STATE OF NEW YORK

7866

2025-2026 Regular Sessions

IN SENATE

May 12, 2025

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-two year retirement program for deputy sheriff members

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

Section 1. Subdivisions 5, 7, 12 and 17 of section 501 of the retirement and social security law, subdivisions 5, 12 and 17 as amended by chapter 18 of the laws of 2012, subdivision 7 as amended by chapter 457 of the laws of 2017, are amended to read as follows:

5. "Early retirement age" shall mean age fifty-five, for general members, and the age on which a member completes or would have completed twenty years of service, for police/fire members, New York city uniformed correction/sanitation revised plan members [~~and~~], investigator revised plan members **and New York city deputy sheriff revised plan members**.

7. "Eligible beneficiary" for the purposes of section five hundred nine of this article shall mean the following persons or classes of persons in the order set forth: (a) a surviving spouse who has not renounced survivorship rights in a separation agreement, until remarriage, (b) surviving children until age twenty-five, (c) dependent parents, determined under regulations promulgated by the comptroller, (d) any other person who qualified as a dependent on the final federal income tax return of the member or the return filed in the year immediately preceding the year of death, until such person reaches twenty-one years of age, (e) with respect to members of the New York city employees' retirement system (other than a New York city uniformed correction/sanitation revised plan member [~~or~~], an investigator revised plan member **or a New York city deputy sheriff revised plan member**) and the board of education retirement system of the city of New York, a

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

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person whom the member shall have nominated in the form of a written designation, duly acknowledged and filed with the head of the retirement system for the purpose of section five hundred eight of this article. In the event that a class of eligible beneficiaries consists of more than one person, benefits shall be divided equally among the persons in such class. For the purposes of section five hundred eight of this article the term "eligible beneficiary" shall mean such person as the member shall have nominated to receive the benefits provided in this article. To be effective, such a nomination must be in the form of a written designation, duly acknowledged and filed with the head of the retirement system for this specific purpose. In the event such designated beneficiary does not survive [~~him~~] such member, or if [~~he~~] such member shall not have so designated a beneficiary, such benefits shall be payable to the deceased member's estate or as provided in section one thousand three hundred ten of the surrogate's court procedure act and (f) notwithstanding any other provisions of law, "eligible beneficiary" of a New York city uniformed sanitation revised plan member for the purposes of section five hundred nine of this article shall mean the following persons or classes of persons in the order set forth: (i) a surviving spouse who has not renounced survivorship rights in a separation agreement, (ii) surviving children until age twenty-five, (iii) dependent parents, determined under regulations promulgated by the comptroller and (iv) any other person who qualified as a dependent on the final federal income tax return of the member or the return filed in the year immediately preceding the year of death, until such person reaches twenty-one years of age.

12. "General member" shall mean a member subject to the provisions of this article who is not a police/fire member, a New York city uniformed correction/sanitation revised plan member [~~or~~], an investigator revised plan member or a New York city deputy sheriff revised plan member.

17. "Normal retirement age" shall be age sixty-two, for general members, and the age at which a member completes or would have completed twenty-two years of service, for police/fire members, New York city uniformed correction/sanitation revised plan members [~~and~~], investigator revised plan members and New York city deputy sheriff revised plan members.

§ 2. Section 501 of the retirement and social security law is amended by adding a new subdivision 29 to read as follows:

29. "New York city deputy sheriff revised plan member" shall mean a member who is performing the duties of a deputy sheriff in the New York city sheriff's department and who makes an election pursuant to section five hundred four-e of this article to become a participant in the New York city deputy sheriff revised plan.

§ 3. Subdivisions c and d of section 503 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, are amended to read as follows:

c. A general member shall be eligible for early service retirement at age fifty-five with five years of credited service. A general member in the uniformed correction force of the New York city department of correction, who is not eligible for early service retirement pursuant to subdivision c of section five hundred four-a of this article or subdivision c of section five hundred four-b of this article or subdivision c of section five hundred four-d of this article, or a general member in the uniformed personnel in institutions under the jurisdiction of the department of corrections and community supervision, as defined in subdivision i of section eighty-nine of this chapter or serving in

institutions who is also in a title defined in such subdivision and who has made an election pursuant to the provisions of article seventeen of this chapter, shall also be eligible for early service retirement after twenty-five years of credited service, provided, however, that the provisions of this subdivision and subdivision a of this section shall not apply to a New York city uniformed correction/sanitation revised plan member [~~or~~], an investigator revised plan member **or a New York city deputy sheriff revised plan member**.

d. The normal service retirement benefit specified in section five hundred five of this article shall be paid to police/fire members, New York city uniformed correction/sanitation revised plan members [~~and~~], investigator revised plan members **and New York city deputy sheriff revised plan members** without regard to age upon retirement after twenty-two years of service. Early service retirement shall be permitted upon retirement after twenty years of credited service or attainment of age sixty-two, provided, however, that New York city police/fire revised plan members, New York city uniformed correction/sanitation revised plan members [~~and~~], investigator revised plan members **and New York city deputy sheriff revised plan members** shall not be eligible to retire for service prior to the attainment of twenty years of credited service.

