

NYSLRS

New York State and Local Retirement System

A pension trust fund of the State of New York

Office of the New York State Comptroller

Thomas P. DiNapoli

20
24

Retirement Legislation

A MESSAGE FROM COMPTROLLER THOMAS P. DiNAPOLI



I'm pleased to present this annual round-up of new laws affecting the New York State and Local Retirement System (NYSLRS) and other New York public retirement systems.

This publication covers retirement and retirement-related legislation enacted or vetoed during the 2024 Legislative Session. Sections I and II list legislation directly affecting NYSLRS, our participating employers, members, retirees and beneficiaries. Sections III and IV cover legislation affecting other New York public retirement systems.

I hope you find this publication to be a useful reference.

Sincerely,

A handwritten signature in black ink that reads "Tom DiNapoli". The signature is written in a cursive, flowing style.

Thomas P. DiNapoli
State Comptroller

TABLE OF CONTENTS

Chapter Titles

<u>Section I</u>	<u>iii</u>
<u>Section II</u>	<u>v</u>
<u>Section III.....</u>	<u>vi</u>
<u>Section IV</u>	<u>vii</u>

Cross Index

<u>Senate Bills</u>	<u>viii</u>
<u>Assembly Bills.....</u>	<u>viii</u>

Section I

<u>Legislation Affecting the New York State and Local Retirement System.....</u>	<u>1</u>
--	----------

Section II

<u>Vetoed Legislation Affecting the New York State and Local Retirement System</u>	<u>155</u>
--	------------

Section III

<u>Legislation Affecting Other New York Public Retirement Systems.....</u>	<u>173</u>
--	------------

Section IV

<u>Vetoed Legislation Affecting Other New York Public Retirement Systems.....</u>	<u>201</u>
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CHAPTER TITLES

Section I

Legislation Affecting the New York State and Local Retirement System

CHAPTER NO.	PAGE	DESCRIPTION
55	3	Enacts into law major components of legislation necessary to implement the state public protection and general government budget for the 2024-2025 state fiscal year related to waiving approval and income limitations on retirees employed in school districts and BOCES (Part GG); related to certain disabilities of SUNY police officers (Part HH); related to the calculation of past service credit for police officers previously employed by the division of law enforcement in the department of environmental protection in NYC transferring to PFRS; (Part JJ); and to extend provisions setting certain member contribution rates (Part KK) [S.8305-C/A.8805-C]
56	19	Enacts into law major components of legislation necessary to implement the state education, labor, housing and family assistance budget for the 2024-2025 state fiscal year related to the calculation of the final average salary for purposes of the calculation of a pension benefit (Part QQ) [S.8306-C/A.8806-C]
58	27	Enacts into law major components of legislation necessary to implement the state transportation, economic development and environmental conservation budget for the 2024-2025 state fiscal year related to the Waterfront Commission Act [S.8308-C/A.8808-C]
162	65	Relates to increasing certain special accidental death benefits [S.9076/A.10111]
174	71	Enacts major components relating to compensation, benefits and other terms and conditions of employment of the agency police services unit [S.9818/A.10525]
175	84	Relates to compensation, benefits and other terms and conditions of employment of certain state officers and employees who are members of the security services collective negotiating unit [S.9819/A.10526]
176	99	Provides for compensation, benefits and other terms and conditions of employment of certain officers and employees [S.9820/A.10527]
177	113	Relates to compensation, benefits and other terms and conditions of employment for members of the district council 37 rent regulation services unit [S.9821/A.10528]
313	122	Relates to permitting accidental death benefits to be awarded to the beneficiary of Anthony Varvaro [S.7586-A/A.8131-A]
314	124	Deems an application filed with the New York state and local police and fire retirement system by the widow of Paul C. Adam as timely filed [S.8411/A.8868]

CHAPTER NO.	PAGE	DESCRIPTION
343	126	Relates to military leave for all represented and non-represented persons employed by the port authority of New York and New Jersey [S.6623/A.6834-A]
418	129	Authorizes the city of Buffalo to offer an optional twenty-year retirement plan to firefighters Rhiannon Maguire and Jeffrey Brett [S.8686/A.9442]
419	131	Authorizes the office of court administration to pay certain judicial compensation to Hon. Joseph J. Maltese [S.9295/A.10263]
494	134	Relates to the retirement of certain members of the Suffolk County fire district [S.8997/A.9959]
495	137	Relates to the mandatory age of the chief of the town of Southampton police department [S.9254/A.10136]
505	139	Authorizes the county of Steuben to offer an optional twenty-five-year retirement plan to deputy sheriff Erica M. McCoy [S.7071-A/A.7280-A]
527	141	Authorizes the village of Clayton to offer an optional twenty-year retirement plan to a certain police officer employed by such village [S.9300/A.8892]
531	143	Relates to the annual maintenance allowance received by employees who are required to wear an employer-approved blazer [S.9730/A.10197]
576	144	Provides additional benefits for certain retirement system members with thirty years credited service [S.6141-B/A.6508-B]
586	147	Authorizes Lee Weinstein to receive certain service credit under section 384-d of the retirement and social security law [S.8989/A.9895]
588	149	Expands disability benefits for firefighters who suffered any condition or impairment of health caused by endocrine/thyroid cancer [S.9205/A.9933]
593	151	Authorizes beneficiaries to choose pension benefits or a death benefit in certain circumstances [S.9812-A/A.10570]

CHAPTER TITLES

Section II

Vetoed Legislation Affecting the New York State and Local Retirement System

VETO NO.	PAGE	DESCRIPTION
16	157	Establishes a twenty-year retirement plan for members of the regional state park police, environmental conservation officers, forest rangers, and university police officers [S.8472-A/A.8918-A]
82	161	Allows beneficiaries of certain deceased state correction officers and SHTAs to elect to receive an alternative death benefit [S.8408/A.9084]
100	164	Grants retroactive membership with Tier IV status in the New York state and local employees' retirement system to Dawn Ward [S.7410-A/A.7544-A]
102	166	Permits beneficiaries of eligible state judges or justices to receive, in lieu of an ordinary death benefit, an alternative death benefit [S.7567-A/A.9143]
107	169	Relates to age and service eligibility requirements for ordinary retirement for Tier 6 uniformed court officers or peace officers [S.8788/A.9540]

CHAPTER TITLES

Section III

Legislation Affecting Other New York Public Retirement Systems

CHAPTER NO.	PAGE	DESCRIPTION
55	175	Enacts into law major components of legislation necessary to implement the state public protection and general government budget for the 2024-2025 state fiscal year related to the establishment of 25 year programs for members of NYCERS employed as fire protection inspectors (Part EE); and related to the pensionable earnings of first grade police officers (Part II) [S.8305-C/A.8805-C]
551	190	Relates to the transfer of board of education employees to the teachers' retirement system of the city of New York [S.8855/A.9646]
577	194	Relates to allowing certain members of the New York city fire department pension fund to receive a membership date in such fund attributable to service in the title of police cadet program or police cadet program II in the New York city police department cadet program [S.7128-B/A.7681-A]
578	198	Allows retired employees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service [S.7462-B/A.10529]

CHAPTER TITLES

Section IV

Vetoed Legislation Affecting Other New York Public Retirement Systems

VETO NO.	PAGE	DESCRIPTION
79	203	Relates to death benefits for NYC transit authority members [S.7224-B/A.7563-B]
80	205	Permits certain twenty-five-year retirement program dispatcher members to file elections not to participate [S.7181-B/A.7693-A]
85	207	Provides for a line of duty presumption for disabilities of deputy sheriffs in certain cities [S.8529/A.9381]
101	209	Relates to eligibility for participants in the automotive 25 year/age 50 pension plan with more than 30 years of credited service who remain in active service after age 62 to receive a service retirement benefit [S.7498-A/A.7572-A]
106	211	Provides for a disability retirement for certain deputy sheriff members of a retirement system in certain cities [S.8532/A.9391]

CROSS INDEX

Senate Bills

BILL NO.	CHAPTER	SECTION	PAGE
6141	576	I	144
6623	343	I	126
7071	505	I	139
7128	577	III	194
7462	578	III	198
7586	313	I	122
8305	55	I	3
8305	55	III	175
8306	56	I	19
8308	58	I	27
8411	314	I	124
8686	418	I	129
8855	551	III	190
8989	586	I	147
8997	494	I	134
9076	162	I	65
9205	588	I	149
9254	495	I	137
9295	419	I	131
9300	527	I	141
9730	531	I	143
9812	593	I	151
9818	174	I	71
9819	175	I	84
9820	176	I	99
9821	177	I	113

Assembly Bills

BILL NO.	CHAPTER	SECTION	PAGE
6508	576	I	144
6834	343	I	126
7681	577	III	194
7280	505	I	139
8131	313	I	122
8805	55	I	3
8805	55	III	175
8806	56	I	19
8808	58	I	27
8868	314	I	124
8892	527	I	141
9442	418	I	129
9646	551	III	190
9895	586	I	147
9933	588	I	149
9959	494	I	134
10111	162	I	65
10136	495	I	137
10197	531	I	143
10263	419	I	131
10525	174	I	71
10526	175	I	84
10527	176	I	99
10528	177	I	113
10529	578	III	198
10570	593	I	151

SECTION I

Legislation Affecting the
New York State and Local Retirement System

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STATE OF NEW YORK

S. 8305--C

A. 8805--C

SENATE - ASSEMBLY

January 17, 2024

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee - committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to to amend part HH of chapter 56 of the laws of 2022 amending the retirement and social security law relating to waiving approval and income limitations on retirees employed in school districts and board of cooperative educational services, in relation to the effectiveness thereof(Part GG); to amend the retirement and social security law, in relation to certain disabilities of university police officers appointed by the state university of New York (Part HH); amend the retirement and social security law, in relation to the calculation of past service credit for police officers employed by the division of law enforcement in the department of environmental protection in the city of New York transferring between the New York city employees' retirement system to the New York state and local police and fire retirement system (Part JJ); and to amend the retirement and social security law, in relation to extending provisions setting certain member contribution rates (Part KK)

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

31 PART GG
32 Section 1. Section 3 of part HH of chapter 56 of the laws of 2022
33 amending the retirement and social security law relating to waiving
34 approval and income limitations on retirees employed in school districts
35 and board of cooperative educational services, as amended by section 1
36 of part V of chapter 55 of the laws of 2023, is amended to read as
37 follows:
38 § 3. This act shall take effect immediately and shall expire and be
39 deemed repealed June 30, ~~2024~~ 2025.
40 § 2. This act shall take effect immediately.
FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow retirees employed by a New York State school district or by the board of cooperative educational services (BOCES) to collect a salary without suspension or diminution of their pension benefit through June 30, 2025.

Insofar as this bill affects the New York State and Local Employees' Retirement System (NYSLERS), if this bill were enacted during the 2024 Legislative Session, the direct cost incurred would be the retiree's pension benefit paid while post-retirement earnings are above \$35,000 each calendar year. The pension benefit expected to be paid by the NYSLERS during that 6-month period is estimated to be \$22,000 per person.

In addition to the direct cost quoted above, there would be additional costs in the form of lost employer contributions due to non-billable post-retirement earnings, which is estimated to be \$5,500 per person. The number of members and retirees who could be affected by this legislation cannot be readily determined. For each retiree hired pursuant to this proposal, an annual cost of \$27,500 is expected.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 27, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-140 Revised, prepared by the Actuary for the New York State and Local Retirement System.

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

This bill would amend Part HH of Chapter 56 of the Laws of 2022 to extend the waiver of the earnings-after-retirement limit for one more year to June 30, 2025 for retired members who return to work with a school district or a board of cooperative educational services (BOCES). The current expiration date is June 30, 2024 for the waiver of this limit. This act shall take effect immediately and shall be deemed repealed on June 30, 2025.

It is estimated that there will be no additional annual cost to the employers of members of the New York State Teachers' Retirement System if this bill is enacted. There could be additional annual costs in the future if this waiver is continually extended such that it becomes an expectation, as this could lead to some members retiring earlier than they otherwise would have. Earlier retirement generally increases plan costs since members will be receiving their benefits for a longer period.

Member data is from the System's most recent actuarial valuation files as of June 30, 2023, consisting of data provided by the employers to the Retirement System. The most recent data distributions and statistics can be found in the System's Annual Report for fiscal year ended June 30, 2023. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report as of June 30, 2023.

The source of this estimate is Fiscal Note 2024-29 dated March 21, 2024 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2024 Legislative Session. I, Richard A. Young, am the Chief Actuary for the

New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

1

PART HH

2 Section 1. Subdivision 3 of section 363-a of the retirement and social
3 security law, as amended by chapter 437 of the laws of 2016, is amended
4 to read as follows:

5 3. As used in this section, the terms "firefighter" and "police offi-
6 cer" mean any member who is performing police or fire service, as the
7 phrase police or fire service is defined in paragraphs a, b, c, d, f (as
8 added by chapter six hundred seventy-four of the laws of nineteen eight-
9 y-six), f (as added by chapter six hundred seventy-seven of the laws of
10 nineteen eighty-six), g, h, i and j of subdivision eleven of section
11 three hundred two of this article, and who, prior to entry into service
12 as a firefighter or police officer, successfully passed a physical exam-
13 ination which failed to disclose evidence of any disease or other
14 impairment of the heart.

15 § 2. The amendments to section 363-a of the retirement and social
16 security law made by section one of this act shall not affect, impair,
17 or invalidate any temporary right, privilege, or benefit conferred
18 pursuant to the provisions of a general, special or local law (other
19 than pursuant to articles 14 and 15 of the retirement and social securi-
20 ty law) for any member of a public retirement system or pension plan
21 funded by the state or one of its political subdivisions, nor shall any
22 amendments thereto affect the application of such provisions as extended
23 by the provisions of section 480 of the retirement and social security
24 law.

25 § 3. This act shall take effect immediately.

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

This bill is a technical correction to Chapter 561 of the Laws of 2015. It would add a "heart bill" performance of duty disability provision for police officers of the State University of New York who are members of the New York State and Local Police and Fire Retirement System (NYSLPFRS).

If this legislation is enacted during the 2024 Legislative Session, it would lead to more disabilities being classified as "in performance of duty".

However, we anticipate that few additional performance of duty disability retirements will be granted, and thus, the resulting costs are expected to be negligible.

These estimated costs are based on 557 affected members employed by the State of New York, with annual salary of approximately \$53.8 million as of March 31, 2023.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 5, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-91, prepared by the Actuary for the New York State and Local Retirement System.

1

PART JJ

2 Section 1. Section 343 of the retirement and social security law is
3 amended by adding a new subdivision i to read as follows:

4 i. 1. Notwithstanding any other law, rule or regulation to the contra-
5 ry, for any police officer employed by the division of law enforcement
6 in the department of environmental protection in the city of New York
7 transferring from the New York city employees' retirement system to the
8 New York state and local police and fire retirement system after the
9 effective date of this subdivision and any police officer formerly
10 employed by the division of law enforcement in the department of envi-
11 ronmental protection in the city of New York having made such transfer,
12 such police officer's division of law enforcement in the department of
13 environmental protection in the city of New York service credit shall be
14 deemed creditable service, in such police officer's twenty year or twen-
15 ty-five year retirement plan, if such police officer has served for at
16 least two years in such employment and if, within one year of the date
17 on which he or she first became a member of the New York state and local
18 police and fire retirement system or within one year of the effective
19 date of this subdivision, such member elects to do so.

20 2. The amount of such service credited to the member in the New York
21 state and local police and fire retirement system plan shall not exceed
22 the amount of service credited to the member in the New York city
23 employees' retirement system plan.

24 3. If the member subsequently retires on an age-based retirement plan
25 in the New York state and local police and fire retirement system
26 instead of a twenty year or twenty-five year plan, the full amount of
27 service credit earned, as a police officer employed by the division of
28 law enforcement in the department of environmental protection in the
29 city of New York shall be granted.

30 4. In no event shall the division of law enforcement in the department
31 of environmental protection in the city of New York service credited to
32 a member of the New York state and local police and fire retirement
33 system pursuant to this subdivision exceed a total of ten years.

34 5. Notwithstanding any other provision of law in this section to the
35 contrary, the reserve on such member's benefits shall be transferred
36 from the New York city employees' retirement system to the New York
37 state and local police and fire retirement system in accordance with
38 subdivisions c and d of this section.

39 6. No member who receives service credit pursuant to this subdivision
40 shall be eligible to receive additional service credit pursuant to
41 subdivision b of section three hundred eighty-four-e of this article if
42 his or her employer has elected to provide such service credit.

43 § 2. This act shall take effect on the sixtieth day after it shall

44 have become a law.

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

This bill would expand the definition of service creditable under 20-year and 25-year plans in the New York State and Local Police and Fire Retirement System (NYSLPFRS) to include service transferred by any

police officer employed or formerly employed by the Division of Law Enforcement in the Department of Environmental Protection in the City of New York, provided that such police officer has at least two years of such employment. The member must elect to obtain the service credit within one year of the date on which they first became a member of the NYSLPFRS or within one year of the effective date of this bill, whichever occurs later. The amount of service credit received in the NYSLPFRS shall not exceed the minimum of the amount of service credited to the member in the New York City Employees' Retirement System (NYCERS) plan or 10 years.

If this bill is enacted during the 2024 Legislative Session, it is estimated that the past service cost will average approximately 25% of an affected member's salary for each year of additional service that is credited on a 20-year or 25-year plan. This cost will be offset by any reserves transferred from the NYCERS. The remaining cost will be shared by the State of New York and the participating employers in the NYSLPFRS.

The exact number of current members as well as future members who could be affected by this legislation cannot be readily determined.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 2, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-108, prepared by the Actuary for the New York State and Local Retirement System.

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

SUMMARY: This proposed legislation would allow current or former NYCERS members employed as New York City Department of Environmental Protection (DEP) police officers who transfer or transferred to the New York State and Local Police and Fire Retirement System (PFRS) to receive up to 10 years of service credit in the 20 or 25-year State Plans.

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

Year	One Transfer	One Transfer Per Year
2025	5.3	5.3
2026	5.3	10.6
2027	5.3	16.0
2028	5.3	21.5

2029	5.3	27.0
2030	5.3	32.6
2031	5.3	38.2
2032	5.3	43.9
2033	5.3	49.7
2034	5.3	55.5
2035	5.3	61.4
2036	5.3	67.3
2037	5.3	73.2
2038	5.3	79.2
2039	0	80.0
2040	0	80.7
2041	0	81.4
2042	0	82.1
2043	0	82.8
2044	0	83.4
2045	0	84.0
2046	0	84.5
2047	0	85.0
2048	0	85.5
2049	0	85.9

Employer Contribution impact beyond Fiscal Year 2049 is not shown.

The potential increases in employer contributions will be allocated to New York City.

EXPECTED INCREASE (DECREASE) IN ACTUARIAL LIABILITIES
as of June 30, 2023 (\$ in Thousands)

Present Value (PV)	Per Transfer
PV of Benefits:	44.6
PV of Employee Contributions:	0.0
PV of Employer Contributions:	44.6
Unfunded Accrued Liabilities:	44.6

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Recognized as Ongoing Gain/Loss	Per Transfer
Number of Payments:	14
Amortization Payment:	5.3 K

CENSUS DATA: The number of members who have transferred or will transfer to PFRS is unknown. The estimates presented herein are based on preliminary census data collected as of June 30, 2023. The census data for the potentially impacted population used to develop the average costs in this Fiscal Note is based on DEP police officers currently in NYCERS who have between two and 15 years of service and is summarized below.

	NYCERS
Active Members	
- Number Count:	82
- Average Age:	35.9
- Average Service:	8.6
- Average Salary:	79,400
Term. Vested Members	

- Number Count:	23
- Average Age:	39.8
Term. Non-Vested Members	
- Number Count:	41
- Average Age:	35.6

BACKGROUND: Currently, NYCERS members employed as DEP police officers who subsequently become employed by the State are eligible to transfer their NYCERS membership and receive service credit in the State plans, but generally do not receive service credit in the 20-year and 25-year PFRS Plans.

Under the proposed legislation, DEP police officers who served in such title for a minimum of two years and then transfer their NYCERS membership to PFRS within one year of becoming a PFRS member (or one year of the effective date, if later) would receive up to 10 years of credit in the 20-year and 25-year PFRS Plans for such equal DEP service.

Currently, member accumulated contributions (with accrued interest), and employer paid reserves if the member has at least 10 years of service, are transferred. Under the proposed legislation, NYCERS would be required to calculate and pay such member's pension reserve, net of any accumulated salary deductions otherwise transferred, to PFRS, even if the member has less than 10 years of service.

It should be noted that the proposed legislation does not provide for a reciprocal transfer of reserves should a member transfer from PFRS to NYCERS with less than 10 years of 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.

For purposes of this Fiscal Note, it has been assumed that the impacted NYCERS members would generally not have transferred their membership to PFRS absent this proposed legislation. It has been further assumed that members with more than 15 years of service would not transfer their membership even under the proposed legislation.

The number of members who will benefit in the future from this fiscal note is unknown. The cost of this proposed legislation could vary greatly depending on the number of future members who benefit and, on their plan, length of service, age, and salary history.

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).

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 2024-29 dated March 15, 2024 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session.

1

PART KK

2 Section 1. The second undesignated paragraph of subdivision a of
3 section 517 of the retirement and social security law, as amended by
4 section 1 of part SS of chapter 56 of the laws of 2022, is amended to
5 read as follows:

6 Notwithstanding the foregoing, during each of the first three plan
7 years (April first to March thirty-first) in which such member has
8 established membership in the New York state and local employees'
9 retirement system, such member shall contribute a percentage of annual
10 wages in accordance with the preceding schedule based upon a projection
11 of annual wages provided by the employer. Notwithstanding the foregoing,
12 when determining the rate at which each such member who became a member
13 of the New York state and local employees' retirement system on or after
14 April first, two thousand twelve shall contribute for any plan year
15 (April first to March thirty-first) between April first, two thousand
16 twenty-two and April first, two thousand ~~twenty-four~~ twenty-six, such
17 rate shall be determined by reference to employees annual base wages of
18 such member in the second plan year (April first to March thirty-first)
19 preceding such current plan year. Base wages shall include regular pay,
20 shift differential pay, location pay, and any increased hiring rate pay,
21 but shall not include any overtime payments.

22 § 2. The second undesignated paragraph of paragraph 1 and the second
23 undesignated paragraph of paragraph 2 of subdivision a, the second
24 undesignated paragraph of subdivision f and the second undesignated
25 paragraph of subdivision g of section 613 of the retirement and social
26 security law, as amended by section 2 of part SS of chapter 56 of the
27 laws of 2022, are amended to read as follows:

28 Notwithstanding the foregoing, during each of the first three plan
29 years (April first to March thirty-first, except for members of New York
30 city employees' retirement system, New York city teachers' retirement
31 system and New York city board of education retirement system, plan year
32 shall mean January first through December thirty-first commencing with
33 the January first next succeeding the effective date of chapter five
34 hundred ten of the laws of two thousand fifteen) in which such member
35 has established membership in a public retirement system of the state,
36 such member shall contribute a percentage of annual wages in accordance
37 with the preceding schedule based upon a projection of annual wages
38 provided by the employer. Notwithstanding the foregoing, when determin-
39 ing the rate at which each such member who became a member of the New
40 York state and local employees' retirement system, New York city employ-
41 ees' retirement system, New York city teachers' retirement system and
42 New York city board of education retirement system, on or after April
43 first, two thousand twelve shall contribute for any plan year (April
44 first to March thirty-first, except for members of the New York city
45 employees' retirement system, New York city teachers' retirement system
46 and New York city board of education retirement system, plan year shall
47 mean January first through December thirty-first commencing with January
48 first next succeeding the effective date of chapter five hundred ten of
49 the laws of two thousand fifteen) between April first, two thousand
50 twenty-two and April first, two thousand ~~twenty-four~~ twenty-six, such

1 rate shall be determined by reference to employees annual base wages of
2 such member in the second plan year (April first to March thirty-first)
3 preceding such current plan year. Base wages shall include regular pay,
4 shift differential pay, location pay, and any increased hiring rate pay,
5 but shall not include any overtime payments or compensation earned for
6 extracurricular programs or any other pensionable earnings paid in addi-
7 tion to the annual base wages.

8 Notwithstanding the foregoing, during each of the first three plan
9 years (April first to March thirty-first, provided, however, that plan
10 year shall mean January first through December thirty-first commencing
11 with the January first next succeeding the effective date of chapter
12 five hundred ten of the laws of two thousand fifteen) in which such
13 member has established membership in the New York city employees'
14 retirement system, such member shall contribute a percentage of annual
15 wages in accordance with the preceding schedule based upon a projection
16 of annual wages provided by the employer. Notwithstanding the foregoing,
17 when determining the rate at which each such member who became a member
18 of, New York city employees' retirement system, on or after April first,
19 two thousand twelve shall contribute for any plan year (April first to
20 March thirty-first, provided, however, that plan year shall mean January
21 first through December thirty-first commencing with the January first
22 next succeeding the effective date of chapter five hundred ten of the
23 laws of two thousand fifteen) between April first, two thousand twenty-
24 two and April first, two thousand ~~twenty-four~~ twenty-six, such rate
25 shall be determined by reference to employees annual base wages of such
26 member in the second plan year (April first to March thirty-first)
27 preceding such current plan year. Base wages shall include regular pay,
28 shift differential pay, location pay, and any increased hiring rate pay,
29 but shall not include any overtime payments.

30 Notwithstanding the foregoing, during each of the first three plan
31 years (April first to March thirty-first) in which such member has
32 established membership in the New York state and local employees'
33 retirement system, such member shall contribute a percentage of annual
34 wages in accordance with the preceding schedule based upon a projection
35 of annual wages provided by the employer. Notwithstanding the foregoing,
36 when determining the rate at which each such member who became a member
37 of the New York state and local employees' retirement system on or after
38 April first, two thousand twelve shall contribute for any plan year
39 (April first to March thirty-first) between April first, two thousand
40 twenty-two and April first, two thousand ~~twenty-four~~ twenty-six, such
41 rate shall be determined by reference to employees annual base wages of
42 such member in the second plan year (April first to March thirty-first)
43 preceding such current plan year. Base wages shall include regular pay,
44 shift differential pay, location pay, and any increased hiring rate pay,
45 but shall not include any overtime payments.

46 Notwithstanding the foregoing, during each of the first three plan
47 years (July first to June thirtieth) in which such member has estab-
48 lished membership in the New York state teachers' retirement system,
49 such member shall contribute a percentage of annual wages in accordance
50 with the preceding schedule based upon a projection of annual wages
51 provided by the employer. Notwithstanding the foregoing, when determin-
52 ing the contribution rate at which a member of the New York state teach-
53 ers' retirement system with a date of membership on or after April
54 first, two thousand twelve shall contribute for plan years (July first
55 to June thirtieth) between July first, two thousand twenty-two and July
56 first, two thousand ~~twenty-four~~ twenty-six, such rate shall be deter-

1 mined by reference to the member's annual base wages in the second plan
2 year (July first to June thirtieth) preceding such current plan year.
3 Annual base wages shall not include compensation earned for extracurric-
4 ular programs or any other pensionable earnings paid in addition to the
5 annual base wages.

6 § 3. The second undesignated paragraph of section 1204 of the retire-
7 ment and social security law, as amended by section 3 of part SS of
8 chapter 56 of the laws of 2022, is amended to read as follows:

9 Notwithstanding the foregoing, during each of the first three plan
10 years (April first to March thirty-first) in which such member has
11 established membership in the New York state and local police and fire
12 retirement system, such member shall contribute a percentage of annual
13 wages in accordance with the preceding schedule based upon a projection
14 of annual wages provided by the employer. Notwithstanding the foregoing,
15 when determining the rate at which each such member who became a member
16 of the New York state and local police and fire retirement system on or
17 after April first, two thousand twelve shall contribute for any plan
18 year (April first to March thirty-first) between April first, two thou-
19 sand twenty-two and April first, two thousand [~~twenty-four~~] twenty-six,
20 such rate shall be determined by reference to employees annual base
21 wages of such member in the second plan year (April first to March thir-
22 ty-first) preceding such current plan year. Base wages shall include
23 regular pay, shift differential pay, location pay, and any increased
24 hiring rate pay, but shall not include any overtime payments. Effective
25 April first, two thousand twelve, all members subject to the provisions
26 of this article shall not be required to make member contributions on
27 annual wages excluded from the calculation of final average salary
28 pursuant to section twelve hundred three of this article. Nothing in
29 this section, however, shall be construed or deemed to allow members to
30 receive a refund of any member contributions on such wages paid prior to
31 April first, two thousand twelve.

32 § 4. This act shall take effect immediately.

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

This bill would exclude overtime pay from the annual wages used to determine the variable member contribution rate for Tier 6 members of the New York State and Local Retirement System during the period of April 1, 2024 to April 1, 2026.

Insofar as this bill affects the New York State and Local Employees' Retirement System (NYSLERS), if this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase in the present value of benefits of approximately \$36 million which would be shared by the State of New York and all participating employers in the NYSLERS. The annual contribution required would be approximately \$1.3 million to the State of New York and approximately \$1.9 million to the local participating employers. This permanent annual cost will vary in subsequent billing cycles with changes in the billing rate and salary of the affected members.

Insofar as this bill affects the New York State and Local Police and Fire Retirement System (NYSLPFRS), if this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase in the present value of benefits of approximately \$7 million which would be shared by the State of New York and all participating employers in the NYSLPFRS. The annual contribution required would be approximately \$0.1 million to the State of New York and approximately \$0.4 million to the local participating employers. This permanent annual cost will vary

in subsequent billing cycles with changes in the billing rate and salary of the affected members.

In addition to the costs discussed above, implementing the provisions of this legislation would generate administrative costs.

The exact number of current members who could be affected by this legislation cannot be readily determined.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 1, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-111, prepared by the Actuary for the New York State and Local Retirement System.

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

As it relates to the New York State Teachers' Retirement System, this bill would amend Section 613 of the Retirement and Social Security Law to extend the period during which the calculation of the employee contribution rate for Tier 6 members is to be determined using only a member's annual base wages and would not include compensation earned for extracurricular programs or any other pensionable earnings paid in addition to the annual base wages. This provision would be extended for two additional fiscal years, those ending June 30, 2025 and June 30, 2026.

The current expiration date of this provision is the fiscal year ending June 20, 2024.

The estimated cost for using only annual base wages to determine the employee contribution rate for Tier 6 members during 2025 and 2026 is projected to be \$9.2 million, over the two-year period, if this bill is enacted. This is not a recurring annual cost, but rather a temporary cost due to the projected decrease in employee contributions to be made during the two fiscal years ending June 30, 2025 and June 30, 2026.

Member data is from the System's most recent actuarial valuation files as of June 30, 2023, consisting of data provided by the employers to the Retirement System. The most recent data distributions and statistics can be found in the System's Annual Report for fiscal year ended June 30, 2023. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report as of June 30, 2023.

The source of this estimate is Fiscal Note 2024-16 dated February 27, 2024 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2024 Legislative Session. I, Richard A. Young, am the Chief Actuary for the

New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

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

SUMMARY: This proposed legislation, as it relates to the New York City Retirement Systems and Pension Funds (NYCRS), would extend Part SS of Chapter 56 of the Laws of 2022 by excluding overtime and compensation earned for supplemental work from annual wages used to calculate Tier 6 Basic Member Contribution Rates for two additional years.

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

Year	NYCERS	TRS	BERS	TOTAL
2025	1,395	716	17	2,128
2026	1,408	728	16	2,152
2027	1,418	741	16	2,175
2028	1,424	755	16	2,195
2029	1,425	768	16	2,209
2030	1,421	781	16	2,218
2031	1,416	793	16	2,225
2032	1,411	805	16	2,232
2033	1,406	817	16	2,239
2034	1,401	829	15	2,245
2035	1,395	841	15	2,251
2036	1,390	855	15	2,260
2037	1,384	870	15	2,269
2038	1,377	886	10	2,273
2039	1,369	901	10	2,280
2040	876	918	10	1,804
2041	863	934	10	1,807
2042	846	952	9	1,807
2043	824	969	9	1,802
2044	798	751	9	1,558
2045	767	759	9	1,535
2046	730	764	8	1,502
2047	690	765	8	1,463
2048	648	764	8	1,420
2049	601	760	8	1,369

Employer Contribution impact beyond Fiscal Year 2049 is not shown.

The initial increase in employer contributions of \$2.1 million is estimated to be \$1.3 million for New York City and \$0.8 million for the other obligors of NYCRS.

