

STATE OF NEW YORK

10436

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 the ordinary disability benefit for enhanced plan members of the New York city fire department pension fund

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

1 Section 1. Subdivision c-1 of section 506 of the retirement and social
2 security law, as added by chapter 298 of the laws of 2016, is amended to
3 read as follows:

4 c-1. Notwithstanding any inconsistent provision of subdivision a or b
5 of this section, the ordinary disability benefit for a New York city
6 enhanced plan member in active service who is not eligible for a normal
7 retirement benefit~~[, has completed five years or more of service, and
8 has been determined to be eligible for primary social security disabili-
9 ty benefits shall be a pension equal to the greater of (i) thirty three
10 and one-third percent of final average salary, or (ii) two percent of
11 final average salary times years of credited service not in excess of
12 the maximum years of service for computing service retirement, such
13 benefit in each case to be reduced by one hundred percent of any work-
14 ers' compensation benefits payable]~~ shall be a pension equal to one-for-
15 tieth of such member's annual earnable compensation on the date of
16 retirement multiplied by the number of years of city-service credited to
17 such member, but not less than (i) one-half of their annual earnable
18 compensation on the date of retirement, if the years of city-service
19 credited to such member are ten or more, or (ii) one-third of their
20 annual earnable compensation on the date of retirement, if the years of
21 city-service credited to such member are less than ten. If the New York
22 city enhanced plan member had been in active public service prior to
23 joining the New York city fire department pension fund, then all contin-
24 uous public service immediately prior to the date of membership shall be
25 counted toward the years of city-service credited to such member. For
26 the purposes of this subdivision, continuous public service shall mean
27 service during a period in which an employee was not off the payroll of
28 a public employer for more than thirty days.

29 § 2. This act shall take effect immediately.

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

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