§ 4. The retirement and social security law is amended by adding a new section 504-e to read as follows:

§ 504-e. Twenty-two year retirement program for deputy sheriff members. a. Definitions. The following words and phrases as used in this section shall have the following meanings unless a different meaning is plainly required by the context.

1. "Deputy sheriff" shall mean a member who is employed by the city of New York as a deputy city sheriff level one, deputy city sheriff level two, supervising deputy sheriff or administrative sheriff.

2. "Twenty-two year retirement program" shall mean all the terms and conditions of this section.

3. "Starting date of the twenty-two year retirement program" shall mean the effective date of this section, as such date is certified pursuant to section forty-one of the legislative law.

4. "Participant in the twenty-two year retirement program" shall mean any deputy sheriff member who, under the applicable provisions of subdivision b of this section, is entitled to the rights, benefits and privileges and is subject to the obligations of the twenty-two year retirement program, as applicable to such member.

5. "Discontinued member" shall mean a participant in the twenty-two year retirement program who, while such member was a deputy sheriff member, discontinued service as such a member and has a right to a deferred vested benefit under subdivision d of this section.

b. Participation in the twenty-two year retirement program. 1. Subject to the provisions of paragraphs five and six of this subdivision and notwithstanding any provision of law to the contrary, any person who is a deputy sheriff member on the starting date of the twenty-two year retirement program may elect to become a participant in the twenty-two year retirement program by filing, within one hundred eighty days after the starting date of the twenty-two year retirement program, a duly executed application for such participation with the retirement system of which such person is a member, provided such person is a deputy sheriff member on the date such application is filed.

2. Subject to the provisions of paragraphs five and six of this subdivision and notwithstanding any provision of law to the contrary, any person who becomes a deputy sheriff member after the starting date of

the twenty-two year retirement program, may elect to become a participant in the twenty-two year retirement program by filing, within one hundred eighty days after becoming such a deputy sheriff member, a duly executed application for such participation with the retirement system for which such person is a member, provided such person is such a deputy sheriff member on the date such application is filed.

3. Any election to be a participant in the twenty-two year retirement program shall be irrevocable.

4. Where any participant in the twenty-two year retirement program shall cease to be employed by the city of New York as a deputy sheriff member, such person shall cease to be a participant and, during any period in which such member is not so employed, such member shall not be a participant in the twenty-two year retirement program and shall not be eligible for the benefits of subdivision c of this section.

5. Where any participant in the twenty-two year retirement program terminates service as a deputy sheriff member and returns to such service as a deputy sheriff member at a later date, such member shall again become such a participant on that date.

6. Notwithstanding any other provision of law to the contrary, any person who is eligible to elect to become a participant in the twenty-two year retirement program pursuant to paragraph one or two of this subdivision for the full one hundred eighty day period provided for in such applicable paragraph and who fails to timely file a duly executed application for such participation with the retirement system, shall not thereafter be eligible to become a participant in such program.

7. Notwithstanding any provision of law to the contrary, no member electing to participate in the twenty-two year retirement program shall be entitled to a refund of any contributions made prior to the effective date of such election.

c. Service retirement benefits. A participant in the twenty-two year retirement program who:

1. has completed twenty or more years of credited service; and

2. who has paid, before the effective date of retirement, all additional member contributions and interest (if any) required by subdivision e of this section; and

3. who files with the retirement system of which such person is a member an application for service retirement setting forth at what time, not less than thirty days subsequent to the execution and filing thereof, such member desires to be retired; and

4. who shall be a participant in the twenty-two year retirement program at the time so specified for such person's retirement; shall be retired pursuant to the provisions of section five hundred five of this article.

d. Vesting. 1. A participant in the twenty-two year retirement program:

(i) who discontinues service as such a participant, other than by death or retirement; and

(ii) who prior to such discontinuance, completed five but less than twenty years of credited service; and

(iii) who, subject to the provisions of paragraph seven of subdivision e of this section, has paid, prior to such discontinuance, all additional member contributions and interest (if any) required by subdivision e of this section; and

(iv) who does not withdraw in whole or in part such participant's accumulated member contributions pursuant to section five hundred seventeen of this article unless such participant thereafter returns to

public service and repays the amounts so withdrawn, together with interest, pursuant to such section five hundred seventeen shall be entitled to receive a deferred vested benefit.

