

STATE OF NEW YORK

8801

2025-2026 Regular Sessions

IN ASSEMBLY

June 7, 2025

Introduced by M. of A. PHEFFER AMATO -- (at request of the Unified Court System) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the retirement and social security law, in relation to eligibility for retirement benefits for certain members of the unified court system

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

1 Section 1. Subdivision a of section 503 of the retirement and social
2 security law, as amended by chapter 18 of the laws of 2012, is amended
3 to read as follows:

4 a. The normal service retirement benefit specified in section five
5 hundred four of this article shall be payable to general members, other
6 than elective members, who have met the minimum service requirements
7 upon retirement and attainment of age sixty-two, provided, however, a
8 general member who is a peace officer employed by the unified court
9 system or a member of a teachers' retirement system may retire without
10 reduction of ~~[his or her]~~ such member's retirement benefit upon attain-
11 ment of at least fifty-five years of age and completion of thirty or
12 more years of service. For members who become members of the New York
13 state and local employees' retirement system on or after April first,
14 two thousand twelve, the normal service retirement benefits specified in
15 section five hundred four of this article shall be payable to general
16 members, other than elective members, who have met the minimum service
17 requirements upon retirement and attainment of age sixty-three; provided
18 that, a member who is a peace officer employed by the unified court
19 system may retire without reduction of such member's retirement benefit
20 upon attainment of at least fifty-five years of age and completion of
21 thirty or more years of service.

22 § 2. Subdivisions a and a-1 of section 603 of the retirement and
23 social security law, subdivision a as amended by section 3 of part EE of

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

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chapter 55 of the laws of 2024 and subdivision a-1 as added by chapter 18 of the laws of 2012, are 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, 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 years of credited and creditable service, provided further that ~~[the]~~ preceding provisions of this subdivision shall not apply to a New York city revised plan member.

a-1. For members who first become a member of a public retirement system of the state on or after April first, two thousand twelve, except for uniformed court officers or peace officers employed by the unified court system, 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 have attained age sixty-three.

§ 3. Subdivisions a and b-1 of section 604 of the retirement and social security law, subdivision a as amended and subdivision b-1 as added by chapter 18 of the laws of 2012, are amended to read as follows:

a. The service retirement benefit at normal retirement age for a member with less than twenty years of credited service, or less than twenty-five years credited service for a member who joins the New York state teachers' retirement system on or after January first, two thousand ten, shall be a retirement allowance equal to one-sixtieth of final average salary times years of credited service. Normal retirement age for members who first become members of a public retirement system of the state on or after April first, two thousand twelve shall be age sixty-three; except that the normal retirement age shall be sixty-two for a member who is a peace officer or uniformed court officer employed by the unified court system.

b-1. Notwithstanding any other provision of law to the contrary, the service retirement benefit for members with twenty or more years of

1 ~~[credit]~~ credited service who first become a member of a public retire-
2 ment system of the state on or after April first, two thousand twelve at
3 age sixty-three, or at age sixty-two for uniformed court officers or
4 peace officers employed by the unified court system, shall be a pension
5 equal to the sum of thirty-five per centum and one-fiftieth of final
6 average salary for each year of service in excess of twenty times final
7 average salary times years of credited service. In no event shall any
8 retirement benefit payable without optional modification be less than
9 the actuarially equivalent annuitized value of the member's contrib-
10 utions accumulated with interest at five percent per annum compounded
11 annually to the date of retirement.

12 § 4. Paragraph 3 of subdivision i of section 603 of the retirement and
13 social security law, as added by chapter 18 of the laws of 2012, is
14 amended to read as follows:

15 3. A member of a public retirement system of the state who has met the
16 minimum service requirement, but who is not a New York city transit
17 authority member, as defined in paragraph one of subdivision a of
18 section six hundred four-b of this article, may retire prior to normal
19 retirement age, but no earlier than attainment of age fifty-five, in
20 which event, the amount of ~~[his or her]~~ such member's retirement benefit
21 computed without optional modification shall be reduced by six and one-
22 half per centum for each year by which early retirement precedes age
23 sixty-three; provided, however, that for a member who is a uniformed
24 court officer or peace officer employed by the unified court system, the
25 retirement benefit computed without optional modification shall be
26 reduced in accordance with paragraph one of this subdivision.

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

30 § 6. This act shall take effect immediately; provided, however, that
31 the amendments to subdivision a of section 603 of the retirement and
32 social security law made by section two of this act shall not affect the
33 expiration of such subdivision and shall be deemed to expire therewith.

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

This bill would allow any Tier 6 member who is a uniformed court offi-
cer or peace officer employed by the Unified Court System to retire
without an early age reduction at age 62 or upon attaining age 55 with
30 years of creditable service. It would also reduce the normal retire-
ment age from 63 to 62 and lessen the reductions in benefits for those
who retire prior to normal retirement age.

If this bill is enacted during the 2025 Legislative Session, we antic-
ipate that there will be an increase of approximately \$2.8 million in
the annual contributions of the State of New York for the fiscal year
ending March 31, 2026. In future years this cost will vary as the bill-
ing rates and salary of the affected members change but is expected to
average 0.9% of salary annually.

In addition to the annual contributions discussed above, there will be
an immediate past service cost of approximately \$26.4 million which will
be borne by the State of New York as a one-time payment. This estimate
assumes that payment will be made on March 1, 2026.

These estimated costs are based on 2,757 affected members employed by
the State of New York, with annual salary of approximately \$202 million
as of March 31, 2024.

Summary of relevant resources:

Membership data as of March 31, 2024 was used in measuring the impact
of the proposed change, the same data used in the April 1, 2024 actuari-

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

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

This estimate, dated May 20, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-182. As Chief Actuary of the New York State and Local Retirement System, I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member.