

# STATE OF NEW YORK

9378

## IN SENATE

March 6, 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 retirement and social security law, in relation to the eligibility of certain participants in the New York city employees' retirement system to opt into the twenty-five year retirement program for EMT members

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

1 Section 1. Paragraph 3 of subdivision b of section 604-e of the  
2 retirement and social security law, as added by chapter 577 of the laws  
3 of 2000, is amended to read as follows:

4 3. Each EMT member, other than an EMT member subject to paragraph one  
5 or two of this subdivision, who becomes subject to the provisions of  
6 this article on or after the starting date of the twenty-five year  
7 retirement program shall become a participant in the twenty-five year  
8 retirement program on the date [~~he or she~~] such person becomes such an  
9 EMT member. Provided, however, a person subject to this paragraph, and  
10 who has exceeded age twenty-five upon employment as an EMT member, shall  
11 be exempt from participation in the improved twenty-five year retirement  
12 program if such person elects not to participate by filing a duly  
13 executed form with the retirement system within one hundred eighty days  
14 of becoming an EMT member. Provided further, however, that a person who  
15 has opted to be exempt pursuant to this paragraph may become a partic-  
16 ipant in the twenty-five year retirement program if such person files a  
17 duly executed election form with the retirement system within one  
18 hundred eighty days after the effective date of the chapter of the laws  
19 of two thousand twenty-six that amended this paragraph, provided such  
20 person is an EMT member on the date such election is filed, and such  
21 person shall pay all additional member contributions required pursuant  
22 to subdivision e of this section from the date that such person became  
23 an EMT member to the date such person elects to become a participant in  
24 the program together with interest computed in accordance with paragraph  
25 four of subdivision e of this section.

26 § 2. This act shall take effect immediately.

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

LBD06971-05-6

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

SUMMARY: This proposed legislation would allow eligible Tier 4 and Tier 6 EMT Members who previously opted out of the EMT 25-Year Plan, a second opportunity to join such Plan by filing an application with the New York City Employee's Retirement System (NYCERS) within 180 days of the effective date.

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

| Year | NYCERS |
|------|--------|
| 2027 | 121    |
| 2028 | 106    |
| 2029 | 101    |
| 2030 | (5)    |
| 2031 | (8)    |
| 2032 | (10)   |
| 2033 | (12)   |
| 2034 | (14)   |
| 2035 | (16)   |
| 2036 | (17)   |
| 2037 | (18)   |
| 2038 | (19)   |
| 2039 | (19)   |
| 2040 | (20)   |
| 2041 | (20)   |
| 2042 | (19)   |
| 2043 | (18)   |
| 2044 | (17)   |
| 2045 | (15)   |
| 2046 | (13)   |
| 2047 | (11)   |
| 2048 | (10)   |
| 2049 | (9)    |
| 2050 | (7)    |
| 2051 | (6)    |

Employer Contribution impact beyond Fiscal Year 2051 is not shown.

The entire increase (decrease) 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, 2025 (\$ in Thousands)

| Present Value (PV)                | NYCERS       |
|-----------------------------------|--------------|
| (1) PV of Employer Contributions: | 157.3        |
| (2) PV of Employee Contributions: | <u>171.7</u> |
| Total PV of Benefits (1) + (2):   | 328.9        |

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 lifetime of those impacted using level dollar payments.

#### AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

|                             |         |
|-----------------------------|---------|
|                             | NYCERS  |
| Increase (Decrease) in UAL: | 257.9 K |
| Number of Payments:         | 3       |
| Amortization Payment:       | 101.7 K |

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025. The census data for the impacted population is summarized below.

|                    |        |
|--------------------|--------|
|                    | NYCERS |
| Active Members     |        |
| - Number Count:    | 5      |
| - Average Age:     | 46.8   |
| - Average Service: | 25.2   |
| - Average Salary:  | 97,600 |

IMPACT ON MEMBER BENEFITS AND CONTRIBUTIONS: This proposed legislation would provide current EMT members, who previously opted out of the EMT 25-Year Plans, a 180-day opportunity to join such plan.

Members of the EMT 25-Year Plans would be required to pay Basic Member Contributions (BMC), which vary by tier, plus Additional Member Contributions (AMC) equal to 6.25% of compensation for all service as a Plan participant until attaining 30 years of Allowable Service.

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

\* Election assumptions and the rates of retirement for the EMT 25-Year Plans were assigned based on the bill's provisions including the eligibility requirements for retirement under the EMT 25-Year Plans.

\* For purposes of this fiscal note, existing AMC balances, including physically taxing AMC, are assumed to offset the AMC payment required to join the EMT 25-Year Plan.

To determine the impact of the elective nature of the proposed legislation, a subgroup of EMT members 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 applicable EMT 25-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 2026-29 dated March 6, 2026 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2026 Legislative Session.