STATE OF NEW YORK

10441

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 administrative code of the city of New York, in relation to service retirement of 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:

Section 1. Section 13-696 of the administrative code of the city of New York is amended by adding a new subdivision l to read as follows:

l. (1) Service retirement and survivor benefits for members and their beneficiaries of the New York city fire department pension fund provided pursuant to article eleven of the retirement and social security law shall continue to be subject to the cost-of-living adjustment provided in this section, unless such cost-of-living adjustment is exceeded by the escalation of benefit calculation defined in the following subdivision, in which case only escalation shall be paid.

(2)(i) As used in this subdivision, the term "full escalation date" shall mean the first day of the month following the date on which a uniformed member becomes eligible for service retirement benefits for uniformed members of the New York city fire department pension fund.

(ii) If the payment of benefits commences on the full escalation date, the benefit shall be increased annually at an escalation rate equal to the lesser of three percent or the increase in the cost-of-living index as provided in subparagraph (iii) of this paragraph. In the event of a decrease in the cost-of-living index, the annual benefit shall be decreased by the lesser of three percent or the amount of the decrease in the cost-of-living index, as provided in subparagraph (iii) of this paragraph, provided that the benefit, in any event, shall not be reduced below the benefit payable at the initial commencement date. For each month that the benefit commencement date precedes the full escalation date, the escalation rate shall be reduced by one thirty-sixth, and there shall be no escalation where benefits commence more than three years prior to the full escalation date.

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

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(iii) Cost-of-living index changes shall be computed on a cumulative basis so that any increases or decreases not reflected in an adjustment to the benefit level shall be carried forward and applied in subsequent years. Benefits shall be escalated commencing with the payment due for the month of April, based on the cost-of-living index as of December thirty-first of the preceding year. If the initial benefit commencement date is May first or later, the initial escalation adjustment for the following April shall be reduced by one-twelfth for benefits commencing on May first, plus a further reduction of one-twelfth for each month the initial benefit commences thereafter.

(iv) If a member elects to defer the service retirement benefit, after separation from service, for the purpose of becoming eligible for annual escalation, the benefit so deferred shall be escalated at the full escalation rate until the deferred payment date, and thereafter shall be subject to annual escalation as provided in this section.

§ 2. This act shall take effect immediately.