

# STATE OF NEW YORK

10408

## IN SENATE

May 15, 2026

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement option for certain deputy sheriffs employed by the city of New York

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

1 Section 1. Paragraph 8 of subdivision a of section 445-f of the  
2 retirement and social security law, as added by chapter 559 of the laws  
3 of 2001, is amended to read as follows:

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 or twenty-five years of credited service.

7 § 2. Subdivision b of section 445-f of the retirement and social secu-  
8 rity law, as added by chapter 559 of the laws of 2001, is amended to  
9 read as follows:

10 b. Election of twenty-five year improved benefit retirement program.

11 1. Subject to the provisions of paragraphs five and six of this subdi-  
12 vision, any person who is a deputy sheriff member on the starting date  
13 of the twenty-five year improved benefit retirement program may elect to  
14 become a participant in the twenty-five year improved benefit retirement  
15 program by filing, within one hundred eighty days after such starting  
16 date, a duly executed application for such participation with the  
17 retirement system, provided [~~he or she~~] such person is such a deputy  
18 sheriff member on the date such application is filed.

19 2. Subject to the provisions of paragraphs five and six of this subdi-  
20 vision, any person who becomes a deputy sheriff member after the start-  
21 ing date of the twenty-five year improved benefit retirement program may  
22 elect to become a participant in the twenty-five year improved benefit  
23 retirement program by filing, within one hundred eighty days after  
24 becoming such a deputy sheriff member, a duly executed application for  
25 such participation with the retirement system, provided [~~he or she~~] such  
26 person is such a deputy sheriff member on the date such application is  
27 filed.

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

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1 2-a. Subject to the provisions of paragraphs five and six of this  
2 subdivision, any member who was eligible to elect to become a partic-  
3 ipant in the twenty-five year improved benefit retirement program and  
4 did not make such election may elect to participate in the twenty-five  
5 year improved benefit program by filing, within one hundred eighty days  
6 following the effective date of this paragraph, a duly executed applica-  
7 tion for such participation with the retirement system, provided such  
8 member is a deputy sheriff member on the date such application is filed.

9 3. Any election to be a participant in the twenty-five year improved  
10 benefit retirement program shall be irrevocable.

11 4. Where any participant in the twenty-five year improved benefit  
12 retirement program shall cease to hold a position as a deputy sheriff  
13 member, [~~he or she~~] such person shall cease to be such a participant  
14 and, during any period in which such a person does not hold such a depu-  
15 ty sheriff position, [~~he or she~~] such person shall not be a participant  
16 in the twenty-five year improved benefit retirement program and shall  
17 not be eligible for the benefits of subdivision c of this section.

18 5. Where any participant in the twenty-five year improved benefit  
19 retirement program terminates service as a deputy sheriff member and  
20 returns to such service as a deputy sheriff member at a later date, [~~he~~  
21 ~~or she~~] such person shall again become such a participant on that date.

22 6. Notwithstanding any other provision of law to the contrary, any  
23 person who is eligible to become a participant in the twenty-five year  
24 improved benefit retirement program pursuant to paragraph one [~~or~~],  
25 or two-a of this subdivision for the full one hundred eighty day period  
26 provided for in such applicable paragraph and who fails to timely file a  
27 duly executed application for such participation with the retirement  
28 system, shall not thereafter be eligible to become a participant in such  
29 program.

30 § 3. Subdivision c of section 445-f of the retirement and social secu-  
31 rity law, as added by chapter 559 of the laws of 2001, is amended to  
32 read as follows:

33 c. Service retirement benefits. Notwithstanding any other provision of  
34 law to the contrary, where a participant in the twenty-five year  
35 improved benefit retirement program, who is otherwise qualified for a  
36 retirement allowance pursuant to the optional retirement provisions set  
37 forth in subdivision a of this section, has made and/or paid, while [~~he~~  
38 ~~or she~~] such participant is a deputy sheriff member, all additional  
39 member contributions and interest (if any) required by subdivision d of  
40 this section, then:

41 1. that participant, while [~~he or she~~] such participant remains a  
42 participant, shall not be subject to the provisions of subdivision a of  
43 section four hundred forty-five of this article; and

44 2. if that participant, while such a participant, retires for service,  
45 [~~he or she~~] such participant shall not be subject to the provisions of  
46 section four hundred forty-four of this article; and