2. (i) Upon such discontinuance under the conditions and in compliance with the provisions of paragraph one of this subdivision, such deferred vested benefit shall vest automatically.

(ii) Such vested benefit shall become payable on the earliest date on which such discontinued member could have retired for service if such discontinuance had not occurred.

3. Subject to the provisions of paragraph seven of subdivision e of this section, such deferred vested benefit shall be a retirement allowance as provided for in section five hundred sixteen of this article.

e. Additional member contributions. 1. In addition to the member contributions required by section five hundred seventeen of this article, each participant in the twenty-two year retirement program shall contribute to the retirement system of which such participant is a member (subject to subdivision j of section five hundred seventeen of this article) an additional six and three-quarters percent of such participant's compensation earned from (i) all credited service, as a participant in the twenty-two year retirement program, rendered on or after the starting date of such member's participation in the twenty-two year retirement program, and (ii) all credited service after such person ceases to be a participant, but before such participant again becomes a participant pursuant to paragraph five of subdivision b of this section.

2. A participant in the twenty-two year retirement program shall contribute additional member contributions until the later of (i) the first anniversary of the starting date of the twenty-two year retirement program, or (ii) the date on which such participant completes thirty years of credited service as a deputy sheriff member.

3. Commencing with the first full payroll period after each person becomes a participant in the twenty-two year retirement program, additional member contributions at the rate specified in paragraph one of this subdivision shall be deducted (subject to subdivision j of section five hundred seventeen of this article) from the compensation of such participant on each and every payroll of such participant for each and every payroll period for which such person is such a participant.

4. (i) Each participant in the twenty-two year retirement program shall be charged with a contribution deficiency consisting of the total amounts of additional member contributions such person is required to make pursuant to paragraphs one and two of this subdivision which are not deducted from their compensation pursuant to paragraph three of this subdivision, if any, together with interest thereon, compounded annually, and computed in accordance with the provisions of subparagraphs (ii) and (iii) of this paragraph.

(ii) (A) The interest required to be paid on each such amount specified in subparagraph (i) of this paragraph shall accrue from the end of the payroll period for which such amount would have been deducted from compensation if such person had been a participant at the beginning of that payroll period and such deduction had been required for such payroll period, until such amount is paid to the retirement system.

(B) The rate of interest to be applied to each such amount during the period for which interest accrues on that amount shall be equal to the rate or rates of interest required by law to be used during that same period to credit interest on the accumulated deductions of retirement system members.

(iii) Except as otherwise provided in paragraph five of this subdivision, no interest shall be due on any unpaid additional member contributions which are not attributable to a period prior to the first full payroll period referred to in paragraph three of this subdivision.

5. (i) Should any person who, pursuant to subparagraph (ii) of paragraph ten of this subdivision, has received a refund of their additional member contributions including any interest paid on such contributions, again become a participant in the twenty-two year retirement program pursuant to paragraph six of subdivision b of this section, an appropriate amount shall be included in such participant's contribution deficiency (including interest thereon as calculated pursuant to subparagraph (ii) of this paragraph) for any credited service for which such person received a refund of such additional member contributions (including any amount of an unpaid loan balance deemed to have been returned to such person pursuant to this subdivision), as if such additional member contributions never had been paid.

(ii)(A) Interest on a participant's additional member contributions included in such participant's contribution deficiency pursuant to subparagraph (i) of this paragraph shall be calculated as if such additional member contributions had never been paid by such participant, and such interest shall accrue from the end of the payroll period to which an amount of such additional member contributions is attributable, until such amount is paid to the retirement system.

(B) The rate of interest to be applied to each such amount during the period for which interest accrues on that amount shall be five percent per annum, compounded annually.

