hundred ninety-seven of
23 the laws of nineteen hundred ninety-one, of this chapter or is employed
24 in Greene county as a sheriff, undersheriff, deputy sheriff or
25 correction officer, as defined in section eighty-nine-o of this chapter
26 or is a traffic officer with the town of Elmira as defined in section
27 eighty-nine-q of this chapter or is employed by Suffolk county as a park
28 police officer, as defined in section eighty-nine-r of this chapter or
29 is a peace officer employed by a county probation department as defined
30 in section eighty-nine-t, as added by chapter six hundred three of the
31 laws of nineteen hundred ninety-eight, of this chapter or is employed in
32 Rockland county as a deputy sheriff-civil as defined in section eighty-
33 nine-v of this chapter as added by chapter four hundred forty-one of the
34 laws of two thousand one, or is employed in Rockland county as a superi-
35 or correction officer as defined in section eighty-nine-v of this chap-
36 ter as added by chapter five hundred fifty-six of the laws of two thou-
37 sand one or is a paramedic employed by the police department in the town
38 of Tonawanda and retires under the provisions of section eighty-nine-v
39 of this chapter, as added by chapter four hundred seventy-two of the
40 laws of two thousand one, or is a county fire marshal, supervising fire
41 marshal, fire marshal, assistant fire marshal, assistant chief fire
42 marshal, chief fire marshal, division supervising fire marshal or fire
43 marshal trainee employed by the county of Nassau as defined in section
44 eighty-nine-w of this chapter or is employed in Monroe county as a depu-
45 ty sheriff-civil as defined in section eighty-nine-x of this chapter,
46 employed as an emergency medical technician, critical care technician,
47 advanced emergency medical technician, paramedic or supervisor of such
48 titles in a participating Suffolk county fire district as defined in
49 section eighty-nine-ss of this chapter, or is a firefighter apprentice,
50 airport firefighter I, airport firefighter II, airport firefighter III,
51 or training and safety officer employed by the division of military and
52 naval affairs as defined in section eighty-nine-y of this chapter, or is
53 employed as a public safety dispatcher, public safety telecommunicator,
54 911 operator, communications officers, police communication technician,
55 emergency services operator, emergency services dispatcher, or any simi-
56 lar title, employed by the state, or a county or municipal emergency

services department who is responsible for receiving and managing emergency calls, and dispatching appropriate emergency services, including but not limited to, law enforcement, fire, and medical assistance as defined in section eighty-nine-z of this chapter, and is in a plan which permits immediate retirement upon completion of a specified period of service without regard to age. Except as provided in subdivision c of section four hundred forty-five-a of this article, subdivision c of section four hundred forty-five-b of this article, subdivision c of section four hundred forty-five-c of this article, subdivision c of section four hundred forty-five-d of this article, subdivision c of section four hundred forty-five-e of this article, subdivision c of section four hundred forty-five-f of this article and subdivision c of section four hundred forty-five-h of this article, a member in such a plan and such an occupation, other than a police officer or investigator member of the New York city employees' retirement system or a firefighter, shall not be permitted to retire prior to the completion of twenty-five years of credited service; provided, however, if such a member in such an occupation is in a plan which permits retirement upon completion of twenty years of service regardless of age, they may retire upon completion of twenty years of credited service and prior to the completion of twenty-five years of service, but in such event the benefit provided from funds other than those based on such a member's own contributions shall not exceed two per centum of final average salary per each year of credited service.

§ 4. Section 603 of the retirement and social security law is amended by adding a new subdivision x to read as follows:

x. The service retirement benefit specified in section six hundred four, six hundred four-c, as added by chapter ninety-six of the laws of nineteen hundred ninety-five, or six hundred four-d of this article shall be payable to members with twenty-five or more years of creditable service, without regard to age, who are employed as public safety dispatcher, public safety telecommunicator, 911 operator, communications officers, police communication technician, emergency services operator, emergency services dispatcher, or any similar title, employed by the state, or a county or municipal emergency services department who is responsible for receiving and managing emergency calls, and dispatching appropriate emergency services, including but not limited to, law enforcement, fire, and medical assistance as defined in section eighty-nine-z of this chapter if: (i) such members have met the minimum service requirements upon retirement, and (ii) in the case of a member subject to the provisions of article fourteen of this chapter, such member files an election therefor which provides that such member will be subject to the provisions of this article and to none of the provisions of such article fourteen. Such election, which is irrevocable, shall be in writing, duly executed and shall be filed with the comptroller within one year of an election such member's employer makes or within one year after entering the employment with such county, municipality or employer upon which eligibility is based, whichever comes later. For the purposes of this subdivision, the term "creditable service" shall have the meaning as defined in sections eighty-nine-z and six hundred one of this chapter.

