**§ 6252. Rates of contribution.** 1. Employer contributions. In the case of any electing employee initially appointed on or before June thirtieth, nineteen hundred ninety-two, the city shall, during continuance of their employment, makes contributions at the rate of nine percentum of that portion of their city salary upon which contributions are or may hereafter be paid to the secretary of the treasury of the United States pursuant to article three of the retirement and social security law and at the rate of twelve percentum of that portion of their city salary above said amount, out of monies which shall be appropriated to the city university for such purposes. In the case of any electing employee initially appointed on or after July first, nineteen hundred ninety-two, the city shall, during continuance of their employment, make contributions at the rate of eight percentum of their city salary during the first seven years of such employment and at the rate of ten percentum of their city salary, thereafter, out of monies which shall be appropriated to the city university for such purpose, provided however, that effective October first, two thousand twenty-six, in the case of any electing employee initially appointed on or after April first, two thousand twelve, the city shall, during continuance of their employment, make contributions at the rate of nine percentum of their salary during the first seven years of such employment and at the rate of eleven percentum of their salary thereafter, out of monies which shall be appropriated to the city university for such purpose. For purposes of this subdivision, that portion of the employee's salary upon which contributions are or may thereafter be paid to the secretary of the treasury of the United States pursuant to article three of the retirement and social security law shall be deemed not to exceed sixteen thousand five hundred dollars.

2. Employee contributions. (a) In the case of any electing employee, contributions at the rate of three percentum of his city salary shall be deducted as the employee contribution by the comptroller, provided however that such employee contribution shall be made by the city in accordance with subdivision one of this section during such period as either section seventy-a of the retirement and social security law or section B3-36.1 or section B20-41.1 of the administrative code of the city of New York provides that the contribution of any member of the New

York city employees' retirement system or the New York city teachers' retirement system in the employ of the city shall be reduced by at least eight percentum of his compensation; and provided further, however, that such employee contribution with respect to the fiscal year of the city beginning on July first, nineteen hundred seventy-two and ending on June thirtieth, nineteen hundred seventy-three shall be made by the city, notwithstanding any of the foregoing provisions of this subdivision to the contrary.

(b) Notwithstanding any provision of paragraph (a) of this subdivision or any other provision of law to the contrary, but subject to the provisions of subdivision d of section six hundred thirteen of the retirement and social security law in the case of any electing employee initially appointed on or after July first, nineteen hundred ninety-two, contributions at the rate of three percentum of his or her city salary shall be deducted as the employee contribution by the comptroller.

(c) Notwithstanding any other provision of this section or any other law to the contrary, (1) on and after April first, two thousand eight for a member who joined the optional retirement program established pursuant to this article before April first, two thousand twelve and who has ten or more years of membership in such optional retirement program, the city shall contribute one-third of the three percent employee contribution required pursuant to the provisions of this section on behalf of such employee; and (2) on and after April first, two thousand nine for a member who joined the optional retirement program established pursuant to this article before April first, two thousand twelve and who has ten or more years of membership in such optional retirement program, the city shall contribute two-thirds of the three percent employee contribution required pursuant to the provisions of this section on behalf of such employee; and (3) on and after April first, two thousand ten for a member who joined the optional retirement program established pursuant to this article before April first, two thousand twelve and who has ten or more years of membership in such optional retirement program, the city shall contribute the three percent employee contribution required pursuant to the provisions of this section on behalf of such employee. The provisions of this paragraph shall not apply to any electing employee who becomes a member of the optional retirement program on or after April first, two thousand twelve.

(d) Notwithstanding any other law to the contrary, beginning April first, two thousand thirteen any electing employee appointed on or after April first, two thousand twelve, the rate at which each such employee shall contribute in any current plan year (January first to December thirty-first) shall be determined by reference to the wages of such member in the second plan year (January first to December thirty-first) preceding such current plan year as follows:

(1) members with wages of forty-five thousand dollars per annum or less shall contribute three per centum of annual wages;

(2) members with wages greater than forty-five thousand dollars per annum, but not more than fifty-five thousand dollars per annum shall contribute three and one-half per centum of annual wages;

(3) members with wages greater than fifty-five thousand dollars per annum, but not more than seventy-five thousand dollars per annum shall contribute four and one-half per centum of annual wages;

(4) members with wages greater than seventy-five thousand dollars per annum but not more than one hundred thousand dollars per annum shall contribute five and three-quarters per centum of annual wages; and

(5) members with wages greater than one hundred thousand dollars per annum shall contribute six per centum of annual wages.

Notwithstanding the foregoing, during each of the first three plan years (January first to December thirty-first) in which such member has established membership in the Board of Higher Education Optional Retirement Program, such employee shall contribute a percent of annual wages in accordance with the preceding schedule based upon a projection of annual wages provided by the employer, provided, however, that notwithstanding any other law to the contrary, on and after October first, two thousand twenty-six, the rate at which any electing employee who is subject to this paragraph shall contribute in any current plan year (January first to December thirty-first) shall be determined by reference to the wages of such member in the second plan year (January first to December thirty-first) preceding such current plan year as follows:

(i) members with wages of seventy-five thousand dollars per annum or less shall contribute three per centum of annual wages;

(ii) members with wages greater than seventy-five thousand dollars per

annum but not more than one hundred thousand dollars per annum shall contribute four per centum of annual wages;

(iii) members with wages greater than one hundred thousand dollars per annum but not more than one hundred twenty-five thousand dollars per annum shall contribute five and one-quarter per centum of annual wages; and

(iv) members with wages greater than one hundred twenty-five thousand dollars per annum shall contribute five and three-quarters per centum of annual wages.

3. Payment of contributions pursuant to subdivisions one and two of this section shall be made to the designated insurer or insurers upon audit and warrant of the comptroller.

4. In the case of an electing employee initially appointed on or after the effective date of the election to offer such programs established by the board, no contributions pursuant to subdivisions one and two of this section shall be made by the city until his completion of one year of service and continuance in service thereafter. Employee contributions, if any, required during this initial year of service shall be deducted and held by the comptroller. At the end of his initial year of service, a single contribution in an amount determined pursuant to subdivisions one and two of this section, with interest at the rate of four percentum per annum, shall be made, upon audit and warrant of the comptroller, to the designated insurer or insurers, on behalf of such employee continued in service. In the case of an electing employee who does not continue in service with the board beyond his initial year of service, the amount of employee contribution, if any, deducted from his salary shall be refunded to him, with interest at the rate of four percentum per annum.

5. The provisions of subdivision four of this section shall not apply to any electing employee who, at the time of initial appointment, owns a contract determined by the board to be similar to those contracts to be purchased under the optional retirement program and issued by the designated insurer or insurers.