6. Where a participant who is otherwise eligible for service retirement pursuant to subdivision c of this section did not, prior to the effective date of retirement, pay the entire amount of a contribution deficiency chargeable to such participant pursuant to paragraphs four and five of this subdivision, that participant, nevertheless, shall be eligible to retire pursuant to subdivision c of this section, provided, however, that such participant's service retirement benefit calculated pursuant to paragraph two of such subdivision c shall be reduced by a life annuity (calculated in accordance with the method set forth in subdivision i of section six hundred thirteen-b of this article) which is actuarially equivalent to the amount of any unpaid contribution deficiency chargeable to such member pursuant to paragraphs four and five of this subdivision.

7. Where a participant who is otherwise eligible for a vested right to a deferred benefit pursuant to subdivision d of this section did not, prior to the date of discontinuance of service, pay the entire amount of a contribution deficiency chargeable to such participant pursuant to paragraphs four and five of this subdivision, the participant nevertheless, shall be eligible for a vested right to a deferred benefit pursuant to subdivision d of this section, provided, however, that the deferred vested benefit calculated pursuant to paragraph three of such subdivision d shall be reduced by a life annuity (calculated in accordance with the method set forth in subdivision i of section five hundred seventeen-b of this article) which is actuarially equivalent to the amount of any unpaid contribution deficiency chargeable to such member pursuant to paragraphs four and five of this subdivision.

8. The head of a retirement system which includes participants in the twenty-two year retirement program in its membership may, consistent with the provisions of this subdivision, promulgate regulations for the payment of such additional member contributions, and any interest there-

on, by such participants (including the deduction of such contributions, and any interest thereon, from the participant's compensation).

9. Subject to the provisions of paragraphs six and seven of this subdivision, where a participant has not paid in full any contribution deficiency chargeable to such participant pursuant to paragraphs four and five of this subdivision, and a benefit, other than a refund of member contributions pursuant to section five hundred seventeen of this article or a refund of additional member contributions pursuant to subparagraph (ii) of paragraph ten of this subdivision, becomes payable under this article to the participant or to their designated beneficiary or estate, the actuarial equivalent of any such unpaid amount shall be deducted from the benefit otherwise payable.

10. (i) Such additional member contributions (and any interest thereon) shall be paid into the contingent reserve fund of the retirement system of which the participant is a member and shall not for any purpose be deemed to be member contributions or accumulated contributions of a member under section five hundred seventeen of this article or otherwise while such member is a participant in the twenty-two year retirement program or otherwise, except that, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

(ii) Should a participant in the twenty-two year retirement program who has rendered less than fifteen years of credited service cease to hold a position as a deputy sheriff member for any reason whatsoever, such participant's accumulated additional member contributions made pursuant to this subdivision (together with any interest thereon paid to the retirement system) may be withdrawn by such participant pursuant to procedures promulgated in regulations of the board of trustees of the retirement system, together with interest thereon at the rate of five percent per annum, compounded annually.

(iii) Notwithstanding any other provision of law to the contrary, (A) no member shall be permitted to withdraw from the retirement system any additional member contributions paid pursuant to this subdivision or any interest paid thereon, except pursuant to and in accordance with the preceding subparagraphs of this paragraph; and (B) no member, while such person is a participant in the twenty-five year retirement program, shall be permitted to withdraw any such additional member contributions or any interest paid thereon pursuant to any of the preceding subparagraphs of this paragraph or otherwise.

11. No member of a public retirement system shall be permitted to borrow any portion of the additional member contributions (including any interest paid thereon by the participant) which are subject to this subdivision.

§ 5. Section 505 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

§ 505. Service retirement benefits; police/fire members, New York city uniformed correction/sanitation revised plan members [~~and~~], investigator revised plan members and New York city deputy sheriff revised plan members. a. The normal service retirement benefit for police/fire members, New York city uniformed correction/sanitation revised plan members [~~and~~], investigator revised plan members and New York city deputy sheriff revised plan members at normal retirement age shall be a pension equal to fifty percent of final average salary, less fifty percent of the primary social security retirement benefit commencing at

age sixty-two, as provided in section five hundred eleven of this article.

b. The early service retirement benefit for police/fire members, New York city uniformed correction/sanitation revised plan members [~~and~~], investigator revised plan members **and New York city deputy sheriff revised plan members** shall be a pension equal to two and one-tenths percent of final average salary times years of credited service at the completion of twenty years of service or upon attainment of age sixty-two, increased by one-third of one percent of final average salary for each month of service in excess of twenty years, but not in excess of fifty percent of final average salary, less fifty percent of the primary social security retirement benefit commencing at age sixty-two as provided in section five hundred eleven of this article, provided, however, that New York city police/fire revised plan members, New York city uniformed correction/sanitation revised plan members [~~and~~], investigator revised plan members **and New York city deputy sheriff revised plan members** shall not be eligible to retire for service prior to the attainment of twenty years of credited service.