47 3. [~~his or her~~] such participant's retirement allowance shall be an  
48 amount, on account of the required minimum period of service, equal to  
49 the sum of (i) an annuity which shall be the actuarial equivalent of the  
50 accumulated deductions from [~~his or her~~] such participant's pay during  
51 such period, (ii) a pension for increased-take-home-pay which shall be  
52 the actuarial equivalent of the reserve for increased-take-home-pay to  
53 which [~~he or she~~] such participant may be entitled for such period, and  
54 (iii) a pension which, when added to such annuity and such pension for  
55 increased-take-home-pay, produces a retirement allowance equal to, for  
56 twenty years of service, forty percent of such participant's final aver-

1 age salary, plus an amount for each additional year of allowable  
2 service, or fraction thereof, beyond twenty years but less than twenty-  
3 five years of allowable service, equal to three percent of such partic-  
4 ipant's final average salary, and for twenty-five years of allowable  
5 service, fifty-five percent of [~~his or her~~] such participant's final  
6 average salary, plus an amount for each additional year of allowable  
7 service, or fraction thereof, beyond [~~such required minimum period~~]  
8 twenty-five years of service equal to one and seven-tenths percent of  
9 [~~his or her~~] such participant's final average salary; and

10 4. the maximum retirement benefit computed without optional modifica-  
11 tion payable to that participant upon [~~his or her~~] such participant's  
12 retirement for service as such a participant shall equal that payable  
13 upon completion of thirty years of service.

14 § 4. Subdivision c of section 604-f of the retirement and social secu-  
15 rity law, as added by chapter 559 of the laws of 2001, is amended to  
16 read as follows:

17 c. Service retirement benefits. 1. A participant in the twenty-five  
18 year retirement program:

19 (i) who has completed twenty or twenty-five or more years of credited  
20 service; and

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

24 (iii) who files with the retirement system of which [~~he or she~~] such  
25 participant is a member an application for service retirement setting  
26 forth at what time, not less than thirty days subsequent to the  
27 execution and filing thereof, [~~he or she~~] such participant desires to be  
28 retired; and

29 (iv) who shall be a participant in the twenty-five year retirement  
30 program at the time so specified for [~~his or her~~] such participant's  
31 retirement; shall be retired pursuant to the provisions of this section  
32 affording early service retirement.

33 2. (i) Notwithstanding any other provision of law to the contrary, and  
34 subject to the provisions of paragraph six of subdivision e of this  
35 section, the early service retirement benefit for participants in the  
36 twenty-five year retirement program who retire pursuant to paragraph one  
37 of this subdivision upon the completion of twenty years of service shall  
38 be a retirement allowance consisting of:

39 (A) an amount, on account of the required minimum period of service,  
40 equal to [~~fifty-five~~] forty percent of [~~his or her~~] such participant's  
41 final average salary; plus

42 (B) an amount on account of credited service, or fraction thereof,  
43 beyond [~~such required minimum period~~] twenty years, but no more than  
44 twenty-five years of service equal to [~~one and seven-tenths~~] three  
45 percent of [~~his or her~~] such participant's final salary;

46 (ii) Notwithstanding any other provision of law to the contrary, and  
47 subject to the provisions of paragraph six of subdivision e of this  
48 section, the early service retirement benefit for participants in the  
49 twenty-five year retirement program who retire pursuant to paragraph one  
50 of this subdivision upon the completion of twenty-five years of service  
51 shall be a retirement allowance consisting of:

52 (A) an amount, on account of the required minimum period of service,  
53 equal to fifty-five percent of such participant's final average salary;  
54 plus

1 (B) an amount on account of credited service, or fraction thereof,  
2 beyond such twenty-five year period of service equal to one and seven-  
3 tenths percent of such participant's final salary;

4 (iii) The maximum retirement allowance computed without optional  
5 modification payable pursuant to subparagraph (i) of this paragraph  
6 shall equal that payable upon completion of thirty years of service.

7 § 5. Subparagraph (ii) of paragraph 1 of subdivision d of section  
8 604-f of the retirement and social security law, as amended by section 9  
9 of part TT of chapter 56 of the laws of 2022, is amended to read as  
10 follows:

11 (ii) who prior to such discontinuance, completed five but less than  
12 [~~twenty-five~~] twenty years of credited service; and

13 § 6. The New York city employees' retirement system shall make the  
14 form for members to make an election pursuant to section 445-f of the  
15 retirement and social security law available on its website no later  
16 than 30 days following the effective date of this act.

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

20 § 8. This act shall take effect immediately.