INITIAL INCREASE (DECREASE) IN ACTUARIAL LIABILITIES
as of June 30, 2023 (\$ in Thousands)

Present Value (PV)	NYCERS	TRS	BERS
PV of Benefits:	(2,032)	(1,716)	(35)
PV of Employee Contributions:	(16,873)	(11,726)	(203)
PV of Employer Contributions:	14,841	10,010	167
Unfunded Accrued Liabilities:	4,253	2,305	38

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS	TRS	BERS
Number of Payments:	15	19	13
Fiscal Year of Last Payment:	2039	2043	2037
Amortization Payment:	483 K	231 K	5 K

Unfunded Accrued Liability increases were amortized over the expected remaining working lifetime of those impacted by the benefit changes using level dollar payments.

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2023. The census data for the impacted population is summarized below.

	NYCERS	TRS	BERS
Active Members			
- Number Count:	85,203	60,663	12,932
- Average Age:	42.4	38.1	46.9
- Average Service:	4.4	5.0	4.0
- Average Salary:	78,900	80,000	56,200

BACKGROUND: Tier 6 members of NYCERS, TRS, and BERS are required to make Basic Member Contributions (BMC) ranging from 3% to 6% depending on the members' respective annual wages two calendar years prior. Annual wages include overtime up to a certain limit that increases annually based on inflation (\$19,729 for calendar year 2023).

Part SS of Chapter 56 of the Laws of 2022 excluded overtime and compensation earned for supplemental work for determining future Tier 6 BMC rates for the period of April 1, 2022 through April 1, 2024 (NYCERS, TRS, and BERS are subject to a calendar plan year).

The proposed legislation would extend the exclusion of overtime and compensation earned for supplemental work for determining Tier 6 BMC rates through April 1, 2026.

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

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).

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 2024-26 dated March 14, 2024 was prepared by the Chief Actuary for the New York City Retirement

Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session.

1 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
2 sion, section or part of this act shall be adjudged by any court of
3 competent jurisdiction to be invalid, such judgment shall not affect,
4 impair, or invalidate the remainder thereof, but shall be confined in
5 its operation to the clause, sentence, paragraph, subdivision, section
6 or part thereof directly involved in the controversy in which such judg-
7 ment shall have been rendered. It is hereby declared to be the intent of
8 the legislature that this act would have been enacted even if such
9 invalid provisions had not been included herein.

10 § 3. This act shall take effect immediately provided, however, that
11 the applicable effective date of Parts A through KK of this act shall be
12 as specifically set forth in the last section of such Parts.

STATE OF NEW YORK

S. 8306--C

A. 8806--C

SENATE - ASSEMBLY

January 17, 2024

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the calculation of the final average salary for purposes of the calculation of a pension benefit (Part QQ);

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

37

PART QQ

38 Section 1. Subdivisions a and b of section 512 of the retirement and
39 social security law, subdivision a as amended by chapter 298 of the laws
40 of 2016, and subdivision b as amended by chapter 18 of the laws of 2012,
41 are amended to read as follows:

42 a. A member's final average salary shall be the average wages earned
43 by such a member during any three consecutive years which provide the
44 highest average wage; provided, however, if the wages earned during any
45 year included in the period used to determine final average salary
46 exceeds that of the average of the previous two years by more than ten
47 percent, the amount in excess of ten percent shall be excluded from the
48 computation of final average salary. ~~[Notwithstanding the preceding
49 provisions of this subdivision to the contrary, for a member who first
50 becomes a member of the New York state and local employees' retirement
51 system on or after April first, two thousand twelve, or for a New York
52 city police/fire revised plan member, a New York city enhanced plan
53 member who receives the ordinary disability benefit provided for in
54 subdivision c-1 of section five hundred six of this article or the acci-~~

1 ~~dental disability benefit provided for in paragraph three of subdivision~~
 2 ~~e of section five hundred seven of this article, a New York city~~
 3 ~~uniformed correction/sanitation revised plan member or an investigator~~
 4 ~~revised plan member, a member's final average salary shall be the aver-~~
 5 ~~age wages earned by such a member during any five consecutive years~~
 6 ~~which provide the highest average wage; provided, however, if the wages~~
 7 ~~earned during any year included in the period used to determine final~~
 8 ~~average salary exceeds that of the average of the previous four years by~~
 9 ~~more than ten percent, the amount in excess of ten percent shall be~~
 10 ~~excluded from the computation of final average salary.] In determining~~
 11 final average salary pursuant to any provision of this subdivision,
 12 where the period used to determine final average salary is the period
 13 which immediately precedes the date of retirement, any month or months
 14 (not in excess of twelve) which would otherwise be included in computing
 15 final average salary but during which the member was on authorized leave
 16 of absence at partial pay or without pay shall be excluded from the
 17 computation of final average salary and the month or an equal number of
 18 months immediately preceding such period shall be substituted in lieu
 19 thereof.

20 b. Notwithstanding the provisions of subdivision a of this section,
 21 with respect to members of the New York state employees' retirement
 22 system [~~who first become members of the New York state and local employ-~~
 23 ~~ees' retirement system before April first, two thousand twelve], the New~~
 24 New York state and local police and fire retirement system and the New York
 25 city teachers' retirement system, a member's final average salary shall
 26 be equal to one-third of the highest total wages earned during any
 27 continuous period of employment for which the member was credited with
 28 three years of service credit; provided, however, if the wages earned
 29 during any year of credited service included the period used to deter-
 30 mine final average salary exceeds the average of the wages of the previ-
 31 ous two years of credited service by more than ten percent, the amount
 32 in excess of ten percent shall be excluded from the computation of final
 33 average salary. [~~For members who first become a member of the New York~~
 34 ~~state and local employees' retirement system on or after April first,~~
 35 ~~two thousand twelve, with respect to members of the New York state and~~
 36 ~~local employees' retirement system, a member's final average salary~~
 37 ~~shall be equal to one-fifth of the highest total wages earned during any~~
 38 ~~continuous period of employment for which the member was credited with~~
 39 ~~five years of service credit; provided, however, if the wages earned~~
 40 ~~during any year of credited service included the period used to deter-~~
 41 ~~mine final average salary exceeds the average of the wages of the previ-~~
 42 ~~ous four years of credited service by more than ten percent, the amount~~
 43 ~~in excess of ten percent shall be excluded from the computation of final~~
 44 ~~average salary.]~~

45 § 2. Subdivisions a and b of section 608 of the retirement and social
 46 security law, as amended by chapter 18 of the laws of 2012, are amended
 47 to read as follows:

48 a. [~~For members who first become members of a public retirement system~~
 49 ~~of the state before April first, two thousand twelve, a] A member's
 50 final average salary shall be the average wages earned by such a member
 51 during any three consecutive years which provide the highest average
 52 wage; provided, however, if the wages earned during any year included in
 53 the period used to determine final average salary exceeds that of the
 54 average of the previous two years by more than ten percent, the amount
 55 in excess of ten percent shall be excluded from the computation of final
 56 average salary. [~~For members who first become members of the New York~~~~

1 ~~state and local employees' retirement system or the New York state~~
2 ~~teachers' retirement system on or after April first, two thousand~~
3 ~~twelve, a member's final average salary shall be the average wages~~
4 ~~earned by such member during any five consecutive years which provide~~
5 ~~the highest average wage; provided, however, if the wages earned during~~
6 ~~any year included in the period used to determine final average salary~~
7 ~~exceeds that of the average of the previous four years by more than ten~~
8 ~~percent, the amount in excess of ten percent shall be excluded from the~~
9 ~~computation of final average salary.]~~ Where the period used to determine
10 final average salary is the period which immediately precedes the date
11 of retirement, any month or months (not in excess of twelve) which would
12 otherwise be included in computing final average salary but during which
13 the member was on authorized leave of absence at partial pay or without
14 pay shall be excluded from the computation of final average salary and
15 the month or an equal number of months immediately preceding such period
16 shall be substituted in lieu thereof.

17 b. Notwithstanding the provisions of subdivision a of this section,
18 with respect to members [~~who first became members~~] of the New York state
19 and local employees' retirement system and the New York city teachers'
20 retirement system [~~before April first, two thousand twelve~~], a member's
21 final average salary shall be equal to one-third of the highest total
22 wages earned by such member during any continuous period of employment
23 for which the member was credited with three years of service credit;
24 provided, however, if the wages earned during any year of credited
25 service included in the period used to determine final average salary
26 exceeds the average of the wages of the previous two years of credited
27 service by more than ten percent, the amount in excess of ten percent
28 shall be excluded from the computation of final average salary. [~~With~~
29 ~~respect to members who first become members of the New York state and~~
30 ~~local employees' retirement system and the New York city teachers'~~
31 ~~retirement system on or after April first, two thousand twelve, a~~
32 ~~member's final average salary shall be equal to one-fifth of the highest~~
33 ~~total wages earned by such member during any continuous period of~~
34 ~~employment for which the member was credited with five years of service~~
35 ~~credit; provided, however, if the wages earned during any year of cred-~~
36 ~~ited service included in the period used to determine final average~~
37 ~~salary exceeds the average of the wages of the previous four years of~~
38 ~~credited service by more than ten percent, the amount in excess of ten~~
39 ~~percent shall be excluded from the computation of final average salary.]~~

40 § 3. Subparagraph (ii) of paragraph 14 of subdivision e of section
41 13-638.4 of the administrative code of the city of New York, as amended
42 by chapter 18 of the laws of 2012, is amended to read as follows:

43 (ii) Subject to the provisions of subdivision f of this section where
44 those provisions are applicable, and notwithstanding the provisions of
45 subdivisions a and c of section six hundred eight of the RSSL, for a
46 tier IV member of NYCERS who is a New York city revised plan member (as
47 defined in subdivision m of section six hundred one of the RSSL) or a
48 tier IV member of BERS who is a New York city revised plan member, the
49 term "final average salary", as used in article fifteen of the RSSL,
50 shall be equal to [~~one-fifth~~] one-third of the highest total wages
51 earned by such member during any continuous period of employment for
52 which the member was credited with [~~five~~] three years of service credit;
53 provided that if the wages earned during any year of credited service
54 included in the period used to determine final average salary exceeds
55 the average of the wages of the previous four years of credited service
56 by more than ten percent, the amount in excess of ten percent shall be

1 excluded from the computation of final average salary, provided further
2 that "wages", as used in this paragraph, shall mean the applicable
3 provisions and limitations of the term "wages", as defined in subdivi-
4 sion 1 of section six hundred one of the RSSL.

5 § 4. Subdivision a of section 1209 of the retirement and social secu-
6 rity law, as amended by chapter 705 of the laws of 2023, is amended to
7 read as follows:

8 a. For members who first become members of the New York state and
9 local police and fire retirement system on or after April first, two
10 thousand twelve, a member's final average salary shall be equal to one-
11 fifth of the highest total wages earned by such member during any
12 continuous period of employment for which the member was credited with
13 five years of service credit; provided, however, if the wages earned
14 during any year of credited service included in the period used to
15 determine final average salary exceeds the average of the wages of the
16 previous four years of credited service by more than ten percent, the
17 amount in excess of ten percent shall be excluded from the computation
18 of final average salary. Provided, however, beginning on or after April
19 first, two thousand twenty-four, a member's final average salary shall
20 be equal to one-third of the highest total wages earned by such member
21 during any continuous period of employment for which the member was
22 credited with three years of service credit; provided, however, if the
23 wages earned during any year of credited service included in the period
24 used to determine final average salary exceeds the average of the wages
25 of the previous two years of credited service by more than ten percent,
26 the amount in excess of ten percent shall be excluded from the computa-
27 tion of final average salary. Wages in excess of the annual salary paid
28 to the governor pursuant to section three of article four of the state
29 constitution shall be excluded from the computation of final average
30 salary for members who first become members of the New York state and
31 local police and fire retirement system on or after April first, two
32 thousand twelve.

33 § 5. Notwithstanding any other provision of law to the contrary, none
34 of the provisions of this act shall be subject to section 25 of the
35 retirement and social security law.

36 § 6. This act shall take effect immediately.

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

This bill would provide Tier 6 members in the New York State and Local Retirement System a final average salary based on their highest salary earned over three consecutive years, where the salary earned in any year cannot exceed the average of the previous two years by more than 10%. Currently, final average salary for these members is based on their highest salary earned over five consecutive years, where the salary earned in any year cannot exceed the average of the previous four years by more than 10%. The provisions of Section 25 of the Retirement and Social Security Law shall not apply.

Insofar as this bill affects the New York State and Local Employees' Retirement System (NYSLERS), the increased costs would be shared by the State of New York and the local participating employers in the NYSLERS. If this bill were enacted during the 2024 Legislative Session, the increase in the present value of benefits would be approximately \$1.17 billion.

NYSLERS	Increase in present value benefits	Increase in required contributions
Tiers 1 - 5	\$0	\$220 million
Tier 6	\$1.17 billion	\$950 million

Total \$1.17 billion \$1.17 billion

In the NYSLERS, this benefit improvement will be funded by increasing the billing rates charged annually to cover both retrospective and prospective benefit increases. The annual contribution required of all participating employers in NYSLERS is 0.4% of billable salary, or approximately \$51 million to the State of New York and approximately \$76 million to the local participating employers. **This permanent annual cost will increase** as Tier 6 salary grows and will vary by employer based upon the plan coverage and salary reported in Tier 6.

Insofar as this bill affects the New York State and Local Police and Fire Retirement System (NYSLPFRS), the increased costs would be shared by the State of New York and the local participating employers in the NYSLPFRS. If this bill were enacted during the 2024 Legislative Session, the increase in the present value of benefits would be approximately \$341 million.

NYSLPFRS	Increase in present value benefits	Increase in required contributions
Tiers 1 - 5	\$0	\$33 million
Tier 6	\$341 million	\$308 million
Total	\$341 million	\$341 million

In the NYSLPFRS, this benefit improvement will be funded by increasing the billing rates charged annually to cover both retrospective and prospective benefit increases. The annual contribution required of all participating employers in the NYSLPFRS is 0.70% of billable salary, or approximately \$6.0 million to the State of New York and approximately \$25 million to the local participating employers. **The permanent annual cost will increase** as Tier 6 salary grows and will vary by employer based upon the plan coverage and salary reported in Tier 6.

These estimated costs are based on 265,533 Tier 6 members in the NYSLERS and 16,599 Tier 6 members in the NYSLPFRS, with annual salary of approximately \$12 billion and \$1.5 billion, respectively, as of March 31, 2023.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 2, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-118, prepared by the Actuary for the New York State and Local Retirement System.

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

As it relates to the New York State Teacher's Retirement System, this bill would amend subdivisions a and b of Section 608 of the Retirement and Social Security Law to change the definition of final average salary for Tier 6 members to be the same as that for Tier 3, 4 and 5 members. The final average salary for Tier 6 members would be based on any three consecutive years which produce the highest average salary. Currently, the final average salary for Tier 6 members is based on the salaries earned during any five consecutive years which provide the highest average salary. Additionally, under the bill, as in Tier 3, 4 and 5, if the salary for any year used in the period exceeds that of the average of the prior two years by more than 10%, the amount in excess of 10% shall be excluded from the computation. Currently, under Tier 6, if the salary for any year used in the period exceeds that of the average of the prior four years by more than 10%, the amount in excess of 10% is excluded from the computation.

The annual cost to the employers of members of the New York State Teachers' Retirement System for this benefit is estimated to be \$23.1 million or 0.12% of payroll if this bill is enacted.

The System's "new entrant rate", a hypothetical employer contribution rate that would occur if we started a new Retirement System without any assets, is equal to 5.31% of pay under the current Tier 6 benefit structure. This can be thought of as the long-term expected employer cost of Tier 6, based on current actuarial assumptions. For the proposed change to the Tier 6 benefit structure under this bill, this new entrant rate is estimated to increase to 5.55% of pay, an increase of 0.24% of pay.

Member data is from the System's most recent actuarial valuation files as of June 30, 2023, consisting of data provided by the employers to the Retirement System. The most recent data distributions and statistics can be found in the System's Annual Report for fiscal year ended June 30, 2023. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report as of June 30, 2023.

The source of this estimate is Fiscal Note 2024-17 dated February 2, 2024 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2024 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

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

SUMMARY: This proposed legislation, as it relates to the New York City Retirement Systems and Pension Funds (NYCRS), would increase the Final Average Salary used to calculate pension benefits for certain Tier 3 and Tier 6 members of NYCRS by reducing the number of years included in the average from five years to three years.

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

Year	NYCERS	TRS	BERS	POLICE	FIRE	TOTAL
2025	67.2	56.2	5.7	47.8	19.4	196.3
2026	63.9	54.9	5.9	44.2	21.3	190.2
2027	68.0	57.8	6.2	49.2	23.3	204.5

2028	72.2	60.9	6.5	54.8	25.5	219.9
2029	76.5	64.2	6.9	60.2	27.8	235.6
2030	80.8	67.7	7.2	66.0	30.2	251.9
2031	85.2	71.4	7.6	71.4	32.7	268.3
2032	89.5	75.4	7.9	76.0	35.3	284.1
2033	93.9	79.6	8.3	80.5	38.0	300.3
2034	98.5	84.1	8.7	85.0	40.8	317.1
2035	103.0	88.9	9.0	89.4	43.7	334.0
2036	107.6	93.9	9.4	93.8	46.7	351.4
2037	112.2	99.2	9.8	98.4	49.8	369.4
2038	116.9	104.8	8.0	103.4	53.1	386.2
2039	121.7	110.8	8.5	108.5	56.3	405.8
2040	103.5	116.9	8.9	113.4	59.6	402.3
2041	108.2	123.3	9.3	107.4	63.0	411.2
2042	113.0	129.7	9.7	112.3	66.4	431.1
2043	117.8	136.1	10.2	117.3	64.2	445.6
2044	122.7	123.8	10.6	122.3	67.6	447.0
2045	127.6	130.1	11.1	127.4	70.9	467.1
2046	132.6	136.4	11.5	132.5	74.2	487.2
2047	137.7	142.5	12.0	137.6	77.4	507.2
2048	142.9	148.6	12.5	142.9	80.7	527.6
2049	148.1	154.8	13.0	148.4	83.9	548.2

Employer Contribution impact beyond Fiscal Year 2049 is not shown. Projected contributions include future new hires that may be impacted.

The initial increase in employer contributions of \$196.3 million is estimated to be \$163.2 million for New York City and \$33.1 million for the other obligors of NYCERS.

INITIAL INCREASE (DECREASE) IN ACTUARIAL LIABILITIES
as of June 30, 2023 (\$ in Millions)

Present Value (PV)	NYCERS	TRS	BERS	POLICE	FIRE
PV of Benefits:	633.8	666.9	53.3	570.7	279.6
PV of Employee Contributions:	0.0	0.0	0.0	0.0	0.0
PV of Employer Contributions:	633.8	666.9	53.3	570.7	279.6
Unfunded Accrued Liabilities:	207.9	189.6	17.8	105.3	53.8

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS	TRS	BERS	POLICE	FIRE
Number of Payments:	15	19	13	16	18
Fiscal Year of Last Payment:	2039	2043	2037	2040	2042
Amortization Payment:	22.9 M	18.6 M	2.2 M	10.8 M	5.5 M
Additional One-time Payment:	7.0 M	4.0 M	0.0 M	7.5 M	0.0 M

Unfunded Accrued Liability (UAL) increases for active members were amortized over the expected remaining working lifetime of those impacted by the benefit changes using level dollar payments. UAL attributable to terminated vested members was recognized in the first year.

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2023. The census data for the impacted population is summarized below.

	NYCERS	TRS	BERS	POLICE	FIRE
Active Members					
- Number Count:	92,737	60,663	12,932	20,089	5,030
- Average Age:	42.1	38.1	46.9	32.7	33.5
- Average Service:	4.6	5.0	4.0	6.1	5.5
- Average Salary:	80,600	80,000	56,200	107,400	112,400
Term. Vested Members					
- Number Count:	4,274	3,999	397	887	9
- Average Age:	41.5	37.9	44.6	34.6	37.6

IMPACT ON MEMBER BENEFITS: Currently, Final Average Salary (FAS) is based on a five-year average, with each year's salary limited to 110% of the average of the prior four year's salaries for the following groups:

- * Tier 3 and Tier 6 members who joined NYCERS on or after April 1, 2012, and
- * Tier 3 enhanced members of POLICE and FIRE who retire for disability.

Under the proposed legislation, the FAS for such members would be based on a three-year average, with each year's salary limited to 110% of the average of the prior two year's salaries (prior four year's salaries for NYCERS and BERS).

The five-year FAS for enhanced disability benefits for Corrections and Sanitation members of NYCERS is provided as part of an agreement under Retirement and Social Security Law Article 25 and is assumed to remain unchanged by this proposed legislation.

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:

- * New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

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).

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 2024-10 dated February 2, 2024 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session.

STATE OF NEW YORK

S. 8308--C

A. 8808--C

SENATE - ASSEMBLY

January 17, 2024

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, the criminal procedure law, the retirement and social security law and the tax law, in relation to creating the Waterfront Commission Act; and to repeal chapter 882 of the laws of 1953 relating to waterfront employment and air freight industry regulation (Part L);

52 PART L

53 Section 1. Chapter 882 of the laws of 1953 relating to waterfront
54 employment and air freight industry regulation is REPEALED.

1 § 2. The executive law is amended by adding a new article 19-I to read
2 as follows:

3 ARTICLE 19-I

4 WATERFRONT COMMISSION ACT

5 Section 534. Short title.

6 534-a. Legislative findings and declarations.

7 534-b. Definitions.

8 534-c. New York waterfront commission established.

9 534-d. General powers of the commission.

10 534-e. Designation as agent of the state.

11 534-f. Pier superintendents and hiring agents.

12 534-g. Stevedores.

13 534-h. Prohibition of public loading.

14 534-i. Longshore workers' register.

15 534-j. List of qualified longshore workers' for employment as
16 checkers.

17 534-k. Regularization of longshore workers' employment.

18 534-l. Suspension or acceptance of applications for inclusion in
19 the longshore workers' register; exceptions.

20 534-m. Security officers.

21 534-n. Hearings, determinations and review.

22 534-o. Employment information centers.

23 534-p. Implementation of telecommunications hiring system for
24 longshore workers and checkers; registration of tele-
25 communications system controller.

26 534-q. Construction of act.

27 534-r. Certain solicitations prohibited; prohibition against the
28 holding of union position by officers, agents or
29 employees who have been convicted of certain crimes
30 and offenses.

31 534-s. General violations; prosecutions; penalties.

32 534-t. Denial of applications.

33 534-u. Revocation of licenses and registrations.

34 534-v. Refusal to answer question, immunity; prosecution.

35 534-w. Annual preparation of a budget request and assessments.

36 534-x. Payment of assessment.

37 534-y. Transfer of officers, employees.

38 534-z. Annual report.

39 § 534. Short title. This article shall be known and may be cited as
40 the "waterfront commission act".

41 § 534-a. Legislative findings and declarations. 1. The state of New
42 York hereby finds and declares that:

43 In 1953, the conditions under which waterfront labor was employed
44 within the port of New York district were depressing and degrading to
45 such labor, resulting from the lack of any systematic method of hiring,
46 the lack of adequate information as to the availability of employment,
47 corrupt and discriminatory hiring practices, criminal practices, and
48 coercion of employees or employers. Now, it continues to be in the best
49 interest of the state to regulate activities within the port of New York
50 district in this state to prevent such conditions and to prevent circum-
51 stances that result in waterfront laborers suffering from irregularity
52 of employment, fear and insecurity, inadequate earnings, an unduly high
53 accident rate, subjection to borrowing at usurious rates of interest,
54 exploitation and extortion as the price of securing employment, a loss
55 of respect for the law, and destruction of the dignity of an important
56 segment of American labor, and to prevent a direct encouragement of

1 crime which imposes a levy of greatly increased costs on food, fuel and
2 other necessities handled in and through the port of New York district
3 in this state.

4 It is in the best interest of the state to ensure that the function of
5 loading and unloading trucks and other land vehicles at piers and other
6 waterfront terminals should be performed, as in every other major Ameri-
7 can port, without the abuses of the public loader system, and by the
8 carriers of freight by water, stevedores and operators of such piers and
9 other waterfront terminals or the operators of such trucks or other land
10 vehicles. Therefore, it is in the best interest of the state to regu-
11 late the occupations of longshore workers, stevedores, pier superinten-
12 dents, hiring agents, and security officers, who are affected with a
13 public interest, which is an exercise of the police power of this state.
14 It is further in the best interest of the state to ensure that the meth-
15 od of employment of longshore workers and security officers be conducted
16 through employment information centers to prevent grave injury to the
17 welfare of waterfront laborers and of the people at large and to ensure
18 the preservation of the fundamental rights and liberties of labor, the
19 economic stability of the port of New York district in this state, and
20 the advancement of law enforcement therein.

21 Although law enforcement's efforts against traditional organized crime
22 influence have been successful, such influence remains a significant
23 threat in the New York metropolitan area, particularly in the port.
24 Continued oversight is essential to ensure fair and nondiscriminatory
25 hiring practices, to eliminate labor racketeering and the victimization
26 of legitimate union members and port businesses, and to prevent organ-
27 ized crime figures from directly operating at the critical points of
28 interstate and international shipping.

29 To preserve the safety and welfare of the state, it is the intent of
30 this act to prevent and eradicate mismanagement, abuse of labor, coer-
31 cion, corruption, prevalence of organized crime and other criminal
32 activity, to exclude or remove from the port workforce individuals who
33 were convicted of serious crimes or who associate with organized crime
34 in violation of this act, to overcome discrimination and other unfair
35 hiring practices, and to extirpate corruption and racketeering in the
36 port of New York district in this state.

37 § 534-b. Definitions. As used in this article, the following terms
38 shall have the following meanings:

39 1. "Act" shall mean this article and rules or regulations lawfully
40 promulgated thereunder and shall include any amendments or supplements
41 to this article to implement the purposes thereof.

42 2. "Bi-state commission" shall mean the Waterfront Commission of New
43 York Harbor established by the state of New York pursuant to P.L. 1953,
44 c.882 (NY Unconsol. Ch.307, s.1) and by the state of New Jersey pursuant
45 to its agreement thereto under P.L.1953, c.202 (C.32:23-1 et seq.).

46 3. "Carrier of freight by water" shall mean any person who may be
47 engaged or who may hold oneself out as willing to be engaged, whether as
48 a common carrier, as a contract carrier or otherwise (except for
49 carriage of liquid cargoes in bulk in tank vessels designed for use
50 exclusively in such service or carriage by barge of bulk cargoes
51 consisting of only a single commodity loaded or carried without wrappers
52 or containers and delivered by the carrier without transportation mark
53 or count) in the carriage of freight by water between any point in the
54 port of New York district and a point outside said district.

- 1 4. "Container" shall mean any receptacle, box, carton or crate which
2 is specifically designed and constructed so that it may be repeatedly
3 used for the carriage of freight by a carrier of freight by water.
- 4 5. "Checker" shall mean a longshore worker who is employed to engage
5 in direct and immediate checking of waterborne freight or of the custo-
6 dial accounting therefor or in the recording or tabulation of the hours
7 worked at piers or other waterfront terminals by natural persons
8 employed by carriers of freight by water or stevedores.
- 9 6. "Commission" shall mean the New York waterfront commission estab-
10 lished by section five hundred thirty-four-c of this article.
- 11 7. "Career offender" shall mean a person whose behavior is pursued in
12 an occupational manner or context for the purpose of economic gain
13 utilizing such methods as are deemed criminal violations against the
14 public policy of the state of New York.
- 15 8. "Career offender cartel" shall mean a number of career offenders
16 acting in concert, and may include what is commonly referred to as an
17 organized crime group.
- 18 9. "Court of the United States" shall mean all courts enumerated in
19 section four hundred fifty-one of title twenty-eight of the United
20 States Code and the courts-martial of the armed forces of the United
21 States.
- 22 10. "Freight" shall mean freight which has been, or will be, carried
23 by or consigned for carriage by a carrier of freight by water.
- 24 11. "Hiring agent" shall mean any natural person, who on behalf of a
25 carrier of freight by water or a stevedore or any other person shall
26 select any longshore worker for employment.
- 27 12. "Longshore worker" shall mean: (a) a natural person, other than a
28 hiring agent, who is employed for work at a pier or other waterfront
29 terminal, either by a carrier of freight by water or by a stevedore to:
30 (1) physically move waterborne freight on vessels berthed at piers, on
31 piers or at other waterfront terminals; or
32 (2) engage in direct and immediate checking of any such freight or of
33 the custodial accounting therefor or in the recording or tabulation of
34 the hours worked at piers or other waterfront terminals by natural
35 persons employed by carriers of freight by water or stevedores; or
36 (3) supervise directly and immediately others who are employed as in
37 subparagraph one of this paragraph; or
38 (4) physically perform labor or services incidental to the movement of
39 waterborne freight on vessels berthed at piers, on piers or at other
40 waterfront terminals, including, but not limited to, cargo repair
41 personnel, coopers, general maintenance personnel, mechanical and
42 miscellaneous workers, horse and cattle fitters, grain ceilers and
43 marine carpenters; or
44 (b) a natural person, other than a hiring agent, who is employed for
45 work at a pier or other waterfront terminal by any person to:
46 (1) physically move waterborne freight to or from a barge, lighter or
47 railroad car for transfer to or from a vessel of a carrier of freight by
48 water which is, shall be, or shall have been berthed at the same pier or
49 other waterfront terminal; or
50 (2) perform labor or services involving, or incidental to, the move-
51 ment of freight at a waterfront terminal as defined in subdivision
52 fifteen of this section.
- 53 13. "Longshore workers' register" shall mean the register of eligible
54 longshore workers compiled and maintained by the commission pursuant to
55 section five hundred thirty-four-i of this article.

1 14. "Marine terminal" shall mean an area which includes piers, which
2 is used primarily for the moving, warehousing, distributing or packing
3 of waterborne freight or freight to or from such piers, and which,
4 inclusive of such piers, is under common ownership or control.

5 15. "Other waterfront terminal" shall include:

6 (a) any warehouse, depot or other terminal (other than a pier) which
7 is located within one thousand yards of any pier in the port of New York
8 district in this state and which is used for waterborne freight in whole
9 or substantial part; or

10 (b) any warehouse, depot or other terminal (other than a pier), wheth-
11 er enclosed or open, which is located in a marine terminal in the port
12 of New York district in this state and any part of which is used by any
13 person to perform labor or services involving, or incidental to, the
14 movement of waterborne freight or freight.

15 16. "Person" shall mean not only a natural person but also any part-
16 nership, joint venture, association, corporation or any other legal
17 entity but shall not include the United States, any state or territory
18 thereof or any department, division, board, commission or authority of
19 one or more of the foregoing.

20 17. "Pier" shall include any wharf, pier, dock or quay.

21 18. "Pier superintendent" shall mean any natural person other than a
22 longshore worker who is employed for work at a pier or other waterfront
23 terminal by a carrier of freight by water or a stevedore and whose work
24 at such pier or other waterfront terminal includes the supervision,
25 directly or indirectly, of the work of longshore workers.

26 19. "Port of New York district" shall mean the district created by
27 article II of the compact dated April thirtieth, nineteen hundred twen-
28 ty-one, between the states of New York and New Jersey, authorized by
29 chapter one hundred fifty-four of the laws of New York of nineteen
30 hundred twenty-one and chapter one hundred fifty-one of the laws of New
31 Jersey of nineteen hundred twenty-one.

32 20. "Security officer" shall include any security officer, gate
33 person, rounds person, detective, guard, guardian or protector of prop-
34 erty employed by the operator of any pier or other waterfront terminal
35 or by a carrier of freight by water to perform services in such capacity
36 on any pier or other waterfront terminal.

37 21. The term "select any longshore worker for employment" in the defi-
38 nition of a hiring agent in this section shall include selection of a
39 person for the commencement or continuation of employment as a longshore
40 worker, or the denial or termination of employment as a longshore work-
41 er.

