

STATE OF NEW YORK

8444--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 16, 2025

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York, in relation to the establishment of a twenty-two and one-half year retirement program for members of the New York city employees' retirement system employed as emergency medical technicians and advanced emergency medical technicians; and to amend the retirement and social security law, in relation to the establishment of twenty-two and one-half year retirement programs for such members who are subject to articles 11 and 15 of such law

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

Section 1. The administrative code of the city of New York is amended by adding a new section 13-157.5 to read as follows:

§ 13-157.5 Twenty-two and one-half year retirement program for EMT members. a. Definitions. The following words and phrases as used in this section shall have the following meanings unless a different meaning is plainly required by the context.

1. "EMT member" shall mean (i) a member of the retirement system who is employed by the city of New York or by the New York city health and hospitals corporation in a title whose duties are those of an emergency medical technician or advanced emergency medical technician, as those terms are defined in section three thousand one of the public health law, and (ii) a member of the retirement system who, on the effective date of this section or thereafter, was employed by the city of New York or by the New York city health and hospitals corporation in a title whose duties are those of an emergency medical technician or advanced emergency medical technician, as those terms are defined in section

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

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1 three thousand one of the public health law and who, subsequent thereto,
2 became employed by the city of New York or by the New York city health
3 and hospitals corporation in a title whose duties require the super-
4 vision of employees whose duties are those of an emergency medical tech-
5 nician or advanced emergency medical technician, as those terms are
6 defined in section three thousand one of the public health law.

7 2. "Twenty-two and one-half year retirement program" shall mean all
8 the terms and conditions of this section.

9 3. "Starting date of the twenty-two and one-half year retirement
10 program" shall mean the effective date of this section, as such date is
11 certified pursuant to section forty-one of the legislative law.

12 4. "Participant in the twenty-two and one-half year retirement
13 program" shall mean any EMT member who, under the applicable provisions
14 of subdivision b of this section, is entitled to the rights, benefits
15 and privileges and is subject to the obligations of the twenty-two and
16 one-half year retirement program as applicable to such member.

17 5. "Discontinued member" shall mean a participant in the twenty-two
18 one-half year retirement program who, while they were an EMT member,
19 discontinued service as such a member and has a right to a deferred
20 vested benefit under the provisions of subdivision d of this section.

21 6. "Creditable city service" for purposes of this section shall mean
22 (i) all service while employed by the city of New York or by the New
23 York city health and hospitals corporation in a title whose duties are
24 those of an emergency medical technician or advanced emergency medical
25 technician, as those terms are defined in section three thousand one of
26 the public health law; and (ii) with respect to an individual who was
27 employed on the effective date of this section in a title whose duties
28 are those of an emergency medical technician or advanced emergency
29 medical technician, as those terms are defined in section three thousand
30 one of the public health law, all such service subsequent thereto in a
31 title whose duties require the supervision of employees whose duties are
32 those of an emergency medical technician or advanced emergency medical
33 technician, as those terms are defined in section three thousand one of
34 the public health law; and (iii) all service while employed by the city
35 of New York or by the New York city health and hospitals corporation in
36 the title motor vehicle operator.

37 b. Participation in twenty-two and one-half year retirement program.
38 1. Subject to the provisions of paragraphs five and six of this subdivi-
39 sion, any person who is an EMT member on the starting date of the twen-
40 ty-two and one-half year retirement program may elect to become a
41 participant in the twenty-two and one-half year retirement program by
42 filing, within one hundred eighty days after the starting date of the
43 twenty-two and one-half year retirement program, a duly executed appli-
44 cation for such participation with the retirement system of which such
45 person is a member, provided such person is such an EMT member on the
46 date such application is filed.

47 2. Subject to the provisions of paragraphs five and six of this subdivi-
48 vision, any person who becomes an EMT member after the starting date of
49 the twenty-two and one-half year retirement program may elect to become
50 a participant in the twenty-two and one-half year retirement program by
51 filing, within one hundred eighty days after becoming such an EMT
52 member, a duly executed application for such participation with the
53 retirement system of which such person is a member, provided such person
54 is such an EMT member on the date such application is filed.

55 3. Any election to be a participant in the twenty-two and one-half
56 year retirement program shall be irrevocable.

1 4. Where any participant in the twenty-two and one-half year retire-
2 ment program shall cease to be employed as an EMT member, they shall
3 cease to be such a participant and, during any period in which such
4 person is not so employed, they shall not be a participant in the twen-
5 ty-two and one-half year retirement program and shall not be eligible
6 for the benefits of subdivision c of this section.

7 5. Where any participant in the twenty-two and one-half year retire-
8 ment program terminates service as an EMT member and returns to such
9 service as an EMT member at a later date, they shall again become such a
10 participant on that date.

11 6. Notwithstanding any other provision of law to the contrary, any
12 person who is eligible to become a participant in the twenty-two and
13 one-half year retirement program pursuant to paragraph one or two of
14 this subdivision for the full one hundred eighty day period provided for
15 in such applicable paragraph and who fails to timely file a duly
16 executed application for such participation with the retirement system,
17 shall not thereafter be eligible to become a participant in such
18 program.

19 c. Service retirement benefits. 1. A participant in the twenty-two and
20 one-half year retirement program:

21 (i) who has completed twenty-two and one-half or more years of credit-
22 able city service; and

23 (ii) who files with the retirement system an application for service
24 retirement setting forth at what time, not less than thirty days subse-
25 quent to the execution and filing thereof, such participant desires to
26 be retired; and

27 (iii) who shall be a participant in the twenty-two and one-half year
28 retirement program at the time so specified for such participant's
29 retirement; shall be retired pursuant to the provisions of this section
30 affording early service retirement.

31 2. Notwithstanding any other provision of law to the contrary, the
32 early service retirement benefit for a participant in the twenty-two and
33 one-half year retirement program who retires pursuant to paragraph one
34 of this subdivision shall be a retirement allowance consisting of:

35 (i) an amount, on account of the required minimum period of service,
36 equal to the sums of (A) an annuity which shall be the actuarial equiv-
37 alent of the accumulated deductions from such participant's pay during
38 such period, (B) a pension for increased-take-home-pay which shall be
39 the actuarial equivalent of the reserve-for-increased-take-home-pay to
40 which such participant may be entitled for such period, and (C) a
41 pension which, when added to such annuity and such pension for
42 increased-take-home-pay, produces a retirement allowance equal to
43 fifty-five percent of the salary earned or earnable in the year prior to
44 their retirement; plus

45 (ii) an amount for each additional year of creditable city service, or
46 fraction thereof, beyond such required minimum period of service equal
47 to one and seven-tenths percent of the final average salary for such
48 creditable service during the period from the completion of twenty-two
49 and one-half years of creditable city service to the date of retirement.

50 d. Vesting. 1. A participant in the twenty-two and one-half year
51 retirement program who:

52 (i) discontinues service as an EMT member, other than by death or
53 retirement; and

54 (ii) prior to such discontinuance, completed five but less than twen-
55 ty-two years of creditable city service; and

(iii) does not withdraw in whole or in part such participant's accumulated member contributions pursuant to section 13-141 of this chapter, shall be entitled to receive a deferred vested benefit as provided in this subdivision.

2. (i) Upon such discontinuance under the conditions and in compliance with the provisions of paragraph one of this subdivision, such deferred vested benefit shall vest automatically.

(ii) Such vested benefit shall become payable on the earliest date on which such discontinued member could have retired for service if such discontinuance had not occurred.

3. Such deferred vested benefit shall be a retirement allowance consisting of an amount equal to two and two-tenths percent of such discontinued member's salary earned or earnable in the year prior to such member's discontinuance, multiplied by the number of years of creditable city service.

e. Member contributions. 1. All EMT members of the twenty-two and one-half year retirement program shall be required to make member contributions and additional member contributions in accordance with and subject to the same rights, privileges, obligations and procedures as govern the member contribution and additional member contributions required by subdivision d of section four hundred forty-five-e of the retirement and social security law.