c. A police/fire member, a New York city uniformed correction/sanitation revised plan member [~~or~~], an investigator revised plan member **or a New York city deputy sheriff revised plan member** who retires with twenty-two years of credited service or less may become eligible for annual escalation of the service retirement benefit if [~~he~~] **such member** elects to have the payment of [~~his~~] **their** benefit commence on the date [~~he~~] **such member** would have completed twenty-two years and one month or more of service. In such event, the service retirement benefit shall equal two percent of final average salary for each year of credited service, less fifty percent of the primary social security retirement benefit commencing at age sixty-two as provided in section five hundred eleven of this article.

§ 6. The retirement and social security law is amended by adding a new section 507-j to read as follows:

§ 507-j. Accidental disability retirement for deputy sheriffs employed by the city of New York. a. A member of the New York city employees' retirement system employed by the city of New York as a deputy city sheriff, level one, deputy city sheriff, level two, supervising deputy sheriff or administrative sheriff, who becomes physically or mentally incapacitated for the performance of duties as the natural and proximate result of an accident, sustained in the performance of such member's duties, not caused by such member's willful negligence, sustained in such service and while actually a member of the retirement system, shall be paid an accidental disability retirement allowance equal to three-quarters of final average salary as defined in section five hundred twelve of this article, subject to the provisions of section 13-176 of the administrative code of the city of New York.

b. 1. (i) Notwithstanding any provisions of this chapter or of any general, special or local law, charter, administrative code or rule or regulation to the contrary, if any condition or impairment of health is caused by a qualifying World Trade Center condition, as defined in section two of this chapter, it shall be presumptive evidence that it was incurred in the performance and discharge of duty and the natural and proximate result of an accident not caused by such member's own willful negligence, unless the contrary be proved by competent evidence.

(ii) The head of the retirement system is hereby authorized to promulgate rules and regulations to implement the provisions of this paragraph.

2. (i) Notwithstanding the provisions of this chapter or of any general, special or local law, charter, administrative code or rule or regulation to the contrary, if a member who participated in World Trade Center rescue, recovery or cleanup operations as defined in section two of this chapter, and subsequently retired on a service retirement, an ordinary disability retirement, a performance of duty disability retirement, or was separated from service with a vested right to deferred payability of a retirement allowance and subsequent to such retirement or separation is determined by the head of the retirement system to have a qualifying World Trade Center condition as defined in section two of this chapter, upon such determination by the head of the retirement system, it shall be presumed that such disability was incurred in the performance and discharge of duty as the natural and proximate result of an accident not caused by such member's own willful negligence, and that the member would have been physically or mentally incapacitated for the performance and discharge of duty of the position from which such member retired had the condition been known and fully developed at the time of the member's retirement, unless the contrary is proven by competent evidence.

(ii) The head of the retirement system shall consider a reclassification of the member's retirement or vesting as an accidental disability retirement effective as of the date of such reclassification.

(iii) Such member's retirement option shall not be changed as a result of such reclassification.

(iv) The member's former employer at the time of the member's retirement shall have an opportunity to be heard on the member's application for reclassification by the head of the retirement system according to procedures developed by the comptroller.

(v) The head of the retirement system is hereby authorized to promulgate rules and regulations to implement the provisions of this paragraph.

c. Notwithstanding any other provision of this chapter or of any general, special or local law, charter, administrative code or rule or regulation to the contrary, if a retiree or vestee who: (1) has met the criteria of subdivision b of this section and retired on a service or disability retirement, would have met the criteria if not already retired on an accidental disability, or was separated from service with a vested right to deferred payability of a retirement allowance; and (2) has not been retired for more than twenty-five years; and (3) dies from a qualifying World Trade Center condition as defined in section two of this chapter, as determined by the applicable head of the retirement system or applicable medical board, then unless the contrary be proven by competent evidence, such retiree or vestee shall be deemed to have died as a natural and proximate result of an accident sustained in the performance of duty and not as a result of willful negligence on their part. Such retiree's or vestee's eligible beneficiary, as set forth in section five hundred one of this article, shall be entitled to an accidental death benefit as provided by section five hundred nine of this article, however, for the purposes of determining the salary base upon which the accidental death benefit is calculated, the retiree or vestee shall be deemed to have died on the date of their retirement or separation from service with vested rights. Upon the retiree's or vestee's death, the eligible beneficiary shall make a written application to the head of the retirement system within the time for filing an application for an accidental death benefit as set forth in section five hundred nine of this article requesting conversion of such retiree's service,