42 22. "Stevedore" shall mean:

43 (a) a contractor (not including an employee) engaged for compensation
44 pursuant to a contract or arrangement with a carrier of freight by
45 water, in moving waterborne freight carried or consigned for carriage by
46 such carrier on vessels of such carrier berthed at piers, on piers at
47 which such vessels are berthed or at other waterfront terminals; or

48 (b) a contractor engaged for compensation pursuant to a contract or
49 arrangement with the United States, any state or territory thereof, or
50 any department, division, board, commission or authority of one or more
51 of the foregoing, in moving freight carried or consigned for carriage
52 between any point in the port of New York district and a point outside
53 said district on vessels of such a public agency berthed at piers, on
54 piers at which such vessels are berthed or at other waterfront termi-
55 nals; or

1 (c) a contractor (not including an employee) engaged for compensation
2 pursuant to a contract or arrangement with any person to perform labor
3 or services incidental to the movement of waterborne freight on vessels
4 berthed at piers, on piers or at other waterfront terminals, including,
5 but not limited to, cargo storage, cargo repairing, coopering, general
6 maintenance, mechanical and miscellaneous work, horse and cattle
7 fitting, grain ceiling, and marine carpentry; or

8 (d) a contractor (not including an employee) engaged for compensation
9 pursuant to a contract or arrangement with any other person to perform
10 labor or services involving, or incidental to, the movement of freight
11 into or out of containers (which have been or which will be carried by a
12 carrier of freight by water) on vessels berthed at piers, on piers or at
13 other waterfront terminals.

14 23. "Terrorist group" shall mean a group associated, affiliated or
15 funded in whole or in part by a terrorist organization designated by the
16 secretary of state in accordance with section two hundred nineteen of
17 the immigration and nationality act, as amended from time to time, or
18 any other organization which assists, funds or engages in acts of
19 terrorism as defined in the laws of the United States, or of the state
20 of New York, including, but not limited to, subdivision one of section
21 490.05 of the penal law.

22 24. "Waterborne freight" shall mean freight carried by or consigned
23 for carriage by carriers of freight by water, and shall also include
24 freight described in subdivision fifteen and paragraphs (b) and (d) of
25 subdivision twenty-two of this section, and ships' stores, baggage and
26 mail carried by or consigned for carriage by carriers of freight by
27 water.

28 25. "Witness" shall mean any person whose testimony is desired in any
29 investigation, interview or other proceeding conducted by the commission
30 pursuant to the provisions of section five hundred thirty-four of this
31 article.

32 § 534-c. New York waterfront commission established. 1. There is here-
33 by created the New York waterfront commission, which shall be in the
34 executive department of this state and may request, receive, and utilize
35 facilities, resources and data of any department, division, board,
36 bureau, commission, agency or public authority of the state or any poli-
37 tical subdivision thereof as it may reasonably request to carry out
38 properly its powers and duties.

39 2. The commission shall consist of the commissioner appointed by the
40 governor with the advice and consent of the senate, and shall receive
41 compensation to be fixed by the governor of this state. The term of
42 office of such commissioner shall be for three years; provided, however,
43 that a commissioner serving on the bi-state commission at the time of
44 its dissolution on the seventeenth of July two thousand twenty-three who
45 was appointed by the governor of New York to such position, may serve as
46 acting commissioner of the New York waterfront commission until such
47 time as a commissioner is appointed by the governor, with the advice and
48 consent of the senate, pursuant to this subdivision. A commissioner
49 shall hold office until that commissioner's successor has been appointed
50 and qualified. Vacancies in office shall be filled for the balance of
51 the unexpired term in the same manner as original appointments.

52 3. A commissioner may, by written instrument filed in the office of
53 the commission, designate any officer or employee of the commission to
54 act in that commissioner's place. A vacancy in the office of a commis-
55 sioner shall not impair such designation until the vacancy shall have
56 been filled.

1 § 534-d. General powers of the commission. In addition to the powers
2 and duties elsewhere prescribed herein, the commission shall have the
3 power:

4 1. To have a seal and alter the same at pleasure.

5 2. To determine the location, size and suitability of accommodations
6 necessary and desirable for the establishment and maintenance of the
7 employment information centers provided in section five hundred thirty-
8 four-o of this article and for administrative offices for the commis-
9 sion.

10 3. To administer and enforce the provisions of this act.

11 4. To promulgate and enforce such rules and regulations as the commis-
12 sion may deem necessary to effectuate the purposes of this act or to
13 prevent the circumvention or evasion thereof. As used in this act,
14 "regulations" include those rules and regulations of the bi-state
15 commission which shall continue in effect as the rules and regulations
16 of the commission until amended, supplemented, or rescinded by the
17 commission pursuant to the state administrative procedure act. Previ-
18 ously promulgated regulations inconsistent with the provisions of this
19 act shall be deemed void. No later than one hundred eighty days after
20 this act shall have become law, the commission shall commence review of
21 its regulations in order to recommend necessary changes. In its review,
22 the commission shall consult with relevant employers and labor organiza-
23 tions.

24 5. To appoint such officers, agents and employees as it may deem
25 necessary, prescribe their powers, duties and qualifications and fix
26 their compensation and retain and employ counsel and private consultants
27 on a contract basis or otherwise, within the limits provided by appro-
28 riation.

29 6. By its commissioner and its properly designated officers, agents
30 and employees, to administer oaths and issue subpoenas to compel the
31 attendance of witnesses and the giving of testimony and the production
32 of other evidence.

33 7. To have for its commissioner and its properly designated officers,
34 agents and employees, full and free access, ingress and egress to and
35 from all vessels, piers and other waterfront terminals or other places
36 in the port of New York district in this state, for the purposes of
37 making inspection or enforcing the provisions of this act; and no person
38 shall obstruct or in any way interfere with any such commissioner, offi-
39 cer, employee or agent in the making of such inspection, or in the
40 enforcement of the provisions of this act or in the performance of any
41 other power or duty under this act.

42 8. To recover possession of any suspended or revoked license issued
43 under this act.

44 9. To make investigations, collect and compile information concerning
45 waterfront practices generally within the port of New York district in
46 this state and upon all matters relating to the accomplishment of the
47 objectives of this act.

48 10. To advise and consult with representatives of labor and industry
49 and with public officials and agencies concerned with the effectuation
50 of the purposes of this act, upon all matters which the commission may
51 desire, including but not limited to the form and substance of rules and
52 regulations, the administration of the act, maintenance of the longshore
53 workers' register, and issuance and revocation of licenses.

54 11. To make annual and other reports to the governor and legislature.

55 12. To cooperate with and receive from any department, division,
56 bureau, board, commission, or agency of this state, or of any county or

1 unicipality thereof, such assistance and data as will enable it proper-
2 ly to carry out its powers and duties hereunder; and to request any such
3 department, division, bureau, board, commission, or agency, with the
4 consent thereof, to execute such of its functions and powers, as the
5 public interest may require.

6 13. To designate officers, employees and agents who may exercise the
7 powers and duties of the commission except the power to make rules and
8 regulations. Notwithstanding any other provision of law, the officers,
9 employees and agents of the commission established by this act may be
10 appointed or employed without regard to their state of residence.

11 14. To issue temporary permits and permit temporary registrations
12 under such terms and conditions as the commission may prescribe which
13 shall be valid for a period to be fixed by the commission not in excess
14 of six months.

15 15. To require any applicant for a license or registration or any
16 prospective licensee to furnish such facts and evidence as the commis-
17 sion may deem appropriate to enable it to ascertain whether the license
18 or registration should be granted.

19 16. In any case in which the commission has the power to revoke or
20 suspend any stevedore license the commission shall also have the power
21 to impose as an alternative to such revocation or suspension, a penalty,
22 which the licensee may elect to pay to the commission in lieu of the
23 revocation or suspension. The maximum penalty shall be five thousand
24 dollars for each separate offense. The commission may, for good cause
25 shown, abate all or part of such penalty.

26 17. To designate any officer, agent or employee of the commission to
27 be an investigator who shall be vested with all the powers of a peace or
28 police officer of the state of New York.

29 18. To confer immunity, in the manner prescribed by subdivision one of
30 section five hundred thirty-four-v of this article.

31 19. To require any applicant for registration as a longshore worker,
32 any applicant for registration as a checker or any applicant for regis-
33 tration as a telecommunications system controller and any person who is
34 sponsored for a license as a pier superintendent or hiring agent, any
35 person who is an individual owner of an applicant stevedore or any
36 persons who are individual partners of an applicant stevedore, or any
37 officers, directors or stockholders owning five percent or more of any
38 of the stock of an applicant corporate stevedore or any applicant for a
39 license as a security officer or any other category of applicant for
40 registration or licensing within the commission's jurisdiction to be
41 fingerprinted by the commission at the cost and expense of the appli-
42 cant.

43 20. To exchange fingerprint data with and receive state criminal
44 history record information from the division of criminal justice
45 services and federal criminal history record information from the feder-
46 al bureau of investigation for use in making the determinations required
47 by this act.

48 21. Notwithstanding any other provision of law to the contrary, to
49 require any applicant for employment or employee of the commission to be
50 fingerprinted and to exchange fingerprint data with and receive state
51 criminal history record information from the division of criminal
52 justice services and federal criminal history information from the
53 federal bureau of investigation for use in the hiring or retention of
54 such person.

55 22. To cooperate with a similar entity established in the state of New
56 Jersey, to exchange information on any matter pertinent to the purposes

1 of this act, and to, in its discretion, enter into reciprocal agreements
2 for the accomplishment of such purposes, including but not limited to
3 the following objectives:

4 (a) To give reciprocal effect to any approval, revocation, suspension
5 or reprimand with respect to any licensee, and any inclusion in, or
6 reprimand or removal from a longshore workers' register;

7 (b) To provide that any act or omission by a licensee or registrant in
8 either state which would be a basis for disciplinary action against such
9 licensee or registrant if it occurred in the state in which the license
10 was issued or the person registered shall be the basis for disciplinary
11 action in both states; and

12 (c) To provide that longshore workers registered in either state, who
13 perform work or who apply for work at an employment information center
14 within the other state, shall be deemed to have performed work or to
15 have applied for work in the state in which they are registered.

16 § 534-e. Designation as agent of the state. 1. The commission is here-
17 by designated on its own behalf or as agent of the state of New York, as
18 provided by the act of Congress of the United States, effective June
19 sixth, one thousand nine hundred and thirty-three, entitled "An act to
20 provide for the establishment of a national employment system and for
21 co-operation with the States in the promotion of such system and for
22 other purposes," as amended, for the purpose of obtaining such benefits
23 of such act of Congress as are necessary or appropriate to the estab-
24 lishment and operation of employment information centers authorized by
25 this act.

26 2. The commission shall have all powers necessary to cooperate with
27 appropriate officers or agencies of this state or the United States, to
28 take such steps, to formulate such plans, and to execute such projects
29 (including but not limited to the establishment and operation of employ-
30 ment information centers) as may be necessary to obtain such benefits
31 for the operations of the commission in accomplishing the purposes of
32 this act.

33 3. Any officer or agency designated by this state pursuant to said act
34 of June sixth, nineteen hundred thirty-three, as amended, is authorized
35 and empowered, upon the request of the commission and subject to its
36 direction, to exercise the powers and duties conferred upon the commis-
37 sion by the provisions of this section.

38 § 534-f. Pier superintendents and hiring agents. 1. No person shall
39 act as a pier superintendent or as a hiring agent within the port of New
40 York district in this state without first having obtained from the
41 commission or previously, from the bi-state commission, a license to act
42 as such pier superintendent or hiring agent, as the case may be, and no
43 person shall employ or engage another person to act as a pier super-
44 intendent or hiring agent who is not so licensed.

45 2. A license to act as a pier superintendent or hiring agent shall be
46 issued only upon the written application, under oath, of the person
47 proposing to employ or engage another person to act as such pier super-
48 intendent or hiring agent, verified by the prospective licensee as to
49 the matters concerning that person, and shall state the following:

50 (a) The full name and business address of the applicant;

51 (b) The full name, residence, business address (if any), place and
52 date of birth and social security number of the prospective licensee;

53 (c) The present and previous occupations of the prospective licensee,
54 including the places where the person was employed and the names of the
55 person's employers;

1 (d) Such further facts and evidence as may be required by the commis-
2 sion to ascertain the character, integrity and identity of the prospec-
3 tive licensee; and

4 (e) That if a license is issued to the prospective licensee, the
5 applicant will employ such licensee as pier superintendent or hiring
6 agent, as the case may be.

7 3. No such license shall be granted:

8 (a) Unless the commission shall be satisfied that the prospective
9 licensee possesses good character and integrity;

10 (b) If the prospective licensee has, without subsequent pardon, been
11 convicted by a court of the United States, or any state or territory
12 thereof, of the commission of, or the attempt or conspiracy to commit,
13 treason, murder, manslaughter or any crime punishable by death or impri-
14 sonment for a term exceeding three hundred sixty-four days or any of the
15 following misdemeanors or offenses: illegally using, carrying or
16 possessing a pistol or other dangerous weapon; making or possessing
17 burglar's instruments; buying or receiving stolen property; unlawful
18 entry of a building; aiding an escape from prison; unlawfully possess-
19 ing, possessing with intent to distribute, sale or distribution of a
20 controlled dangerous substance (controlled substance) or a controlled
21 dangerous substance analog; and violation of this act. Any such
22 prospective licensee ineligible for a license by reason of any such
23 conviction may submit satisfactory evidence to the commission that such
24 person has for a period of not less than five years, measured as herein-
25 after provided, and up to the time of application, so acted in a manner
26 as to warrant the grant of such license, in which event the commission
27 may, in its discretion, issue an order removing such ineligibility. The
28 aforsaid period of five years shall be measured either from the date of
29 payment of any fine imposed upon such person or the suspension of
30 sentence or from the date of the person's unrevoked release from custody
31 by parole, commutation or termination of sentence;

32 (c) If the prospective licensee knowingly or willfully advocates the
33 desirability of overthrowing or destroying the government of the United
34 States by force or violence or shall be a member of a group which advo-
35 cates such desirability, knowing the purposes of such group include such
36 advocacy.

37 4. When the application shall have been examined and such further
38 inquiry and investigation made as the commission shall deem proper and
39 when the commission shall be satisfied therefrom that the prospective
40 licensee possesses the qualifications and requirements prescribed in
41 this section, the commission shall issue and deliver to the prospective
42 licensee a license to act as pier superintendent or hiring agent for the
43 applicant, as the case may be, and shall inform the applicant of this
44 action. The commission may issue a temporary permit to any prospective
45 licensee for a license under the provisions of this article pending
46 final action on an application made for such a license. Any such permit
47 shall be valid for a period not in excess of six months.

48 5. No person shall be licensed to act as a pier superintendent or
49 hiring agent for more than one employer, except at a single pier or
50 other waterfront terminal, but nothing in this section shall be
51 construed to limit in any way the number of pier superintendents or
52 hiring agents any employer may employ.

53 6. A license granted pursuant to this section shall continue through
54 the duration of the licensee's employment by the employer who shall have
55 applied for the person's license.

1 7. Any license issued pursuant to this section may be revoked or
2 suspended for such period as the commission deems in the public interest
3 or the licensee thereunder may be reprimanded for any of the following
4 offenses:

5 (a) Conviction of a crime or act by the licensee or other cause which
6 would require or permit the person's disqualification from receiving a
7 license upon original application;

8 (b) Fraud, deceit or misrepresentation in securing the license, or in
9 the conduct of the licensed activity;

10 (c) Violation of any of the provisions of this act;

11 (d) Criminal possession of a controlled substance or criminal sale of
12 a controlled substance;

13 (e) Employing, hiring or procuring any person in violation of this act
14 or inducing or otherwise aiding or abetting any person to violate the
15 terms of this act;

16 (f) Paying, giving, causing to be paid or given or offering to pay or
17 give to any person any valuable consideration to induce such other
18 person to violate any provision of this act or to induce any public
19 officer, agent or employee to fail to perform the person's duty here-
20 under;

21 (g) Consorting with known criminals for an unlawful purpose, provided,
22 however, that consorting without unlawful purpose shall be insufficient
23 grounds for revocation or suspension;

24 (h) Transfer or surrender of possession of the license to any person
25 either temporarily or permanently without satisfactory explanation;

26 (i) False impersonation of another licensee under this act;

27 (j) Receipt or solicitation of anything of value from any person other
28 than the licensee's employer as consideration for the selection or
29 retention for employment of any longshore worker;

30 (k) Coercion of a longshore worker to make purchases from or to
31 utilize the services of any person;

32 (l) Lending any money to or borrowing any money from a longshore work-
33 er for which there is a charge of interest or other consideration; and

34 (m) Membership in a labor organization which represents longshore
35 workers or security officers; but nothing in this section shall be
36 deemed to prohibit pier superintendents or hiring agents from being
37 represented by a labor organization or organizations which do not also
38 represent longshore workers or security officers. The American Feder-
39 ation of Labor and Congress of Industrial Organizations and any other
40 similar federation, congress or other organization of national or inter-
41 national occupational or industrial labor organizations shall not be
42 considered an organization which represents longshore workers or securi-
43 ty officers within the meaning of this section although one of the
44 federated or constituent labor organizations thereof may represent long-
45 shore workers or security officers.

46 8. Any applicant for pier superintendent or hiring agent ineligible
47 for a license by reason of the provisions of paragraph (b) of subdivi-
48 sion three of this section may petition for and the commission may issue
49 an order removing the ineligibility. A petition for an order to remove
50 ineligibility may be made to the commission before or after the hearing
51 required by section five hundred thirty-four-n of this article.

52 § 534-g. Stevedores. 1. No person shall act as a stevedore within the
53 port of New York district in this state without having first obtained a
54 license from the commission or previously, from the bi-state commission,
55 and no person shall employ a stevedore to perform services as such with-

1 in the port of New York district in this state unless the stevedore is
2 so licensed.

3 2. Any person intending to act as a stevedore within the port of New
4 York district in this state shall file in the office of the commission a
5 written application for a license to engage in such occupation, duly
6 signed and verified as follows:

7 (a) If the applicant is a natural person, the application shall be
8 signed and verified by such person and if the applicant is a partner-
9 ship, the application shall be signed and verified by each natural
10 person composing or intending to compose such partnership. The applica-
11 tion shall state the full name, age, residence, business address, if
12 any, present and previous occupations of each natural person so signing
13 the same, and any other facts and evidence as may be required by the
14 commission to ascertain the character, integrity and identity of each
15 natural person so signing such application.

16 (b) If the applicant is a corporation, the application shall be signed
17 and verified by the president, secretary and treasurer thereof, and
18 shall specify the name of the corporation, the date and place of its
19 incorporation, the location of its principal place of business, the
20 names and addresses of, and the amount of the stock held by stockholders
21 owning five percent or more of any of the stock thereof, and of all
22 officers, including all members of the board of directors. The require-
23 ments of paragraph (a) of this subdivision as to a natural person who is
24 a member of a partnership, and such requirements as may be specified in
25 rules and regulations promulgated by the commission, shall apply to each
26 such officer or stockholder and their successors in office or interest.

27 (c) In the event of the death, resignation or removal of any officer,
28 and in the event of any change in the list of stockholders who shall own
29 five percent or more of the stock of the corporation, the secretary of
30 such corporation shall forthwith give notice of that fact in writing to
31 the commission certified by said secretary.

32 3. No such license shall be granted:

33 (a) If any person whose signature or name appears in the application
34 is not the real party in interest required by subdivision two of this
35 section to sign or to be identified in the application or if the person
36 so signing or named in the application is an undisclosed agent or trust-
37 tee for any such real party in interest;

38 (b) Unless the commission shall be satisfied that the applicant and
39 all members, officers and stockholders required by subdivision two of
40 this section to sign or be identified in the application for license
41 possess good character and integrity;

42 (c) Unless the applicant is either a natural person, partnership or
43 corporation;

44 (d) Unless the applicant shall be a party to a contract then in force
45 or which will take effect upon the issuance of a license, with a carrier
46 of freight by water for the loading and unloading by the applicant of
47 one or more vessels of such carrier at a pier within the port of New
48 York district in this state;

49 (e) If the applicant or any member, officer or stockholder required by
50 subdivision two of this section to sign or be identified in the applica-
51 tion for license has, without subsequent pardon, been convicted by a
52 court of the United States or any state or territory thereof of the
53 commission of, or the attempt or conspiracy to commit, treason, murder,
54 manslaughter or any crime punishable by death or imprisonment for a term
55 exceeding one year or any of the misdemeanors or offenses described in
56 paragraph (b) of subdivision three of section five hundred thirty-four-f

1 of this article. Any applicant ineligible for a license by reason of
2 any such conviction may submit satisfactory evidence to the commission
3 that the person whose conviction was the basis of ineligibility has for
4 a period of not less than five years, measured as hereinafter provided
5 and up to the time of application, so acted in a manner as to warrant
6 the grant of such license, in which event the commission may, in its
7 discretion issue an order removing such ineligibility. The aforesaid
8 period of five years shall be measured either from the date of payment
9 of any fine imposed upon such person or the suspension of sentence or
10 from the date of the person's unrevoked release from custody by parole,
11 commutation or termination of the person's sentence;

12 (f) If the applicant has paid, given, caused to have been paid or
13 given or offered to pay or give to any officer or employee of any carrier
14 of freight by water any valuable consideration for an improper or
15 unlawful purpose or to induce such person to procure the employment of
16 the applicant by such carrier for the performance of stevedoring
17 services;

18 (g) If the applicant has paid, given, caused to be paid or given or
19 offered to pay or give to any officer or representative of a labor
20 organization any valuable consideration for an improper or unlawful
21 purpose or to induce such officer or representative to subordinate the
22 interests of such labor organization or its members in the management of
23 the affairs of such labor organization to the interests of the appli-
24 cant.

25 (h) If the applicant has paid, given, caused to have been paid or
26 given or offered to pay or give to any agent of any carrier of freight
27 by water any valuable consideration for an improper or unlawful purpose
28 or, without the knowledge and consent of such carrier, to induce such
29 agent to procure the employment of the applicant by such carrier or its
30 agent for the performance of stevedoring services.

31 4. When the application shall have been examined and such further
32 inquiry and investigation made as the commission shall deem proper and
33 when the commission shall be satisfied therefrom that the applicant
34 possesses the qualifications and requirements prescribed in this
35 section, the commission shall issue and deliver a license to such appli-
36 cant. The commission may issue a temporary permit to any applicant for
37 a license under the provisions of this section pending final action on
38 an application made for such a license. Any such permit shall be valid
39 for a period not in excess of six months.

40 5. A stevedore's license granted pursuant to this section shall be for
41 a term of five years or fraction of such five year period, and shall
42 expire on the first day of December. In the event of the death of the
43 licensee, if a natural person, or its termination or dissolution by
44 reason of a death of a partner, if a partnership, or if the licensee
45 shall cease to be a party to any contract of the type required by para-
46 graph (d) of subdivision three of this section, the license shall termi-
47 nate ninety days after such event or upon its expiration date, whichever
48 shall be sooner. A license may be renewed by the commission for succes-
49 sive five year periods upon fulfilling the same requirements as are set
50 forth in this section for an original application for a stevedore's
51 license.

52 6. Any license issued pursuant to this section may be revoked or
53 suspended for such period as the commission deems in the public interest
54 or the licensee thereunder may be reprimanded for any of the following
55 offenses on the part of the licensee or of any person required by subdi-

1 vision two of this section to sign or be identified in an original
2 application for a license:

3 (a) Conviction of a crime or other cause which would permit or require
4 disqualification of the licensee from receiving a license upon original
5 application;

6 (b) Fraud, deceit or misrepresentation in securing the license or in
7 the conduct of the licensed activity;

8 (c) Failure by the licensee to maintain a complete set of books and
9 records containing a true and accurate account of the licensee's
10 receipts and disbursements arising out of the licensee's activities
11 within the port of New York district in this state;

12 (d) Failure to keep said books and records available during business
13 hours for inspection by the commission and its duly designated represen-
14 tatives until the expiration of the fifth calendar year following the
15 calendar year during which occurred the transactions recorded therein;

16 (e) Any other offense described in paragraphs (c), (d), (e), (f), (g),
17 (h) and (i) of subdivision seven of section five hundred thirty-four-f
18 of this article.

19 § 534-h. Prohibition of public loading. 1. It is unlawful for any
20 person to load or unload waterborne freight onto or from vehicles other
21 than railroad cars at piers or at other waterfront terminals within the
22 port of New York district in this state, for a fee or other compen-
23 sation, other than the following persons and their employees:

24 (a) Carriers of freight by water, but only at piers at which their
25 vessels are berthed;

26 (b) Other carriers of freight (including but not limited to railroads
27 and truckers), but only in connection with freight transported or to be
28 transported by such carriers;

29 (c) Operators of piers or other waterfront terminals (including rail-
30 roads, truck terminal operators, warehouse workers and other persons),
31 but only at piers or other waterfront terminals operated by them;

32 (d) Shippers or consignees of freight, but only in connection with
33 freight shipped by such shipper or consigned to such consignee;

34 (e) Stevedores licensed under section five hundred thirty-four-g of
35 this article, whether or not such waterborne freight has been or is to
36 be transported by a carrier of freight by water with which such steve-
37 dore shall have a contract of the type prescribed by paragraph (d) of
38 subdivision three of section five hundred thirty-four-g of this article.

39 2. Nothing in this section contained shall be deemed to permit any
40 such loading or unloading of any waterborne freight at any place by any
41 such person by means of any independent contractor, or any other agent
42 other than an employee, unless such independent contractor is a person
43 permitted by this section to load or unload such freight at such place
44 in the person's own right.

45 § 534-i. Longshore workers' register. 1. The commission shall maintain
46 a longshore workers' register in which shall be included all qualified
47 longshore workers eligible, as provided, for employment as such in the
48 port of New York district in this state. No person shall act as a long-
49 shore worker within the port of New York district in this state unless
50 at the time such person is included in the longshore workers' register,
51 and no person shall employ another to work as a longshore worker within
52 the port of New York district in this state unless at the time such
53 other person is included in the longshore workers' register.

54 2. Any person applying for inclusion in the longshore workers' regis-
55 ter shall file at such place and in such manner as the commission shall
56 designate a written statement, signed and verified by such person,

1 setting forth the person's full name, residence address, social securi-
2 ty number, and such further facts and evidence as the commission may
3 prescribe to establish the identity of such person and the person's
4 criminal record, if any.

5 3. The commission may in its discretion deny application for inclusion
6 in the longshore workers' register by a person:

7 (a) Who has been convicted by a court of the United States or any
8 state or territory thereof, without subsequent pardon, of treason,
9 murder, manslaughter or of any crime punishable by death or imprisonment
10 for a term exceeding three hundred sixty-four days or of any of the
11 misdemeanors or offenses described in paragraph (b) of subdivision three
12 of section five hundred thirty-four-f of this article or of attempt or
13 conspiracy to commit any of such crimes;

14 (b) Who knowingly or willingly advocates the desirability of over-
15 throwing or destroying the government of the United States by force or
16 violence or who shall be a member of a group which advocates such desir-
17 ability knowing the purposes of such group include such advocacy;

18 (c) Whose presence at the piers or other waterfront terminals in the
19 port of New York district in this state is found by the commission on
20 the basis of the facts and evidence before it, to constitute a danger to
21 the public peace or safety.

22 4. Unless the commission shall determine to exclude the applicant from
23 the longshore workers' register on a ground set forth in subdivision
24 three of this section it shall include such person in the longshore
25 workers' register. The commission shall issue a determination within
26 thirty days of receipt of the application provided, however, that this
27 time requirement shall not apply for any period of delay caused or
28 requested by the applicant. If the commission cannot make a determi-
29 nation within that time, it shall notify the applicant that the applica-
30 tion is still under review. The commission may permit temporary regis-
31 tration of any applicant under the provisions of this section pending
32 final action on an application made for such registration. Any such
33 temporary registration shall be valid for a period not in excess of six
34 months.

35 5. The commission shall have power to reprimand any longshore worker
36 registered under this section or to remove that person from the long-
37 shore workers' register for such period as it deems in the public inter-
38 est for any of the following offenses:

39 (a) Conviction of a crime or other cause which would permit disquali-
40 fication of such person from inclusion in the longshore workers' regis-
41 ter upon original application;

42 (b) Fraud, deceit or misrepresentation in securing inclusion in the
43 longshore workers' register;

44 (c) Transfer or surrender of possession to any person either temporar-
45 ily or permanently of any card or other means of identification issued
46 by the commission as evidence of inclusion in the longshore workers'
47 register, without satisfactory explanation;

48 (d) False impersonation of another longshore worker registered under
49 this section or of another person licensed under this act;

50 (e) Willful commission of or willful attempt to commit at or on a
51 waterfront terminal or adjacent highway any act of physical injury to
52 any other person or of willful damage to or misappropriation of any
53 other person's property, unless justified or excused by law; and

54 (f) Any other offense described in paragraphs (c), (d), (e), and (f)
55 of subdivision seven of section five hundred thirty-four-f of this arti-
56 cle.

1 6. Whenever, as a result of legislative amendments to this act or of a
2 ruling by the commission, registration as a longshore worker is required
3 for any person to continue employment, such person shall be registered
4 as a longshore worker without regard to the provisions of section five
5 hundred thirty-four-l of this article, provided, however, that such
6 person satisfies all the other requirements of this act for registration
7 as a longshore worker.

8 7. The commission shall have the right to recover possession of any
9 card or other means of identification issued as evidence of inclusion in
10 the longshore workers' register if the holder thereof has been removed
11 from the longshore workers' register.

12 8. Nothing contained in this article shall be construed to limit in
13 any way any rights of labor reserved by section five hundred thirty-
14 four-q of this article.

15 § 534-j. List of qualified longshore workers for employment as check-
16 ers. 1. The commission shall maintain within the longshore workers'
17 register a list of all qualified longshore workers eligible, as provided
18 in this section, for employment as checkers in the port of New York
19 district in this state. No person shall act as a checker within the
20 port of New York district in this state unless at the time such person
21 is included in the longshore workers' register as a checker, and no
22 person shall employ another to work as a checker within the port of New
23 York district in this state unless at the time such other person is
24 included in the longshore workers' register as a checker.

25 2. Any person applying for inclusion in the longshore workers' regis-
26 ter as a checker shall file at any such place and in such manner as the
27 commission shall designate a written statement, signed and verified by
28 such person, setting forth the following:

29 (a) The full name, residence, place and date of birth and social secu-
30 arity number of the applicant;

31 (b) The present and previous occupations of the applicant, including
32 the places where such person was employed and the names of that person's
33 employers;

34 (c) Such further facts and evidence as may be required by the commis-
35 sion to ascertain the character, integrity and identity of the appli-
36 cant.

37 3. No person shall be included in the longshore workers' register as a
38 checker:

39 (a) Unless the commission shall be satisfied that the applicant
40 possesses good character and integrity;

41 (b) If the applicant has, without subsequent pardon, been convicted
42 by a court of the United States or any state or territory thereof, of
43 the commission of, or the attempt or conspiracy to commit, treason,
44 murder, manslaughter or any crime punishable by death or imprisonment
45 for a term exceeding three hundred sixty-four days or any of the follow-
46 ing misdemeanors or offenses: illegally using, carrying or possessing a
47 pistol or another dangerous weapon; making or possessing burglar's
48 instruments; buying or receiving stolen property; unlawful entry of a
49 building; aiding an escape from prison; unlawfully possessing, possess-
50 ing with intent to distribute, sale or distribution of a controlled
51 dangerous substance (controlled substance) or a controlled dangerous
52 substance analog (controlled substance analog); petty larceny, where the
53 evidence shows the property was stolen from a vessel, pier or other
54 waterfront terminal; and violation of the act. Any such applicant ineli-
55 gible for inclusion in the longshore workers' register as a checker by
56 reason of any such conviction may submit satisfactory evidence to the

1 commission that the person has for a period of not less than five years,
2 measured as provided in this section, and up to the time of applica-
3 tion, so acted in a manner as to warrant inclusion in the longshore
4 workers' register as a checker, in which event the commission may, in
5 its discretion, issue an order removing such ineligibility. The afore-
6 said period of five years shall be measured either from the date of
7 payment of any fine imposed upon such person or the suspension of
8 sentence or from the date of such person's unrevoked release from
9 custody by parole, commutation or termination of such person's sentence;

10 (c) If the applicant knowingly or willfully advocates the desirability
11 of overthrowing or destroying the government of the United States by
12 force or violence or shall be a member of a group which advocates such
13 desirability, knowing the purposes of such group include such advocacy.

14 4. When the application shall have been examined and such further
15 inquiry and investigation made as the commission shall deem proper and
16 when the commission shall be satisfied therefrom that the applicant
17 possesses the qualifications and requirements prescribed by this
18 section, the commission shall include the applicant in the longshore
19 workers' register as a checker. The commission may permit temporary
20 registration as a checker to any applicant under this section pending
21 final action on an application made for such registration, under such
22 terms and conditions as the commission may prescribe, which shall be
23 valid for a period to be fixed by the commission, not in excess of six
24 months.