2. For the purpose of applying under this subdivision, such subdivision d of section four hundred forty-five-e of the retirement and social security law to an EMT member of the twenty-two and one-half year retirement program who is subject to the provisions of this section, and is not subject to the provisions of article eleven of the retirement and social security law, the term "credited service", as used in such subdivision, shall be deemed to mean creditable city service.

f. Cost-of-living adjustments. Notwithstanding any other provision of law to the contrary, a person who retires with a retirement benefit provided for in the twenty-two and one-half year retirement program pursuant to the provisions of this section shall not be entitled to the cost-of-living adjustments provided pursuant to section 13-696 of the administrative code of the city of New York.

§ 2. Subdivision a of section 444 of the retirement and social security law, as amended by section 141 of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

a. 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 as added by chapter four hundred seventy-two of the laws of nineteen hundred ninety-five, 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, and subdivision c of section four hundred forty-five-j of this article, the maximum retirement benefit computed without optional modification provided to a member of a retirement system who is subject to the provisions of this article, other than a police officer, a firefighter, an investigator member of the New York city employees' retirement system, a member of the uniformed personnel in institutions under the jurisdiction of the New York city department of correction who receives a performance of duty disability retirement allowance, a member of the uniformed personnel in institutions under the jurisdiction of the department of

1 corrections and community supervision or a security hospital treatment
2 assistant, as those terms are defined in subdivision i of section eight-
3 y-nine of this chapter, who receives a performance of duty disability
4 retirement allowance, a member of a teachers' retirement system, New
5 York city employees' retirement system, New York city board of education
6 retirement system or a member of the New York state and local employees'
7 retirement system or a member of the New York city employees' retirement
8 system or New York city board of education retirement system employed as
9 a special officer, parking control specialist, school safety agent,
10 campus peace officer, taxi and limousine inspector or a police communi-
11 cations member and who receives a performance of duty disability
12 pension, from funds other than those based on a member's own or
13 increased-take-home-pay contributions, shall, before any reduction for
14 early retirement, be sixty per centum of the first fifteen thousand
15 three hundred dollars of final average salary, and fifty per centum of
16 final average salary in excess of fifteen thousand three hundred
17 dollars, and forty per centum of final average salary in excess of twen-
18 ty-seven thousand three hundred dollars, provided, however, that the
19 benefits provided by subdivision c of section four hundred forty-five-d
20 of this article as added by chapter four hundred seventy-two of the laws
21 of nineteen hundred ninety-five based upon the additional member
22 contributions required by subdivision d of such section four hundred
23 forty-five-d shall be subject to the maximum retirement benefit computa-
24 tions set forth in this section. The maximum retirement benefit computed
25 without optional modification payable to a police officer, an investi-
26 gator member of the New York city employees' retirement system or a
27 firefighter shall equal that payable upon completion of thirty years of
28 service, except that the maximum service retirement benefit computed
29 without optional modification shall equal that payable upon completion
30 of thirty-two years of service.

31 § 3. Subdivision a of section 445 of the retirement and social secu-
32 rity law, as amended by section 2 of part TT of chapter 55 of the laws
33 of 2025, is amended to read as follows:

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

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

1 airport firefighter I, airport firefighter II, airport firefighter III,
2 or training and safety officer employed by the division of military and
3 naval affairs as defined in section eighty-nine-y of this chapter and is
4 in a plan which permits immediate retirement upon completion of a speci-
5 fied period of service without regard to age. Except as provided in
6 subdivision c of section four hundred forty-five-a of this article,
7 subdivision c of section four hundred forty-five-b of this article,
8 subdivision c of section four hundred forty-five-c of this article,
9 subdivision c of section four hundred forty-five-d of this article,
10 subdivision c of section four hundred forty-five-e of this article,
11 subdivision c of section four hundred forty-five-f of this article
12 ~~[and]~~, subdivision c of section four hundred forty-five-h of this arti-
13 cle, and subdivision c of section four hundred forty-five-j of this
14 article, a member in such a plan and such an occupation, other than a
15 police officer or investigator member of the New York city employees'
16 retirement system or a firefighter, shall not be permitted to retire
17 prior to the completion of twenty-five years of credited service;
18 provided, however, if such a member in such an occupation is in a plan
19 which permits retirement upon completion of twenty years of service
20 regardless of age, they may retire upon completion of twenty years of
21 credited service and prior to the completion of twenty-five years of
22 service, but in such event the benefit provided from funds other than
23 those based on such a member's own contributions shall not exceed two
24 per centum of final average salary per each year of credited service.

25 § 4. The retirement and social security law is amended by adding a new
26 section 445-j to read as follows:

27 § 445-j. Optional twenty-two and one-half year improved benefit
28 retirement program for EMT members. a. Definitions. The following words
29 and phrases as used in this section shall have the following meanings
30 unless a different meaning is plainly required by the context.

31 1. "Retirement system" shall mean the New York city employees' retire-
32 ment system.

33 2. "EMT member" shall mean a member of the retirement system who is
34 subject to the provisions of this article, who is employed by the city
35 of New York or by the New York city health and hospitals corporation in
36 a title whose duties are those of an emergency medical technician or
37 advanced emergency medical technician, as those terms are defined in
38 section three thousand one of the public health law, or in a title whose
39 duties require the supervision of employees whose duties are those of an
40 emergency medical technician or advanced emergency medical technician,
41 as those terms are defined in section three thousand one of the public
42 health law.

43 3. "Twenty-two and one-half year improved benefit retirement program"
44 shall mean all the terms and conditions of this section.

45 4. "Starting date of the twenty-two and one-half year improved benefit
46 retirement program" shall mean the effective date of this section.

47 5. "Participant in the twenty-two and one-half year improved benefit
48 retirement program" shall mean any EMT member who, under the applicable
49 provisions of subdivision b of this section, is entitled to the rights,
50 benefits and privileges and is subject to the obligations of the twenty-
51 two and one-half year improved benefit retirement program, as appli-
52 cable to such member.

53 6. "Administrative code" shall mean the administrative code of the
54 city of New York.

1 7. "Accumulated deductions" shall mean accumulated deductions as
2 defined in subdivision eleven of section 13-101 of the administrative
3 code.

4 8. "Optional retirement provisions" shall mean the right to retire and
5 receive a retirement allowance under this section upon the completion of
6 twenty-two and one-half years of creditable service as an EMT member.

7 9. "Creditable service as an EMT member" shall mean (i) all service as
8 an EMT member; and (ii) all service while employed by the city of New
9 York or by the New York city health and hospitals corporation in the
10 title motor vehicle operator.

11 b. Election of twenty-two and one-half year improved benefit retire-
12 ment program. 1. Subject to the provisions of paragraphs five and six
13 of this subdivision, any person who is an EMT member on the starting
14 date of the twenty-two and one-half year improved benefit retirement
15 program may elect to become a participant in the twenty-two and one-half
16 year improved benefit retirement program by filing, within one hundred
17 eighty days after such starting date, a duly executed application for
18 such participation with the retirement system, provided such person is
19 such an EMT member on the date such application is filed.

20 2. Subject to the provision of paragraphs five and six of this subdi-
21 vision, any person who becomes an EMT member after the starting date of
22 the twenty-two and one-half year improved benefit retirement program may
23 elect to become a participant in the twenty-two and one-half year
24 improved benefit retirement program by filing, within one hundred eighty
25 days after becoming such an EMT member, a duly executed application for
26 such participation with the retirement system, provided such person is
27 such an EMT member on the date such application is filed.

28 3. Any election to be a participant in the twenty-two and one-half
29 year improved benefit retirement program shall be irrevocable.

