

STATE OF NEW YORK

8160

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 and the education law, in relation to increasing the base benefit amount for computation of pension cost-of-living adjustments

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

1 Section 1. Subdivisions c and d of section 78-a of the retirement and
2 social security law, as added by chapter 125 of the laws of 2000, are
3 amended to read as follows:

4 c. [~~said~~] (i) In calendar years two thousand three through two thou-
5 sand twenty-five, said cost-of-living adjustment shall be computed on a
6 base benefit amount not to exceed eighteen thousand dollars of the annu-
7 al retirement allowance defined in subdivision b of this section.

8 (ii) In calendar year two thousand twenty-six and thereafter, said
9 cost-of-living adjustment shall be computed on a base benefit amount not
10 to exceed twenty-one thousand dollars of the annual retirement allowance
11 defined in subdivision b of this section, except that effective on the
12 first day of September, two thousand twenty-six, the cost-of-living
13 adjustment shall be computed on a base benefit amount not to exceed
14 twenty-one thousand dollars of the annual retirement allowance defined
15 in subdivision b of this section.

16 d. The percentage referred to in this section shall be determined
17 annually by reference to the consumer price index (all urban consumers,
18 CPI-U, U.S. city average, all items, 1982-84=100), published by the
19 United States bureau of labor statistics, for each applicable calendar
20 year. Said percentage shall equal fifty percent of the annual inflation,
21 as determined from the increase in the consumer price index in the one
22 year period ending on the March thirty-first prior to the cost-of-living
23 adjustment effective on the ensuing September first. [~~said~~] (i) In
24 calendar years two thousand three through two thousand twenty-four, said

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

LBD11214-01-5

1 percentage shall equal one hundred percent of the annual inflation, as
2 determined from the increase in the consumer price index in the one-year
3 period ending on the March thirty-first prior to the cost-of-living
4 adjustment effective on the next succeeding September first.

5 (ii) In calendar year two thousand twenty-five and thereafter, said
6 percentage shall then be rounded up to the next higher one-tenth of one
7 percent and shall not exceed three percent nor be less than one percent,
8 except that, commencing the first day of September, two thousand twen-
9 ty-six, the cost-of-living adjustments paid between the first day of
10 September, two thousand three and the first day of September, two thou-
11 sand twenty-four shall equal one hundred percent of the annual
12 inflation, as determined from the increase in the consumer price index
13 in the one year period ending on the March thirty-first prior to the
14 cost-of-living adjustment effective on the ensuing September first. Said
15 percentage shall then be rounded up to the next higher one-tenth of one
16 percent and shall not exceed three percent nor be less than one percent.

17 § 2. Subdivisions c and d of section 378-a of the retirement and
18 social security law, as added by chapter 125 of the laws of 2000, are
19 amended to read as follows:

20 c. Said cost-of-living adjustment shall be computed on a base benefit
21 amount not to exceed eighteen thousand dollars of the annual retirement
22 allowance defined in subdivision b of this section, except that, effec-
23 tive on the first day of September, two thousand twenty-six, the cost-
24 of-living adjustment shall be computed on a base benefit amount not to
25 exceed twenty-one thousand dollars of the annual retirement allowance
26 defined in subdivision b of this section.

27 d. The percentage referred to in this section shall be determined
28 annually by reference to the consumer price index (all urban consumers,
29 CPI-U, U.S. city average, all items, 1982-84=100), published by the
30 United States bureau of labor statistics, for each applicable calendar
31 year. Said percentage shall equal fifty percent of the annual inflation,
32 as determined from the increase in the consumer price index in the one
33 year period ending on the March thirty-first prior to the cost-of-living
34 adjustment effective on the ensuing September first. Said percentage
35 shall then be rounded up to the next higher one-tenth of one percent and
36 shall not exceed three percent nor be less than one percent, except
37 that, commencing the first day of September, two thousand twenty-six,
38 the cost-of-living adjustments paid between the first day of September,
39 two thousand three and the first day of September, two thousand twenty-
40 three shall equal one hundred percent of the annual inflation, as deter-
41 mined from the increase in the consumer price index in the one year
42 period ending on the March thirty-first prior to the cost-of-living
43 adjustment effective on the ensuing September first. Said percentage
44 shall then be rounded up to the next higher one-tenth of one percent and
45 shall not exceed three percent nor be less than one percent.

46 § 3. Subdivisions c and d of section 532-a of the education law, as
47 added by chapter 125 of the laws of 2000, are amended to read as
48 follows:

49 c. Said cost-of-living adjustment shall be computed on a base benefit
50 amount not to exceed eighteen thousand dollars of the annual retirement
51 allowance defined in subdivision b of this section, except that effec-
52 tive on the first day of September, two thousand twenty-six, the cost-
53 of-living adjustment shall be computed on a base benefit amount not to
54 exceed twenty-one thousand dollars of the annual retirement allowance
55 defined in subdivision b of this section.

1 d. The percentage referred to in this section shall be determined
2 annually by reference to the consumer price index (all urban consumers,
3 CPI-U, U.S. city average, all items, 1982-84=100), published by the
4 United States bureau of labor statistics, for each applicable calendar
5 year. Said percentage shall equal fifty percent of the annual inflation,
6 as determined from the increase in the consumer price index in the one
7 year period ending on the March thirty-first prior to the cost-of-living
8 adjustment effective on the ensuing September first. Said percentage
9 shall then be rounded up to the next higher one-tenth of one percent and
10 shall not exceed three percent nor be less than one percent, except
11 that, commencing the first day of September, two thousand twenty-six,
12 the cost-of-living adjustments paid between the first day of September,
13 two thousand three and the first day of September, two thousand twenty-
14 four shall equal one hundred percent of the annual inflation, as deter-
15 mined from the increase in the consumer price index in the one year
16 period ending on the March thirty-first prior to the cost-of-living
17 adjustment effective on the ensuing September first. Said percentage
18 shall then be rounded up to the next higher one-tenth of one percent and
19 shall not exceed three percent nor be less than one percent.

20 § 4. Notwithstanding any other provision of law to the contrary, none
21 of the provisions of this act shall be subject to section 25 of the
22 retirement and social security law.

23 § 5. This act shall take effect September 1, 2026; provided, however,
24 that no benefits payable prior to the first day of September two thou-
25 sand twenty-five shall be affected by this act.