25 5. The commission shall have power to reprimand any checker registered
26 under this section or to remove such person from the longshore workers'
27 register as a checker for such period of time as it deems in the public
28 interest for any of the following offenses:

29 (a) Conviction of a crime or other cause which would permit disquali-
30 fication of such person from inclusion in the longshore workers' regis-
31 ter as a checker upon original application;

32 (b) Fraud, deceit or misrepresentation in securing inclusion in the
33 longshore workers' register as a checker or in the conduct of the regis-
34 tered activity;

35 (c) Violation of any of the provisions of this act;

36 (d) Criminal possession of a controlled substance or criminal sale of
37 a controlled substance;

38 (e) Inducing or otherwise aiding or abetting any person to violate the
39 terms of this act;

40 (f) Paying, giving, causing to be paid or given or offering to pay or
41 give to any person any valuable consideration to induce such other
42 person to violate any provision of this act or to induce any public
43 officer, agent or employee to fail to perform the person's duty under
44 this act;

45 (g) Consorting with known criminals for an unlawful purpose, provided,
46 however, that consorting without unlawful purpose shall be insufficient
47 grounds for reprimand;

48 (h) Transfer or surrender of possession to any person either temporar-
49 ily or permanently of any card or other means of identification issued
50 by the commission as evidence of inclusion in the workers' register
51 without satisfactory explanation;

52 (i) False impersonation of another longshore worker or of another
53 person licensed under this act.

54 6. The commission shall have the right to recover possession of any
55 card or other means of identification issued as evidence of inclusion in
56 the longshore workers' register as a checker in the event that the hold-

1 er thereof has been removed from the longshore workers' register as a
2 checker.

3 7. Any applicant ineligible for inclusion in the longshore workers'
4 register as a checker by reason of the provisions of paragraph (b) of
5 subdivision three of this section may petition for and the commission
6 may issue an order removing the ineligibility. A petition for an order
7 to remove ineligibility may be made to the commission before or after
8 the hearing required by section five hundred thirty-four-n of this arti-
9 cle.

10 8. Nothing contained in this section shall be construed to limit in
11 any way any rights of labor reserved by section five hundred thirty-
12 four-q of this article.

13 § 534-k. Regularization of longshore workers' employment. 1. The
14 commission shall, at regular intervals, remove from the longshore work-
15 ers' register any person who shall have been registered for at least
16 nine months and who shall have failed during the preceding six calendar
17 months either to have worked as a longshore worker in the port of New
18 York district or to have applied for employment as a longshore worker at
19 an employment information center in the port of New York district for
20 such minimum number of days as shall have been established by the
21 commission pursuant to subdivision two of this section.

22 2. On or before each succeeding first day of June or December, the
23 commission shall, for the purposes of subdivision one of this section,
24 establish for the six-month period beginning on each such date a minimum
25 number of days and the distribution of such days during such period.

26 3. In establishing any such minimum number of days or period, the
27 commission shall observe the following standards:

28 (a) To encourage as far as practicable the regularization of the
29 employment of longshore workers;

30 (b) To bring the number of eligible longshore workers more closely
31 into balance with the demand for longshore workers' services within the
32 port of New York district in this state without reducing the number of
33 eligible longshore workers below that necessary to meet the requirements
34 of longshore workers in the port of New York district in this state;

35 (c) To eliminate oppressive, unlawful, discriminatory, and corrupt
36 hiring practices affecting longshore workers and waterborne commerce in
37 the port of New York district in this state; and

38 (d) To eliminate unlawful practices injurious to waterfront labor.

39 4. A longshore worker who has been removed from the longshore workers'
40 register pursuant to this section may seek reinstatement upon fulfilling
41 the same requirements as for initial inclusion in the longshore workers'
42 register, but not before the expiration of one year from the date of
43 removal, except that immediate reinstatement shall be made upon proper
44 showing that the registrant's failure to work or apply for work the
45 minimum number of days above described was caused by the fact that the
46 registrant was engaged in the military service of the United States or
47 was incapacitated by ill health, physical injury, or other good cause.

48 5. Notwithstanding any other provision of this article, the commission
49 shall at any time have the power to register longshore workers on a
50 temporary basis to meet special or emergency needs.

51 6. Notwithstanding any other provisions of this section, the commis-
52 sion shall have the power to remove from the longshore workers' register
53 any person (including those persons registered as longshore workers for
54 less than nine months) who shall have failed to have worked as a long-
55 shore worker in the port of New York district for such minimum number of
56 days during a period of time as shall have been established by the

1 commission. In administering this section, the commission, in its
2 discretion, may count applications for employment as a longshore worker
3 at an employment information center established under section five
4 hundred thirty-four-o of this article as constituting actual work as a
5 longshore worker, provided, however, that the commission shall count as
6 actual work the compensation received by any longshore worker pursuant
7 to the guaranteed wage provisions of any collective bargaining agreement
8 relating to longshore workers. Prior to the commencement of any period
9 of time established by the commission pursuant to this section, the
10 commission shall establish for such period the minimum number of days of
11 work required and the distribution of such days during such period and
12 shall also determine whether or not application for employment as a
13 longshore worker shall be counted as constituting actual work as a long-
14 shore worker. The commission may classify longshore workers according to
15 length of service as a longshore worker and such other criteria as may
16 be reasonable and necessary to carry out the provisions of this act. The
17 commission shall have the power to vary the requirements of this section
18 with respect to their application to the various classifications of
19 longshore workers. In administering this section, the commission shall
20 observe the standards set forth in section five hundred thirty-four-l of
21 this article. Nothing in this section shall be construed to modify,
22 limit or restrict in any way any of the rights protected by section five
23 hundred thirty-four-q of this article.

24 § 534-1. Suspension or acceptance of applications for inclusion in the
25 longshore workers' register; exceptions. 1. The commission shall have
26 the power to make determinations to suspend the acceptance of applica-
27 tions for inclusion in the longshore workers' register for such periods
28 of time as the commission may from time to time establish and, after any
29 such period of suspension, the commission shall have the power to make
30 determinations to accept applications for such period of time as the
31 commission may establish or in such number as the commission may deter-
32 mine, or both. Such determinations to suspend or accept applications
33 shall be made by the commission: (a) on its own initiative when it
34 determines that continued acceptance of applications for inclusion in
35 the longshore workers' register will violate the standards set forth in
36 subdivision two of this section; or (b) upon the joint recommendation in
37 writing of stevedores and other employers of longshore workers in the
38 port of New York district in this state, acting through their represen-
39 tative for the purpose of collective bargaining with a labor organiza-
40 tion representing such longshore workers in such district and such labor
41 organization; or (c) upon the petition in writing of a stevedore or
42 another employer of longshore workers in the port of New York district
43 in this state which does not have a representative for the purpose of
44 collective bargaining with a labor organization representing such long-
45 shore workers. The commission shall have the power to accept or reject
46 such joint recommendation or petition. All joint recommendations or
47 petitions filed for the acceptance of applications with the commission
48 for inclusion in the longshore workers' register shall include:

49 (i) the number of employees requested;
50 (ii) the category or categories of employees requested;
51 (iii) a detailed statement setting forth the reasons for such joint
52 recommendation or petition;
53 (iv) in cases where a joint recommendation is made under this section,
54 the collective bargaining representative of stevedores and other employ-
55 ers of longshore workers in the port of New York district in this state
56 and the labor organization representing such longshore workers shall

1 provide the allocation of the number of persons to be sponsored by each
2 employer of longshore workers in the port of New York district in this
3 state; and

4 (v) any other information requested by the commission.

5 2. In administering the provisions of this section, the commission
6 shall observe the following standards:

7 (a) To encourage as far as practicable the regularization of the
8 employment of longshore workers;

9 (b) To bring the number of eligible longshore workers into balance
10 with the demand for longshore workers' services within the port of New
11 York district in this state without reducing the number of eligible
12 longshore workers below that necessary to meet the requirements of long-
13 shore workers in the port of New York district in this state;

14 (c) To encourage the mobility and full utilization of the existing
15 work force of longshore workers;

16 (d) To protect the job security of the existing work force of long-
17 shore workers by considering the wages and employment benefits of
18 prospective registrants;

19 (e) To eliminate oppressive, unlawful, discriminatory, and corrupt
20 hiring practices injurious to waterfront labor and waterborne commerce
21 in the port of New York district in this state, including, but not
22 limited to, those oppressive, unlawful, discriminatory, and corrupt
23 hiring practices that may result from either a surplus or shortage of
24 waterfront labor;

25 (f) To consider the effect of technological change and automation and
26 such other economic data and facts as are relevant to a proper determi-
27 nation; and

28 (g) To protect the public interest of this state.

29 3. (a) In observing the foregoing standards and before determining to
30 suspend or accept applications for inclusion in the longshore workers'
31 register, the commission shall consult with and consider the views of,
32 including any statistical data or other factual information concerning
33 the size of the longshore workers' register submitted by, carriers of
34 freight by water, stevedores, waterfront terminal owners and operators,
35 any labor organization representing employees registered by the commis-
36 sion, and any other person whose interests may be affected by the size
37 of the longshore workers' register. The commission shall publish on its
38 website the justification for any determination to suspend applications
39 for inclusion in the longshore workers' register, and shall notify the
40 governor and the legislature of such suspension, within ten days of such
41 action.

42 (b) Any recommendation or petition granted hereunder shall be subject
43 to such terms and conditions as the commission may prescribe consistent
44 with the provisions of this act or any regulations promulgated thereof.

45 4. Any determination by the commission pursuant to this section to
46 suspend or accept applications for inclusion in the longshore workers'
47 register shall be made upon a record, shall not become effective until
48 five days after notice thereof to the collective bargaining represen-
49 tative of stevedores and other employers of longshore workers in the
50 port of New York district in this state and to the labor organization
51 representing such longshore workers and/or the petitioning stevedore or
52 other employer of longshore workers in the port of New York district in
53 this state and shall be subject to judicial review for being arbitrary,
54 capricious, and an abuse of discretion in a proceeding jointly insti-
55 tuted by such representative and such labor organization and/or by the
56 petitioning stevedore or other employer of longshore workers in the port

1 of New York district in this state. Such judicial review proceeding may
2 be instituted in the manner provided by the law of this state for review
3 of the final decision or action of administrative agencies of this
4 state, provided, however, that such proceeding shall be decided directly
5 by the appellate division as the court of first instance (to which the
6 proceeding shall be transferred by order of transfer by the supreme
7 court in the state of New York by notice of appeal from the commission's
8 determination) and provided further that notwithstanding any other
9 provision of law in this state no court shall have power to stay the
10 commission's determination prior to final judicial decision for more
11 than fifteen days. In the event that the court enters a final order
12 setting aside the determination by the commission to accept applications
13 for inclusion in the longshore workers' register, the registration of
14 any longshore workers included in the longshore workers' register as a
15 result of such determination by the commission shall be cancelled.

16 5. This section shall apply, notwithstanding any other provision of
17 this act, provided however, such section shall not in any way limit or
18 restrict the provisions of this subdivision empowering the commission to
19 register longshore workers on a temporary basis to meet special or emer-
20 gency needs or the provisions of subdivision four of section five
21 hundred thirty-four-k of this article relating to the immediate rein-
22 statement of persons removed from the longshore workers' register pursu-
23 ant to this section.

24 6. Upon the granting of any joint recommendation or petition under
25 this section for the acceptance of applications for inclusion in the
26 longshore workers' register, the commission shall accept applications
27 upon written sponsorship from the prospective employer of longshore
28 workers. The sponsoring employer shall furnish the commission with the
29 name, address and such other identifying or category information as the
30 commission may prescribe for any person so sponsored. The sponsoring
31 employer shall certify that the selection of the persons so sponsored
32 was made in a fair and non-discriminatory basis in accordance with the
33 requirements of the laws of the United States and the state of New York
34 dealing with equal employment opportunities. Notwithstanding any of the
35 foregoing, where the commission determines to accept applications for
36 inclusion in the longshore workers' register on its own initiative, such
37 acceptance shall be accomplished in such manner deemed appropriate by
38 the commission.

39 7. Notwithstanding any other provision of this article, the commission
40 may include in the longshore workers' register under such terms and
41 conditions as the commission may prescribe:

42 (a) a person issued registration on a temporary basis to meet special
43 or emergency needs who is still so registered by the commission; and

44 (b) a person defined as a longshore worker in subparagraph four of
45 paragraph (a), or paragraph (b) of subdivision twelve of section five
46 hundred thirty-four-b of this article who is employed by a stevedore
47 defined in paragraph (c) or (d) of subdivision twenty-two of section
48 five hundred thirty-four-b of this article and whose employment is not
49 subject to the guaranteed annual income provisions of any collective
50 bargaining agreement relating to longshore workers.

51 8. The commission may include in the longshore workers' register,
52 under such terms and conditions as the commission may prescribe, persons
53 issued registration on a temporary basis as a longshore worker or a
54 checker to meet special or emergency needs and who are still so regis-
55 tered by the commission upon the enactment of this act.

1 9. Nothing in this section shall be construed to modify, limit or
2 restrict in any way any of the rights protected by section five hundred
3 thirty-four-q of this article.

4 § 534-m. Security officer. 1. No person shall act as a security offi-
5 cer within the port of New York district in this state without first
6 having obtained a license from the commission or previously, from the
7 bi-state commission, and no person shall employ a security officer who
8 is not so licensed.

9 2. A license to act as a security officer shall be issued only upon
10 written application, duly verified, which shall state the following:

11 (a) The full name, residence, business address (if any), place and
12 date of birth and social security number of the applicant;

13 (b) The present and previous occupations of the applicant, including
14 the places where the person was employed and the names of the person's
15 employers;

16 (c) The citizenship of the applicant and, if the person is a natural-
17 ized citizen of the United States, the court and date of naturalization;
18 and

19 (d) Such further facts and evidence as may be required by the commis-
20 sion to ascertain the character, integrity and identity of the appli-
21 cant.

22 3. No such license shall be granted:

23 (a) Unless the commission shall be satisfied that the applicant
24 possesses good character and integrity;

25 (b) If the applicant has, without subsequent pardon, been convicted by
26 a court of the United States or of any state or territory thereof of the
27 commission of, or the attempt or conspiracy to commit, treason, murder,
28 manslaughter or any crime punishable by death or imprisonment for a term
29 exceeding one year or any of the misdemeanors or offenses described in
30 paragraph (b) of subdivision three of section five hundred thirty-four-f
31 of this article;

32 (c) Unless the applicant shall meet such reasonable standards of phys-
33 ical and mental fitness for the discharge of a security officer's duties
34 as may from time to time be established by the commission;

35 (d) If the applicant shall be a member of any labor organization which
36 represents longshore workers or pier superintendents or hiring agents;
37 but nothing in this section shall be deemed to prohibit security offi-
38 cers from being represented by a labor organization or organizations
39 which do not also represent longshore workers or pier superintendents or
40 hiring agents. The American Federation of Labor and Congress of Indus-
41 trial Organizations and any other similar federation, congress or other
42 organization of national or international occupational or industrial
43 labor organizations shall not be considered an organization which
44 represents longshore workers or pier superintendents or hiring agents
45 within the meaning of this section although one of the federated or
46 constituent labor organizations thereof may represent longshore workers
47 or pier superintendents or hiring agents;

48 (e) If the applicant knowingly or willfully advocates the desirability
49 of overthrowing or destroying the government of the United States by
50 force or violence or shall be a member of a group which advocates such
51 desirability, knowing the purposes of such group include such advocacy.

52 4. When the application shall have been examined and such further
53 inquiry and investigation made as the commission shall deem proper and
54 when the commission shall be satisfied therefrom that the applicant
55 possesses the qualifications and requirements prescribed by this section
56 and regulations issued pursuant thereto, the commission shall issue and

1 deliver a license to the applicant. The commission may issue a temporary
2 permit to any applicant for a license under the provisions of this
3 section pending final action on an application made for such a license.
4 Any such permit shall be valid for a period not in excess of six months.

5 5. A license granted pursuant to this section shall continue for a
6 term of three years. A license may be renewed by the commission for
7 successive three-year periods upon fulfilling the same requirements as
8 set forth in this section for an original application.

9 6. Notwithstanding any provision set forth in this section, a license
10 to act as a security officer shall continue and need not be renewed,
11 provided the licensee shall, as required by the commission:

12 (a) Submit to a medical examination and meet the physical and mental
13 fitness standards established by the commission pursuant to paragraph
14 (c) of subdivision three of this section;

15 (b) Complete a refresher course of training; and

16 (c) Submit supplementary personal history information.

17 7. Any license issued pursuant to this section may be revoked or
18 suspended for such period as the commission deems in the public interest
19 or the licensee thereunder may be reprimanded for any of the following
20 offenses:

21 (a) Conviction of a crime or other cause which would permit or require
22 the person's disqualification from receiving a license upon original
23 application;

24 (b) Fraud, deceit or misrepresentation in securing the license; and

25 (c) Any other offense described in paragraphs (c), (d), (e), (f), (g),
26 (h), and (i) of subdivision seven of section five hundred thirty-four-f
27 of this article.

28 8. The commission shall, at regular intervals, cancel the license or
29 temporary permit of a security officer who shall have failed during the
30 preceding twelve months to have worked as a security officer in the port
31 of New York district a minimum number of hours as shall have been estab-
32 lished by the commission, except that immediate restoration of such
33 license or temporary permit shall be made upon proper showing that the
34 failure to so work was caused by the fact that the licensee or permittee
35 was engaged in the military service of the United States or was incapac-
36 itated by ill health, physical injury or other good cause.

37 9. Any applicant for security officer ineligible for a license by
38 reason of the provisions of paragraph (b) of subdivision three of this
39 section may petition for and the commission may issue an order removing
40 the ineligibility. A petition for an order to remove ineligibility may
41 be made to the commission before or after the hearing required by
42 section five hundred thirty-four-n of this article.

43 § 534-n. Hearings, determinations and review. 1. The commission shall
44 not deny any application for a license or registration without giving
45 the applicant or prospective licensee reasonable prior notice and an
46 opportunity to be heard by the commission.

47 2. Any application for a license or for inclusion in the longshore
48 workers' register, and any license issued or registration made, may be
49 denied, revoked, or suspended only in the manner prescribed in this
50 section.

51 3. The commission may on its own initiative or on complaint of any
52 person, including any public official or agency, institute proceedings
53 to revoke or suspend any license or registration after a hearing at
54 which the licensee or registrant and any person making such complaint
55 shall be given an opportunity to be heard, provided that any order of
56 the commission revoking or suspending any license or registration shall

1 not become effective until fifteen days subsequent to the serving of
2 notice thereof upon the licensee or registrant unless in the opinion of
3 the commission the continuance of the license or registration for such
4 period would be inimical to the public peace or safety. Such hearings
5 shall be held in such manner and upon such notice as may be prescribed
6 by the rules of the commission, but such notice shall be of not less
7 than ten days and shall state the nature of the complaint.

8 4. Pending the determination of such hearing pursuant to subdivision
9 three of this section, the commission may temporarily suspend a permit,
10 license or registration until further order of the commission if in the
11 opinion of the commission the continuance of the permit, license or
12 registration for such period is inimical to the public peace or safety.

13 (a) The commission may temporarily suspend a permit, license or regis-
14 tration pursuant to the provisions of this subdivision until further
15 order of the commission or final disposition of the underlying case,
16 only where the permittee, licensee or registrant has been indicted for,
17 or otherwise charged with, a crime which is equivalent to a felony in
18 the state of New York or any crime punishable by death or imprisonment
19 for a term exceeding three hundred sixty-four days or only where the
20 permittee or licensee is a security officer who is charged by the
21 commission pursuant to this section with misappropriating any other
22 person's property at or on a pier or other waterfront terminal.

23 (b) In the case of a permittee, licensee or registrant who has been
24 indicted for, or otherwise charged with, a crime, the temporary suspen-
25 sion shall terminate immediately upon acquittal or upon dismissal of the
26 criminal charge, unless in the opinion of the commission the continuance
27 of any such permit, license or registration is inimical to the public
28 peace or safety.

29 (c) A person whose permit, license or registration has been temporar-
30 ily suspended may, at any time, demand that the commission conduct a
31 hearing as provided for in this section. Within sixty days of such
32 demand, the commission shall commence the hearing and, within thirty
33 days of receipt of the administrative judge's report and recommendation,
34 the commission shall render a final determination thereon; provided,
35 however, that these time requirements, shall not apply for any period of
36 delay caused or requested by the permittee, licensee or registrant. Upon
37 failure of the commission to commence a hearing or render a determi-
38 nation within the time limits prescribed herein, the temporary suspen-
39 sion of the licensee or registrant shall immediately terminate. Notwith-
40 standing any other provision of this subdivision, if a federal, state,
41 or local law enforcement agency or prosecutor's office shall request the
42 suspension or deferment of any hearing on the ground that such a hearing
43 would obstruct or prejudice an investigation or prosecution, the commis-
44 sion may in its discretion, postpone or defer such hearing for a time
45 certain or indefinitely. Any action by the commission to postpone a
46 hearing shall be subject to immediate judicial review as provided in
47 subdivision seven of this section.

48 (d) The commission may in addition, within its discretion, bar any
49 permittee, licensee or registrant whose license or registration has been
50 suspended pursuant to this section, from any employment by a licensed
51 stevedore or a carrier of freight by water during the period of such
52 suspension, if the alleged crime that forms the basis of such suspension
53 involves the possession with intent to distribute, sale, or distribution
54 of a controlled dangerous substance (controlled substance), or
55 controlled dangerous substance analog (controlled substance analog),
56 racketeering or theft from a pier or waterfront terminal.

1 5. The commission, or such officer, employee or agent of the commis-
2 sion as may be designated by the commission for such purpose, shall have
3 the power to issue subpoenas to compel the attendance of witnesses and
4 the giving of testimony or production of other evidence and to adminis-
5 ter oaths in connection with any such hearing. It shall be the duty of
6 the commission or of any officer, employee or agent of the commission
7 designated by the commission for such purpose to issue subpoenas at the
8 request of and upon behalf of the licensee, registrant or applicant.
9 The commission or such person conducting the hearing shall not be bound
10 by common law or statutory rules of evidence or by technical or formal
11 rules of procedure in the conduct of such hearing.

12 6. Upon the conclusion of the hearing, the commission shall take such
13 action upon such findings and determination as it deems proper and shall
14 execute an order carrying such findings into effect. The action in the
15 case of an application for a license or registration shall be the grant-
16 ing or denial thereof. The action in the case of a licensee shall be
17 revocation of the license or suspension thereof for a fixed period or
18 reprimand or a dismissal of the charges. The action in the case of a
19 registered longshore worker shall be dismissal of the charges, reprimand
20 or removal from the longshore workers' register for a fixed period or
21 permanently.

22 7. The action of the commission in denying any application for a
23 license or in refusing to include any person in the longshore workers'
24 register under this act or in suspending or revoking such license or
25 removing any person from the longshore workers' register or in reprim-
26 anding a licensee or registrant shall be subject to judicial review by
27 a proceeding instituted in this state at the instance of the applicant,
28 licensee or registrant in the manner provided by state law for review of
29 the final decision or action of an agency of this state provided, howev-
30 er, that notwithstanding any other provision of law the court shall have
31 power to stay for not more than thirty days an order of the commission
32 suspending or revoking a license or removing a longshore worker from the
33 longshore workers' register.

34 8. At hearings conducted by the commission pursuant to this section,
35 applicants, prospective licensees, licensees and registrants shall have
36 the right to be accompanied and represented by counsel.

37 9. After the conclusion of a hearing but prior to the making of an
38 order by the commission, a hearing may, upon petition and in the
39 discretion of the hearing officer, be reopened for the presentation of
40 additional evidence. Such petition to reopen the hearing shall state in
41 detail the nature of the additional evidence, together with the reasons
42 for the failure to submit such evidence prior to the conclusion of the
43 hearing. The commission may upon its own motion and upon reasonable
44 notice reopen a hearing for the presentation of additional evidence.
45 Upon petition, after the making of an order of the commission, rehearing
46 may be granted in the discretion of the commission. Such a petition for
47 rehearing shall state in detail the grounds upon which the petition is
48 based and shall separately set forth each error of law and fact alleged
49 to have been made by the commission in its determination, together with
50 the facts and arguments in support thereof. Such petition shall be filed
51 with the commission not later than thirty days after service of such
52 order, unless the commission for good cause shown shall otherwise
53 direct. The commission may upon its own motion grant a rehearing after
54 the making of an order.

55 § 534-o. Employment information centers. 1. The commission shall
56 establish and maintain one or more employment information centers within

1 the port of New York district in this state at such locations as it may
2 determine. No person shall, directly or indirectly, hire any person for
3 work as a longshore worker or security officer within the port of New
4 York district in this state, except through such particular employment
5 information center or centers as may be prescribed by the commission.
6 No person shall accept any employment as a longshore worker or security
7 officer within the port of New York district in this state, except
8 through such an employment information center. At each such employment
9 information center the commission shall keep and exhibit the longshore
10 workers' register and any other records it shall determine to the end
11 that longshore workers and security officers shall have the maximum
12 information as to available employment as such at any time within the
13 port of New York district in this state and to the end that employers
14 shall have an adequate opportunity to fill their requirements of regis-
15 tered longshore workers and security officers at all times.

16 2. Every employer of longshore workers or security officers within the
17 port of New York district in this state shall furnish such information
18 as may be required by the rules and regulations prescribed by the
19 commission with regard to the name of each person hired as a longshore
20 worker or security officer, the time and place of hiring, the time,
21 place and hours of work, and the compensation therefor.

22 § 534-p. Implementation of telecommunications hiring system for long-
23 shore workers and checkers; registration of telecommunications system
24 controller. 1. The commission may designate one of the employment infor-
25 mation centers it is authorized to establish and maintain under section
26 five hundred thirty-four-o of this article for the implementation of a
27 telecommunications hiring system through which longshore workers and
28 checkers may be hired and accept employment without any personal appear-
29 ance at said center. Any such telecommunications hiring system shall
30 incorporate hiring and seniority agreements between the employers of
31 longshore workers and checkers and the labor organization representing
32 longshore workers and checkers in the port of New York district in this
33 state, provided said agreements are not in conflict with the provisions
34 of the article.

35 2. The commission shall permit employees of the association represent-
36 ing employers of longshore workers and checkers and of the labor organ-
37 ization representing longshore workers and checkers in the port of New
38 York district in this state, or of a joint board of such association and
39 labor organization, to participate in the operation of said telecommuni-
40 cations hiring system, provided that any such employee is registered by
41 the commission as a "telecommunications system controller" in accord-
42 ance with the provisions, standards and grounds set forth in the act
43 with respect to the registration of checkers. No person shall act as a
44 "telecommunications system controller" unless that person is so regis-
45 tered. Any application for such registration and any registration made
46 or issued may be denied, revoked, or suspended, as the case may be, only
47 in the manner prescribed in section five hundred thirty-four-n of this
48 article. Any and all such participation in the operation of said tele-
49 communications hiring system shall be monitored by the commission.

50 3. Any and all records, documents, tapes, discs and other data
51 compiled, collected or maintained by said association of employers,
52 labor organization and joint board of such association and labor organ-
53 ization pertaining to the telecommunications hiring system shall be
54 available for inspection, investigation and duplication by the commis-
55 sion.

1 § 534-q. Construction of act. 1. This act is not designed and shall
2 not be construed to limit in any way any rights granted or derived from
3 any other statute or any rule of law for employees to organize in labor
4 organizations, to bargain collectively and to act in any other way indi-
5 vidually, collectively, and through labor organizations or other repre-
6 sentatives of their own choosing. Without limiting the generality of
7 the foregoing, nothing contained in this act shall be construed to limit
8 in any way the right of employees to strike.

9 2. This act is not designed and shall not be construed to limit in any
10 way any rights of longshore workers, hiring agents, pier superintendents
11 or security officers or their employers to bargain collectively and
12 agree upon any method for the selection of such employees by way of
13 seniority, experience, regular gangs or otherwise, provided that such
14 employees shall be licensed or registered hereunder and such longshore
15 workers and security officers shall be hired only through the employment
16 information centers established hereunder and that all other provisions
17 of this act be observed.

18 § 534-r. Certain solicitations prohibited; prohibition against the
19 holding of union position by officers, agents or employees who have been
20 convicted of certain crimes and offenses. 1. No person shall solicit,
21 collect or receive any dues, assessments, levies, fines or contrib-
22 utions, or other charges within the state for or on behalf of any labor
23 organization which represents employees registered or licensed pursuant
24 to the provisions of this article or which derives its charter from a
25 labor organization representing one hundred or more of such registered
26 or licensed employees, if any officer, agent or employee of such labor
27 organization, or of a welfare fund or trust administered partially or
28 entirely by such labor organization or by trustees or other persons
29 designated by such labor organization, has been convicted by a court of
30 the United States, or any state or territory thereof, of a felony, any
31 misdemeanor involving moral turpitude or any crime or offense enumerated
32 in paragraph (b) of subdivision three of section five hundred thirty-
33 four-j of this article, unless such person has been subsequently
34 pardoned therefor by the governor or other appropriate authority of the
35 state or jurisdiction in which such conviction was had or has received a
36 certificate of good conduct from the board of parole pursuant to the
37 provisions of this chapter to remove the disability. No person so
38 convicted shall serve as an officer, agent or employee of such labor
39 organization, welfare fund or trust unless such person has been so
40 pardoned or has received a certificate of good conduct. No person,
41 including such labor organization, welfare fund or trust, shall knowin-
42 gly permit such convicted person to assume or hold any office, agency, or
43 employment in violation of this section.

44 2. As used in this section, the term "labor organization" shall mean
45 and include any organization which exists and is constituted for the
46 purpose in whole or in part of collective bargaining, or of dealing with
47 employers concerning grievances, terms and conditions of employment, or
48 of other mutual aid or protection; but it shall not include a feder-
49 ation or congress of labor organizations organized on a national or
50 international basis even though one of its constituent labor organiza-
51 tions may represent persons so registered or licensed.

52 3. Any person who shall violate this section shall be guilty of a
53 misdemeanor punishable by a fine of not more than five hundred dollars
54 or imprisonment for not more than three hundred sixty-four days, or
55 both.

1 4. If upon application to the commission by an employee who has been
2 convicted of a crime or offense specified in subdivision one of this
3 section the commission, in its discretion, determines in an order that
4 it would not be contrary to the purposes and objectives of this act for
5 such employee to work in a particular employment for a labor organiza-
6 tion, welfare fund or trust within the meaning of subdivision two of
7 this section, the provisions of subdivision two of this section shall
8 not apply to the particular employment of such employee with respect to
9 such conviction or convictions as are specified in the commission's
10 order. This section is applicable only to those employees who for wages
11 or salary perform manual, mechanical, or physical work of a routine or
12 clerical nature at the premises of the labor organization, welfare fund
13 or trust by which they are employed.

14 5. No person who has been convicted of a crime or offense specified in
15 subdivision one of this section shall directly or indirectly serve as an
16 officer, agent or employee of a labor organization, welfare fund or
17 trust unless such person has been subsequently pardoned for such crime
18 or offense by the governor or other appropriate authority of the state
19 or jurisdiction in which such conviction was had or has received a
20 certificate of good conduct or other relief from disabilities arising
21 from the fact of conviction from a board of parole or similar authority
22 or has received pursuant to subdivision one of this section an order of
23 exception from the commission. No person, including a labor organiza-
24 tion, welfare fund or trust within the meaning of subdivision one of
25 this section, shall knowingly permit any other person to assume or hold
26 any office, agency or employment in violation of this section.

27 6. The commission may maintain a civil action against any person,
28 labor organization, welfare fund or trust or officers thereof to compel
29 compliance with this section, or to prevent any violations, the aiding
30 and abetting thereof, or any attempt or conspiracy to violate this
31 section, either by mandamus, injunction or action and upon a proper
32 showing a temporary restraining order or other appropriate temporary
33 order shall be granted ex parte and without bond pending final hearing
34 and determination. Nothing in this section shall be construed to modify,
35 limit or restrict in any way the provisions of subdivision one of this
36 section.

37 § 534-s. General violations; prosecutions; penalties. 1. The failure
38 of any witness, when duly subpoenaed to attend, give testimony or
39 produce other evidence, whether or not at a hearing, shall be punishable
40 by the supreme court in New York in the same manner as said failure is
41 punishable by such court in a case therein pending.