30 4. Where any participant in the twenty-two and one-half year improved
31 benefit retirement program shall cease to hold a position as an EMT
32 member, they shall cease to be such a participant and, during any period
33 in which such a person does not hold such an EMT position, they shall
34 not be a participant in the twenty-two and one-half year improved bene-
35 fit retirement program and shall not be eligible for the benefits of
36 subdivision c of this section.

37 5. Where any participant in the twenty-two and one-half year improved
38 benefit retirement program terminates service as an EMT member and
39 returns to such service as an EMT member at a later date, they shall
40 again become such a participant on that date.

41 6. Notwithstanding any other provision of law to the contrary, any
42 person who is eligible to become a participant in the twenty-two and
43 one-half year improved benefit retirement program pursuant to paragraph
44 one or two of this subdivision for the full one hundred eighty day peri-
45 od provided for in such applicable paragraph and who fails to timely
46 file a duly executed application for such participation with the retire-
47 ment system, shall not thereafter be eligible to become a participant in
48 such program.

49 c. Service retirement benefits. Notwithstanding any other provision of
50 law to the contrary, where a participant in the twenty-two and one-half
51 year improved benefit retirement program, who is otherwise qualified for
52 a retirement allowance pursuant to the optional retirement provision set
53 forth in subdivision a of this section, has made and/or paid, while such
54 participant is an EMT member, all additional member contributions and
55 interest, if any, required by subdivision d of this section, then:

1 1. that participant, while they remain a participant, shall not be
2 subject to the provisions of subdivision a of section four hundred
3 forty-five of this article; and

4 2. if that participant, while such a participant, retires from
5 service, they shall not be subject to the provisions of section four
6 hundred forty-four of this article; and

7 3. their retirement allowance shall be an amount, on account of this
8 required minimum period of service, equal to the sum of (i) an annuity
9 which shall be the actuarial equivalent of the accumulated deductions
10 from their pay during such period, (ii) a pension for increased-take-
11 home-pay which shall be the actuarial equivalent of the reserve for
12 increased-take-home-pay to which such participant may be entitled, for
13 such period, and (iii) a pension which, when added to such annuity and
14 such pension for increased-take-home-pay, produces a retirement allow-
15 ance equal to fifty percent of such participant's final average salary,
16 plus an amount for each additional year of creditable service as an EMT
17 member, or fraction thereof, beyond such required minimum period of
18 service equal to two percent of their final average salary for such
19 creditable service as an EMT member during the period from completion of
20 twenty-two and one-half or more years of creditable service as an EMT
21 member to the date of retirement but not to exceed more than five years
22 of additional service as an EMT member.

23 d. Additional member contributions. 1. In addition to the member
24 contributions required pursuant to section 13-125 or section 13-162 of
25 the administrative code, each participant in the twenty-two and one-half
26 year improved benefit retirement program shall contribute, subject to
27 the applicable provisions of section 13-125.2 of the administrative
28 code, an additional six and one-half percent of their compensation
29 earned from all credited service, as a participant in the twenty-two and
30 one-half year improved benefit retirement program, rendered on and after
31 the starting date of the improved benefit retirement program, and all
32 creditable service as an EMT member after such person ceases to be a
33 participant, but before they again become a participant pursuant to
34 paragraph five of subdivision b of this section. A participant in the
35 twenty-two and one-half year improved benefit retirement program shall
36 contribute additional member contributions until the later of the date
37 as of which such participant is eligible to retire with at least twenty-
38 two and one-half or more years of creditable service as an EMT member
39 under such retirement program, or the first anniversary of the starting
40 date of the twenty-two and one-half year improved benefit retirement
41 program. The additional contributions required by this section shall be
42 in lieu of additional member contributions required by section four
43 hundred forty-five-d of this article, as added by chapter ninety-six of
44 the laws of nineteen hundred ninety-five, and shall be in lieu of addi-
45 tional member contributions required by section four hundred
46 forty-five-e of this article, as added by chapter five hundred seventy-
47 seven of the laws of two thousand, and no member paying additional
48 contributions pursuant to this section shall be required to pay addi-
49 tional contributions pursuant to such subdivision d of section four
50 hundred forty-five-d of this article or pursuant to such subdivision d
51 of section four hundred forty-five-e of this article.

52 2. Commencing with the first full payroll period after each person
53 becomes a participant in the twenty-two and one-half year improved bene-
54 fit retirement program, additional member contributions at the rate
55 specified in paragraph one of this subdivision shall be deducted,
56 subject to the applicable provisions of section 13-125.2 of the adminis-

1 trative code, from the compensation of such participant on each and
2 every payroll of such participant for each and every payroll period for
3 which they are such a participant.

4 3. (i) Subject to the provisions of subparagraph (ii) of this para-
5 graph, where any additional member contributions required by paragraph
6 one of this subdivision are not paid by deductions from a participant's
7 compensation pursuant to paragraph two of this subdivision:

8 (A) that participant shall be charged with a contribution deficiency
9 consisting of such unpaid amounts, together with interest thereon,
10 compounded annually; and

11 (B) such interest on each amount of undeducted contributions shall
12 accrue from the end of the payroll period for which such amount would
13 have been deducted from compensation if such participant had been a
14 participant at the beginning of that payroll period and such deductions
15 had been required for such payroll period until such amount is paid to
16 the retirement system; and

17 (C) (1) interest on each such amount included in such participant's
18 contribution deficiency pursuant to this subparagraph shall be calcu-
19 lated as if such additional member contributions never had been paid by
20 such participant, and such interest shall accrue from the end of the
21 payroll period to which an amount of such additional member contribution
22 is attributable, compounded annually, until such amount is paid to the
23 retirement system;

24 (2) the rate of interest to be applied to each such amount during the
25 period for which interest accrues on that amount shall be equal to the
26 rate or rates of interest required by law to be used during that same
27 period to credit interest on the accumulated deductions of retirement
28 system members.

29 (ii) Except as provided in subparagraph (iii) of this paragraph, no
30 interest shall be due on any unpaid additional contributions which are
31 not attributable to the period prior to the first full payroll period
32 referred to in paragraph two of this subdivision.

33 (iii) Should any person who, pursuant to paragraph seven of this
34 subdivision, has withdrawn any additional member contributions and any
35 interest paid thereon, again become a participant in the twenty-two and
36 one-half year improved benefit retirement program pursuant to paragraph
37 five of subdivision b of this section, an appropriate amount shall be
38 included in such participant's contribution deficiency, including inter-
39 est thereon as calculated pursuant to subparagraph (ii) of this para-
40 graph, for any credited service with respect to which such person
41 received a refund of additional member contributions, including any
42 amount of an unpaid loan balance deemed to have been returned to such
43 person pursuant to paragraph seven of this subdivision, as if such addi-
44 tional member contributions never had been paid.

45 4. The board of trustees of the retirement system may, consistent with
46 the provisions of this subdivision, promulgate regulations for the
47 payment of the additional member contributions required by this subdivi-
48 sion, and any interest thereon, by a participant in the twenty-two and
49 one-half year improved benefit retirement program, including the
50 deduction of such contributions, and any interest thereon, from such
51 participant's compensation.

52 5. Where a participant who is otherwise eligible for service retire-
53 ment pursuant to subdivision c of this section did not, prior to the
54 effective date of retirement, pay the entire amount of a contribution
55 deficiency chargeable to such participant pursuant to paragraph three of
56 this subdivision, or repay the entire amount of a loan of such partic-

participant's additional member contributions pursuant to paragraph eight of this subdivision, including accrued interest on such loan, that participant, nevertheless, shall be eligible to retire pursuant to subdivision c of this section, provided, however, that where such participant is not entitled to a refund of additional member contributions pursuant to paragraph seven of this subdivision, such participant's service retirement benefit calculated pursuant to the applicable provisions of subdivision c of this section shall be reduced by a life annuity, calculated in accordance with the method set forth in subdivision i of section six hundred thirteen-b of this chapter, which is actuarially equivalent to:

(i) the amount of any unpaid contribution deficiency chargeable to such member pursuant to paragraph three of this subdivision; plus

(ii) the amount of any unpaid balance of a loan of their additional member contributions pursuant to paragraph eight of this subdivision, including accrued interest on such loan.

