STATE OF NEW YORK

8593--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 21, 2025

Introduced by M. of A. PHEFFER AMATO, KASSAY, STERN, O'PHARROW -- 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 increasing the amount of years of military service credit a member may purchase

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

Section 1. Subdivision 4 of section 1000 of the retirement and social security law, as amended by chapter 41 of the laws of 2016, is amended to read as follows:

4. In no event shall the credit granted pursuant to this section, when added to credit granted for military service with any retirement system of this state pursuant to this or any other provision of law, exceed a total of [~~three~~] **four** years.

§ 2. Subdivision 1 of section 1000 of the retirement and social security law, as amended by chapter 585 of the laws of 2022, is amended to read as follows:

1. A member, upon application to such retirement system, may obtain a total not to exceed [~~three~~] **four** years of service credit for up to [~~three~~] **four** years of military duty, as defined in section two hundred forty-three of the military law, if the member (a) was honorably discharged from the military, or (b) has a qualifying condition, as defined in section [~~three hundred fifty of the executive law~~] **one of the veterans' services law**, and has received a discharge other than bad conduct or dishonorable from such service, or (c) is a discharged LGBT veteran, as defined in section [~~three hundred fifty of the executive law~~] **one of the veterans' services law**, and has received a discharge other than bad conduct or dishonorable from such service.

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

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§ 3. Notwithstanding any provision of law to the contrary, none of the provisions of this act shall be subject to the appropriation requirement of section 25 of the retirement and social security law.

§ 4. This act shall take effect immediately.

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

This bill would amend the retirement and social security law (RSSL) to allow for a member to obtain up to four years of service credit for up to four years of military duty if the member was honorably discharged. The current maximum is three years of service credit. Members must have at least five years of credited service (not including military service). For each year of additional service credit granted by this bill, Tier 1-5 members would be required to pay 3% member contributions and Tier 6 would pay 6% member contributions.

The provisions of section 25 of the RSSL shall not apply.

Insofar as this bill affects the New York State and Local Employees' Retirement System (NYSLERS), the increased costs would be shared by all participating employers in NYSLERS. We estimate the past service cost as a percentage of an affected member's compensation for each year of service credit that is purchased will be:

	Tiers 1-4	Tier 5	Tier 6
Age-Based Plans:	23%	17%	14%
Service-Based Plans:	23%	23%	20%

Insofar as this bill affects the New York State and Local Police and Fire Retirement System (NYSLPFRS), the increased costs would be shared by all participating employers in NYSLPFRS. We estimate that the past service cost will be 28% (25% for Tier 6) of an affected member's compensation for each year of service credit that is purchased.

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. Through December 31, 2025, approximately 12,900 members purchased military service credit pursuant to Chapter 41 of the Laws of 2016, with a total cost of approximately $469 million. It is estimated that, had this proposal been law since 2016, approximately 8,600 of these members could have purchased a fourth year of military service credit for an additional cost of approximately $132 million.

Summary of relevant resources:

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

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

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

This estimate, dated February 4, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-39. As Chief Actuary of the New York State and Local Retirement System

(NYSLRS), I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member. I am a member of NYSLRS but do not believe it impairs my objectivity.