42 2. Any person who, having been duly sworn or affirmed as a witness in
43 any such hearing, shall willfully give false testimony or who shall
44 willfully make or file any false or fraudulent report or statement
45 required by this article to be made or filed under oath, shall be guilty
46 of a misdemeanor, punishable by a fine of not more than one thousand
47 dollars or imprisonment for not more than three hundred sixty-four days,
48 or both.

49 3. Any person who, having been duly sworn or affirmed as a witness in
50 any investigation, interview or other proceeding conducted by the
51 commission pursuant to the provisions of this article, shall willfully
52 give false testimony shall be guilty of a misdemeanor, punishable by a
53 fine of not more than one thousand dollars or imprisonment for not more
54 than three hundred sixty-four days, or both.

55 4. The commission may maintain a civil action on behalf of the state
56 against any person who violates or attempts or conspires to violate this

1 section or who fails, omits, or neglects to obey, observe, or comply
2 with any order or direction of the commission, to recover a judgment for
3 a money penalty not exceeding five hundred dollars for each and every
4 offense. Every violation of any such provision, order or direction,
5 shall be a separate and distinct offense, and, in case of a continuing
6 violation, every day's continuance shall be and be deemed to be a sepa-
7 rate and distinct offense. Any such action may be compromised or
8 discontinued on application of the commission upon such terms as the
9 court may approve and a judgment may be rendered for an amount less than
10 the amount demanded in the complaint as justice may require.

11 5. The commission may maintain a civil action against any person to
12 compel compliance with any of the provisions of this act or to prevent
13 violations, attempts or conspiracies to violate any such provisions, or
14 interference, attempts or conspiracies to interfere with or impede the
15 enforcement of any such provisions or the exercise performance of any
16 power or duty thereunder, either by mandamus, injunction or action.

17 6. Any person who violates or attempts or conspires to violate any
18 other provision of this article shall be guilty of a misdemeanor,
19 punishable by a fine of not more than five hundred dollars or by impris-
20 onment for not more than three hundred sixty-four days, or both.

21 7. Any person who interferes with or impedes the orderly registration
22 of longshore workers pursuant to this act or who conspires to or
23 attempts to interfere with or impede such registration shall be guilty
24 of a misdemeanor, punishable by a fine of not more than five hundred
25 dollars or by imprisonment for not more than three hundred sixty-four
26 days, or both.

27 8. Any person who directly or indirectly inflicts or threatens to
28 inflict any injury, damage, harm or loss or in any other manner prac-
29 tices intimidation upon or against any person in order to induce or
30 compel such person or any other person to refrain from registering
31 pursuant to this act shall be guilty of a misdemeanor, punishable by a
32 fine of not more than five hundred dollars or by imprisonment for not
33 more than three hundred sixty-four days, or both.

34 9. Any person who shall violate any of the provisions of this article
35 or of section five hundred thirty-four-x of this article for which no
36 other penalty is prescribed shall be guilty of a misdemeanor, punisha-
37 ble by a fine of not more than five hundred dollars or by imprisonment
38 for not more than three hundred sixty-four days, or both.

39 10. No person shall, without a satisfactory explanation, loiter upon
40 any vessel, dock, wharf, pier, bulkhead, terminal, warehouse, or other
41 waterfront facility or within five hundred feet thereof in that portion
42 of the port of New York district within the state of New York.

43 11. Any person who, without justification or excuse in law, directly
44 or indirectly intimidates or inflicts any injury, damage, harm, loss or
45 economic reprisal upon any person licensed or registered by the commis-
46 sion, or any other person, or attempts, conspires or threatens so to
47 do, in order to interfere with, impede or influence such licensed or
48 registered person in the performance or discharge of the person's duties
49 or obligations shall be punishable as provided in subdivision three of
50 section five hundred thirty-four-r of this article.

51 12. In any prosecution under this act, it shall be sufficient to prove
52 only a single act or a single holding out or attempt prohibited by law,
53 without having to prove a general course of conduct, in order to prove a
54 violation.

1 § 534-t. Denial of applications. In addition to the grounds elsewhere
2 set forth in this article, the commission may deny an application for a
3 license or registration for any of the following:

4 1. Conviction by a court of the United States or any state or territo-
5 ry thereof of coercion;

6 2. Conviction by any such court, after having been previously
7 convicted by any such court of any crime or of the offenses set forth in
8 this article, of a misdemeanor or any of the following offenses:
9 assault, malicious injury to property, malicious mischief, unlawful
10 taking of a motor vehicle, corruption of employees or possession of
11 lottery or number slips;

12 3. Fraud, deceit or misrepresentation in connection with any applica-
13 tion or petition submitted to, or any interview, hearing or proceeding
14 conducted by the commission;

15 4. Violation of any provision of this act or commission of any offense
16 under this article;

17 5. Refusal on the part of any applicant, or prospective licensee, or
18 of any member, officer or stockholder required by subdivision two of
19 section five hundred thirty-four-g of this article to sign or be identi-
20 fied in an application for a stevedore license, to answer any material
21 question or produce any material evidence in connection with the
22 person's application or any application made on the person's behalf for
23 a license or registration pursuant to this article;

24 6. Association with a person who has been identified by a federal,
25 state, or local law enforcement agency as a member or associate of an
26 organized crime group, a terrorist group, or a career offender cartel,
27 or who is a career offender, under circumstances where such association
28 creates a reasonable belief that the participation of the applicant in
29 any activity required to be licensed under this article would be inimi-
30 cal to the policies of this article, provided, however, that associ-
31 ation without the requisite showing of inimicality as set forth herein
32 shall be insufficient grounds for denial; or

33 7. Conviction of a racketeering activity or knowing association with a
34 person who has been convicted of a racketeering activity by a court of
35 the United States or any state or territory thereof under circumstances
36 where such association creates a reasonable belief that the partici-
37 ipation of the applicant in any activity required to be licensed under
38 this article would be inimical to the policies of this article,
39 provided, however, that association without the requisite showing of
40 inimicality as set forth herein shall be insufficient grounds for
41 denial.

42 § 534-u. Revocation of licenses and registrations. In addition to the
43 grounds elsewhere set forth in this article, any license or registration
44 issued or made pursuant thereto may be revoked or suspended for such
45 period as the commission deems in the public interest or the licensee or
46 registrant may be reprimanded, for:

47 1. Conviction of any crime or offense in relation to gambling if the
48 crime or offense was committed at or on a pier or other waterfront
49 terminal or within five hundred feet thereof;

50 2. Willful commission of, or willful attempt to commit at or on a
51 waterfront terminal or adjacent highway, any act of physical injury to
52 any other person or of willful damage to or misappropriation of any
53 other person's property, unless justified or excused by law;

54 3. Receipt or solicitation of anything of value from any person other
55 than a licensee's or registrant's employer as consideration for the
56 selection or retention for employment of such licensee or registrant;

1 4. Coercion of a licensee or registrant to make purchases from or to
2 utilize the services of any person;

3 5. Refusal to answer any material question or produce any evidence
4 lawfully required to be answered or produced at any investigation,
5 interview or other proceeding conducted by the commission pursuant to
6 the provisions of this act, or, if such refusal is accompanied by a
7 valid plea of privilege against self-incrimination, refusal to obey an
8 order to answer such question or produce such evidence made by the
9 commission pursuant to the provisions of subdivision one of section five
10 hundred thirty-four-v of this article;

11 6. Association with a person who has been identified by a federal,
12 state, or local law enforcement agency as a member or associate of an
13 organized crime group, a terrorist group, or a career offender cartel,
14 or who is a career offender, under circumstances where such association
15 creates a reasonable belief that the participation of the applicant in
16 any activity required to be licensed under this act would be inimical to
17 the policies of this article, provided however that association without
18 the requisite showing of inimicality as set forth herein shall be insuf-
19 ficient grounds for revocation; or

20 7. Conviction of a racketeering activity or knowing association with a
21 person who has been convicted of a racketeering activity by a court of
22 the United States or any state or territory thereof under circumstances
23 where such association creates a reasonable belief that the partic-
24 ipation of the applicant in any activity required to be licensed under
25 this act would be inimical to the policies of this article, provided,
26 however, that association without the requisite showing of inimicality
27 as set forth herein shall be insufficient grounds for revocation.

28 § 534-v. Refusal to answer question, immunity; prosecution. 1. In any
29 investigation, interview or other proceeding conducted under oath by the
30 commission or any duly authorized officer, employee or agent thereof, if
31 a person refuses to answer a question or produce evidence of any other
32 kind on the ground that the person may be incriminated thereby, and,
33 notwithstanding such refusal, an order is made upon twenty-four hours'
34 prior written notice to the attorney general of the state of New York,
35 and to the appropriate district attorney or prosecutor having an offi-
36 cial interest therein, by the commissioner or by the commissioner's
37 designees appointed pursuant to the provisions of subdivision three of
38 section five hundred thirty-four-c of this article, that such person
39 answer the question or produce the evidence, such person shall comply
40 with the order. If such person complies with the order, and if, but for
41 this subdivision, would have been privileged to withhold the answer
42 given or the evidence produced by the person, then immunity shall be
43 conferred upon the person, as provided for in this section. "Immunity"
44 as used in this subdivision means that such person shall not be prose-
45 cuted or subjected to any penalty or forfeiture for or on account of any
46 transaction, matter or thing concerning which, in accordance with the
47 order by the commission or the commissioner's designees appointed pursu-
48 ant to the provisions of subdivision three of section five hundred thir-
49 ty-four-c of this article, such person gave answer or produced evidence,
50 and that no such answer given or evidence produced shall be received
51 against the person upon any criminal proceeding. But the person may
52 nevertheless be prosecuted or subjected to penalty or forfeiture for any
53 perjury or contempt committed in answering, or failing to answer, or in
54 producing or failing to produce evidence, in accordance with the order,
55 and any such answer given or evidence produced shall be admissible
56 against the person upon any criminal proceeding concerning such perjury

1 or contempt. Immunity shall not be conferred upon any person except in
2 accordance with the provisions of this subdivision. If, after compli-
3 ance with the provisions of this subdivision, a person is ordered to
4 answer a question or produce evidence of any other kind and complies
5 with such order, and it is thereafter determined that the attorney
6 general or appropriate district attorney or prosecutor having an offi-
7 cial interest therein not notified, such failure or neglect shall not
8 deprive such person of any immunity otherwise properly conferred upon
9 the person.

10 2. If a person, in obedience to a subpoena directing the person to
11 attend and testify, comes into this state from another state, the person
12 shall not, while in this state pursuant to such subpoena, be subject to
13 arrest or the service of process, civil or criminal, in connection with
14 matters which arose before the person's entrance into this state under
15 the subpoena.

16 § 534-w. Annual preparation of a budget request and assessments. 1.
17 The commission shall annually submit a budget request, which shall be
18 submitted to the director of the budget in such form as the director may
19 require.

20 2. After taking into account such funds as may be available, the
21 balance of the commission's budgeted expenses shall be assessed upon
22 employers of persons registered or licensed under this act. Each such
23 employer shall pay an assessment computed upon the gross payroll
24 payments made by such employer to longshore workers, pier superinten-
25 dents, hiring agents and security officers for work or labor performed
26 within the port of New York district in this state, at a rate, not in
27 excess of two per cent, computed by the commission in the following
28 manner: the commission shall annually estimate the gross payroll
29 payments to be made by employers subject to assessment and shall compute
30 a rate thereon which will yield revenues sufficient to finance the
31 commission's budget for each year. Such budget to be assessed upon
32 employers may include a reasonable amount not to exceed ten percent of
33 the total of all other items of expenditure contained therein, which
34 shall be allocated to an applicable fund balance to be held in the
35 commission's employers assessment account.

36 3. The commission may provide by regulation for the collection and
37 auditing of assessments. Such assessments shall be payable pursuant to
38 such provisions for administration, collection and enforcement as the
39 state may provide by legislation. In addition to any other sanction
40 provided by law, the commission may revoke or suspend any license held
41 by any person under this article, or the person's privilege of employing
42 persons registered or licensed hereunder, for non-payment of any assess-
43 ment when due.

44 4. The assessment pursuant to this section shall be in lieu of any
45 other charge for the issuance of licenses to stevedores, pier super-
46 intendents, hiring agents and security officers or for the registration
47 of longshore workers or the use of an employment information center.
48 The commission shall establish reasonable procedures for the consider-
49 ation of protests by affected employers concerning the estimates and
50 computation of the rate of assessment.

51 § 534-x. Payment of assessment. 1. Every person subject to the
52 payment of any assessment under the provisions of section five hundred
53 thirty-four-w of this article shall file on or before the fifteenth day
54 of the first month of each calendar quarter-year a separate return,
55 together with the payment of the assessment due, for the preceding
56 calendar quarter-year during which any payroll payments were made to

1 longshore workers, pier superintendents, hiring agents or security offi-
2 cers for work performed as such within the port of New York district in
3 this state. Returns covering the amount of assessment payable shall be
4 filed with the commission on forms to be furnished for such purpose and
5 shall contain such data, information or matter as the commission may
6 require to be included therein. The commission may grant a reasonable
7 extension of time for filing returns, or for the payment of assessment,
8 whenever good cause exists. Every return shall have annexed thereto a
9 certification to the effect that the statements contained therein are
10 true.

11 2. Every person subject to the payment of assessment hereunder shall
12 keep an accurate record of that person's employment of longshore work-
13 ers, pier superintendents, hiring agents or security officers, which
14 shall show the amount of compensation paid and such other information as
15 the commission may require. Such records shall be preserved for a peri-
16 od of three years and be open for inspection at reasonable times. The
17 commission may consent to the destruction of any such records at any
18 time after said period or may require that they be kept longer, but not
19 in excess of six years.

20 3. (a) The commission shall audit and determine the amount of assess-
21 ment due from the return filed and such other information as is avail-
22 able to it. Whenever a deficiency in payment of the assessment is
23 determined the commission shall give notice of any such determination to
24 the person liable therefor. Such determination shall finally and conclu-
25 sively fix the amount due, unless the person against whom it is assessed
26 shall, within thirty days after the giving of notice of such determi-
27 nation, apply in writing to the commission for a hearing, or unless the
28 commission on its own motion shall reduce the same. After such hearing,
29 the commission shall give notice of its decision to the person liable
30 therefor. A determination of the commission under this section shall be
31 subject to judicial review, if application for such review is made with-
32 in thirty days after the giving of notice of such decision. Any deter-
33 mination under this section shall be made within five years from the
34 time the return was filed and if no return was filed such determination
35 may be made at any time.

36 (b) Any notice authorized or required under this section may be given
37 by mailing the same to the person for whom it is intended at the last
38 address given by that person to the commission, or in the last return
39 filed by that person with the commission under this section, or, if no
40 return has been filed then to such address as may be obtainable. The
41 mailing of such notice shall be presumptive evidence of the receipt of
42 same by the person to whom addressed. Any period of time, which is
43 determined according to the provisions of this section, for the giving
44 of notice shall commence to run from the date of mailing of such notice.

45 4. Whenever any person shall fail to pay, within the time limited
46 herein, any assessment which the person is required to pay to the
47 commission under the provisions of this section the commission may
48 enforce payment of such fee by civil action for the amount of such
49 assessment with interest and penalties.

50 5. The employment by a nonresident of a longshore worker, or a
51 licensed pier superintendent, hiring agent or security officer in this
52 state or the designation by a nonresident of a longshore worker, pier
53 superintendent, hiring agent or security officer to perform work in this
54 state shall be deemed equivalent to an appointment by such nonresident
55 of the secretary of state to be the nonresident's true and lawful attor-
56 ney upon whom may be served the process in any action or proceeding

1 against the nonresident growing out of any liability for assessments,
2 penalties or interest, and a consent that any such process against the
3 nonresident which is so served shall be of the same legal force and
4 validity as if served personally within the state and within the terri-
5 torial jurisdiction of the court from which the process issues. Service
6 of process within this state shall be made by either:

7 (a) personally delivering to and leaving with the secretary of state
8 duplicate copies thereof at the office of the department of state, in
9 which event the secretary of state shall forthwith send by registered
10 mail one of such copies to the person at the last address designated by
11 the person to the commission for any purpose under this section or in
12 the last return filed by the person under this section with the commis-
13 sion or as shown on the records of the commission, or if no return has
14 been filed, at the person's last known office address within or outside
15 of the state; or

16 (b) personally delivering to and leaving with the secretary of state a
17 copy thereof at the office of the department of state and by delivering
18 a copy thereof to the person, personally outside of the state. Proof of
19 such personal service outside of the state shall be filed with the
20 clerk of the court in which the process is pending within thirty days
21 after such service and such service shall be complete ten days after
22 proof thereof is filed.

23 6. Whenever the commission shall determine that any moneys received as
24 assessments were paid in error, it may cause the same to be refunded,
25 provided an application therefor is filed with the commission within two
26 years from the time the erroneous payment was made.

27 7. In addition to any other powers authorized hereunder, the commis-
28 sion shall have power to promulgate reasonable rules and regulations to
29 effectuate the purposes of this section.

30 8. Any person who shall willfully fail to pay any assessment due here-
31 under, shall be assessed interest at a rate of one percent per month on
32 the amount due and unpaid and penalties of five percent of the amount
33 due for each thirty days or part thereof that the assessment remains
34 unpaid. The commission, may, for good cause shown, abate all or part of
35 such penalty.

36 9. Any person who shall willfully furnish false or fraudulent informa-
37 tion or shall willfully fail to furnish pertinent information, as
38 required, with respect to the amount of assessment due, shall be guilty
39 of a misdemeanor, punishable by a fine of not more than one thousand
40 dollars, or imprisonment for not more than three hundred sixty-four
41 days, or both.

42 10. All funds of the commission received as payment of any assessment
43 or penalty under this section shall be deposited with the comptroller.
44 The comptroller may require that all such deposits be secured by obli-
45 gations of the United States or of the state of New York of a market
46 value equal at all times to the amount of the deposits, and all banks
47 and trust companies are authorized to give such security for such
48 deposits.

49 11. The commission shall reimburse the state for any funds advanced to
50 the commission exclusive of sums appropriated pursuant to section five
51 hundred thirty-four-w of this article.

52 § 534-y. Transfer of officers, employees. 1. Any officer or employee
53 in the state, county or municipal civil service in either state who
54 shall transfer to service with the commission may be given one or more
55 leaves of absence without pay and may, before the expiration of
56 such leave or leaves of absence, and without further examination or

1 qualification, return to the person's former position or be certified
2 by the appropriate civil service agency for retransfer to a compa-
3 rable position in such state, county, or municipal civil service if
4 such a position is then available.

5 2. The commission may, by agreement with any federal agency from which
6 any officer or employee may transfer to service with the commission,
7 make similar provision for the retransfer of such officer or employee to
8 such federal agency.

9 3. Any officer or employee in the state, county or municipal service
10 in New York state who shall transfer to service with the commission and
11 who is a member of the New York state and local retirement system,
12 shall continue to have all rights, privileges, obligations and status
13 with respect to such system as provided under the retirement and social
14 security law.

15 § 534-z. Annual report. 1. The commission shall submit an annual
16 report to the governor, the speaker of the assembly, and the temporary
17 president of the senate on or before the first day of September of each
18 year detailing the previous fiscal year. The commission shall post such
19 report on its website upon the submission to the officials outlined in
20 this section.

21 2. Such report shall include, but not be limited to:

22 (a) the status of waterfront practices and operations covered by this
23 act;

24 (b) any legislative recommendations in furtherance of the purposes of
25 this act;

26 (c) a detailed fiscal summary, including but not limited to: (i) the
27 financial condition of the commission at the end of such preceding
28 fiscal year; (ii) a detailed list of any bonds entered into by the
29 commission; and (iii) revenues received by the commission, including
30 employer assessments pursuant to section five hundred thirty-four-d of
31 this article;

32 (d) an overview of waterfront labor in the port of New York district
33 in this state, including but not limited to: (i) the total number of
34 pier superintendents, hiring agents, security officers, and stevedores
35 by title; (ii) the number of pier superintendent, hiring agent, security
36 officer, and stevedore applications received by title; (iii) the number
37 of pier superintendent, hiring agent, security officer and stevedore
38 licenses issued by title; (iv) the number of pier superintendent, hiring
39 agent, security officer, and stevedore applications denied, respective-
40 ly, and the reasons for such denial by title; (v) the number of licenses
41 revoked and the reasons for such revocation by title; (vi) the average
42 length of time for the commission to issue a determination on pier
43 superintendent, hiring agent, security officer and stevedore applica-
44 tions by title; (vii) the total number of longshore workers in the long-
45 shore workers' register; (viii) the number of longshore worker applica-
46 tions received; (ix) the number of longshore worker registrations
47 issued; (x) the number of longshore worker applications denied and the
48 reasons for such denial; (xi) the number of longshore workers removed
49 from the register and reasons therefor; and (xii) the average length of
50 time for the commission to issue a determination on longshore worker
51 applications;

52 (e) a detailed summary of commission operations including, but not
53 limited to: (i) the number and allocated percentage of sworn investi-
54 gators employed by the commission; (ii) the number and allocated
55 percentage of administrative staff who solely performed administrative
56 work during the preceding fiscal year; (iii) the number and allocated

1 percentage of staff which performed work related to the hiring and back-
 2 grounding of the port workforce; (iv) the number of cases or actions
 3 conducted by the commission during the preceding fiscal year; and (v) a
 4 summary of the commission's accomplishments; and

5 (f) any other information relating to the purposes of this act.

6 3. Nothing in this section shall be read to require the disclosure of
 7 personally identifiable information pertaining to any applicant nor the
 8 disclosure of any information regarding ongoing criminal investigations.

9 § 3. Paragraphs (h) and (k) of subdivision 34 of section 1.20 of the
 10 criminal procedure law, as amended by chapter 187 of the laws of 2023,
 11 are amended to read as follows:

12 (h) An investigator employed by the New York Waterfront Commission or
 13 a commission created by an interstate compact~~[, or by section six of~~
 14 ~~chapter eight hundred eighty-two of the laws of nineteen hundred fifty-~~
 15 ~~three, constituting the waterfront commission act, as amended,]~~ who is,
 16 to a substantial extent, engaged in the enforcement of the criminal laws
 17 of this state;

18 (k) A sworn officer of the New York Waterfront Commission or a police
 19 force of a public authority created by an interstate compact~~[, or by~~
 20 ~~section six of chapter eight hundred eighty-two of the laws of nineteen~~
 21 ~~hundred fifty-three, constituting the waterfront commission act, as~~
 22 ~~amended,]~~ where such force is certified in accordance with paragraph (d)
 23 of subdivision one of section eight hundred forty-six-h of the executive
 24 law;

25 § 4. Subdivision 34 of section 2.10 of the criminal procedure law, as
 26 added by chapter 843 of the laws of 1980, is amended to read as follows:

27 34. New York Waterfront [and airport] investigators, pursuant to
 28 [subdivision four of section ninety-nine hundred six of the unconsol-
 29 idated laws] article nineteen-I of the executive law; provided, however,
 30 that nothing in this subdivision shall be deemed to authorize such offi-
 31 cer to carry, possess, repair or dispose of a firearm unless the appro-
 32 priate license therefor has been issued pursuant to section 400.00 of
 33 the penal law.

34 § 5. Paragraph k of subdivision 11 of section 302 of the retirement
 35 and social security law, as added by chapter 187 of the laws of 2023, is
 36 amended to read as follows:

37 k. Service as an investigator or sworn officer of the New York Water-
 38 front Commission or the waterfront commission of New York harbor ~~[or the~~
 39 ~~commission created by section six of chapter eight hundred eighty-two of~~
 40 ~~the laws of nineteen hundred fifty-three, constituting the waterfront~~
 41 ~~commission act, as amended].~~

42 § 6. Subdivision a and subparagraph (ii) of paragraph 1 of subdivision
 43 c of section 381-b of the retirement and social security law, as amended
 44 by chapter 187 of the laws of 2023, are amended to read as follows:

45 a. Membership. Every member or officer of the division of state police
 46 in the executive department who enters or re-enters service in the divi-
 47 sion on or after April first, nineteen hundred sixty-nine, and every
 48 investigator or sworn officer employed by the commission created by
 49 section six of chapter eight hundred eighty-two of the laws of nineteen
 50 hundred fifty-three, constituting the waterfront commission act, as
 51 amended, on or after July first, two thousand twenty-three, and every
 52 investigator or sworn officer employed by the New York Waterfront
 53 Commission in the executive department shall be covered by the
 54 provisions of this section, and every member or officer of the division
 55 of state police in the executive department in such service on such date
 56 may elect to be covered by the provisions of this section by filing an

1 election therefor with the comptroller on or before March thirty-first,
2 nineteen hundred seventy-two. To be effective, such election must be
3 duly executed and acknowledged on a form prepared by the comptroller for
4 that purpose.

5 (ii) for service rendered as an investigator or sworn officer of the
6 waterfront commission of New York harbor, ~~[and]~~ for service rendered as
7 an investigator or sworn officer of the New York Waterfront Commission,
8 for service rendered as an investigator-trainee of the waterfront
9 commission of New York harbor, and for service rendered as an investiga-
10 tor-trainee of the New York Waterfront Commission, that was creditable
11 under subdivision w of section three hundred eighty-four-d of this arti-
12 cle; and

13 § 7. Subdivision w of section 384-d of the retirement and social secu-
14 rity law, as added by chapter 407 of the laws of 2000, is amended to
15 read as follows:

16 w. Notwithstanding any other provision of law to the contrary, any
17 member of the New York state and local police and fire retirement system
18 who was a member of the New York state and local employees' retirement
19 system while employed as an investigator-trainee, Waterfront Commission
20 of New York Harbor or the New York Waterfront Commission, which ~~[is]~~ are
21 not deemed to be police service, who ~~[is]~~ are employed by the New York
22 Waterfront Commission ~~[of New York Harbor]~~, which is an employer elect-
23 ing to participate in the optional twenty year retirement plan pursuant
24 to this section shall be deemed to have provided police service while so
25 employed by the Waterfront Commission of New York Harbor or the New York
26 Waterfront Commission and shall receive creditable service in the New
27 York state and local police and fire retirement system for prior credit-
28 able service in the New York state and local employees' retirement
29 system earned while employed as an investigator-trainee and shall have
30 the period of such prior service credit counted as police service for
31 the purpose of determining the amount of their pension and retirement
32 allowance and period of service needed for retirement.

33 § 8. Paragraph (c) of subdivision 1 of section 5 of the tax law, as
34 added by chapter 295 of the laws of 1987, is amended to read as follows:

35 (c) "State agency" shall mean the state of New York, any department,
36 board, bureau, commission, division, office, council or agency thereof,
37 a public authority or a public benefit corporation. "State agency" shall
38 also include the New York Waterfront Commission.

39 § 8-a. Paragraph (c) of subdivision 1 of section 5 of the tax law, as
40 amended by chapter 170 of the laws of 1994, is amended to read as
41 follows:

42 (c) "Covered agency" shall mean the state of New York, any county of
43 the state of New York, any department, board, bureau, commission, divi-
44 sion, office, council or agency of the state or any such county, a
45 public authority, a public benefit corporation, the port authority of
46 New York and New Jersey or the waterfront commission of New York harbor.
47 When a county is wholly included within a city, then the term "county"
48 shall be read to include the city. "Covered agency" shall also include
49 the New York Waterfront Commission.

50 § 9. Paragraph 8 of subdivision (c) of section 1105 of the tax law, as
51 added by chapter 190 of the laws of 1990, is amended to read as follows:

52 (8) Protective and detective services, including, but not limited to,
53 all services provided by or through alarm or protective systems of every
54 nature, including, but not limited to, protection against burglary,
55 theft, fire, water damage or any malfunction of industrial processes or
56 any other malfunction of or damage to property or injury to persons,

1 detective agencies, armored car services and guard, patrol and [~~watch-~~
 2 ~~man~~] security services of every nature other than the performance of
 3 such services by a [~~port watchman~~] security officer licensed by the New
 4 York Waterfront Commission or the waterfront commission of New York
 5 harbor, whether or not tangible personal property is transferred in
 6 conjunction therewith.

7 § 10. This act shall take effect June 30, 2024; provided that section
 8 eight-a of this act shall take effect upon the enactment into law by the
 9 state of New Jersey of legislation having an identical effect with this
 10 act in accordance with chapter 598 of the laws of 1988, but if the state
 11 of New Jersey shall have already enacted such legislation, this act
 12 shall take effect immediately.

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

This bill would create the New York Waterfront Commission and revise the Retirement and Social Security Law to make permanent the changes of Chapter 187 Laws of 2023, which added the titles of investigator and sworn officer employed by the Waterfront Commission Act, to the definition of membership in Section 381-b including making such service creditable under RSSL §381-b, and further expand creditable service to include service as an investigator-trainee.

If this bill is enacted during the 2024 Legislative Session, we do not anticipate any additional cost to the State of New York or the participating employers in the New York State and Local Police and Fire Retirement System.

To the extent that new members gain coverage under Section 381-b of the RSSL, we anticipate a contribution of 26.4% of salary paid to newly eligible members for the fiscal year ending March 31, 2025. In future years, this cost will vary but is expected to average 20.6% of salary annually.

