STATE OF NEW YORK

8792

2025-2026 Regular Sessions

IN ASSEMBLY

June 5, 2025

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

AN ACT to amend the retirement and social security law, in relation to providing WTC-related benefits to certain employees who worked at the Verrazano Bridge Toll Facility

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

Section 1. Paragraph (e) of subdivision 36 of section 2 of the retirement and social security law, as amended by chapter 424 of the laws of 2021, is amended to read as follows:

(e) "Participated in World Trade Center rescue, recovery or cleanup operations" shall mean any member who: (i) participated in the rescue, recovery, or cleanup operations at the World Trade Center site, as defined in paragraph (f) of this subdivision; (ii) worked at the Fresh Kills Land Fill in New York; (iii) worked at the New York city morgue or the temporary morgue on pier locations on the west side of Manhattan; (iv) manned the barges between the west side of Manhattan and the Fresh Kills Land Fill in New York; (v) repaired, cleaned or rehabilitated vehicles or equipment, including emergency vehicle radio equipment owned by the city of New York that were contaminated by debris in the World Trade Center site, as defined in paragraph (f) of this subdivision, regardless of whether the work on the repair, cleaning or rehabilitation of said vehicles and equipment was performed within the World Trade Center site, provided such work was performed prior to decontamination of such vehicles or equipment; [~~or~~] (vi) worked in the following departments, worksites and titles: (A) New York City Police Department at 11 Metrotec Center in Brooklyn or 1 Police Plaza in Manhattan as a Police Communication Technician (PCT), Supervisor Police Communication Technician (SPCT), Principal Police Communication Technician I, Principal Police Communication Technician II, Principal Police Communication Technician III, Administrative Manager - Communications, or in the Police

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

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Administrative Aide title series; (B) Fire Department of the City of New York at 35 Empire Boulevard in Brooklyn, 79th Street Transverse in Manhattan, 83-98 Woodhaven Boulevard in Queens, 1129 East 180 Street in the Bronx, 65 Slosson Avenue in Staten Island, 9 Metrotec Center in Brooklyn, or 25 Rockaway Avenue in Brooklyn as Fire Alarm Dispatchers (FAD), Supervising Fire Alarm Dispatchers I (SFAD), Supervising Fire Alarm Dispatchers II (Borough Supervisor), Deputy Director & Director Fire Dispatch Operations, or Assistant Commissioner for Communications; (C) for the Fire Department of the City of New York's Emergency Medical Service at 1 or 9 Metrotec Centers in Brooklyn, or 55-30 58 Street in Maspeth Queens as Emergency Medical Specialist-Level I (EMT), Emergency Medical Specialist Level II-(Paramedic), Supervising Emergency Medical Specialist Level I (LT), Supervising Emergency Medical Specialist Level II (Capt), Deputy Chief EMS Communications, or Division Commander EMS Communications**; or (vii) worked at the Verrazano Bridge Toll Facility**. For purposes of this paragraph, the term "member" shall include each person who during the qualifying period was in the employment of a public employer which then participated for such employees in a public retirement system in this state, irrespective of whether the person was a participant in such system at that time, provided that the person has become a participant in such retirement system and has purchased service credit for a period of time that includes some or all of the qualifying period in accordance with provisions of law applicable to such purchase of service credit.

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

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after September 11, 2001.

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

SUMMARY: This proposed legislation would expand the definition of a member who participated in the World Trade Center rescue, recovery, or cleanup operations to include those who worked at the Verrazano Bridge Toll Facility.

ILLUSTRATION - INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
by Fiscal Year for the first 25 years ($ in Thousands)

	Per Incident	
Year	Disability	Death
2026	22	101
2027	22	101
2028	22	101
2029	22	101
2030	22	101
2031	22	101
2032	22	101
2033	22	101
2034	22	101
2035	22	101
2036	22	101
2037	22	101
2038	22	101
2039	22	101
2040	0	0
2041	0	0
2042	0	0
2043	0	0

2044	0	0
2045	0	0
2046	0	0
2047	0	0
2048	0	0
2049	0	0
2050	0	0

Employer contribution impact beyond Fiscal Year 2050 is not shown.

The potential increases in employer contributions will be allocated to the Triborough Bridge and Tunnel Authority (TBTA).

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.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2024 ($ in Thousands)

Present Value (PV)	Per Disability	Per Death
(1) PV of Employer Contributions:	184	851
(2) PV of Employee Contributions:	(0)	0
Total PV of Benefits (1) + (2):	184	851

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL per incident would be recognized as ongoing gain/loss.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Recognized as Ongoing Gain/Loss	Per Disability	Per Death
Increase (Decrease) in UAL:	184 K	851 K
Number of Payments:	14	14
Amortization Payment:	22 K	101 K

CENSUS DATA: The number of members and eligible retirees who worked at the Verrazano bridge during the applicable period is unknown. The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the potentially impacted population used to develop the average costs in this Fiscal Note is based on TBTA members active during the applicable period and is summarized below.

	NYCERS
Active Members	
- Number Count:	155
- Average Age:	58.0
- Average Service:	26.9
- Average Salary:	129,700
Term. Vested Members	
- Number Count:	59
- Average Age:	54.4
Receiving Members	
- Number Count:	888
- Average Age:	68.9

IMPACT ON MEMBER BENEFITS: Currently, a member who becomes disabled would be eligible for an applicable ordinary disability retirement, generally a lifetime payment of 1/3 of Final Average Salary or the

service retirement benefit if greater. The ordinary death benefit is a lump sum payment generally equal to three times the member's salary for active members or a fraction of the retirement benefit for retirees.

Under the proposed legislation, the accidental death benefit would generally be equal to a lifetime benefit of 50%, or 100% for those eligible for the Special Accidental Death Benefit, of a member's wages earned during their last year of service.

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

The cost of this proposed legislation could vary greatly depending on the number of future members who benefit and on their length of service, age, and salary history. The estimated financial impact for disabled members has been calculated assuming 50% would have retired under an ordinary disability benefit, and 50% would have continued working if the proposed legislation were not passed.

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 2025-73 dated May 29, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.