6. Subject to the provisions of paragraph five of this subdivision, where a participant has not paid in full any contribution deficiency chargeable to such participant pursuant to paragraph three of this subdivision, and a benefit, other than a refund of a member's accumulated deductions or a refund of additional member contributions pursuant to paragraph seven of this subdivision, becomes payable by the retirement system to the participant or to their designated beneficiary or estate, the actuarial equivalent of any such unpaid amount shall be deducted from the benefit otherwise payable.

7. (i) All additional member contributions required by this subdivision, and any interest thereon, which are received by the retirement system shall be paid into its contingent reserve fund and shall be the property of the retirement system. Such additional member contributions, and any interest thereon, shall not for any purpose be deemed to be member contributions or accumulated deductions of a member of the retirement system under section 13-125 or section 13-162 of the administrative code while they are a participant in the twenty-two and one-half year improved benefit retirement program or otherwise.

(ii) Should a participant in the twenty-two and one-half year improved benefit retirement program, who has rendered less than fifteen years of credited service cease to hold a position as an EMT member for any reason whatsoever, such participant's accumulated additional member contributions made pursuant to this subdivision, together with any interest thereon paid to the retirement system, which remain credited to such participant's account may be withdrawn by such participant pursuant to procedures promulgated in regulations of the board of trustees of the retirement system, together with interest thereon at the rate of interest required by law to be used to credit interest on the accumulated deductions of retirement system members compounded annually.

(iii) Notwithstanding any other provision of law to the contrary, (A) no person shall be permitted to withdraw from the retirement system any additional member contributions paid pursuant to this subdivision or any interest paid thereon, except pursuant to and in accordance with the preceding subparagraphs of this paragraph; and (B) no person, while they are a participant in the twenty-two and one-half year improved benefit retirement program, shall be permitted to withdraw any such additional member contributions or any interest paid thereon pursuant to any of the preceding subparagraphs of this paragraph or otherwise.

8. A participant in the twenty-two and one-half year improved benefit retirement program shall be permitted to borrow from their additional member contributions, including any interest paid thereon, which are

1 credited to the additional contributions account established for such
2 participant in the contingent reserve fund of the retirement system. The
3 borrowing from such additional member contributions pursuant to this
4 paragraph shall be governed by the same rights, privileges, obligations
5 and procedures set forth in section six hundred thirteen-b of this chap-
6 ter which govern the borrowing by members subject to article fifteen of
7 this chapter of member contributions made pursuant to section six
8 hundred thirteen of this chapter. The board of trustees of the retire-
9 ment system may, consistent with the provisions of this subdivision,
10 promulgate regulations governing the borrowing of such additional member
11 contributions.

12 9. Wherever a person has an unpaid balance of a loan of such person's
13 additional member contributions pursuant to paragraph eight of this
14 subdivision at the time such person becomes entitled to a refund of
15 their additional member contributions pursuant to subparagraph (ii) of
16 paragraph seven of this subdivision, the amount of such unpaid loan
17 balance, including accrued interest, shall be deemed to have been
18 returned to such member, and the refund of such additional contributions
19 shall be the net amount of such contributions, together with interest
20 thereon in accordance with the provisions of such subparagraph.

21 10. Notwithstanding any other provision of law to the contrary, the
22 provisions of section one hundred thirty-eight-b of this chapter shall
23 not be applicable to the additional member contributions which are
24 required by this subdivision.

25 11. Notwithstanding any other provision of law to the contrary, the
26 additional member contributions which are required by this subdivision
27 shall not be reduced under any program for increased-take-home-pay.

28 e. The provisions of this section shall not be construed to provide
29 benefits to any participant in the twenty-two and one-half year improved
30 benefit retirement program which are greater than those which would be
31 received by a similarly situated member who is entitled to benefits
32 under the provisions of section 13-157.5 of the administrative code, but
33 who is not governed by the provisions of this article.

34 f. Cost-of-living adjustments. Notwithstanding any other provision of
35 law to the contrary, a person who retires with a retirement benefit
36 provided for in the twenty-two and one-half year retirement program
37 pursuant to the provisions of this section shall not be entitled to the
38 cost-of-living adjustments provided pursuant to section 13-696 of the
39 administrative code of the city of New York.

40 § 5. Paragraph 3 of subdivision b of section 604-e of the retirement
41 and social security law, as added by chapter 577 of the laws of 2000, is
42 amended to read as follows:

43 3. Each EMT member, other than an EMT member subject to paragraph one
44 or two of this subdivision, who [~~becomes~~] became subject to the
45 provisions of this article on or after the starting date of the twenty-
46 five year retirement program and prior to the starting date of the twen-
47 ty-two and one-half year retirement program provided for in section six
48 hundred four-k of this article shall [~~become~~] continue to be a partic-
49 ipant in the twenty-five year retirement program [~~on the date he or she~~
50 ~~becomes such an EMT member~~], unless such person elects to become a
51 member of the twenty-two and one-half year retirement program in accord-
52 ance with the conditions and terms of such section six hundred four-k.
53 Provided, however, a person subject to this paragraph, and who has
54 exceeded age twenty-five upon employment as an EMT member, shall be
55 exempt from participation in the improved twenty-five year retirement
56 program if such person elects not to participate by filing a duly

1 executed form with the retirement system within one hundred eighty days
2 of becoming an EMT member.

3 § 6. The retirement and social security law is amended by adding a new
4 section 604-k to read as follows:

5 § 604-k. Twenty-two and one-half year retirement program for EMT
6 members. a. Definitions. The following words and phrases as used in this
7 section shall have the following meanings unless a different meaning is
8 plainly required by the context.

9 1. "EMT member" shall mean a member of the New York city employees'
10 retirement system who is employed by the city of New York or by the New
11 York city health and hospitals corporation in a title whose duties are
12 those of an emergency medical technician or an advanced emergency
13 medical technician, as those terms are defined in section three thousand
14 one of the public health law, or in a title whose duties require the
15 supervision of employees whose duties are those of an emergency medical
16 technician or advanced emergency medical technician, as those terms are
17 defined in section three thousand one of the public health law.

18 2. "Twenty-two and one-half year retirement program" shall mean all
19 the terms and conditions of this section.

20 3. "Starting date of the twenty-two and one-half year retirement
21 program" shall mean the effective date of this section.

22 4. "Participant in the twenty-two and one-half year retirement
23 program" shall mean any EMT member who, under the applicable provisions
24 of subdivision b of this section, is entitled to the rights, benefits
25 and privileges and is subject to the obligations of the twenty-two and
26 one-half year retirement program, as applicable to such member.

27 5. "Discontinued member" shall mean a participant in the twenty-two
28 and one-half year retirement program who, while such participant was an
29 EMT member, discontinued service as such a member and has a right to a
30 deferred vested benefit under subdivision d of this section.

31 6. "Administrative code" shall mean the administrative code of the
32 city of New York.

33 7. "Creditable service as an EMT member" shall mean (i) all service as
34 an EMT member; and (ii) all service while employed by the city of New
35 York or by the New York city health and hospitals corporation in the
36 title motor vehicle operator.

37 b. Participation in the twenty-two and one-half year retirement
38 program. 1. Subject to the provisions of paragraphs six and seven of
39 this subdivision, any person who is an EMT member on the starting date
40 of the twenty-two and one-half year retirement program and who, as such
41 an EMT member or otherwise, last became subject to the provisions of
42 this article prior to such starting date, may elect to become a partic-
43 ipant in the twenty-two and one-half year retirement program by filing,
44 within one hundred eighty days after such starting date, a duly executed
45 application for such participation with the retirement system of which
46 such person is a member, provided such person is such an EMT member on
47 the date such application is filed. An EMT member who elects to become a
48 member of the twenty-two and one-half year retirement program pursuant
49 to this paragraph shall cease to be a member of the twenty-five year
50 retirement program provided for in section six hundred four-e of this
51 article, as added by chapter five hundred seventy-seven of the laws of
52 two thousand.