The exact number of current members as well as future members who could be affected by this legislation cannot be readily determined.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 13, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-082, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9076

IN SENATE

April 16, 2024

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the general municipal law and the retirement and social security law, in relation to increasing the special accidental death benefit of certain deceased members

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

1 Section 1. Subdivision c of section 208-f of the general municipal
2 law, as amended by chapter 213 of the laws of 2023, is amended to read
3 as follows:

4 c. Commencing July first, two thousand [~~twenty-three~~] **twenty-four** the
5 special accidental death benefit paid to a widow or widower or the
6 deceased member's children under the age of eighteen or, if a student,
7 under the age of twenty-three, if the widow or widower has died, or to
8 the deceased member's parents if the member has no widow, widower, chil-
9 dren under the age of eighteen, or a student under the age of twenty-
10 three, shall be escalated by adding thereto an additional percentage of
11 the salary of the deceased member (as increased pursuant to subdivision
12 b of this section) in accordance with the following schedule:

13	calendar year of death		per centum
14	of the deceased member		
15	1977 or prior	289.5%	301.2%
16	1978	278.2%	289.5%
17	1979	267.1%	278.2%
18	1980	256.5%	267.1%
19	1981	246.1%	256.5%
20	1982	236.0%	246.1%
21	1983	226.2%	236.0%
22	1984	216.7%	226.2%
23	1985	207.5%	216.7%
24	1986	198.5%	207.5%
25	1987	189.8%	198.5%
26	1988	181.4%	189.8%

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

LBD14663-04-4

1	1989	[173.2%]	<u>181.4%</u>
2	1990	[165.2%]	<u>173.2%</u>
3	1991	[157.5%]	<u>165.2%</u>
4	1992	[150.0%]	<u>157.5%</u>
5	1993	[142.7%]	<u>150.0%</u>
6	1994	[135.7%]	<u>142.7%</u>
7	1995	[128.8%]	<u>135.7%</u>
8	1996	[122.1%]	<u>128.8%</u>
9	1997	[115.7%]	<u>122.1%</u>
10	1998	[109.4%]	<u>115.7%</u>
11	1999	[103.3%]	<u>109.4%</u>
12	2000	[97.4%]	<u>103.3%</u>
13	2001	[91.6%]	<u>97.4%</u>
14	2002	[86.0%]	<u>91.6%</u>
15	2003	[80.6%]	<u>86.0%</u>
16	2004	[75.4%]	<u>80.6%</u>
17	2005	[70.2%]	<u>75.4%</u>
18	2006	[65.3%]	<u>70.2%</u>
19	2007	[60.5%]	<u>65.3%</u>
20	2008	[55.8%]	<u>60.5%</u>
21	2009	[51.3%]	<u>55.8%</u>
22	2010	[46.9%]	<u>51.3%</u>
23	2011	[42.6%]	<u>46.9%</u>
24	2012	[38.4%]	<u>42.6%</u>
25	2013	[34.4%]	<u>38.4%</u>
26	2014	[30.5%]	<u>34.4%</u>
27	2015	[26.7%]	<u>30.5%</u>
28	2016	[23.0%]	<u>26.7%</u>
29	2017	[19.4%]	<u>23.0%</u>
30	2018	[15.9%]	<u>19.4%</u>
31	2019	[12.6%]	<u>15.9%</u>
32	2020	[9.3%]	<u>12.6%</u>
33	2021	[6.1%]	<u>9.3%</u>
34	2022	[3.0%]	<u>6.1%</u>
35	2023	[0.0%]	<u>3.0%</u>
36	<u>2024</u>		<u>0.0%</u>

37 § 2. Subdivision c of section 361-a of the retirement and social secu-
 38 rity law, as amended by chapter 213 of the laws of 2023, is amended to
 39 read as follows:

40 c. Commencing July first, two thousand [~~twenty-three~~] **twenty-four** the
 41 special accidental death benefit paid to a widow or widower or the
 42 deceased member's children under the age of eighteen or, if a student,
 43 under the age of twenty-three, if the widow or widower has died, shall
 44 be escalated by adding thereto an additional percentage of the salary of
 45 the deceased member, as increased pursuant to subdivision b of this
 46 section, in accordance with the following schedule:

47	calendar year of death		
48	of the deceased member	per centum	
49	1977 or prior	[289.5%]	<u>301.2%</u>
50	1978	[278.2%]	<u>289.5%</u>
51	1979	[267.1%]	<u>278.2%</u>
52	1980	[256.5%]	<u>267.1%</u>
53	1981	[246.1%]	<u>256.5%</u>
54	1982	[236.0%]	<u>246.1%</u>

1	1983	[226.2%]	<u>236.0%</u>
2	1984	[216.7%]	<u>226.2%</u>
3	1985	[207.5%]	<u>216.7%</u>
4	1986	[198.5%]	<u>207.5%</u>
5	1987	[189.8%]	<u>198.5%</u>
6	1988	[181.4%]	<u>189.8%</u>
7	1989	[173.2%]	<u>181.4%</u>
8	1990	[165.2%]	<u>173.2%</u>
9	1991	[157.5%]	<u>165.2%</u>
10	1992	[150.0%]	<u>157.5%</u>
11	1993	[142.7%]	<u>150.0%</u>
12	1994	[135.7%]	<u>142.7%</u>
13	1995	[128.8%]	<u>135.7%</u>
14	1996	[122.1%]	<u>128.8%</u>
15	1997	[115.7%]	<u>122.1%</u>
16	1998	[109.4%]	<u>115.7%</u>
17	1999	[103.3%]	<u>109.4%</u>
18	2000	[97.4%]	<u>103.3%</u>
19	2001	[91.6%]	<u>97.4%</u>
20	2002	[86.0%]	<u>91.6%</u>
21	2003	[80.6%]	<u>86.0%</u>
22	2004	[75.4%]	<u>80.6%</u>
23	2005	[70.2%]	<u>75.4%</u>
24	2006	[65.3%]	<u>70.2%</u>
25	2007	[60.5%]	<u>65.3%</u>
26	2008	[55.8%]	<u>60.5%</u>
27	2009	[51.3%]	<u>55.8%</u>
28	2010	[46.9%]	<u>51.3%</u>
29	2011	[42.6%]	<u>46.9%</u>
30	2012	[38.4%]	<u>42.6%</u>
31	2013	[34.4%]	<u>38.4%</u>
32	2014	[30.5%]	<u>34.4%</u>
33	2015	[26.7%]	<u>30.5%</u>
34	2016	[23.0%]	<u>26.7%</u>
35	2017	[19.4%]	<u>23.0%</u>
36	2018	[15.9%]	<u>19.4%</u>
37	2019	[12.6%]	<u>15.9%</u>
38	2020	[9.3%]	<u>12.6%</u>
39	2021	[6.1%]	<u>9.3%</u>
40	2022	[3.0%]	<u>6.1%</u>
41	2023	[0.0%]	<u>3.0%</u>
42	<u>2024</u>		<u>0.0%</u>

43 § 3. This act shall take effect July 1, 2024.

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

This bill would amend both the General Municipal Law and the Retirement and Social Security Law to increase the salary used in the computation of the special accidental death benefit by 3% in cases where the date of death was before 2024.

Insofar as this bill affects the New York State and Local Police and Fire Retirement System (NYSLPFRS), the increased costs would be shared by the State of New York and the local participating employers in the NYSLPFRS. If this bill were enacted during the 2024 Legislative Session, the increase in the present value of benefits would be approximately \$8.5 million.

NYSLPFRS	Increase in present	Increase in required
----------	---------------------	----------------------

	value benefits	contributions
Tiers 1-5	\$8.5 million	\$4.1 million
Tier 6	\$0.0 million	\$4.4 million
Total	\$8.5 million	\$8.5 million

In the NYSLPFRS, this benefit improvement is funded by increasing the billing rates charged annually to cover both retrospective and prospective benefit increases. The annual contribution required of all participating employers in NYSLPFRS is 0.02% of billable salary, or approximately \$170,000 to the State of New York and approximately \$700,000 to the local participating employers. This permanent annual cost will vary in subsequent billing cycles with changes in the billing rate and salary of the members in the NYSLPFRS.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated April 10, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-158, prepared by the Actuary for the New York State and Local Retirement System.

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

SUMMARY: This proposed legislation, as it relates to the New York City Retirement Systems and Pension Funds (NYCRS), would increase Special Accidental Death Benefits (SADB) for Eligible Beneficiaries of former members of NYCRS who died due to an accident sustained in the performance of duty.

IMPACT ON EMPLOYER CONTRIBUTIONS*
by Fiscal Year for the first 25 years (\$ in Millions)

Year	NYCERS	POLICE	FIRE	TOTAL
2025	0.4	3.5	4.1	8.0
2026	0.4	3.5	4.1	8.0
2027	0.4	3.5	4.1	8.0
2028	0.4	3.5	4.1	8.0
2029	0.4	3.5	4.1	8.0
2030	0.4	3.5	4.1	8.0
2031	0.4	3.5	4.1	8.0
2032	0.4	3.5	4.1	8.0
2033	0.4	3.5	4.1	8.0
2034	0.4	3.4	4.1	7.9
2035	0.4	3.4	4.1	7.9

2036	0.4	3.4	4.1	7.9
2037	0.4	3.4	4.1	7.9
2038	0.4	3.4	4.1	7.9
2039	0.0	0.1	0.0	0.1
2040	0.0	0.1	0.0	0.1
2041	0.0	0.1	0.0	0.1
2042	0.0	0.0	0.0	0.0
2043	0.0	0.0	0.0	0.0
2044	0.0	0.0	0.0	0.0
2045	0.0	0.0	0.0	0.0
2046	0.0	0.0	0.0	0.0
2047	0.0	0.0	0.0	0.0
2048	0.0	0.0	0.0	0.0
2049	0.0	0.0	0.0	0.0

* The costs of this proposed legislation have already been accounted for and will not result in a further increase in employer contributions. The table above shows the expected **decrease** in employer contributions if the proposed legislation is **not** enacted.

The impact on employer contributions in the first year is estimated to be \$7.9 million for New York City and \$0.1 million for other obligors of NYCERS.

IMPACT ON ACTUARIAL LIABILITIES			
as of June 30, 2023 (\$ in Millions)			
Present Value (PV)	NYCERS	POLICE	FIRE
PV of Benefits:	3.3	29.5	34.9
PV of Employee Contributions:	0.0	0.0	0.0
PV of Employer Contributions:	3.3	29.5	34.9
Unfunded Accrued Liabilities:	3.1	28.3	34.4

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY			
	NYCERS	POLICE	FIRE
Number of Payments:	14	14	14
Fiscal Year of Last Payment:	2038	2038	2038
Amortization Payment:	0.4 M	3.5 M	4.1 M

The decrease in expected pension payments due to this legislation **not** passing would be treated as an actuarial gain.

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2023. The census data for the impacted population is summarized below.

	NYCERS	POLICE	FIRE
Active Members			
- Number Count:	18,784	33,800	10,720
- Average Age:	41.8	37.6	40.8
- Average Service:	11.3	11.3	13.9
- Average Salary:	105,600	128,600	139,500
Receiving Members			
- Number Count:	85	596	706
- Average Age:	66.0	63.6	66.9

IMPACT ON MEMBER BENEFITS: The SADB cost-of-living adjustments have been passed by the legislature each year. Under the proposed legis-

lation, an additional 3.0% of Final Salary would be applied to the SADB paid effective July 1, 2024.

The SADB is paid to the deceased member's surviving spouse, if alive. If the spouse is no longer alive, the SADB is paid to the deceased member's children until age eighteen or until age twenty-three if a student. If neither a spouse nor a dependent child is alive, the SADB may be paid to the member's parents or certain other individuals, if eligible.

The proposed legislation would impact the SADB payable to certain survivors of NYCERS, POLICE, and FIRE who were employed in certain uniformed positions of the following New York City employers:

Police Department, Fire Department, Department of Sanitation, Housing Authority, Transit Authority, Department of Correction, Health and Hospitals Corporation (as EMT), New York City (as Emergency Medical Technician - EMT), or Triborough Bridge and Tunnel Authority (Bridge and Tunnel Position).

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

Based on the historical practice of providing 3.0% COLAs on the SADB each year, and the likelihood that COLAs will continue to be granted in the future, the Actuary assumes that the SADB benefit will continue to increase 3.0% per year in the future when determining NYCERS employer contributions.

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).

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 2024-44 dated April 11, 2024 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session.

STATE OF NEW YORK

9818

IN SENATE

May 31, 2024

Introduced by Sen. JACKSON -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the civil service law and the state finance law, in relation to compensation, benefits and other terms and conditions of employment for members of the collective negotiating unit designated as the agency police services unit; to implement an agreement between the state of New York and the employee organization representing members of the collective negotiating unit designated as the agency police services unit; making an appropriation therefor; and to repeal certain provisions of the civil service law relating thereto

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

1 Section 1. Paragraph h of subdivision 1 of section 130 of the civil
2 service law is REPEALED and a new paragraph h is added to read as
3 follows:

4 h. Pursuant to the terms of an agreement entered into pursuant to
5 article fourteen of this chapter between the state and an employee
6 organization covering members of the collective negotiating unit desig-
7 nated as the agency police services unit, effective on the dates indi-
8 cated, salary grades for such unit members shall be as follows:

9 (1) Effective April first, two thousand twenty-three:

	<u>Hiring</u>					<u>Job</u>			
	<u>SG</u>	<u>Rate</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Rate</u>	<u>Incr</u>
10									
11	<u>1</u>	<u>33913</u>	<u>35107</u>	<u>36301</u>	<u>37495</u>	<u>38689</u>	<u>39883</u>	<u>41077</u>	<u>1194</u>
12	<u>2</u>	<u>34951</u>	<u>36209</u>	<u>37467</u>	<u>38725</u>	<u>39983</u>	<u>41241</u>	<u>42499</u>	<u>1258</u>
13	<u>3</u>	<u>36398</u>	<u>37710</u>	<u>39022</u>	<u>40334</u>	<u>41646</u>	<u>42958</u>	<u>44270</u>	<u>1312</u>
14	<u>4</u>	<u>37790</u>	<u>39173</u>	<u>40556</u>	<u>41939</u>	<u>43322</u>	<u>44705</u>	<u>46088</u>	<u>1383</u>
15	<u>5</u>	<u>39325</u>	<u>40780</u>	<u>42235</u>	<u>43690</u>	<u>45145</u>	<u>46600</u>	<u>48055</u>	<u>1455</u>
16	<u>6</u>	<u>41098</u>	<u>42627</u>	<u>44156</u>	<u>45685</u>	<u>47214</u>	<u>48743</u>	<u>50272</u>	<u>1529</u>
17	<u>7</u>	<u>43116</u>	<u>44708</u>	<u>46300</u>	<u>47892</u>	<u>49484</u>	<u>51076</u>	<u>52668</u>	<u>1592</u>
18	<u>8</u>	<u>45242</u>	<u>46896</u>	<u>48550</u>	<u>50204</u>	<u>51858</u>	<u>53512</u>	<u>55166</u>	<u>1654</u>
19									

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

LBD12039-03-4

1	<u>9</u>	<u>47461</u>	<u>49185</u>	<u>50909</u>	<u>52633</u>	<u>54357</u>	<u>56081</u>	<u>57805</u>	<u>1724</u>
2	<u>10</u>	<u>49850</u>	<u>51665</u>	<u>53480</u>	<u>55295</u>	<u>57110</u>	<u>58925</u>	<u>60740</u>	<u>1815</u>
3	<u>11</u>	<u>52473</u>	<u>54361</u>	<u>56249</u>	<u>58137</u>	<u>60025</u>	<u>61913</u>	<u>63801</u>	<u>1888</u>
4	<u>12</u>	<u>55087</u>	<u>57058</u>	<u>59029</u>	<u>61000</u>	<u>62971</u>	<u>64942</u>	<u>66913</u>	<u>1971</u>
5	<u>13</u>	<u>58051</u>	<u>60109</u>	<u>62167</u>	<u>64225</u>	<u>66283</u>	<u>68341</u>	<u>70399</u>	<u>2058</u>
6	<u>14</u>	<u>61077</u>	<u>63234</u>	<u>65391</u>	<u>67548</u>	<u>69705</u>	<u>71862</u>	<u>74019</u>	<u>2157</u>
7	<u>15</u>	<u>64276</u>	<u>66520</u>	<u>68764</u>	<u>71008</u>	<u>73252</u>	<u>75496</u>	<u>77740</u>	<u>2244</u>
8	<u>16</u>	<u>67596</u>	<u>69940</u>	<u>72284</u>	<u>74628</u>	<u>76972</u>	<u>79316</u>	<u>81660</u>	<u>2344</u>
9	<u>17</u>	<u>71088</u>	<u>73557</u>	<u>76026</u>	<u>78495</u>	<u>80964</u>	<u>83433</u>	<u>85902</u>	<u>2469</u>
10	<u>18</u>	<u>74819</u>	<u>77414</u>	<u>80009</u>	<u>82604</u>	<u>85199</u>	<u>87794</u>	<u>90389</u>	<u>2595</u>
11	<u>19</u>	<u>78600</u>	<u>81310</u>	<u>84020</u>	<u>86730</u>	<u>89440</u>	<u>92150</u>	<u>94860</u>	<u>2710</u>
12	<u>20</u>	<u>82354</u>	<u>85183</u>	<u>88012</u>	<u>90841</u>	<u>93670</u>	<u>96499</u>	<u>99328</u>	<u>2829</u>
13	<u>21</u>	<u>86489</u>	<u>89439</u>	<u>92389</u>	<u>95339</u>	<u>98289</u>	<u>101239</u>	<u>104189</u>	<u>2950</u>
14	<u>22</u>	<u>90820</u>	<u>93945</u>	<u>97070</u>	<u>100195</u>	<u>103320</u>	<u>106445</u>	<u>109570</u>	<u>3125</u>
15	<u>23</u>	<u>95436</u>	<u>98649</u>	<u>101862</u>	<u>105075</u>	<u>108288</u>	<u>111501</u>	<u>114714</u>	<u>3213</u>
16	<u>24</u>	<u>100298</u>	<u>103631</u>	<u>106964</u>	<u>110297</u>	<u>113630</u>	<u>116963</u>	<u>120296</u>	<u>3333</u>
17	<u>25</u>	<u>105589</u>	<u>109065</u>	<u>112541</u>	<u>116017</u>	<u>119493</u>	<u>122969</u>	<u>126445</u>	<u>3476</u>

18					<u>Long</u>				
19					<u>Max.</u>				
20		<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>				
21		<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>				
22	<u>SG</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>				
23	<u>1</u>	<u>42860</u>	<u>44642</u>	<u>48096</u>	<u>49880</u>				
24	<u>2</u>	<u>44386</u>	<u>46272</u>	<u>49827</u>	<u>51716</u>				
25	<u>3</u>	<u>46237</u>	<u>48205</u>	<u>51844</u>	<u>53813</u>				
26	<u>4</u>	<u>48158</u>	<u>50230</u>	<u>53966</u>	<u>56033</u>				
27	<u>5</u>	<u>50232</u>	<u>52410</u>	<u>56256</u>	<u>58434</u>				
28	<u>6</u>	<u>52566</u>	<u>54859</u>	<u>58823</u>	<u>61117</u>				
29	<u>7</u>	<u>55052</u>	<u>57436</u>	<u>61490</u>	<u>63873</u>				
30	<u>8</u>	<u>57642</u>	<u>60118</u>	<u>64267</u>	<u>66747</u>				
31	<u>9</u>	<u>60396</u>	<u>62988</u>	<u>67246</u>	<u>69832</u>				
32	<u>10</u>	<u>63456</u>	<u>66167</u>	<u>70549</u>	<u>73264</u>				
33	<u>11</u>	<u>66627</u>	<u>69446</u>	<u>73948</u>	<u>76774</u>				
34	<u>12</u>	<u>69868</u>	<u>72824</u>	<u>77453</u>	<u>80408</u>				
35	<u>13</u>	<u>73477</u>	<u>76555</u>	<u>81309</u>	<u>84385</u>				
36	<u>14</u>	<u>77244</u>	<u>80468</u>	<u>85369</u>	<u>88592</u>				
37	<u>15</u>	<u>81100</u>	<u>84460</u>	<u>89492</u>	<u>92850</u>				
38	<u>16</u>	<u>85173</u>	<u>88687</u>	<u>93864</u>	<u>97375</u>				
39	<u>17</u>	<u>89597</u>	<u>93292</u>	<u>98658</u>	<u>102353</u>				
40	<u>18</u>	<u>94272</u>	<u>98156</u>	<u>103716</u>	<u>107603</u>				
41	<u>19</u>	<u>98916</u>	<u>102971</u>	<u>108696</u>	<u>112753</u>				
42	<u>20</u>	<u>103574</u>	<u>107818</u>	<u>113729</u>	<u>117976</u>				
43	<u>21</u>	<u>108614</u>	<u>113042</u>	<u>119130</u>	<u>123553</u>				
44	<u>22</u>	<u>114248</u>	<u>118925</u>	<u>125272</u>	<u>129952</u>				
45	<u>23</u>	<u>119533</u>	<u>124355</u>	<u>130843</u>	<u>135662</u>				
46	<u>24</u>	<u>125290</u>	<u>130286</u>	<u>136956</u>	<u>141950</u>				
47	<u>25</u>	<u>131655</u>	<u>136868</u>	<u>143744</u>	<u>148953</u>				

48 (2) Effective April first, two thousand twenty-four:

49		<u>Hiring</u>					<u>Job</u>		
50	<u>SG</u>	<u>Rate</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Rate</u>	<u>Incr</u>
51	<u>1</u>	<u>34930</u>	<u>36160</u>	<u>37390</u>	<u>38620</u>	<u>39850</u>	<u>41080</u>	<u>42310</u>	<u>1230</u>
52	<u>2</u>	<u>36000</u>	<u>37296</u>	<u>38592</u>	<u>39888</u>	<u>41184</u>	<u>42480</u>	<u>43776</u>	<u>1296</u>
53	<u>3</u>	<u>37490</u>	<u>38841</u>	<u>40192</u>	<u>41543</u>	<u>42894</u>	<u>44245</u>	<u>45596</u>	<u>1351</u>

1	<u>4</u>	<u>38924</u>	<u>40349</u>	<u>41774</u>	<u>43199</u>	<u>44624</u>	<u>46049</u>	<u>47474</u>	<u>1425</u>
2	<u>5</u>	<u>40505</u>	<u>42004</u>	<u>43503</u>	<u>45002</u>	<u>46501</u>	<u>48000</u>	<u>49499</u>	<u>1499</u>
3	<u>6</u>	<u>42331</u>	<u>43906</u>	<u>45481</u>	<u>47056</u>	<u>48631</u>	<u>50206</u>	<u>51781</u>	<u>1575</u>
4	<u>7</u>	<u>44409</u>	<u>46049</u>	<u>47689</u>	<u>49329</u>	<u>50969</u>	<u>52609</u>	<u>54249</u>	<u>1640</u>
5	<u>8</u>	<u>46599</u>	<u>48303</u>	<u>50007</u>	<u>51711</u>	<u>53415</u>	<u>55119</u>	<u>56823</u>	<u>1704</u>
6	<u>9</u>	<u>48885</u>	<u>50661</u>	<u>52437</u>	<u>54213</u>	<u>55989</u>	<u>57765</u>	<u>59541</u>	<u>1776</u>
7	<u>10</u>	<u>51346</u>	<u>53215</u>	<u>55084</u>	<u>56953</u>	<u>58822</u>	<u>60691</u>	<u>62560</u>	<u>1869</u>
8	<u>11</u>	<u>54047</u>	<u>55992</u>	<u>57937</u>	<u>59882</u>	<u>61827</u>	<u>63772</u>	<u>65717</u>	<u>1945</u>
9	<u>12</u>	<u>56740</u>	<u>58770</u>	<u>60800</u>	<u>62830</u>	<u>64860</u>	<u>66890</u>	<u>68920</u>	<u>2030</u>
10	<u>13</u>	<u>59793</u>	<u>61913</u>	<u>64033</u>	<u>66153</u>	<u>68273</u>	<u>70393</u>	<u>72513</u>	<u>2120</u>
11	<u>14</u>	<u>62909</u>	<u>65131</u>	<u>67353</u>	<u>69575</u>	<u>71797</u>	<u>74019</u>	<u>76241</u>	<u>2222</u>
12	<u>15</u>	<u>66204</u>	<u>68515</u>	<u>70826</u>	<u>73137</u>	<u>75448</u>	<u>77759</u>	<u>80070</u>	<u>2311</u>
13	<u>16</u>	<u>69624</u>	<u>72038</u>	<u>74452</u>	<u>76866</u>	<u>79280</u>	<u>81694</u>	<u>84108</u>	<u>2414</u>
14	<u>17</u>	<u>73221</u>	<u>75764</u>	<u>78307</u>	<u>80850</u>	<u>83393</u>	<u>85936</u>	<u>88479</u>	<u>2543</u>
15	<u>18</u>	<u>77064</u>	<u>79737</u>	<u>82410</u>	<u>85083</u>	<u>87756</u>	<u>90429</u>	<u>93102</u>	<u>2673</u>
16	<u>19</u>	<u>80958</u>	<u>83749</u>	<u>86540</u>	<u>89331</u>	<u>92122</u>	<u>94913</u>	<u>97704</u>	<u>2791</u>
17	<u>20</u>	<u>84825</u>	<u>87739</u>	<u>90653</u>	<u>93567</u>	<u>96481</u>	<u>99395</u>	<u>102309</u>	<u>2914</u>
18	<u>21</u>	<u>89084</u>	<u>92123</u>	<u>95162</u>	<u>98201</u>	<u>101240</u>	<u>104279</u>	<u>107318</u>	<u>3039</u>
19	<u>22</u>	<u>93545</u>	<u>96764</u>	<u>99983</u>	<u>103202</u>	<u>106421</u>	<u>109640</u>	<u>112859</u>	<u>3219</u>
20	<u>23</u>	<u>98299</u>	<u>101608</u>	<u>104917</u>	<u>108226</u>	<u>111535</u>	<u>114844</u>	<u>118153</u>	<u>3309</u>
21	<u>24</u>	<u>103307</u>	<u>106740</u>	<u>110173</u>	<u>113606</u>	<u>117039</u>	<u>120472</u>	<u>123905</u>	<u>3433</u>
22	<u>25</u>	<u>108757</u>	<u>112337</u>	<u>115917</u>	<u>119497</u>	<u>123077</u>	<u>126657</u>	<u>130237</u>	<u>3580</u>

23				<u>Long</u>
24				<u>Max.</u>
25		<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>
26		<u>Long</u>	<u>Long</u>	<u>Long</u>
27	<u>SG</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
28	<u>1</u>	<u>44146</u>	<u>45982</u>	<u>49540</u>
29	<u>2</u>	<u>45720</u>	<u>47662</u>	<u>51324</u>
30	<u>3</u>	<u>47622</u>	<u>49649</u>	<u>53397</u>
31	<u>4</u>	<u>49606</u>	<u>51740</u>	<u>55588</u>
32	<u>5</u>	<u>51741</u>	<u>53985</u>	<u>57946</u>
33	<u>6</u>	<u>54144</u>	<u>56506</u>	<u>60589</u>
34	<u>7</u>	<u>56705</u>	<u>59160</u>	<u>63336</u>
35	<u>8</u>	<u>59373</u>	<u>61924</u>	<u>66197</u>
36	<u>9</u>	<u>62210</u>	<u>64879</u>	<u>69265</u>
37	<u>10</u>	<u>65357</u>	<u>68150</u>	<u>72663</u>
38	<u>11</u>	<u>68628</u>	<u>71531</u>	<u>76168</u>
39	<u>12</u>	<u>71964</u>	<u>75008</u>	<u>79776</u>
40	<u>13</u>	<u>75683</u>	<u>78854</u>	<u>83750</u>
41	<u>14</u>	<u>79563</u>	<u>82883</u>	<u>87932</u>
42	<u>15</u>	<u>83531</u>	<u>86992</u>	<u>92175</u>
43	<u>16</u>	<u>87726</u>	<u>91346</u>	<u>96678</u>
44	<u>17</u>	<u>92285</u>	<u>96091</u>	<u>101618</u>
45	<u>18</u>	<u>97101</u>	<u>101102</u>	<u>106829</u>
46	<u>19</u>	<u>101882</u>	<u>106058</u>	<u>111955</u>
47	<u>20</u>	<u>106682</u>	<u>111054</u>	<u>117142</u>
48	<u>21</u>	<u>111876</u>	<u>116437</u>	<u>122707</u>
49	<u>22</u>	<u>117677</u>	<u>122495</u>	<u>129032</u>
50	<u>23</u>	<u>123117</u>	<u>128083</u>	<u>134766</u>
51	<u>24</u>	<u>129049</u>	<u>134195</u>	<u>141065</u>
52	<u>25</u>	<u>135603</u>	<u>140973</u>	<u>148055</u>

(3) Effective April first, two thousand twenty-five:

	<u>Hiring</u>						<u>Job</u>		
	<u>SG</u>	<u>Rate</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Rate</u>	<u>Incr</u>
1									
2	<u>1</u>	<u>35978</u>	<u>37245</u>	<u>38512</u>	<u>39779</u>	<u>41046</u>	<u>42313</u>	<u>43580</u>	<u>1267</u>
3	<u>2</u>	<u>37080</u>	<u>38415</u>	<u>39750</u>	<u>41085</u>	<u>42420</u>	<u>43755</u>	<u>45090</u>	<u>1335</u>
4	<u>3</u>	<u>38615</u>	<u>40007</u>	<u>41399</u>	<u>42791</u>	<u>44183</u>	<u>45575</u>	<u>46967</u>	<u>1392</u>
5	<u>4</u>	<u>40092</u>	<u>41560</u>	<u>43028</u>	<u>44496</u>	<u>45964</u>	<u>47432</u>	<u>48900</u>	<u>1468</u>
6	<u>5</u>	<u>41720</u>	<u>43264</u>	<u>44808</u>	<u>46352</u>	<u>47896</u>	<u>49440</u>	<u>50984</u>	<u>1544</u>
7	<u>6</u>	<u>43601</u>	<u>45223</u>	<u>46845</u>	<u>48467</u>	<u>50089</u>	<u>51711</u>	<u>53333</u>	<u>1622</u>
8	<u>7</u>	<u>45741</u>	<u>47430</u>	<u>49119</u>	<u>50808</u>	<u>52497</u>	<u>54186</u>	<u>55875</u>	<u>1689</u>
9	<u>8</u>	<u>47997</u>	<u>49752</u>	<u>51507</u>	<u>53262</u>	<u>55017</u>	<u>56772</u>	<u>58527</u>	<u>1755</u>
10	<u>9</u>	<u>50352</u>	<u>52181</u>	<u>54010</u>	<u>55839</u>	<u>57668</u>	<u>59497</u>	<u>61326</u>	<u>1829</u>
11	<u>10</u>	<u>52886</u>	<u>54811</u>	<u>56736</u>	<u>58661</u>	<u>60586</u>	<u>62511</u>	<u>64436</u>	<u>1925</u>
12	<u>11</u>	<u>55668</u>	<u>57672</u>	<u>59676</u>	<u>61680</u>	<u>63684</u>	<u>65688</u>	<u>67692</u>	<u>2004</u>
13	<u>12</u>	<u>58442</u>	<u>60533</u>	<u>62624</u>	<u>64715</u>	<u>66806</u>	<u>68897</u>	<u>70988</u>	<u>2091</u>
14	<u>13</u>	<u>61587</u>	<u>63771</u>	<u>65955</u>	<u>68139</u>	<u>70323</u>	<u>72507</u>	<u>74691</u>	<u>2184</u>
15	<u>14</u>	<u>64796</u>	<u>67085</u>	<u>69374</u>	<u>71663</u>	<u>73952</u>	<u>76241</u>	<u>78530</u>	<u>2289</u>
16	<u>15</u>	<u>68190</u>	<u>70570</u>	<u>72950</u>	<u>75330</u>	<u>77710</u>	<u>80090</u>	<u>82470</u>	<u>2380</u>
17	<u>16</u>	<u>71713</u>	<u>74199</u>	<u>76685</u>	<u>79171</u>	<u>81657</u>	<u>84143</u>	<u>86629</u>	<u>2486</u>
18	<u>17</u>	<u>75418</u>	<u>78037</u>	<u>80656</u>	<u>83275</u>	<u>85894</u>	<u>88513</u>	<u>91132</u>	<u>2619</u>
19	<u>18</u>	<u>79376</u>	<u>82129</u>	<u>84882</u>	<u>87635</u>	<u>90388</u>	<u>93141</u>	<u>95894</u>	<u>2753</u>
20	<u>19</u>	<u>83387</u>	<u>86262</u>	<u>89137</u>	<u>92012</u>	<u>94887</u>	<u>97762</u>	<u>100637</u>	<u>2875</u>
21	<u>20</u>	<u>87370</u>	<u>90371</u>	<u>93372</u>	<u>96373</u>	<u>99374</u>	<u>102375</u>	<u>105376</u>	<u>3001</u>
22	<u>21</u>	<u>91757</u>	<u>94887</u>	<u>98017</u>	<u>101147</u>	<u>104277</u>	<u>107407</u>	<u>110537</u>	<u>3130</u>
23	<u>22</u>	<u>96351</u>	<u>99667</u>	<u>102983</u>	<u>106299</u>	<u>109615</u>	<u>112931</u>	<u>116247</u>	<u>3316</u>
24	<u>23</u>	<u>101248</u>	<u>104656</u>	<u>108064</u>	<u>111472</u>	<u>114880</u>	<u>118288</u>	<u>121696</u>	<u>3408</u>
25	<u>24</u>	<u>106406</u>	<u>109942</u>	<u>113478</u>	<u>117014</u>	<u>120550</u>	<u>124086</u>	<u>127622</u>	<u>3536</u>
26	<u>25</u>	<u>112020</u>	<u>115707</u>	<u>119394</u>	<u>123081</u>	<u>126768</u>	<u>130455</u>	<u>134142</u>	<u>3687</u>

		<u>Long</u>			
		<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>
	<u>SG</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
		<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
28					
29					
30					
31					
32	<u>1</u>	<u>45471</u>	<u>47362</u>	<u>51027</u>	<u>52919</u>
33	<u>2</u>	<u>47092</u>	<u>49093</u>	<u>52864</u>	<u>54869</u>
34	<u>3</u>	<u>49054</u>	<u>51142</u>	<u>55002</u>	<u>57091</u>
35	<u>4</u>	<u>51096</u>	<u>53294</u>	<u>57257</u>	<u>59450</u>
36	<u>5</u>	<u>53293</u>	<u>55605</u>	<u>59684</u>	<u>61995</u>
37	<u>6</u>	<u>55767</u>	<u>58200</u>	<u>62405</u>	<u>64838</u>
38	<u>7</u>	<u>58405</u>	<u>60933</u>	<u>65235</u>	<u>67762</u>
39	<u>8</u>	<u>61154</u>	<u>63781</u>	<u>68182</u>	<u>70813</u>
40	<u>9</u>	<u>64075</u>	<u>66824</u>	<u>71342</u>	<u>74086</u>
41	<u>10</u>	<u>67317</u>	<u>70194</u>	<u>74842</u>	<u>77723</u>
42	<u>11</u>	<u>70690</u>	<u>73680</u>	<u>78457</u>	<u>81455</u>
43	<u>12</u>	<u>74123</u>	<u>77259</u>	<u>82170</u>	<u>85305</u>
44	<u>13</u>	<u>77956</u>	<u>81222</u>	<u>86265</u>	<u>89529</u>
45	<u>14</u>	<u>81952</u>	<u>85371</u>	<u>90572</u>	<u>93990</u>
46	<u>15</u>	<u>86035</u>	<u>89600</u>	<u>94938</u>	<u>98500</u>
47	<u>16</u>	<u>90356</u>	<u>94084</u>	<u>99576</u>	<u>103301</u>
48	<u>17</u>	<u>95052</u>	<u>98972</u>	<u>104665</u>	<u>108585</u>
49	<u>18</u>	<u>100013</u>	<u>104134</u>	<u>110033</u>	<u>114156</u>
50	<u>19</u>	<u>104940</u>	<u>109242</u>	<u>115316</u>	<u>119620</u>
51	<u>20</u>	<u>109880</u>	<u>114383</u>	<u>120654</u>	<u>125159</u>
52	<u>21</u>	<u>115232</u>	<u>119930</u>	<u>126388</u>	<u>131080</u>
53	<u>22</u>	<u>121210</u>	<u>126172</u>	<u>132905</u>	<u>137870</u>
54	<u>23</u>	<u>126809</u>	<u>131924</u>	<u>138807</u>	<u>143919</u>

1	<u>24</u>	<u>132920</u>	<u>138221</u>	<u>145297</u>	<u>150595</u>
2	<u>25</u>	<u>139669</u>	<u>145200</u>	<u>152495</u>	<u>158020</u>

3 § 2. Subdivision 2 of section 207-d of the state finance law, as
 4 amended by section 2 of part A of chapter 60 of the laws of 2022, is
 5 amended to read as follows:

6 2. Where and to the extent that an agreement between the state and an
 7 employee organization entered into pursuant to article fourteen of the
 8 civil service law or an interest arbitration award issued pursuant to
 9 subdivision four of section two hundred nine of the civil service law
 10 between the state and an employee organization so provides on behalf of
 11 employees in the collective negotiating unit designated as the agency
 12 police services unit established pursuant to article fourteen of the
 13 civil service law, and upon audit and warrant of the comptroller, the
 14 director shall provide for the payment of moneys to such employee organ-
 15 ization for the establishment and maintenance of an employee benefit
 16 fund established by the employee organization for the employees in the
 17 negotiating unit covered by the controlling provision of such agreement
 18 or award providing for such employee benefit fund, such amount to be
 19 determined consistent with said agreement or award on the basis of the
 20 number of full-time annual salaried employees, as determined by the
 21 comptroller, on the payroll on March first, two thousand [~~nineteen~~
 22 twenty-three for payments to be made on April first, two thousand [~~nine-~~
 23 ~~teen~~] twenty-three, on the payroll on March first, two thousand [~~twenty~~
 24 twenty-four for payments to be made on April first, two thousand [~~twen-~~
 25 ~~ty~~] twenty-four, and on the payroll on March first, two thousand [~~twen-~~
 26 ~~ty-one~~] twenty-five for payments to be made on April first, two thousand
 27 [~~twenty-one~~] twenty-five [~~, and on the payroll on March first, two thou-~~
 28 ~~sand twenty-two for payments to be made on April first, two thousand~~
 29 ~~twenty-two~~]. The amount, which will be determined pursuant to this
 30 section, for employees who are paid from special or administrative
 31 funds, other than the general fund or the capital projects fund of the
 32 state, will be paid from the appropriations as provided by law, in which
 33 case the comptroller will establish procedures to ensure repayment from
 34 said special or administrative funds. The director shall enter into an
 35 agreement with an employee organization which sets forth the specific
 36 terms and conditions for the establishment and administration of an
 37 employee benefit fund as a condition for the transmittal of moneys
 38 pursuant to this section.