vested right or disability retirement benefit to an accidental death benefit. At the time of such conversion, the eligible beneficiary shall relinquish all rights to the prospective benefits payable under the service or disability retirement benefit, or vested right to such benefit, including any post-retirement death benefits, since the retiree's or vestee's death. If the eligible beneficiary is not the only beneficiary receiving or entitled to receive a benefit under the service or disability retirement benefit (including, but not limited to, post-retirement death benefits or benefits paid or payable pursuant to the retiree's option selection), or that will be eligible under the vested right, the accidental death benefit payments to the eligible beneficiary will be reduced by any amounts paid or payable to any other beneficiary.

d. Notwithstanding any other provision of this chapter or of any general, special or local law, charter, administrative code or rule or regulation to the contrary, if a member who: (1) has met the criteria of subdivision b of this section; (2) dies in active service or after separating from service with a vested right to deferred payability of a retirement allowance, but prior to the payability of that retirement allowance; and (3) dies from a qualifying World Trade Center condition, as defined in section two of this chapter, as determined by the applicable head of the retirement system or applicable medical board to have been caused by such member's participation in the World Trade Center rescue, recovery or cleanup operations, as defined in section two of this chapter, then unless the contrary be proven by competent evidence, such member shall be deemed to have died as a natural and proximate result of an accident sustained in the performance of duty and not as a result of willful negligence on such member's part. Such member's eligible beneficiary, as set forth in section five hundred one of this article, shall be entitled to an accidental death benefit provided such member's eligible beneficiary makes written application to the head of the retirement system within the time for filing an application for an accidental death benefit as set forth in section five hundred nine of this article.

§ 7. Subdivision b of section 508 of the retirement and social security law, as amended by chapter 476 of the laws of 2018, is amended to read as follows:

b. A member of a retirement system subject to the provisions of this article who is a police officer, firefighter, correction officer, investigator revised plan member [~~or~~], sanitation worker or a New York city deputy sheriff revised plan member and is in a plan which permits immediate retirement upon completion of a specified period of service without regard to age or who is subject to the provisions of section five hundred four or five hundred five of this article, shall upon completion of ninety days of service be covered for financial protection in the event of death in service pursuant to this subdivision. Such death benefit shall be equal to three times the member's salary raised to the next highest multiple of one thousand dollars, but in no event shall it exceed three times the maximum salary specified in section one hundred thirty of the civil service law or, in the case of a member of a retirement system other than the New York city employees' retirement system, or in the case of a member of the New York city employees' retirement system who is a New York city uniformed correction/sanitation revised plan member [~~or~~], an investigator revised plan member or a New York city deputy sheriff revised plan member, the specific limitations specified for age of entrance into service contained in subparagraphs (b), (c), (d), (e) and (f) of paragraph two of subdivision a of this section.

§ 8. Paragraph 2 of subdivision b of section 510 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

2. The first day of the month following the date on which a member completes or would have completed twenty-five years of credited service, with respect to service retirement benefits for police/fire members and their beneficiaries, New York city uniformed correction/sanitation revised plan members and their beneficiaries [~~or~~], investigator revised plan members **or New York city deputy sheriff revised plan members** and their beneficiaries.

§ 9. Subdivisions c and d of section 512 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, are amended to read as follows:

c. Notwithstanding the provisions of subdivisions a and b of this section, the final average salary of an employee who has been a member of the New York city employees' retirement system (other than a New York city correction/sanitation revised plan member [~~or~~], an investigator revised plan member **or a New York city deputy sheriff revised plan member**) or the New York city teacher's retirement system for less than one year shall be the projected one year salary, with the calculation based upon a twelve month projection of the sums earned in the portion of the year worked. If a member has been employed for more than one year but less than two years, then the member's final average salary shall be the average of the first year and projected second year earnings based upon the calculation above, and if more than two years, but less than three years, then one-third the total of the first two years of employment plus the projected third year's earnings, calculated as indicated above.

d. Subject to the provisions of subdivision c of this section, and notwithstanding the provisions of subdivision a of this section, with respect to members of the New York city employees' retirement system (other than a New York city uniformed correction/sanitation revised plan member [~~or~~], an investigator revised plan member **or a New York city deputy sheriff revised plan member**) and the New York city board of education retirement system who are subject to the provisions of this article, a member's final average salary shall be determined pursuant to the provisions of paragraph thirteen of subdivision e of section 13-638.4 of the administrative code of the city of New York.