53 2. Subject to the provisions of paragraphs six and seven of this
54 subdivision, any person who becomes an EMT member after the starting
55 date of the twenty-two and one-half year retirement program and who, as
56 such an EMT member or otherwise, last became subject to the provisions

1 of this article prior to such starting date, may elect to become a
2 participant in the twenty-two and one-half year retirement program by
3 filing, within one hundred eighty days after becoming such an EMT
4 member, a duly executed application for such participation with the
5 retirement system for which such person is a member, provided such
6 person is such an EMT member on the date such application is filed. An
7 EMT member who elects to become a member of the twenty-two and one-half
8 year retirement program pursuant to this paragraph shall cease to be a
9 member of the twenty-five year retirement program provided for in
10 section six hundred four-e of this article, as added by chapter five
11 hundred seventy-seven of the laws of two thousand.

12 3. Any election to be a participant in the twenty-two and one-half
13 year retirement program shall be irrevocable.

14 4. Each EMT member who becomes subject to the provisions of this arti-
15 cle on or after the starting date of the twenty-two and one-half year
16 retirement program shall become a participant in the twenty-two and
17 one-half year retirement program on the date such participant becomes an
18 EMT member.

19 5. Where any participant in the twenty-two and one-half year retire-
20 ment program shall cease to hold a position as an EMT member, they shall
21 cease to be such a participant and, during any period in which such
22 person does not hold such an EMT position, they shall not be a partic-
23 ipant in the twenty-two and one-half year retirement program and shall
24 not be eligible for the benefits of subdivision c of this section.

25 6. Where any participant in the twenty-two and one-half year retire-
26 ment program terminates service as an EMT member and returns to such
27 service as an EMT member at a later date, they shall again become such a
28 participant on that date.

29 7. Notwithstanding any other provision of the law to the contrary, any
30 person who is eligible to elect to become a participant in the twenty-
31 two and one-half year retirement program pursuant to paragraph one or
32 two of this subdivision for the full one hundred eighty day period
33 provided for in such applicable paragraph and who fails to timely file a
34 duly executed application for such participation with the retirement
35 system, shall not thereafter be eligible to become a participant in such
36 program.

37 c. Service retirement benefits. 1. A participant in the twenty-two and
38 one-half year retirement program:

39 (i) who has completed twenty-two and one-half or more years of credit-
40 able service as an EMT member; and

41 (ii) who has paid, before the effective date of retirement, all addi-
42 tional member contributions and interest, if any, required by subdivi-
43 sion e of this section; and

44 (iii) who files with the retirement system of which such participant
45 is a member an application for service retirement setting forth at what
46 time, not less than thirty days subsequent to the execution and filing
47 thereof, such participant desires to be retired; and

48 (iv) who shall be a participant in the twenty-two and one-year year
49 retirement program at the time so specified for such participant's
50 retirement; shall be retired pursuant to the provisions of this section
51 affording early service retirement.

52 2. Notwithstanding any other provision of law to the contrary, and
53 subject to the provisions of paragraph six of subdivision e of this
54 section, the service retirement benefit for participants in the twenty-
55 two and one-half year retirement program who retire pursuant to para-

graph one of this subdivision shall be a retirement allowance consisting of:

(i) an amount, on account of the required minimum period of service, equal to fifty percent of such participant's final average salary; plus

(ii) an amount on account of creditable service as an EMT member, or fraction thereof, beyond such required minimum period of service equal to two percent of their final salary as an EMT member during the period from the completion of twenty-two and one-half years of creditable service as an EMT member to the date of retirement but not to exceed more than five years of additional service as an EMT member.

d. Vesting. 1. A participant in the twenty-two and one-half year retirement program:

(i) who discontinues service as such a participant, other than by death or retirement; and

(ii) who prior to such discontinuance, completed five but less than twenty-two and one-half years of creditable service as an EMT member; and

(iii) who, subject to the provisions of paragraph seven of subdivision e of this section, has paid, prior to such discontinuance, all additional member contributions and interest, if any, required by subdivision e of this section; and

(iv) who does not withdraw in whole or in part their accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen shall be entitled to receive a deferred vested benefit as provided in this subdivision.

2. (i) Upon such discontinuance under the conditions and in compliance with the provisions of paragraph one of this subdivision, such deferred vested benefit shall vest automatically.

(ii) In the case of a participant who is not a New York city revised plan member, such vested benefit shall become payable on the earliest date on which such discontinued member could have retired for service if such discontinuance had not occurred, or, in the case of a participant who is a New York city revised plan member, such vested benefit shall become payable at age sixty-three.

3. Subject to the provisions of paragraph seven of subdivision e of this section, such deferred vested benefit shall be a retirement allowance consisting of an amount equal to two percent of such discontinued member's final average salary, multiplied by the number of years of creditable service as an EMT member.

e. Additional member contributions. 1. In addition to the member contributions required by section six hundred thirteen of this article, each participant in the twenty-two and one-half year retirement program shall contribute to the retirement system of which they are a member, subject to the applicable provisions of subdivision d of section six hundred thirteen of this article, an additional six and one-half percent of such participant's compensation earned from (i) all creditable service, as a participant in the twenty-two and one-half year retirement program, rendered on or after the starting date of the twenty-two and one-half year retirement program, and (ii) all creditable service after such person ceases to be a participant, but before such person again becomes a participant pursuant to paragraph six of subdivision b of this section. The additional contributions required by this section shall be in lieu of additional member contributions required by subdivision d of section six hundred four-c of this chapter as added by chapter ninety-

1 six of the laws of nineteen hundred ninety-five, and shall be in lieu of
2 additional member contributions required by subdivision e of section six
3 hundred four-e of this chapter as added by chapter five hundred seven-
4 ty-seven of the laws of two thousand, and no member making additional
5 contributions pursuant to this section shall be required to make
6 contributions pursuant to such subdivision d of section six hundred
7 four-c of this article or such subdivision e of section six hundred
8 four-e of this article.

9 2. A participant in the twenty-two and one-half year retirement
10 program shall contribute additional member contributions until the later
11 of (i) the first anniversary of the starting date of the twenty-two and
12 one-half year retirement program, or (ii) the date on which such partic-
13 ipant completes twenty-seven and one-half years of credited service as
14 an EMT member.

15 3. Commencing with the first full payroll period after each person
16 becomes a participant in the twenty-two and one-half year retirement
17 program, additional member contributions at the rate specified in para-
18 graph one of this subdivision shall be deducted, subject to the applica-
19 ble provisions of subdivision d of section six hundred thirteen of this
20 article, from the compensation of such participant on each and every
21 payroll of such participant for each and every payroll period for which
22 they are such a participant.

23 4. (i) Each participant in the twenty-two and one-half year retirement
24 program shall be charged with a contribution deficiency consisting of
25 the total amounts of additional member contributions such person is
26 required to make pursuant to paragraphs one and two of this subdivision
27 which are not deducted from such person's compensation pursuant to para-
28 graph three of this subdivision, if any, together with interest thereon,
29 compounded annually, and computed in accordance with the provisions of
30 subparagraphs (ii) and (iii) of this paragraph.

31 (ii)(A) The interest required to be paid on each such amount specified
32 in subparagraph (i) of this paragraph shall accrue from the end of the
33 payroll period for which such amount would have been deducted from
34 compensation if such person had been a participant at the beginning of
35 that payroll period and such deduction had been required for such
36 payroll period, until such amount is paid to the retirement system.