39 § 3. Compensation for members of the collective negotiating unit
 40 designated as agency police services unit pursuant to an agreement
 41 between the state of New York and the employee organization representing
 42 such individuals or an interest arbitration award binding the state of
 43 New York and the employee organization representing such individuals.

44 1. The provisions of this section shall apply to all full-time offi-
 45 cers and employees in the collective negotiating unit designated as the
 46 agency police services unit established pursuant to article 14 of the
 47 civil service law.

48 2. Effective April 1, 2023, the basic annual salary of all members of
 49 the agency police services unit who were in full-time annual salaried
 50 employment status on March 31, 2023 shall be increased by three percent.

51 3. Effective April 1, 2024, the basic annual salary of all members of
 52 the agency police services unit who were in full-time annual salaried
 53 employment status on March 31, 2024 shall be increased by three percent.

54 4. Effective April 1, 2025, the basic annual salary of all members of
 55 the agency police services unit who were in full-time annual salaried
 56 employment status on March 31, 2025 shall be increased by three percent.

1 5. Advancement within salary grade. Payments pursuant to the
2 provisions of subdivision 6 of section 131 of the civil service law for
3 members of the agency police services unit shall be payable pursuant to
4 the terms of an agreement between the state and an employee organization
5 representing employees subject to the provisions of this section.

6 6. Effective April 1, 2023, pursuant to the terms of an agreement
7 covering members of the agency police services unit, for such unit
8 members who are on the institutional payroll, the ten-year, the
9 fifteen-year, the twenty-year, and the twenty-five-year longevity step
10 payment for such unit members to whom the provisions of this section
11 apply shall be that amount prescribed by paragraph h of subdivision 1 of
12 section 130 of the civil service law, as added by section one of this
13 act.

14 7. Notwithstanding any of the foregoing provisions of this section, if
15 the basic annual salary of such unit members to whom the provisions of
16 this section apply is identical with the hiring rate, performance
17 advance step one, two, three, four or five, the job rate, the ten-year
18 longevity step, the fifteen-year longevity step, the twenty-year longev-
19 ity step or the twenty-five-year longevity step of such unit members
20 position on the effective dates of the increases provided in this
21 section, such basic annual salary shall be increased to the hiring rate,
22 performance advance step one, two, three, four or five, the job rate,
23 the ten-year longevity step, the fifteen-year longevity step, the twen-
24 ty-year longevity step or the twenty-five-year longevity step, respec-
25 tively, of such salary grade as contained in the appropriate salary
26 schedule in subparagraphs (1), (2), and (3) of paragraph h of subdivi-
27 sion 1 of section 130 of the civil service law, as added by section one
28 of this act, to take effect on the dates provided in subparagraphs (1),
29 (2), and (3), respectively. The increases in basic annual salary
30 provided by this subdivision shall be in lieu of any increase in basic
31 annual salary provided for in subdivisions two, three, and four of this
32 section. 33 8. If an unencumbered position is one which if encumbered,
would be

34 subject to the provisions of this section, the salary of such position
35 shall be increased by the salary increase amounts specified in this
36 section. If a position is created and is filled by the appointment of
37 such unit members to whom the provisions of this section apply, the
38 salary otherwise provided for such position shall be increased in the
39 same manner as though such position had been in existence but unencum-
40 bered. Notwithstanding the provisions of this section, the director of
41 the budget may reduce the salary of any such position, which is or
42 becomes vacant.

43 9. The increases in salary payable pursuant to this section shall
44 apply on a prorated basis to officers and employees, otherwise eligible
45 to receive an increase in salary pursuant to this section, who are paid
46 on an hourly or per diem basis, employees serving on a part-time or
47 seasonal basis and employees paid on any basis other than at an annual
48 salaried rate; except that the provisions of subdivision five, six and
49 seven of this section shall not apply to employees serving on an hourly,
50 per diem, or seasonal basis, except as determined by the director of the
51 budget.

52 10. Notwithstanding any other provision of this section, the
53 provisions of this section shall not apply to officers or employees paid
54 on a fee schedule basis.

55 11. In order to provide for the officers and employees to whom this
56 section applies who are not allocated to salary grades, performance

1 advancements and payments in proportion to those provided to persons to
2 whom this section applies who are allocated to salary grades, the direc-
3 tor of the budget is authorized to add appropriate adjustments to the
4 compensation which such officers and employees are otherwise entitled to
5 receive. The director of the budget shall issue certificates which shall
6 contain schedules of positions and the salaries thereof for which
7 adjustments are made pursuant to the provisions of this subdivision, and
8 a copy of each such certificate shall be filed with the state comp-
9 troller, the department of civil service, the chairperson of the senate
10 finance committee and the chairperson of the assembly ways and means
11 committee.

12 12. Notwithstanding any of the foregoing provisions of this section,
13 any increase in compensation may be withheld in whole or in part from
14 any such unit members to whom the provisions of this section apply when,
15 in the opinion of the director of the division of the budget and the
16 director of employee relations, such increase is not warranted or is not
17 appropriate.

18 § 4. Retention bonus lump sum. For employees in the agency police
19 services unit, a one-time \$3,000 retention bonus will be paid to all
20 eligible members of the unit. This bonus is not part of basic annual
21 salary. Similarly, the bonus is not subject to any salary increases and
22 is not pensionable. The bonus shall be pro-rated for those employees
23 paid on any basis other than an annual basis. Employees paid on a part-
24 time, hourly or per diem basis shall receive a retention bonus pro-rated
25 on a basis reflecting the actual hours worked between May 9, 2024 and
26 September 11, 2024. To qualify, employees must be in continuous service
27 in the agency police services unit between May 9, 2024 and September 11,
28 2024 as defined by paragraph (c) of subdivision 3 of section 130 of the
29 civil service law. Employees who separate from state service between May
30 9, 2024 and September 11, 2024 are not eligible for this bonus unless
31 they retire directly from active state employment. This bonus shall be
32 effective September 11, 2024.

33 § 5. Additional compensation for certain members of the agency police
34 services collective negotiating unit. 1. In recognition of the general
35 requirement for full-time employees of the state in the agency police
36 services unit to assemble for briefing prior to the commencement of
37 duties, where and to the extent an agreement so provides, each such
38 employee except such an employee receiving additional compensation
39 pursuant to subdivision 5 of section 134 of the civil service law, shall
40 continue to receive additional compensation in recognition of pre-shift
41 briefing at one and one-half times the hourly rate of pay provided for
42 by subdivision 1 of section 134 of the civil service law and the rules
43 and regulations of the director of the budget.

44 2. Members of the agency police services collective negotiating unit
45 who are full-time annual salaried and are police officers pursuant to
46 subdivision 34 of section 1.20 of the criminal procedure law, who are
47 required, authorized and actually assemble for pre-shift briefing or
48 line up before the commencement of their regular tour of duty shall
49 continue to be paid for pre-shift briefing. However, employees of the
50 department of environmental conservation who do not physically line up
51 shall be paid the equivalent of pre-shift compensation for vehicle,
52 equipment, office maintenance, and the handling of phone calls and home
53 visitations received and instigated outside of the regular workday. This
54 payment supplants any payments made to such employees for equipment
55 storage. There shall be no payment of pre-shift briefing for any day in
56 which any employee who is a member of the agency police services unit,

1 full-time annual salaried and a police officer pursuant to subdivision
 2 34 of section 1.20 of the criminal procedure law is not physically
 3 reporting to work.

4 3. Any such additional compensation pursuant to this section shall be
 5 paid in addition to and shall not be a part of such employee's basic
 6 annual salary and shall not be included as compensation for the purposes
 7 of computation of overtime pay, provided, however, that such additional
 8 compensation shall be included for retirement purposes. Notwithstanding
 9 the foregoing provisions of this section or of any other law, such addi-
 10 tional compensation as added by this section shall be in lieu of the
 11 continuation of any other additional compensation for such unit members
 12 in recognition of pre-shift briefing.

13 § 6. Clothing allowance. Effective April 1, 2023, pursuant to the
 14 terms of an agreement covering members of the agency police services
 15 collective negotiating unit who are full-time annual salaried and are
 16 classified as investigators or detectives, in recognition of the general
 17 requirement for such unit members to whom the provisions of this section
 18 apply to wear professional attire, each such employee who is on the
 19 payroll on the first day of November preceding the annual effective date
 20 shall continue to receive a clothing allowance at a rate of four hundred
 21 dollars per year.

22 § 7. Location pay. 1. Pursuant to the terms of an agreement covering
 23 members of the agency police services collective negotiating unit, and
 24 notwithstanding any inconsistent provision of law, effective April 1,
 25 2019, all members of this unit who are full-time annual salaried employ-
 26 ees and whose principal place of employment, or, in the case of a field
 27 employee, whose official station is determined in accordance with the
 28 regulations of the state comptroller, is located in the city of New
 29 York, or in the county of Rockland, Westchester, Nassau, or Suffolk
 30 shall continue to receive location pay in the amount of fifteen hundred
 31 twenty dollars. Effective April 1, 2023, this amount shall increase to
 32 one thousand six hundred sixty-one dollars. Effective April 1, 2024,
 33 this amount shall increase to one thousand seven hundred eleven dollars.
 34 Effective April 1, 2025, the amount shall increase to one thousand seven
 35 hundred sixty-two dollars.

36 2. The location pay as set out in this section shall be in addition to
 37 and shall not be a part of an employee's basic annual salary, and shall
 38 not affect or impair any performance advance or other rights or benefits
 39 to which an employee may be entitled by law, provided, however, that
 40 location pay shall be included as compensation for the purposes of
 41 computation of overtime pay and for retirement purposes. This payment
 42 will be equally divided over the twenty-six payroll periods in each
 43 fiscal year.

44 § 8. Supplemental location pay. 1. Pursuant to the terms of an agree-
 45 ment covering members of the agency police services collective negotiat-
 46 ing unit, and notwithstanding any inconsistent provision of law, all
 47 members of this unit who are full-time annual salaried employees and
 48 whose principal place of employment, or, in the case of a field employ-
 49 ee, whose official station is determined in accordance with the regu-
 50 lations of the state comptroller, is located in the city of New York, or
 51 in the county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau
 52 or Suffolk, shall receive supplemental location pay, in the following
 53 amounts:

54		Orange/Putnam/	NYC/Rockland/	Nassau/
55		Dutchess	Westchester	Suffolk
56	Effective April 1, 2023	\$1,383	\$2,078	\$2,423

1	Effective April 1, 2024	\$1,424	\$2,140	\$2,496
2	Effective April 1, 2025	\$1,467	\$2,204	\$2,571

3 2. The supplemental location pay as set out in this section shall be
4 in addition to and shall not be a part of an employee's basic annual
5 salary and shall not affect or impair any performance advance or other
6 rights or benefits to which an employee may be entitled by law;
7 provided, however, that supplemental location pay shall be included as
8 compensation for the purposes of computation of overtime pay and for
9 retirement purposes. This payment will be equally divided over the twenty-
10 six payroll periods in each fiscal year.

11 § 9. Expanded duty pay. Pursuant to the terms of an agreement or award
12 covering members of the agency police services collective negotiating
13 unit who are full-time annual salaried employees, in recognition of the
14 additional and continued duties and responsibilities performed by the
15 police officers in this unit as a result of the September 11th terrorist
16 attacks, and notwithstanding any provision of law, rule or regulation to
17 the contrary, for members of this unit, effective April 1, 2023, the
18 amount shall increase to five thousand one hundred fifty dollars. Effective
19 April 1, 2024, this amount shall increase to five thousand three
20 hundred dollars. Effective April 1, 2025, this amount shall increase to
21 seven thousand five hundred dollars. Expanded duty pay as set out in
22 this section shall be in addition to and shall not be a part of an
23 employee's basic annual salary and shall not affect or impair any
24 performance advance or other rights or benefits to which an employee may
25 be entitled by law; provided, however, that expanded duty pay shall be
26 included as compensation for the purposes of computation of overtime pay
27 and for retirement purposes. This payment will be equally divided over
28 the twenty-six payroll periods in each fiscal year. Effective with the
29 first academy class enrolled subsequent to ratification of the 2019-2023
30 collective bargaining agreement, expanded duty pay shall not be paid to
31 such individuals until the beginning of the first pay period following
32 their one-year anniversary of employment except as provided by the
33 collective bargaining agreement.

34 § 10. Marine/off-road enforcement pay. Pursuant to the terms of an
35 agreement covering members of the agency police services collective
36 negotiating unit who are full-time annual salaried employees, effective
37 April 1, 2023, all members of this unit who are employed by the office
38 of parks, recreation and historic preservation or the department of
39 environmental conservation shall continue to receive one thousand five
40 hundred dollars per year in recognition of their expertise in marine and
41 off-road enforcement. Marine/off-road enforcement pay as set out in this
42 section shall be in addition to and shall not be a part of an employee's
43 basic annual salary, and shall not affect or impair any performance
44 advance or other rights or benefits to which an employee may be entitled
45 by law; provided, however, that marine/off-road enforcement pay shall be
46 included as compensation for the purposes of computation of overtime pay
47 and for retirement purposes. This payment will be equally divided over
48 the twenty-six payroll periods in each fiscal year. Effective with the
49 first academy class enrolled subsequent to ratification of the 2019-2023
50 collective bargaining agreement, marine/off-road enforcement pay shall
51 not be paid to such individuals until the beginning of the first pay
52 period following their one-year anniversary of employment.

53 § 11. Hazardous material pay. 1. Pursuant to the terms of an agreement
54 covering members of the agency police services collective negotiating
55 unit who are full-time annual salaried employees, effective April 1,
56 2023, all members who are employed by the department of environmental

1 conservation, except for those in the forest ranger title series, shall
2 continue to receive one thousand five hundred dollars per year in recog-
3 nition of their expertise and handling of hazardous materials. Hazard-
4 ous material pay as set out in this section shall be in addition to and
5 shall not be a part of an employee's basic annual salary, and shall not
6 affect or impair any performance advance or other rights or benefits to
7 which an employee may be entitled by law; provided, however, that
8 hazardous material pay shall be included as compensation for the
9 purposes of computation of overtime pay and for retirement purposes.
10 This payment will be equally divided over the twenty-six payroll periods
11 in each fiscal year. Effective with the first academy class enrolled
12 subsequent to ratification of the 2019-2023 collective bargaining agree-
13 ment, hazardous material pay shall not be paid to such individuals until
14 the beginning of the first pay period following their one-year anniver-
15 sary of employment.

16 2. Hazardous material/fire management/search and rescue pay. Pursuant
17 to the terms of an agreement covering members of the agency police
18 services collective negotiating unit who are full-time annual salaried
19 employees, effective April 1, 2023, all members who are employed by the
20 department of environmental conservation in the forest ranger title
21 series shall continue to receive one thousand five hundred dollars per
22 year in recognition of their expertise and handling of hazardous materi-
23 als. Hazardous material/fire management/search and rescue pay as set
24 out in this section shall be in addition to and shall not be a part of
25 an employee's basic annual salary, and shall not affect or impair any
26 performance advance or other rights or benefits to which an employee may
27 be entitled by law; provided, however, that hazardous material/fire
28 management/search and rescue pay shall be included as compensation for
29 the purposes of computation of overtime pay and for retirement purposes.
30 This payment will be equally divided over the twenty-six payroll periods
31 in each fiscal year. Effective with the first academy class enrolled
32 subsequent to ratification of the 2019-2023 collective bargaining agree-
33 ment, hazardous material/fire management/search and rescue pay shall not
34 be paid to such individuals until the beginning of the first pay period
35 following their one-year anniversary of employment.

36 § 12. Seniority pay. Notwithstanding any provision of law to the
37 contrary, pursuant to the terms of the agreement negotiated between the
38 state and the employee organization representing the agency police
39 services unit, effective April 1, 2023, all members of the unit who have
40 fifteen years of service in the agency police services unit, including
41 service in any predecessor units, shall continue to receive a payment of
42 twelve hundred dollars. Effective April 1, 2025, this amount shall
43 increase to two thousand dollars. Effective April 1, 2025, all members
44 of the unit who have eleven years of service but less than fifteen years
45 of service in the agency police services unit, including service in any
46 predecessor units, shall receive a payment of eight hundred dollars.
47 Such payment shall be annualized and paid during regular bi-weekly peri-
48 ods. Such payment shall be in addition to, and shall not be a part of, a
49 member's annual basic salary, and shall not affect or impair any incre-
50 ments or other rights or benefits to which the member may be entitled;
51 provided, however, that the payment shall be included as compensation
52 for purposes of computation of overtime pay and for retirement purposes.
53 Such amount shall also be included for such eligible employees in the
54 calculation of premium pay for those members who receive such pay.

55 § 13. Inconvenience pay program. Pursuant to chapter 333 of the laws
56 of 1969, as amended, and an agreement negotiated between the state and

1 the employee organization representing members of the agency police
2 services unit, effective April 1, 2019, members of the agency police
3 services unit shall continue to receive inconvenience pay in the amount
4 of five hundred ninety-seven dollars. Effective April 1, 2023, this
5 amount shall increase to six hundred fifteen dollars. Effective April 1,
6 2024, this amount shall increase to six hundred thirty-three dollars.
7 Effective April 1, 2025, this amount shall increase to six hundred
8 fifty-two dollars. Any such additional compensation pursuant to this
9 section shall be included as compensation for retirement purposes.

10 § 14. During the period April 1, 2023 through March 31, 2026 or as
11 otherwise agreed, there shall be a statewide joint labor-management
12 committee continued and administered pursuant to the terms of the agree-
13 ment negotiated between, or an interest arbitration award binding the
14 state and the employee organization representing employees in the
15 collective negotiating unit designated as the agency police services
16 unit established pursuant to article 14 of the civil service law which
17 shall, with the amounts available therefore, study and make recommenda-
18 tions concerning major issues of employee assistance, performance evalu-
19 ation, education and training, quality of work life, health benefits,
20 and provide for the implementation of the terms of agreements of such
21 committees.

22 § 15. Notwithstanding any provision of law to the contrary, the appro-
23 priations contained in this act shall be available to the state for the
24 payment and publication of grievance and arbitration settlements and
25 awards pursuant to articles 7 and 8 of the collective negotiating agree-
26 ment between the state and the employee organization representing the
27 collective negotiating unit designated as the agency police services
28 unit established pursuant to article 14 of the civil service law.

29 § 16. Notwithstanding any provision of law, rule or regulation to the
30 contrary, and where and to the extent an agreement negotiated between
31 the state and the employee organization representing employees in the
32 agency police services collective negotiating unit established pursuant
33 to article 14 of the civil service law so provides, the salaries of
34 newly hired employees on or after September 1, 1992 into state service
35 in positions within said negotiating unit shall not be subject to the
36 provisions of subdivision 2-a of section 200 of the state finance law.

37 § 17. Date of entitlement to salary increase. Notwithstanding the
38 provisions of this act or of any other provision of law to the contrary,
39 the increase in salary or compensation provided by this act of any
40 member of the agency police services collective negotiating unit estab-
41 lished pursuant to article 14 of the civil service law who are full-time
42 annual salaried employees and are police officers pursuant to subdivi-
43 sion 34 of section 1.20 of the criminal procedure law shall be added to
44 the salary of such member at the beginning of that payroll period, the
45 first day of which is nearest to the effective date of such increase as
46 provided in this act, or at the beginning of the earlier of two payroll
47 periods, the first days of which are nearest but equally near to the
48 effective date of such increase as provided in this act; provided,
49 however, that, for the purposes of determining the salary of such unit
50 members upon reclassification, reallocation, appointment, promotion,
51 transfer, demotion, reinstatement, or other change of status, such sala-
52 ry increase shall be deemed to be effective on the date thereof as
53 prescribed by this act, with payment thereof pursuant to this section on
54 a date prior thereto, instead of on such effective date, and shall not
55 operate to confer any additional salary rights or benefits on such unit

1 members. Payment of such salary increase may be deferred pursuant to
2 section eighteen of this act.

3 § 18. Deferred payment of salary increases. Notwithstanding the
4 provisions of any other section of this act or of any other provision of
5 law to the contrary, pending payment pursuant to this act of the basic
6 annual salaries of incumbents of positions subject to this act, such
7 incumbents shall receive, as partial compensation for services rendered,
8 the rate of salary and other compensation otherwise payable in their
9 respective positions. An incumbent holding a position subject to this
10 act at any time during the period from April 1, 2023, until the time
11 when basic annual salaries and other compensation due are first paid
12 pursuant to this act for such services in excess of the salary and other
13 compensation actually received therefor, shall be entitled to a lump sum
14 payment for the difference between the salary and other compensation to
15 which such incumbent is entitled for such services and the salary and
16 other compensation actually received. Notwithstanding any law, rule or
17 regulation to the contrary, no member of the agency police services unit
18 to whom the provisions of this act apply shall be entitled to, or owed,
19 any interest or other penalty for any reason on any monies due to such
20 member pursuant to the terms of this act and the terms of the agreement
21 or interest arbitration award covering employees in the agency police
22 services unit.

23 § 19. Use of appropriations. Notwithstanding any provision of the
24 state finance law or any other provision of law to the contrary, the
25 state comptroller is authorized to pay any amounts required during the
26 fiscal year commencing April 1, 2024 by the provisions of this act for
27 any state department or agency from any appropriation or other funds
28 available to such state department or agency for personal service or for
29 other related employee benefits during such fiscal year. To the extent
30 that such appropriations are insufficient in any fund to accomplish the
31 purposes herein set forth, the director of the budget is authorized to
32 allocate to the various departments and agencies, from any appropri-
33 ations available in any fund, the amounts necessary to pay such amounts.
34 The aforementioned appropriations shall be available for payment of any
35 liabilities or obligations incurred prior to April 1, 2024, in addition
36 to current liabilities.

37 § 20. Notwithstanding any provision of the state finance law or any
38 other provision of law to the contrary, the sum of twenty-one million
39 dollars (\$21,000,000) is hereby appropriated in the general fund/state
40 purposes account (10050) in miscellaneous-all state departments and
41 agencies solely for apportionment/transfer by the director of the budget
42 for use by any state department or agency in any fund for the period
43 April 1, 2023 through March 31, 2025 to supplement appropriations for
44 personal service, other than personal service and fringe benefits, and
45 to carry out the provisions of this act. No money shall be available for
46 expenditure from this appropriation until a certificate of approval has
47 been issued by the director of the budget and a copy of such certificate
48 or any amendment thereto has been filed with the state comptroller, the
49 chair of the senate finance committee and the chair of the assembly ways
50 and means committee. The monies hereby appropriated are available for
51 payment of any liabilities or obligations incurred prior to or during
52 the period April 1, 2023 through March 31, 2025. For this purpose, the
53 monies appropriated shall remain in full force and effect for the
54 payment of liabilities incurred on or before March 31, 2025.

55 § 21. Notwithstanding any provision of the state finance law or any
56 other provision of law to the contrary, the several amounts as herein-

1 after set forth, or so much thereof as may be necessary, are hereby
 2 appropriated from the fund so designated for use by any state department
 3 or agency for the period April 1, 2023 through March 31, 2025 to supple-
 4 ment appropriations from each respective fund available for other than
 5 personal service and fringe benefits, and to carry out the provisions of
 6 this act. The monies hereby appropriated are available for the payment
 7 of any liabilities or obligations incurred prior to or during the period
 8 commencing April 1, 2023 through March 31, 2025. No money shall be
 9 available for expenditure from the monies appropriated until a certif-
 10 icate of approval has been issued by the director of the budget and a
 11 copy of such certificate or any amendment thereto has been filed with
 12 the state comptroller, the chair of the senate finance committee and the
 13 chair of the assembly ways and means committee. Notwithstanding the
 14 provisions of any other section of this act, the salary increases, and
 15 lump sum payments provided for in this act shall not be implemented
 16 until the director of employee relations has delivered notice to the
 17 director of the budget and the comptroller certifying that there is in
 18 effect with respect to such negotiating unit a collectively negotiated
 19 agreement, ratified by the membership, which provides for such increases
 20 and modifications, and which are fully executed in writing with the
 21 state pursuant to article 14 of the civil service law.

22 ALL STATE DEPARTMENTS AND AGENCIES
 23 SPECIAL PAY BILLS

24 General Fund / State Operations
 25 State Purposes Account - 003

26 NON-PERSONAL SERVICE

27	Joint committee on health benefits	9,196
28	Contract administration	30,000
29	Education and Training	53,224
30	Education and Training - Management Directed	32,486
31	Employee Assistance Program	8,048
32	Organizational Alcohol Program	12,493
33	Legal Defense Fund	10,000
34	Quality of Work Life Initiatives	39,288
35	Employee Benefit Fund	111,731

36 § 22. This act shall take effect immediately and shall be deemed to
 37 have been in full force and effect on and after April 1, 2023. Appropri-
 38 ations made by this act shall remain in full force and effect for
 39 liabilities incurred through March 31, 2025.

REPEAL NOTE: Subparagraphs 1, 2, 3 and 4 of paragraph h of subdivision
 1 of section 130 of the civil service law are REPEALED by section 1 of
 this act and are replaced with new subparagraphs 1, 2, and 3.

STATE OF NEW YORK

9819

IN SENATE

May 31, 2024

Introduced by Sen. JACKSON -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the civil service law and the state finance law, in relation to compensation, benefits and other terms and conditions of employment of certain state officers and employees who are members of the security services collective negotiating unit; authorizing funding of joint labor-management committees; implementing an agreement between the state and an employee organization; making an appropriation therefor; and to repeal certain provisions of the civil service law relating thereto

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

1 Section 1. Paragraphs f and g of subdivision 1 of section 130 of the
2 civil service law are REPEALED and a new paragraph f is added to read as
3 follows:

4 f. Effective on the dates indicated, salary grades for all positions
5 in the competitive, non-competitive, and labor classes of the classified
6 service of the state of New York in the collective negotiating unit
7 designated as the security services collective negotiating unit estab-
8 lished pursuant to article fourteen of this chapter shall be as follows:

9 (1) Effective April sixth, two thousand twenty-three for those offi-
10 cers and employees on the institution payroll and effective March thir-
11 tieth, two thousand twenty-three, for those officers and employees on
12 the administration payroll.