§ 10. Subdivision c of section 516 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

c. The deferred vested benefit of police/fire members, New York city police/fire revised plan members, New York city uniformed correction/sanitation revised plan members [~~or~~], investigator revised plan members **or New York city deputy sheriff revised plan members** shall be a pension commencing at early retirement age equal to two and one-tenths percent of final average salary times years of credited service, less fifty percent of the primary social security retirement benefit commencing at age sixty-two, as provided in section five hundred eleven of this article. A police/fire member, a New York city police/fire revised plan member, a New York city uniformed correction/sanitation revised plan member [~~or~~], investigator revised plan member **or a New York city deputy sheriff revised plan member** may elect to receive [~~his~~] **their** vested benefit commencing at early retirement age or age fifty-five. If the vested benefit commences before early retirement age, the benefit shall be reduced by one-fifteenth for each year, if any, that the

member's early retirement age is in excess of age sixty, and by one-thirtieth for each additional year by which the vested benefit commences prior to early retirement age. If such vested benefit is deferred until after such member's normal retirement age, the benefit shall be computed and subject to annual escalation in the same manner as provided for an early retirement benefit pursuant to subdivision c of section five hundred five of this article.

§ 11. Section 517 of the retirement and social security law is amended by adding two new subdivisions j and k to read as follows:

j. 1. Notwithstanding any provision of law to the contrary, the city of New York shall, in the case of a deputy sheriff revised plan member, pick up and pay to the retirement system of which such participant is a member all additional member contributions which otherwise would be required to be deducted from such member's compensation pursuant to paragraphs one and two of subdivision e of section five hundred four-e of this article (not including any additional member contributions due for any period prior to the first full payroll period referred to in such paragraph three of such subdivision e), and shall effect such pick up on each and every payroll of such participant for each and every payroll period with respect to which such paragraph three would otherwise require such deductions.

2. An amount equal to the amount of additional contributions picked up pursuant to this subdivision shall be deducted by such employer from the compensation of such member (as such compensation would be in the absence of a pick up program applicable to such member hereunder) and shall not be paid to such member.

3. The additional member contributions picked up pursuant to this subdivision for any such member shall be paid by such employer in lieu of an equal amount of additional member contributions otherwise required to be paid by such member under the applicable provisions of subdivision e of section five hundred four-e of this article, and shall be deemed to be and treated as employer contributions pursuant to section 414(h) of the Internal Revenue Code.

4. For the purpose of determining the retirement system rights, benefits and privileges of any member whose additional member contributions are picked up pursuant to this subdivision, such picked up additional member contributions shall be deemed to be and treated as part of such member's additional member contributions under the applicable provisions of subdivision e of section five hundred four-e of this article.

5. With the exception of federal income tax treatment, the additional member contributions picked up pursuant to paragraph one of this subdivision shall for all other purposes, including computation of retirement benefits and contributions by employers and employees, be deemed employee salary. Nothing contained in this subdivision shall be construed as superseding the provisions of section four hundred thirty-one of this chapter, or any similar provision of law which limits the salary base for computing retirement benefits payable by a public retirement system.

k. Notwithstanding any inconsistent provision of subdivision a of this section, New York city deputy sheriff revised plan members shall contribute three percent of annual wages to the pension fund in which they have membership and such contributions shall not be required for more than twenty-five years.

§ 12. Paragraph 1 of subdivision b of section 517-c of the retirement and social security law, as amended by section 1 of part JJ of chapter 55 of the laws of 2023, is amended to read as follows:

1. A member of the New York state and local employees' retirement system, the New York state and local police and fire retirement system, the New York city employees' retirement system, the New York city board of education retirement system or the New York city police pension fund in active service who has credit for at least one year of member service may borrow, no more than once during each twelve month period, an amount not exceeding seventy-five percent of the total contributions made pursuant to section five hundred seventeen of this article (including interest credited at the rate set forth in subdivision c of such section five hundred seventeen compounded annually) and not less than one thousand dollars, provided, however, that the provisions of this section shall not apply to a New York city uniformed correction/sanitation revised plan member [~~or~~], an investigator revised plan member **or a New York city deputy sheriff revised plan member**.