§ 5. Section 604 of the retirement and social security law is amended by adding a new subdivision x to read as follows:

x. The early service retirement for a member who is employed by the state, or in a county, municipality or employer that makes the election provided for in subdivision j of section eighty-nine-z of this chapter

1 as a public safety dispatcher, public safety telecommunicator, 911 oper-
2 ator, communications officers, police communication technician, emergen-
3 cy services operator, emergency services dispatcher, or any similar
4 title, employed by the state, or a county or municipal emergency
5 services department who is responsible for receiving and managing emer-
6 gency calls, and dispatching appropriate emergency services, including
7 but not limited to, law enforcement, fire, and medical assistance, as
8 defined in section eighty-nine-z of this chapter shall be a pension
9 equal to one-fiftieth of final average salary times years of credited
10 service at the completion of twenty-five years of service, but not
11 exceeding one-half of such member's final average salary. For service
12 beyond twenty-five years, the benefits shall increase by one-sixtieth of
13 final average salary for each year of additional service credit
14 provided, however, that the total allowance payable pursuant to this
15 section shall not exceed three-fourths of such member's final average
16 salary.

17 § 6. All past service costs incurred with implementing the provisions
18 of this act shall be borne by any employer that elects to provide the
19 benefits provided by this act.

20 § 7. This act shall take effect on the first of January next succeed-
21 ing the date on which it shall have become a law; provided, however,
22 that if section 2 of part TT of chapter 55 of the laws of 2025 shall not
23 have taken effect on or before such date then section three of this act
24 shall take effect on the same date and in the same manner as such chap-
25 ter of the laws of 2025, takes effect.

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

This bill would permit the state, counties, and municipal emergency services departments that participate in the New York State and Local Employees' Retirement System to elect to provide members employed as public safety dispatchers, public safety telecommunicators, 911 operators, communications officers, police communication technicians, emergency services operators, emergency services dispatchers, or any similar title that is responsible for receiving and managing emergency calls and dispatching appropriate emergency services the option to retire upon completion of twenty-five years of creditable service with a benefit of one-half of final average salary (FAS) and for Tiers 3 through 6 an additional benefit of one-sixtieth of FAS for each year of creditable service in excess of twenty-five years, not to exceed fifteen years. Additionally, members covered under Article 14 would be permitted one year to make an irrevocable election to switch to the twenty-five-year plan benefit.

If this bill is enacted during the 2025 Legislative Session, we anticipate that there will be an increase in the annual contributions of an electing employer of approximately 6% of salary paid to eligible members for the fiscal year ending March 31, 2026. In future years this cost will vary as the billing rates and salary of the affected members change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately 17% of salary paid to eligible members which will be borne by the electing employer as a one-time payment.

Further, we anticipate additional administrative costs to implement the provisions of this legislation.

The exact number of current members as well as future members who could be affected by this legislation cannot be readily determined. Prior to electing to provide these benefits, an employer would be

required to submit a roster of eligible members to the New York State and Local Retirement System. This roster would be used to determine an exact cost to the electing employer.

Summary of relevant resources:

Membership data as of March 31, 2024 was used in measuring the impact of the proposed change, the same data used in the April 1, 2024 actuarial valuation. Distributions and other statistics can be found in the 2024 Report of the Actuary and the 2024 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2024 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The Market Assets and GASB Disclosures are found in the March 31, 2024 New York State and Local Retirement System Financial Statements and Supplementary Information.

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

This estimate, dated April 22, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-78. As Chief Actuary of the New York State and Local Retirement System, 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.