37 (B) The rate of interest to be applied to each such amount during the
38 period for which interest accrues on that amount shall be equal to the
39 rate or rates of interest required by law to be used during that same
40 period to credit interest on the accumulated deductions of retirement
41 system members.

42 (iii) Except as otherwise provided in paragraph five of this subdivi-
43 sion, no interest shall be due on any unpaid additional member contrib-
44 utions which are not attributable to a period prior to the first full
45 payroll period referred to in paragraph three of this subdivision.

46 5. (i) Should any person who, pursuant to subparagraph (ii) of para-
47 graph ten of this subdivision, has received a refund of their additional
48 member contributions including any interest paid on such contributions,
49 again become a participant in the twenty-two and one-half year retire-
50 ment program pursuant to paragraph six of subdivision b of this section,
51 an appropriate amount shall be included in such participant's contrib-
52 ution deficiency, including interest thereon as calculated pursuant to
53 subparagraph (ii) of this paragraph, for any credited service for which
54 such person received a refund of such additional member contributions,
55 including any amount of an unpaid loan balance deemed to have been

1 returned to such person pursuant to paragraph twelve of this subdivi-
2 sion, as if such additional member contributions never had been paid.

3 (ii) (A) Interest on a participant's additional member contributions
4 included in such participant's contribution deficiency pursuant to
5 subparagraph (i) of this paragraph shall be calculated as if such addi-
6 tional member contributions had never been paid by such participant, and
7 such interest shall accrue from the end of the payroll period to which
8 an amount of such additional member contributions is attributable, until
9 such amount is paid to the retirement system.

10 (B) The rate of interest to be applied to such amount during the peri-
11 od for which interest accrues on that amount shall be five percent per
12 annum, compounded annually.

13 6. Where a participant who is otherwise eligible for service retire-
14 ment pursuant to subdivision c of this section did not, prior to the
15 effective date of retirement, pay the entire amount of a contribution
16 deficiency chargeable to such participant pursuant to paragraphs four
17 and five of this subdivision, or repay the entire amount of a loan of
18 their additional member contributions pursuant to paragraph eleven of
19 this subdivision, including accrued interest on such loan, that partic-
20 ipant, nevertheless, shall be eligible to retire pursuant to subdivision
21 c of this section, provided, however, that such participant's service
22 retirement benefit calculated pursuant to paragraph two of such subdivi-
23 sion c shall be reduced by a life annuity, calculated in accordance with
24 the method set forth in subdivision i of section six hundred thirteen-b
25 of this article, which is actuarially equivalent to:

26 (i) the amount of any unpaid contribution deficiency chargeable to
27 such member pursuant to paragraphs four and five of this subdivision;
28 plus

29 (ii) the amount of any unpaid balance of a loan of such participant's
30 additional member contributions pursuant to paragraph eleven of this
31 subdivision, including accrued interest on such loan.

32 7. Where a participant who is otherwise eligible for a vested right to
33 a deferred benefit pursuant to subdivision d of this section did not,
34 prior to the date of discontinuance of service, pay the entire amount of
35 a contribution deficiency chargeable to such participant pursuant to
36 paragraphs four and five of this subdivision, or repay the entire amount
37 of a loan of their additional member contributions pursuant to paragraph
38 eleven of this subdivision, including accrued interest on such loan,
39 that participant, nevertheless, shall have a vested right to a deferred
40 benefit pursuant to subdivision d of this section provided, however,
41 that the deferred vested benefit calculated pursuant to paragraph three
42 of subdivision d of this section shall be reduced by a life annuity,
43 calculated in accordance with the method set forth in subdivision i of
44 section six hundred thirteen-b of this article, which is actuarially
45 equivalent to:

46 (i) the amount of any unpaid contribution chargeable to such member
47 pursuant to paragraphs four and five of this subdivision; plus

48 (ii) the amount of any unpaid balance of a loan of their additional
49 member contributions pursuant to paragraph eleven of this subdivision,
50 including accrued interest on such loan.

51 8. The head of a retirement system which includes participants in the
52 twenty-two and one-half year retirement program in its membership may,
53 consistent with the provisions of this subdivision, promulgate regu-
54 lations for the payment of such additional member contributions, and any
55 interest thereon, by such participants, including the deduction of such

1 contributions, and any interest thereon, from the participant's compen-
2 sation.

3 9. Subject to the provisions of paragraphs six and seven of this
4 subdivision, where a participant has not paid in full any contribution
5 deficiency chargeable to such participant pursuant to paragraphs four
6 and five of this subdivision, and a benefit, other than a refund of
7 member contributions pursuant to section six hundred thirteen of this
8 article or a refund of additional member contributions pursuant to
9 subparagraph (ii) of paragraph ten of this subdivision, becomes payable
10 under this article to the participant or to their designated beneficiary
11 or estate, the actuarial equivalent of any such unpaid amount shall be
12 deducted from the benefit otherwise payable.

13 10. (i) Such additional member contributions, and any interest there-
14 on, shall be paid into the contingent reserve fund of the retirement
15 system of which the participant is a member and shall not for any
16 purpose be deemed to be member contributions or accumulated contrib-
17 utions of a member under section six hundred thirteen of this article or
18 otherwise while they are a participant in the twenty-two and one-half
19 year retirement program or otherwise.

20 (ii) Should a participant in the twenty-two and one-half year retire-
21 ment program who has rendered less than fifteen years of credited
22 service cease to hold a position as an EMT member for any reason whatso-
23 ever, such participant's accumulated additional member contributions
24 made pursuant to this subdivision, together with any interest thereon
25 paid to the retirement system, may be withdrawn by such participant
26 pursuant to procedures promulgated in regulations of the board of trus-
27 tees of the retirement system, together with interest thereon at the
28 rate of five percent per annum, compounded annually.

29 (iii) Notwithstanding any other provision of law to the contrary, (A)
30 no person shall be permitted to withdraw from the retirement system any
31 additional member contributions paid pursuant to this subdivision or any
32 interest paid thereon, except pursuant to and in accordance with the
33 preceding subparagraphs of this paragraph; and (B) no person, while they
34 are a participant in the twenty-two and one-half year retirement
35 program, shall be permitted to withdraw any such additional member
36 contributions or any interest paid thereon pursuant to any of the
37 preceding subparagraphs of this paragraph or otherwise.

38 11. A participant in the twenty-two and one-half year retirement
39 program shall be permitted to borrow from their additional member
40 contributions, including any interest paid thereon, which are credited
41 to the additional contributions account established for such participant
42 in the contingent reserve fund of the retirement system. The borrowing
43 from such additional member contributions pursuant to this paragraph
44 shall be governed by the rights, privileges, obligations and procedures
45 set forth in section six hundred thirteen-b of this article which govern
46 the borrowing of member contributions made pursuant to section six
47 hundred thirteen of this article. The board of trustees of the retire-
48 ment system may, consistent with the provisions of this subdivision and
49 the provisions of section six hundred thirteen-b of this article as made
50 applicable to this subdivision, promulgate regulations governing the
51 borrowing of such additional member contributions.

52 12. Whenever a person has an unpaid balance of a loan or such person's
53 additional member contributions pursuant to paragraph eleven of this
54 subdivision at the time they become entitled to a refund of their addi-
55 tional member contributions pursuant to subparagraph (ii) of paragraph
56 ten of this subdivision, the amount of such unpaid loan balance, includ-

1 ing accrued interest shall be deemed to have been returned to such
2 member, and the refund of such additional contributions shall be the net
3 amount of such contribution, together with interest thereon in accord-
4 ance with the provisions of such subparagraph (ii).

5 f. Cost-of-living adjustments. Notwithstanding any other provision of
6 law to the contrary, a person who retires with a retirement benefit
7 provided for in the twenty-two and one-half year retirement program
8 pursuant to the provisions of this section shall not be entitled to the
9 cost-of-living adjustments provided pursuant to section 13-696 of the
10 administrative code of the city of New York.