§ 13. Paragraphs 5 and 6 of subdivision a of section 600 of the retirement and social security law, paragraph 5 as amended and paragraph 6 as added by chapter 18 of the laws of 2012, are amended and a new paragraph 7 is added to read as follows:

5. Investigator members of the New York city employees' retirement system; [~~and~~]

6. Members of the uniformed force of the New York city department of sanitation who join or rejoin a public retirement system of the state on or after April first, two thousand twelve[~~.~~]**; and**

7. Deputy sheriff members of the New York city sheriff's department who join or rejoin a public retirement system of the state on or after the effective date of this paragraph and who make an election pursuant to section five hundred four-e of this chapter to become a participant in the New York city deputy sheriff revised plan.

§ 14. Paragraph 1-b of subdivision b of section 911 of the retirement and social security law, as added by chapter 18 of the laws of 2012, is amended to read as follows:

1-b. The provisions of this subdivision shall not apply to a New York city uniformed correction/sanitation revised plan member (as defined in subdivision twenty-five of section five hundred one of this chapter), an investigator revised plan member (as defined in subdivision twenty-seven of section five hundred one of this chapter) [~~or~~], a New York city revised plan member (as defined in subdivision m of section six hundred one of this chapter) **or a New York city deputy sheriff revised plan member (as defined in subdivision twenty-nine of section five hundred one of this chapter)**.

§ 15. The New York city employees retirement system shall make the form for members to make an election pursuant to section 504-e of the retirement and social security law available on its website no later than thirty days following the effective date of this act.

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

§ 17. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would establish a Tier 3 22-Year Retirement Program for NYCERS Deputy Sheriffs (DS 22-Year Plan). Participation is optional and requires Additional Member Contributions equal to 6.75% of compensation.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
by Fiscal Year for the first 25 years ($ in Millions)

Year	NYCERS
2026	0.8
2027	0.8
2028	0.8
2029	0.8
2030	0.9
2031	0.9
2032	0.9
2033	0.9
2034	0.9
2035	0.9
2036	1.0
2037	1.0
2038	1.0
2039	0.5
2040	0.5
2041	0.6
2042	0.6
2043	0.6
2044	0.6
2045	0.7
2046	0.7
2047	0.7
2048	0.8
2049	0.8
2050	0.8

Projected contributions include future new hires that may be impacted. For Fiscal Year 2051 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 3.43%.

The entire increase in employer contributions will be allocated to New York City.

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. Future new hires are not included in this present value.

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

Present Value (PV)	NYCERS
(1) PV of Employer Contributions:	6.6
(2) PV of Employee Contributions:	**(2.8)**
Total PV of Benefits (1) + (2):	3.8

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working life-time of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS
Increase (Decrease) in UAL:	3.9 M
Number of Payments:	13
Amortization Payment:	0.5 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the deputy sheriffs assumed to elect the DS 22-Year Plan is summarized below.

	NYCERS
Active Members	
- Number Count:	94
- Average Age:	39.0
- Average Service:	9.4
- Average Salary:	90,000

IMPACT ON MEMBER BENEFITS AND CONTRIBUTIONS: The proposed legislation would provide the following benefits to deputy sheriffs who participate in the DS 22-Year Plan:

* Service retirement benefit of 42% of Final Average Salary (FAS) for the first 20 years of credited service, plus 4% of FAS for each additional year of credited service exceeding 20 years up to a maximum of 22 years. This benefit is subject to a social security offset starting at age 62.
* Accidental disability retirement benefit equal to 75% of FAS without an offset for social security.
* Vested benefit of 2.1% of FAS for each year of credited service, payable on the date they would have attained 20 years of credited service, and subject to a social security offset starting at age 62.

Benefits provided under the plan would be subject to the applicable Cost-of-Living Adjustment (COLA) or Escalation Adjustments. Current benefits are only subject to COLA provisions.

Members of the DS 22-Year Plan would be required to pay Basic Member Contributions of 3% for up to 25 years, and Additional Member Contributions equal to 6.75% of compensation for all service as a Plan participant on and after the starting date of the Plan until the later of the one-year anniversary of the effective date of the Plan or 30 years of Credited Service.

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

* The rates of retirement for the DS 22-Year Plan were assigned based on members' eligibility to elect. The DS 22-Year Plan will be optional for current and future deputy sheriffs.
* New entrants were assumed to replace exiting members so that total payroll for deputy sheriffs increases by 3% each year. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

To determine the impact of the elective nature of the proposed legislation, a subgroup of NYCERS deputy sheriffs was developed based on who is assumed to benefit actuarially by comparing the net present value of future employer costs of each member's benefit under their current plan and under the DS 22-Year Plan.

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 2025-56 dated May 6, 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.