

# STATE OF NEW YORK

8093

2025-2026 Regular Sessions

## IN SENATE

May 15, 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 allowing members of the New York city fire department pension fund to obtain service credit for retirement eligibility and retirement allowance from any of the public retirement systems of New York state

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

1 Section 1. Subparagraph (iii) of paragraph 2 of subdivision c of  
2 section 513 of the retirement and social security law is renumbered  
3 subparagraph (iv) and a new subparagraph (iii) is added to read as  
4 follows:

5 (iii) Notwithstanding any other provision of law to the contrary, a  
6 member of the New York city fire department pension fund subject to this  
7 article shall be eligible to obtain credit for any period of allowable  
8 prior service, in any of the public retirement systems of the state, as  
9 defined in subdivision twenty-three of section five hundred one of this  
10 article, including the New York state and local employees' retirement  
11 system, New York state and local police and fire retirement system, New  
12 York state teachers' retirement system, New York city employees' retire-  
13 ment system, New York city teachers' retirement system, New York city  
14 police pension fund, New York city fire department pension fund and the  
15 New York city board of education retirement system, and such service  
16 shall be deemed to be in service of the uniformed force of the New York  
17 city fire department for purposes of eligibility for benefits and to  
18 determine the amount of benefits under the New York city fire department  
19 pension fund, provided that such member pays or transfers into the New  
20 York city fire department pension fund all member contributions set  
21 forth in section five hundred seventeen of this article plus interest,  
22 at a rate of five percent per annum. For a member who transfers such  
23 contributions from any of the public retirement systems of the state, as

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

LBD04244-03-5

1 defined in subdivision twenty-three of section five hundred one of this  
2 article, and set forth in this subparagraph, to the New York city fire  
3 department pension fund, or for a member who withdraws such contrib-  
4 utions from any of the public retirement systems, such member's member-  
5 ship in the public retirement system from where such contributions were  
6 transferred or withdrawn shall cease upon such transfer or withdrawal,  
7 and such member shall retain no credited service in such system.

8 § 2. Subdivision c of section 446 of the retirement and social securi-  
9 ty law, as amended by chapter 426 of the laws of 1974 and as relettered  
10 by chapter 465 of the laws of 1980, is amended to read as follows:

11 c. Creditable service.

12 (i) A member of a retirement system who is subject to the provisions  
13 of this article shall not be eligible to obtain retirement credit for  
14 service with a public employer other than the state of New York, a poli-  
15 tical subdivision thereof, a public benefit corporation, or a partic-  
16 ipating employer; provided, however, military service with the federal  
17 government may be credited pursuant to section two hundred forty-three  
18 of the military law up to a maximum of four years; and further provided  
19 that retirement credit may be granted for service with an agency located  
20 within the state of New York currently specified in the law as providing  
21 retirement credit for service.

22 (ii) Notwithstanding any other provision of law to the contrary, a  
23 member of the New York city fire department pension fund subject to this  
24 article shall be eligible to obtain credit for any period of allowable  
25 prior service, in any of the public retirement systems of the state, as  
26 defined in subdivision twenty-three of section five hundred one of this  
27 article, including the New York state and local employees' retirement  
28 system, New York state and local police and fire retirement system, New  
29 York state teachers' retirement system, New York city employees' retire-  
30 ment system, New York city teachers' retirement system, New York city  
31 police pension fund, New York city fire department pension fund and the  
32 New York city board of education retirement system, and such service  
33 shall be deemed to be in service of the uniformed force of the New York  
34 city fire department for purposes of eligibility for benefits and to  
35 determine the amount of benefits under the New York city fire department  
36 pension fund, provided that such member pays or transfers into the New  
37 York city fire department pension fund all member contributions plus  
38 interest, at a rate of eight and one quarter percent per annum. For a  
39 member who transfers such contributions from any of the public retire-  
40 ment systems of the state, as defined in subdivision twenty-three of  
41 section five hundred one of this article, and set forth in this para-  
42 graph, to the New York city fire department pension fund, or for a  
43 member who withdraws such contributions from any of the public retire-  
44 ment systems, such member's membership in the public retirement system  
45 from where such contributions were transferred or withdrawn shall cease  
46 upon such transfer or withdrawal, and such member shall retain no cred-  
47 ited service in such system.

48 § 3. This act shall take effect immediately.