11 § 7. Paragraph 7 of subdivision d of section 613 of the retirement and
12 social security law, as added by chapter 577 of the laws of 2000, is
13 amended to read as follows:

14 7. (i) The city of New York shall, in the case of an EMT member (as
15 defined in paragraph one of subdivision a of section six hundred four-e
16 of this article) who is a participant in the twenty-five year retirement
17 program (as defined in paragraph four of subdivision a of such section
18 six hundred four-e), and in the case of an EMT member (as defined in
19 paragraph one of subdivision a of section six hundred four-k of this
20 article) who is a participant in the twenty-two and one-half year
21 retirement program (as defined in paragraph four of subdivision a of
22 such section six hundred four-k), and who is not rendered ineligible for
23 such pick ups by another provision of law, pick up and pay to the
24 retirement system of which such participant is a member all additional
25 member contributions which otherwise would be required to be deducted
26 from such member's compensation pursuant to paragraphs one and two of
27 subdivision e of [~~such~~] section six hundred four-e of this article, or
28 pursuant to paragraphs one and two of subdivision e of section six
29 hundred four-k of this article, (not including any additional member
30 contributions due for any period prior to the first full payroll period
31 referred to in such paragraph three of such subdivision e), and shall
32 effect such pick up on each and every payroll of such participant for
33 each and every payroll period with respect to which such paragraph three
34 would otherwise require such deductions.

35 (ii) An amount equal to the amount of additional contributions picked
36 up pursuant to this paragraph shall be deducted by such employer from
37 the compensation of such member (as such compensation would be in the
38 absence of a pick up program applicable to [~~him or her~~] such member
39 hereunder) and shall not be paid to such member.

40 (iii) The additional member contributions picked up pursuant to this
41 paragraph for any such member shall be paid by such employer in lieu of
42 an equal amount of additional member contributions otherwise required to
43 be paid by such member under the applicable provisions of subdivision e
44 of section six hundred four-e of this article, and shall be deemed to be
45 and treated as employer contributions pursuant to section 414(h) of the
46 Internal Revenue Code.

47 (iv) For the purpose of determining the retirement system rights,
48 benefits and privileges of any member whose additional member contribu-
49 tions are picked up pursuant to this paragraph, such picked up addi-
50 tional member contributions shall be deemed to be and treated as part of
51 such member's additional member contributions under the applicable
52 provisions of subdivision e of section six hundred four-e and subdivi-
53 sion e of section six hundred four-k of this article.

54 (v) With the exception of federal income tax treatment, the additional
55 member contributions picked up pursuant to subparagraph (i) of this
56 paragraph shall for all other purposes, including computation of retire-

1 ment benefits and contributions by employers and employees, be deemed
2 employee salary. Nothing contained in this subdivision shall be
3 construed as superseding the provisions of section four hundred thirty-
4 one of this chapter, or any similar provision of law which limits the
5 salary base for computing retirement benefits payable by a public
6 retirement system.

7 § 8. Section 13-125.2 of the administrative code of the city of New
8 York is amended by adding two new subdivisions a-9 and a-10 to read as
9 follows:

10 a-9. Notwithstanding any other provision of law to the contrary, on or
11 after the starting date for pick up, the employer responsible for pick
12 up shall, in the case of an EMT member, as defined in paragraph one of
13 subdivision a of section 13-157.5 of this chapter, who is a participant
14 in the twenty-two and one-half year retirement program, as defined in
15 paragraph two of such subdivision a, pick up and pay to the retirement
16 system all additional member contributions which otherwise would be
17 required to be deducted from such member's compensation pursuant to
18 subdivision e of such section 13-157.5, and shall effect such pick up on
19 each and every payroll of such participant for each and every payroll
20 period with respect to which such subdivision e would otherwise require
21 such deductions.

22 a-10. Notwithstanding any other provision of law to the contrary, on
23 or after the starting date for pick up, the employer responsible for
24 pick up shall, in the case of an EMT member, as defined in paragraph two
25 of subdivision a of section four hundred forty-five-j of the retirement
26 and social security law, who is a participant in the twenty-two and
27 one-half year retirement program, as defined in paragraph three of such
28 subdivision a, pick up and pay to the retirement system all additional
29 member contributions which otherwise would be required to be deducted
30 from such member's compensation pursuant to subdivision d of such
31 section four hundred forty-five-j, and shall effect such pick up on each
32 and every payroll of such participant for each and every payroll period
33 with respect to which such subdivision d would otherwise require such
34 deductions.

35 § 9. Subparagraph (ii) of paragraph 1 of subdivision c of section
36 13-125.2 of the administrative code of the city of New York, as amended
37 by chapter 682 of the laws of 2003, is amended to read as follows:

38 (ii) the determination of the amount of such member's Tier I or Tier
39 II nonuniformed-force member contributions eligible for pick up by the
40 employer or additional member contributions required to be picked up
41 pursuant to subdivision a-one, subdivision a-two, subdivision a-three,
42 subdivision a-four, subdivision a-five, subdivision a-six, subdivision
43 a-seven ~~[or]~~, subdivision a-eight, subdivision a-nine, or subdivision
44 a-ten of this section; and

45 § 10. Subdivision d of section 13-125.2 of the administrative code of
46 the city of New York is amended by adding two new paragraphs 2-h and 2-i
47 to read as follows:

48 (2-h) For the purpose of determining the retirement system rights,
49 benefits and privileges of any member who is a participant in the twen-
50 ty-two and one-half year retirement program, as defined in paragraph two
51 of subdivision a of section 13-157.5 of this chapter, the additional
52 member contributions of such participant picked up pursuant to subdivi-
53 sion a-nine of this section shall be deemed to be and treated as a part
54 of such member's additional contributions under subdivision e of such
55 section 13-157.5.

(2-i) For the purpose of determining the retirement system rights, benefits and privileges of any member who is a participant in the twenty-two and one-half year retirement program, as defined in paragraph three of subdivision a of section four hundred forty-five-j of the retirement and social security law, the additional member contributions of such participant picked up pursuant to subdivision a-ten of this section shall be deemed to be and treated as a part of such member's additional member contributions under subdivision d of section four hundred forty-five-j of the retirement and social security law.

§ 11. Paragraph 3 of subdivision d of section 13-125.2 of the administrative code of the city of New York, as amended by chapter 682 of the laws of 2003, is amended to read as follows:

(3) Interest on contributions picked up for any Tier I or Tier II non-uniformed-force member pursuant to this section (other than additional member contributions picked up pursuant to subdivision a-one, subdivision a-two, subdivision a-three, subdivision a-four, subdivision a-five, subdivision a-six, subdivision a-seven ~~[or]~~, subdivision a-eight, subdivision a-nine, or subdivision a-ten of this section) shall accrue in favor of the member and be payable to the retirement system at the same rate, for the same time periods, in the same manner and under the same circumstances as interest would be required to accrue in favor of the member and be payable to the retirement system on such contributions if they were made by such member in the absence of a pick up program applicable to such member under the provisions of this section.

§ 12. Subdivision a of section 603 of the retirement and social security law, as amended by section 3 of part EE of chapter 55 of the laws of 2024, is amended to read as follows:

a. The service retirement benefit specified in section six hundred four of this article shall be payable to members who have met the minimum service requirements upon retirement and attainment of age sixty-two, other than members who are eligible for early service retirement pursuant to subdivision c of section six hundred four-b of this article, subdivision c of section six hundred four-c of this article, subdivision d of section six hundred four-d of this article, subdivision c of section six hundred four-e of this article, subdivision c of section six hundred four-f of this article, subdivision c of section six hundred four-g of this article, subdivision c of section six hundred four-h of this article, subdivision c of section six hundred four-i of this article, ~~[or]~~ subdivision c of section six hundred four-j of this article, or subdivision c of section six hundred four-k of this article, provided, however, a member of a teachers' retirement system or the New York state and local employees' retirement system who first joins such system before January first, two thousand ten or a member who is a uniformed court officer or peace officer employed by the unified court system who first becomes a member of the New York state and local employees' retirement system before April first, two thousand twelve may retire without reduction of their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service, provided, however, that a uniformed court officer or peace officer employed by the unified court system who first becomes a member of the New York state and local employees' retirement system on or after January first, two thousand ten and retires without reduction of their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service pursuant to this section shall be required to make the member contributions required by subdivision f of section six hundred thirteen of this article for all

1 years of credited and creditable service, provided further that the
2 preceding provisions of this subdivision shall not apply to a New York
3 city revised plan member.

4 § 13. Subdivision d of section 613 of the retirement and social secu-
5 rity law is amended by adding a new paragraph 13 to read as follows:

6 13. (i) The city of New York shall, in the case of an EMT member, as
7 defined in paragraph one of subdivision a of section six hundred four-k
8 of this article, who is a participant in the twenty-two and one-half
9 year retirement program, as defined in paragraph four of subdivision a
10 of such section six hundred four-k, pick up and pay to the retirement
11 system of which such participant is a member all additional member
12 contributions which otherwise would be required to be deducted from such
13 member's compensation pursuant to paragraphs one and two of subdivision
14 e of such section six hundred four-k, not including any additional
15 member contributions due for any period prior to the first full payroll
16 period referred to in such paragraph three of such subdivision e, and
17 shall effect such pick up on each and every payroll of such participant
18 for each and every payroll period with respect to which such paragraph
19 three would otherwise require such deductions.

20 (ii) An amount equal to the amount of additional contributions picked
21 up pursuant to this paragraph shall be deducted by such employer from
22 the compensation of such member, as such compensation would be in the
23 absence of a pick up program applicable to such member hereunder, and
24 shall not be paid to such member.

25 (iii) The additional member contributions picked up pursuant to this
26 paragraph for any such member shall be paid by such employer in lieu of
27 an equal amount of additional member contributions otherwise required to
28 be paid by such member under the applicable provisions of subdivision e
29 of section six hundred four-k of this article, and shall be deemed to be
30 and treated as employer contributions pursuant to section 414(h) of the
31 Internal Revenue Code.

32 (iv) For the purpose of determining the retirement system rights,
33 benefits and privileges of any member whose additional member contrib-
34 utions are picked up pursuant to this paragraph, such picked up addi-
35 tional member contributions shall be deemed to be and treated as part of
36 such member's additional member contributions under the applicable
37 provisions of subdivision e of section six hundred four-k of this arti-
38 cle.

39 (v) With the exception of federal income tax treatment, the additional
40 member contributions picked up pursuant to subparagraph (i) of this
41 paragraph shall for all other purposes, including computation of retire-
42 ment benefits and contributions by employers and employees, be deemed
43 employee salary. Nothing contained in this subdivision shall be
44 construed as superseding the provisions of section four hundred thirty-
45 one of this chapter, or any similar provision of law which limits the
46 salary base for computing retirement benefits payable in New York by a
47 public retirement system.

48 § 14. Nothing contained in sections seven and twelve of this act shall
49 be construed to create any contractual right with respect to members to
50 whom such sections apply. The provisions of such sections are intended
51 to afford members the advantages of certain benefits contained in the
52 internal revenue code, and the effectiveness and existence of such
53 sections and benefits they confer are completely contingent thereon.

54 § 15. This act shall take effect immediately, provided, however that:

55 (a) The provisions of sections seven, twelve and thirteen of this act
56 shall remain in force and effect only so long as, pursuant to federal

1 law, contributions picked up under such sections are not includable as
 2 gross income of a member for federal income tax purposes until distrib-
 3 uted or made available to the member; provided that the New York city
 4 employees' retirement system shall notify the legislative bill drafting
 5 commission upon the occurrence of such a change in federal law ruling
 6 affecting the provisions of this act in order that the commission may
 7 maintain an accurate and timely effective data base of the official text
 8 of the laws of the state of New York in furtherance of effectuating the
 9 provisions of section 44 of the legislative law and section 70-b of the
 10 public officers law;

11 (b) The amendments to subdivision d of section 613 of the retirement
 12 and social security law made by sections seven and thirteen of this act
 13 shall not affect the expiration of such subdivision and shall expire
 14 therewith;

15 (c) The amendments to section 13-125.2 of the administrative code of
 16 the city of New York made by sections eight, nine, ten and eleven of
 17 this act shall not affect the expiration of such section and shall be
 18 deemed to expire therewith; and

19 (d) The amendments to subdivision a of section 603 of the retirement
 20 and social security law made by section twelve of this act shall not
 21 affect the expiration of such subdivision and shall be deemed to expire
 22 therewith.

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

SUMMARY: This proposed legislation would establish 22.5-Year Retirement Programs within the New York City Employees Retirement System (NYCERS) for New York City Emergency Medical Technicians (EMT).

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

Year	NYCERS
2027	31.3
2028	31.1
2029	31.0
2030	30.9
2031	30.7
2032	30.5
2033	30.3
2034	30.2
2035	30.0
2036	29.8
2037	29.5
2038	29.4
2039	9.3
2040	9.2
2041	9.1
2042	8.9
2043	8.7
2044	8.5
2045	8.3
2046	8.1
2047	7.9
2048	7.7
2049	7.7
2050	7.8
2051	8.0

Projected contributions include future new hires that may be impacted. For Fiscal Year 2052 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 1.16%. The entire increase in employer contributions will be allocated 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
(1) PV of Employer Contributions:	240.6
(2) PV of Employee Contributions:	<u>(56.0)</u>
Total PV of Benefits (1) + (2):	184.6

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

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS
Increase (Decrease) in UAL:	153.3 M
Number of Payments:	12
Amortization Payment:	20.0 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025. The census data for the impacted population is summarized below.

	NYCERS
Active Members	
- Number Count:	3,750
- Average Age:	36.4
- Average Service:	9.5
- Average Salary:	77,000

IMPACT ON MEMBER BENEFITS AND CONTRIBUTIONS: The proposed legislation would provide a service retirement benefit equal to:

* 50% of Final Average Salary (FAS) for the first 22.5 years of creditable service as an EMT member,

* plus 2.0% of FAS for each additional year of creditable service as an EMT member exceeding 22.5 years to a maximum of 5 years.

The vested benefit under the EMT 22.5-Year Plans is equal to 2.0% of FAS for each year of creditable service as an EMT member up to 22.5 years, payable to Tier 6 members at age 63 and to Tier 4 members on the date they would have attained 22.5 years of creditable service.

The retirement benefits provided by the EMT 22.5-Year Plan would not be subject to cost-of-living adjustments (COLA).

Plan participants would be required to pay Additional Member Contributions (AMC) equal to 6.5% of compensation for all service on and after the starting date of the Plan until the later of the one-year anniver-

sary of the effective date of the Plan or 27.5 years of creditable service as an EMT member.

Current Tier 4 and Tier 6 EMT members as of the date of enactment of the EMT 22.5-Year Plans would be eligible to elect the EMT 22.5-Year Plan for their respective tier. EMT members who become NYCERS members after the date of enactment of the EMT 22.5-Year Plans would be mandated into the Tier 6 EMT 22.5-Year Plan.

Once a member in the Tier 4 EMT 22.5-Year Plan attains 22.5 years of creditable service as an EMT member, he or she would no longer be eligible to retire under his or her basic plan.

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:

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

To determine the impact of the elective nature of the proposed legislation, a subgroup of EMT members was developed based on who is assumed to benefit actuarially by comparing the net present value of future employer costs of each member's benefit under their current plan and under the EMT 22.5-Year Plan.

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 2026-57 dated April 3, 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.