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>		
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>		
	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>Job</u>	<u>Perf.</u>
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Rate</u>	<u>Adv.</u>
	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>		
17	<u>SG</u>							
18	<u>1</u>	<u>30679</u>	<u>31874</u>	<u>33069</u>	<u>34264</u>	<u>35459</u>	<u>36654</u>	<u>37849</u>
19	<u>2</u>	<u>31717</u>	<u>32976</u>	<u>34235</u>	<u>35494</u>	<u>36753</u>	<u>38012</u>	<u>39271</u>
20	<u>3</u>	<u>33167</u>	<u>34480</u>	<u>35793</u>	<u>37106</u>	<u>38419</u>	<u>39732</u>	<u>41045</u>

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

LBD12036-01-4

1	<u>4</u>	<u>34558</u>	<u>35942</u>	<u>37326</u>	<u>38710</u>	<u>40094</u>	<u>41478</u>	<u>42862</u>	<u>1384</u>
2	<u>5</u>	<u>36089</u>	<u>37542</u>	<u>38995</u>	<u>40448</u>	<u>41901</u>	<u>43354</u>	<u>44807</u>	<u>1453</u>
3	<u>6</u>	<u>37863</u>	<u>39395</u>	<u>40927</u>	<u>42459</u>	<u>43991</u>	<u>45523</u>	<u>47055</u>	<u>1532</u>
4	<u>7</u>	<u>39881</u>	<u>41471</u>	<u>43061</u>	<u>44651</u>	<u>46241</u>	<u>47831</u>	<u>49421</u>	<u>1590</u>
5	<u>8</u>	<u>42005</u>	<u>43657</u>	<u>45309</u>	<u>46961</u>	<u>48613</u>	<u>50265</u>	<u>51917</u>	<u>1652</u>
6	<u>9</u>	<u>44227</u>	<u>45952</u>	<u>47677</u>	<u>49402</u>	<u>51127</u>	<u>52852</u>	<u>54577</u>	<u>1725</u>
7	<u>10</u>	<u>46616</u>	<u>48431</u>	<u>50246</u>	<u>52061</u>	<u>53876</u>	<u>55691</u>	<u>57506</u>	<u>1815</u>
8	<u>11</u>	<u>49239</u>	<u>51127</u>	<u>53015</u>	<u>54903</u>	<u>56791</u>	<u>58679</u>	<u>60567</u>	<u>1888</u>
9	<u>12</u>	<u>51854</u>	<u>53826</u>	<u>55798</u>	<u>57770</u>	<u>59742</u>	<u>61714</u>	<u>63686</u>	<u>1972</u>
10	<u>13</u>	<u>54820</u>	<u>56876</u>	<u>58932</u>	<u>60988</u>	<u>63044</u>	<u>65100</u>	<u>67156</u>	<u>2056</u>
11	<u>14</u>	<u>57843</u>	<u>59999</u>	<u>62155</u>	<u>64311</u>	<u>66467</u>	<u>68623</u>	<u>70779</u>	<u>2156</u>
12	<u>15</u>	<u>61045</u>	<u>63286</u>	<u>65527</u>	<u>67768</u>	<u>70009</u>	<u>72250</u>	<u>74491</u>	<u>2241</u>
13	<u>16</u>	<u>64365</u>	<u>66708</u>	<u>69051</u>	<u>71394</u>	<u>73737</u>	<u>76080</u>	<u>78423</u>	<u>2343</u>
14	<u>17</u>	<u>67851</u>	<u>70321</u>	<u>72791</u>	<u>75261</u>	<u>77731</u>	<u>80201</u>	<u>82671</u>	<u>2470</u>
15	<u>18</u>	<u>71585</u>	<u>74176</u>	<u>76767</u>	<u>79358</u>	<u>81949</u>	<u>84540</u>	<u>87131</u>	<u>2591</u>
16	<u>19</u>	<u>75370</u>	<u>78080</u>	<u>80790</u>	<u>83500</u>	<u>86210</u>	<u>88920</u>	<u>91630</u>	<u>2710</u>
17	<u>20</u>	<u>79122</u>	<u>81953</u>	<u>84784</u>	<u>87615</u>	<u>90446</u>	<u>93277</u>	<u>96108</u>	<u>2831</u>
18	<u>21</u>	<u>83256</u>	<u>86205</u>	<u>89154</u>	<u>92103</u>	<u>95052</u>	<u>98001</u>	<u>100950</u>	<u>2949</u>
19	<u>22</u>	<u>87586</u>	<u>90710</u>	<u>93834</u>	<u>96958</u>	<u>100082</u>	<u>103206</u>	<u>106330</u>	<u>3124</u>
20	<u>23</u>	<u>92205</u>	<u>95416</u>	<u>98627</u>	<u>101838</u>	<u>105049</u>	<u>108260</u>	<u>111471</u>	<u>3211</u>
21	<u>24</u>	<u>97068</u>	<u>100398</u>	<u>103728</u>	<u>107058</u>	<u>110388</u>	<u>113718</u>	<u>117048</u>	<u>3330</u>
22	<u>25</u>	<u>102355</u>	<u>105831</u>	<u>109307</u>	<u>112783</u>	<u>116259</u>	<u>119735</u>	<u>123211</u>	<u>3476</u>

				<u>Max</u>
	<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>
	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
<u>SG</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
23				
24				
25				
26				
27	<u>1</u>	<u>39957</u>	<u>41812</u>	<u>45161</u>
28	<u>2</u>	<u>41500</u>	<u>43463</u>	<u>46907</u>
29	<u>3</u>	<u>43371</u>	<u>45416</u>	<u>48929</u>
30	<u>4</u>	<u>45473</u>	<u>47462</u>	<u>51065</u>
31	<u>5</u>	<u>47380</u>	<u>49644</u>	<u>53347</u>
32	<u>6</u>	<u>49768</u>	<u>52150</u>	<u>55963</u>
33	<u>7</u>	<u>52242</u>	<u>54719</u>	<u>58608</u>
34	<u>8</u>	<u>54850</u>	<u>57422</u>	<u>61395</u>
35	<u>9</u>	<u>57640</u>	<u>60327</u>	<u>64409</u>
36	<u>10</u>	<u>60712</u>	<u>63535</u>	<u>67721</u>
37	<u>11</u>	<u>63904</u>	<u>66845</u>	<u>71135</u>
38	<u>12</u>	<u>67181</u>	<u>70254</u>	<u>74662</u>
39	<u>13</u>	<u>70796</u>	<u>73996</u>	<u>78519</u>
40	<u>14</u>	<u>74591</u>	<u>77946</u>	<u>82597</u>
41	<u>15</u>	<u>78463</u>	<u>81955</u>	<u>86727</u>
42	<u>16</u>	<u>82572</u>	<u>86225</u>	<u>91135</u>
43	<u>17</u>	<u>87036</u>	<u>90880</u>	<u>95957</u>
44	<u>18</u>	<u>91722</u>	<u>95764</u>	<u>101012</u>
45	<u>19</u>	<u>96423</u>	<u>100639</u>	<u>106039</u>
46	<u>20</u>	<u>101122</u>	<u>105538</u>	<u>111108</u>
47	<u>21</u>	<u>106178</u>	<u>110778</u>	<u>116510</u>
48	<u>22</u>	<u>111858</u>	<u>116722</u>	<u>122684</u>
49	<u>23</u>	<u>117166</u>	<u>122180</u>	<u>128267</u>
50	<u>24</u>	<u>122950</u>	<u>128144</u>	<u>134396</u>
51	<u>25</u>	<u>129365</u>	<u>134787</u>	<u>141227</u>

52 (2) Effective April fourth, two thousand twenty-four for those offi-
 53 cers and employees on the institution payroll and effective March twen-

1 ty-seventh, two thousand twenty-four, for those officers and employees
 2 on the administration payroll.

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>			
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>			
	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>Job</u>	<u>Perf.</u>	
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Rate</u>	<u>Adv.</u>	
	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>			
7	<u>SG</u>								
8	<u>1</u>	<u>31599</u>	<u>32830</u>	<u>34061</u>	<u>35292</u>	<u>36523</u>	<u>37754</u>	<u>38985</u>	<u>1231</u>
9	<u>2</u>	<u>32669</u>	<u>33966</u>	<u>35263</u>	<u>36560</u>	<u>37857</u>	<u>39154</u>	<u>40451</u>	<u>1297</u>
10	<u>3</u>	<u>34162</u>	<u>35514</u>	<u>36866</u>	<u>38218</u>	<u>39570</u>	<u>40922</u>	<u>42274</u>	<u>1352</u>
11	<u>4</u>	<u>35595</u>	<u>37021</u>	<u>38447</u>	<u>39873</u>	<u>41299</u>	<u>42725</u>	<u>44151</u>	<u>1426</u>
12	<u>5</u>	<u>37172</u>	<u>38669</u>	<u>40166</u>	<u>41663</u>	<u>43160</u>	<u>44657</u>	<u>46154</u>	<u>1497</u>
13	<u>6</u>	<u>38999</u>	<u>40577</u>	<u>42155</u>	<u>43733</u>	<u>45311</u>	<u>46889</u>	<u>48467</u>	<u>1578</u>
14	<u>7</u>	<u>41077</u>	<u>42715</u>	<u>44353</u>	<u>45991</u>	<u>47629</u>	<u>49267</u>	<u>50905</u>	<u>1638</u>
15	<u>8</u>	<u>43265</u>	<u>44967</u>	<u>46669</u>	<u>48371</u>	<u>50073</u>	<u>51775</u>	<u>53477</u>	<u>1702</u>
16	<u>9</u>	<u>45554</u>	<u>47331</u>	<u>49108</u>	<u>50885</u>	<u>52662</u>	<u>54439</u>	<u>56216</u>	<u>1777</u>
17	<u>10</u>	<u>48014</u>	<u>49884</u>	<u>51754</u>	<u>53624</u>	<u>55494</u>	<u>57364</u>	<u>59234</u>	<u>1870</u>
18	<u>11</u>	<u>50716</u>	<u>52661</u>	<u>54606</u>	<u>56551</u>	<u>58496</u>	<u>60441</u>	<u>62386</u>	<u>1945</u>
19	<u>12</u>	<u>53410</u>	<u>55441</u>	<u>57472</u>	<u>59503</u>	<u>61534</u>	<u>63565</u>	<u>65596</u>	<u>2031</u>
20	<u>13</u>	<u>56465</u>	<u>58583</u>	<u>60701</u>	<u>62819</u>	<u>64937</u>	<u>67055</u>	<u>69173</u>	<u>2118</u>
21	<u>14</u>	<u>59578</u>	<u>61799</u>	<u>64020</u>	<u>66241</u>	<u>68462</u>	<u>70683</u>	<u>72904</u>	<u>2221</u>
22	<u>15</u>	<u>62876</u>	<u>65184</u>	<u>67492</u>	<u>69800</u>	<u>72108</u>	<u>74416</u>	<u>76724</u>	<u>2308</u>
23	<u>16</u>	<u>66296</u>	<u>68709</u>	<u>71122</u>	<u>73535</u>	<u>75948</u>	<u>78361</u>	<u>80774</u>	<u>2413</u>
24	<u>17</u>	<u>69887</u>	<u>72431</u>	<u>74975</u>	<u>77519</u>	<u>80063</u>	<u>82607</u>	<u>85151</u>	<u>2544</u>
25	<u>18</u>	<u>73733</u>	<u>76402</u>	<u>79071</u>	<u>81740</u>	<u>84409</u>	<u>87078</u>	<u>89747</u>	<u>2669</u>
26	<u>19</u>	<u>77631</u>	<u>80422</u>	<u>83213</u>	<u>86004</u>	<u>88795</u>	<u>91586</u>	<u>94377</u>	<u>2791</u>
27	<u>20</u>	<u>81496</u>	<u>84412</u>	<u>87328</u>	<u>90244</u>	<u>93160</u>	<u>96076</u>	<u>98992</u>	<u>2916</u>
28	<u>21</u>	<u>85754</u>	<u>88792</u>	<u>91830</u>	<u>94868</u>	<u>97906</u>	<u>100944</u>	<u>103982</u>	<u>3038</u>
29	<u>22</u>	<u>90214</u>	<u>93432</u>	<u>96650</u>	<u>99868</u>	<u>103086</u>	<u>106304</u>	<u>109522</u>	<u>3218</u>
30	<u>23</u>	<u>94971</u>	<u>98278</u>	<u>101585</u>	<u>104892</u>	<u>108199</u>	<u>111506</u>	<u>114813</u>	<u>3307</u>
31	<u>24</u>	<u>99980</u>	<u>103410</u>	<u>106840</u>	<u>110270</u>	<u>113700</u>	<u>117130</u>	<u>120560</u>	<u>3430</u>
32	<u>25</u>	<u>105426</u>	<u>109006</u>	<u>112586</u>	<u>116166</u>	<u>119746</u>	<u>123326</u>	<u>126906</u>	<u>3580</u>

				<u>Max</u>	
	<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
33					
34	<u>SG</u>				
35	<u>1</u>	<u>41156</u>	<u>43067</u>	<u>46516</u>	<u>48969</u>
36	<u>2</u>	<u>42747</u>	<u>44769</u>	<u>48316</u>	<u>50878</u>
37	<u>3</u>	<u>44670</u>	<u>46776</u>	<u>50395</u>	<u>53045</u>
38	<u>4</u>	<u>46840</u>	<u>48889</u>	<u>52600</u>	<u>55188</u>
39	<u>5</u>	<u>48804</u>	<u>51136</u>	<u>54950</u>	<u>57826</u>
40	<u>6</u>	<u>51261</u>	<u>53715</u>	<u>57642</u>	<u>60640</u>
41	<u>7</u>	<u>53811</u>	<u>56362</u>	<u>60368</u>	<u>63460</u>
42	<u>8</u>	<u>56498</u>	<u>59147</u>	<u>63239</u>	<u>66439</u>
43	<u>9</u>	<u>59371</u>	<u>62139</u>	<u>66343</u>	<u>69659</u>
44	<u>10</u>	<u>62536</u>	<u>65444</u>	<u>69755</u>	<u>73204</u>
45	<u>11</u>	<u>65823</u>	<u>68852</u>	<u>73271</u>	<u>76840</u>
46	<u>12</u>	<u>69196</u>	<u>72361</u>	<u>76901</u>	<u>80605</u>
47	<u>13</u>	<u>72922</u>	<u>76218</u>	<u>80877</u>	<u>84711</u>
48	<u>14</u>	<u>76830</u>	<u>80286</u>	<u>85077</u>	<u>89072</u>
49	<u>15</u>	<u>80815</u>	<u>84412</u>	<u>89327</u>	<u>93467</u>
50	<u>16</u>	<u>85047</u>	<u>88810</u>	<u>93867</u>	<u>98168</u>
51	<u>17</u>	<u>89647</u>	<u>93606</u>	<u>98836</u>	<u>103334</u>
52	<u>18</u>	<u>94476</u>	<u>98639</u>	<u>104044</u>	<u>108745</u>

1	<u>19</u>	<u>99314</u>	<u>103656</u>	<u>109218</u>	<u>114106</u>
2	<u>20</u>	<u>104156</u>	<u>108705</u>	<u>114442</u>	<u>119528</u>
3	<u>21</u>	<u>109367</u>	<u>114105</u>	<u>120009</u>	<u>125291</u>
4	<u>22</u>	<u>115216</u>	<u>120226</u>	<u>126367</u>	<u>131919</u>
5	<u>23</u>	<u>120679</u>	<u>125843</u>	<u>132113</u>	<u>137816</u>
6	<u>24</u>	<u>126639</u>	<u>131989</u>	<u>138428</u>	<u>144320</u>
7	<u>25</u>	<u>133245</u>	<u>138829</u>	<u>145462</u>	<u>151583</u>

8 (3) Effective April third, two thousand twenty-five for those officers
 9 and employees on the institution payroll and effective March twenty-
 10 eighth, two thousand twenty-five, for those officers and employees on
 11 the administration payroll.

		Perf.	Perf.	Perf.	Perf.	Perf.			
		Ad-	Ad-	Ad-	Ad-	Ad-			
	Hir-	vance	vance	vance	vance	vance	Job	Perf.	
	ing	Step	Step	Step	Step	Step	Rate	Adv.	
	Rate	1	2	3	4	5			
12	SG								
13	<u>1</u>	<u>32547</u>	<u>33815</u>	<u>35083</u>	<u>36351</u>	<u>37619</u>	<u>38887</u>	<u>40155</u>	<u>1268</u>
14	<u>2</u>	<u>33649</u>	<u>34985</u>	<u>36321</u>	<u>37657</u>	<u>38993</u>	<u>40329</u>	<u>41665</u>	<u>1336</u>
15	<u>3</u>	<u>35187</u>	<u>36580</u>	<u>37973</u>	<u>39366</u>	<u>40759</u>	<u>42152</u>	<u>43545</u>	<u>1393</u>
16	<u>4</u>	<u>36663</u>	<u>38132</u>	<u>39601</u>	<u>41070</u>	<u>42539</u>	<u>44008</u>	<u>45477</u>	<u>1469</u>
17	<u>5</u>	<u>38287</u>	<u>39829</u>	<u>41371</u>	<u>42913</u>	<u>44455</u>	<u>45997</u>	<u>47539</u>	<u>1542</u>
18	<u>6</u>	<u>40169</u>	<u>41794</u>	<u>43419</u>	<u>45044</u>	<u>46669</u>	<u>48294</u>	<u>49919</u>	<u>1625</u>
19	<u>7</u>	<u>42309</u>	<u>43996</u>	<u>45683</u>	<u>47370</u>	<u>49057</u>	<u>50744</u>	<u>52431</u>	<u>1687</u>
20	<u>8</u>	<u>44563</u>	<u>46316</u>	<u>48069</u>	<u>49822</u>	<u>51575</u>	<u>53328</u>	<u>55081</u>	<u>1753</u>
21	<u>9</u>	<u>46921</u>	<u>48751</u>	<u>50581</u>	<u>52411</u>	<u>54241</u>	<u>56071</u>	<u>57901</u>	<u>1830</u>
22	<u>10</u>	<u>49454</u>	<u>51380</u>	<u>53306</u>	<u>55232</u>	<u>57158</u>	<u>59084</u>	<u>61010</u>	<u>1926</u>
23	<u>11</u>	<u>52237</u>	<u>54241</u>	<u>56245</u>	<u>58249</u>	<u>60253</u>	<u>62257</u>	<u>64261</u>	<u>2004</u>
24	<u>12</u>	<u>55012</u>	<u>57104</u>	<u>59196</u>	<u>61288</u>	<u>63380</u>	<u>65472</u>	<u>67564</u>	<u>2092</u>
25	<u>13</u>	<u>58159</u>	<u>60341</u>	<u>62523</u>	<u>64705</u>	<u>66887</u>	<u>69069</u>	<u>71251</u>	<u>2182</u>
26	<u>14</u>	<u>61365</u>	<u>63653</u>	<u>65941</u>	<u>68229</u>	<u>70517</u>	<u>72805</u>	<u>75093</u>	<u>2288</u>
27	<u>15</u>	<u>64762</u>	<u>67139</u>	<u>69516</u>	<u>71893</u>	<u>74270</u>	<u>76647</u>	<u>79024</u>	<u>2377</u>
28	<u>16</u>	<u>68285</u>	<u>70770</u>	<u>73255</u>	<u>75740</u>	<u>78225</u>	<u>80710</u>	<u>83195</u>	<u>2485</u>
29	<u>17</u>	<u>71984</u>	<u>74604</u>	<u>77224</u>	<u>79844</u>	<u>82464</u>	<u>85084</u>	<u>87704</u>	<u>2620</u>
30	<u>18</u>	<u>75945</u>	<u>78694</u>	<u>81443</u>	<u>84192</u>	<u>86941</u>	<u>89690</u>	<u>92439</u>	<u>2749</u>
31	<u>19</u>	<u>79960</u>	<u>82835</u>	<u>85710</u>	<u>88585</u>	<u>91460</u>	<u>94335</u>	<u>97210</u>	<u>2875</u>
32	<u>20</u>	<u>83941</u>	<u>86945</u>	<u>89949</u>	<u>92953</u>	<u>95957</u>	<u>98961</u>	<u>101965</u>	<u>3004</u>
33	<u>21</u>	<u>88327</u>	<u>91456</u>	<u>94585</u>	<u>97714</u>	<u>100843</u>	<u>103972</u>	<u>107101</u>	<u>3129</u>
34	<u>22</u>	<u>92920</u>	<u>96235</u>	<u>99550</u>	<u>102865</u>	<u>106180</u>	<u>109495</u>	<u>112810</u>	<u>3315</u>
35	<u>23</u>	<u>97820</u>	<u>101226</u>	<u>104632</u>	<u>108038</u>	<u>111444</u>	<u>114850</u>	<u>118256</u>	<u>3406</u>
36	<u>24</u>	<u>102979</u>	<u>106512</u>	<u>110045</u>	<u>113578</u>	<u>117111</u>	<u>120644</u>	<u>124177</u>	<u>3533</u>
37	<u>25</u>	<u>108589</u>	<u>112276</u>	<u>115963</u>	<u>119650</u>	<u>123337</u>	<u>127024</u>	<u>130711</u>	<u>3687</u>

		10 Yr.	15 Yr.	20 Yr.	Max
	Long	Long	Long	Long	Long
	Step	Step	Step	Step	Step
42	SG				
43	<u>1</u>	<u>42391</u>	<u>44359</u>	<u>47912</u>	<u>50439</u>
44	<u>2</u>	<u>44030</u>	<u>46113</u>	<u>49766</u>	<u>52405</u>
45	<u>3</u>	<u>46013</u>	<u>48182</u>	<u>51910</u>	<u>54639</u>
46	<u>4</u>	<u>48247</u>	<u>50357</u>	<u>54179</u>	<u>56845</u>
47	<u>5</u>	<u>50269</u>	<u>52670</u>	<u>56599</u>	<u>59561</u>
48	<u>6</u>	<u>52797</u>	<u>55324</u>	<u>59369</u>	<u>62457</u>
49	<u>7</u>	<u>55424</u>	<u>58052</u>	<u>62178</u>	<u>65363</u>
50	<u>8</u>	<u>58193</u>	<u>60921</u>	<u>65136</u>	<u>68432</u>

1	<u>9</u>	<u>61151</u>	<u>64002</u>	<u>68332</u>	<u>71747</u>
2	<u>10</u>	<u>64411</u>	<u>67406</u>	<u>71847</u>	<u>75399</u>
3	<u>11</u>	<u>67801</u>	<u>70921</u>	<u>75473</u>	<u>79149</u>
4	<u>12</u>	<u>71272</u>	<u>74532</u>	<u>79208</u>	<u>83023</u>
5	<u>13</u>	<u>75112</u>	<u>78507</u>	<u>83306</u>	<u>87255</u>
6	<u>14</u>	<u>79137</u>	<u>82696</u>	<u>87631</u>	<u>91746</u>
7	<u>15</u>	<u>83238</u>	<u>86943</u>	<u>92005</u>	<u>96269</u>
8	<u>16</u>	<u>87596</u>	<u>91472</u>	<u>96681</u>	<u>101111</u>
9	<u>17</u>	<u>92335</u>	<u>96413</u>	<u>101800</u>	<u>106432</u>
10	<u>18</u>	<u>97310</u>	<u>101598</u>	<u>107165</u>	<u>112007</u>
11	<u>19</u>	<u>102295</u>	<u>106767</u>	<u>112496</u>	<u>117531</u>
12	<u>20</u>	<u>107284</u>	<u>111969</u>	<u>117879</u>	<u>123117</u>
13	<u>21</u>	<u>112648</u>	<u>117528</u>	<u>123609</u>	<u>129049</u>
14	<u>22</u>	<u>118675</u>	<u>123835</u>	<u>130160</u>	<u>135879</u>
15	<u>23</u>	<u>124298</u>	<u>129617</u>	<u>136075</u>	<u>141949</u>
16	<u>24</u>	<u>130438</u>	<u>135949</u>	<u>142581</u>	<u>148650</u>
17	<u>25</u>	<u>137240</u>	<u>142992</u>	<u>149824</u>	<u>156128</u>

18 § 2. Subdivision 2 of section 207-a of the state finance law, as
 19 amended by section 3 of part C of chapter 24 of the laws of 2019, is
 20 amended to read as follows:

21 2. Where and to the extent that an agreement between the state and an
 22 employee organization entered into pursuant to article fourteen of the
 23 civil service law or an interest arbitration award issued pursuant to
 24 subdivision four of section two hundred nine of the civil service law
 25 between the state and an employee organization so provides on behalf of
 26 employees in the collective negotiating unit designated as the security
 27 services unit established pursuant to article fourteen of the civil
 28 service law, and upon audit and warrant of the comptroller, the director
 29 shall provide for the payment of moneys to such employee organization
 30 for the establishment and maintenance of an employee benefit fund estab-
 31 lished by the employee organization for the employees in the negotiating
 32 unit covered by the controlling provision of such agreement or award
 33 providing for such employee benefit fund, such amount to be determined
 34 consistent with said agreement or award [~~on the basis of the number of~~
 35 ~~full-time annual salaried employees,~~] as determined [~~by the comptroller,~~
 36 ~~on the payroll on the last day of the payroll period in which March~~
 37 ~~first, two thousand sixteen, falls for payments to be made on April~~
 38 ~~first, two thousand sixteen, on the last day of the payroll period in~~
 39 ~~which March first, two thousand seventeen falls for payments to be made~~
 40 ~~on April first, two thousand seventeen, on the last day of the payroll~~
 41 ~~period in which March first, two thousand eighteen falls for payments to~~
 42 ~~be made on April first, two thousand eighteen, on the last day of the~~
 43 ~~payroll period in which March first, two thousand nineteen falls for~~
 44 ~~payments to be made on April first, two thousand nineteen, on the last~~
 45 ~~day of the payroll period in which March first, two thousand twenty~~
 46 ~~falls for payments to be made on April first, two thousand twenty,~~
 47 ~~on the last day of the payroll period in which March first, two thousand~~
 48 ~~twenty-one falls for payments to be made on April first, two thousand~~
 49 ~~twenty-one and, on the last day of the payroll period in which March~~
 50 ~~first, two thousand twenty-two falls for payments to be made on April~~
 51 ~~first, two thousand twenty-two]~~ in accordance with the contractual meth-
 52 odology for the following state fiscal years: fiscal year two thousand
 53 twenty-three--two thousand twenty-four, fiscal year two thousand twenty-
 54 four--two thousand twenty-five and fiscal year two thousand twenty-
 55 five--two thousand twenty-six. The amount, which will be determined

1 pursuant to this section, for employees who are paid from special or
2 administrative funds, other than the general fund or the capital
3 projects fund of the state, will be paid from the appropriations as
4 provided by law, in which case the comptroller will establish procedures
5 to ensure repayment from said special or administrative funds. The
6 director may enter into an agreement with an employee organization which
7 sets forth the specific terms and conditions for the establishment and
8 administration of an employee benefit fund as a condition for the trans-
9 mittal of moneys pursuant to this section.

10 § 3. Compensation for certain members of the collective negotiating
11 unit designated as the security services collective negotiating unit
12 pursuant to an agreement between the state of New York and the employee
13 organization representing such individuals. 1. The provisions of this
14 section shall apply to full-time annual salaried officers and employees
15 in the collective negotiating unit designated as the security services
16 collective negotiating unit established pursuant to article 14 of the
17 civil service law (hereinafter "security services unit").

18 2. Effective April 1, 2023, the basic annual salary of members of the
19 security services unit who are in full-time annual salaried employment
20 status on March 31, 2023, shall be increased by three percent.

21 3. Effective April 1, 2024, the basic annual salary of members of the
22 security services unit who are in full-time annual salaried employment
23 status on March 31, 2024, shall be increased by three percent.

24 4. Effective April 1, 2025, the basic annual salary of members of the
25 security services unit who are in full-time annual salaried employment
26 status on March 31, 2025, shall be increased by three percent.

27 5. Payments pursuant to the provisions of subdivision 6 of section 131
28 of the civil service law for annual-salaried members of the security
29 services unit who are entitled to such payments shall be payable pursu-
30 ant to the terms of an agreement between the state of New York and an
31 employee organization representing employees subject to the provisions
32 of this section entered into pursuant to article 14 of the civil service
33 law.

34 6. Pursuant to the terms of the agreement covering members of the
35 security services unit for such unit members who are on the institu-
36 tional or administrative payroll, the ten-year, the fifteen-year, the
37 twenty-year and the twenty-five-year longevity step payment for such
38 unit members to whom the provisions of this section apply shall be that
39 amount prescribed by paragraph f of subdivision 1 of section 130 of the
40 civil service law, as added by section one of this act.

41 7. Notwithstanding any of the foregoing provisions of this section, if
42 the basic annual salary of such annual salaried unit members to whom the
43 provisions of this section apply is identical with the hiring rate,
44 performance advance step one, two, three, four, or five, the job rate,
45 the ten-year longevity step, the fifteen-year longevity step, the twen-
46 ty-year longevity step, or the twenty-five-year longevity step of the
47 salary grade of their position on the effective dates of the increases
48 provided by this section, respectively, for such unit members to whom
49 the provisions of this section apply on the institutional or administra-
50 tive payroll, such basic annual salary shall be increased to the hiring
51 rate, performance advance step one, two, three, four or five, the job
52 rate, the ten-year longevity step, the fifteen-year longevity step, the
53 twenty-year longevity step or the twenty-five-year longevity step of
54 such salary grade as contained in paragraph f of subdivision 1 of
55 section 130 of the civil service law, as added by section one of this
56 act, to take effect on the dates provided in paragraph f of subdivision

1 1 of section 130 of the civil service law, as added by section one of
2 this act. The increases in basic annual salary provided by this subdivi-
3 sion shall be in lieu of any increase in basic annual salary provided
4 for in subdivisions 2, 3 and 4 of this section.

5 8. If an unencumbered position is one, which if encumbered, would be
6 subject to the provisions of this section, the salary of such position
7 shall be increased by the salary increase amounts specified in this
8 section. If a position is created and is filled by the appointment of
9 such unit members to whom the provisions of this section apply, the
10 salary otherwise provided for such position shall be increased in the
11 same manner as though such position had been in existence but unencum-
12 bered. Notwithstanding the provisions of this section, the director of
13 the division of the budget may reduce the salary of any such position,
14 which is or becomes vacant.

15 9. The increases in salary payable pursuant to this section shall
16 apply on a prorated basis to officers and employees, otherwise eligible
17 to receive an increase in salary pursuant to this section, who are paid
18 on an hourly or per diem basis, who are employees serving on a part-time
19 or seasonal basis, or who are employees paid on any basis other than at
20 an annual salaried rate; except that the provisions of subdivisions 5, 6
21 and 7 of this section shall not apply to employees serving on an hourly,
22 per diem, or seasonal basis, except as determined by the director of the
23 budget.

24 10. Notwithstanding any other provision of this section, the
25 provisions of this section shall not apply to officers or employees paid
26 on a fee schedule basis.

27 11. In order to provide for the officers and employees to whom this
28 section applies who are not allocated to salary grades, performance
29 advancements and payments in proportion to those provided to persons to
30 whom this section applies who are allocated to salary grades, the direc-
31 tor of the budget is authorized to add appropriate adjustments to the
32 compensation which such officers and employees are otherwise entitled to
33 receive. The director of the budget shall issue certificates which shall
34 contain schedules of positions and the salaries thereof for which
35 adjustments are made pursuant to the provisions of this subdivision, and
36 a copy of each such certificate shall be filed with the state comp-
37 troller, the department of civil service, the chair of the senate
38 finance committee and the chair of the assembly ways and means commit-
39 tee.

40 12. Notwithstanding any of the foregoing provisions of this section,
41 any increase in compensation may be withheld in whole or in part from
42 any such unit members to whom the provisions of this section apply when,
43 in the opinion of the director of the division of the budget and the
44 director of employee relations, such increase is not warranted or is not
45 appropriate for any reason.

46 § 4. Additional compensation for certain members of the security
47 services unit who are in full-time annual salaried employment status and
48 who are ineligible for interest arbitration, in recognition of pre-shift
49 briefing. 1. In recognition of the general requirement for full-time
50 employees of the state in the security services unit to assemble for
51 briefing prior to the commencement of duties, where and to the extent an
52 agreement so provides, each such employee except such an employee
53 receiving additional compensation pursuant to subdivision 5 of section
54 134 of the civil service law, shall receive additional compensation in
55 recognition of pre-shift briefing.

1 2. Each such employee holding such a position in the security services
2 unit shall be compensated for pre-shift briefing in accordance with the
3 terms of the agreement covering certain members of the security services
4 unit. Pursuant to that agreement, effective April 1, 2023, each such
5 unit member to whom the provisions of this subdivision apply shall
6 continue to receive a minimum of six dollars for each day while in
7 payroll status when such pre-shift briefing time is not otherwise
8 compensated at a greater amount at the one and one-half times the hourly
9 rate of pay provided for by subdivision 1 of section 134 of the civil
10 service law and the rules and regulations of the director of the budget.
11 No payments authorized pursuant to this subdivision and such negotiated
12 agreement shall be made to an employee who is in non-pay status for that
13 day.

14 3. Any such additional compensation pursuant to this subdivision shall
15 be paid in addition to and shall not be a part of the employee's basic
16 annual salary and shall not be included as compensation for the purposes
17 of computation of overtime pay, provided, however, that such additional
18 compensation shall be included for retirement purposes. Notwithstanding
19 the foregoing provisions of this subdivision or of any other law, such
20 additional compensation shall be in lieu of the continuation of any
21 other additional compensation for such employees in recognition of pre-
22 shift briefing.

23 § 5. Additional compensation for annual salaried members of the secu-
24 rity services collective negotiating unit who are employed within the
25 state department of corrections and community supervision and who are
26 designated as peace officers, pursuant to section 2.10 of the criminal
27 procedure law, in recognition of pre-shift briefing. 1. In recognition
28 of the general requirement for these unit members to assemble for brief-
29 ing prior to the commencement of duties, where and to the extent an
30 agreement so provides on behalf of such unit members to whom the
31 provisions of this subdivision apply on behalf of each such employee
32 except such employee receiving additional compensation pursuant to
33 subdivision 5 of section 134 of the civil service law, such members
34 shall continue to receive additional compensation in recognition of
35 pre-shift briefing.

36 2. Each such unit member to whom the provisions of this subdivision
37 apply, shall continue to receive a minimum of eight dollars for each day
38 while in payroll status when such pre-shift briefing time is not other-
39 wise compensated at a greater amount at the one and one-half times the
40 hourly rate of pay provided for by subdivision 1 of section 134 of the
41 civil service law and the rules and regulations of the director of the
42 budget. Each such unit member to whom the provisions of this subdivision
43 apply, subject to the provisions of this subdivision, shall continue to
44 receive a minimum of \$40 per week in addition to base pay. No payments
45 authorized pursuant to this subdivision shall be made to an employee who
46 is in non-pay status for that day.

47 3. Any such additional compensation pursuant to this subdivision,
48 shall be paid in addition to and shall not be a part of such employee's
49 basic annual salary and shall not be included as compensation for the
50 purposes of computation of overtime pay, provided, however, that such
51 additional compensation shall be included for retirement purposes.
52 Notwithstanding the foregoing provisions of this subdivision or of any
53 other law, such additional compensation as added by this subdivision
54 shall be in lieu of the continuation of any other additional compen-
55 sation for such unit members in recognition of pre-shift briefing.

1 § 6. Location compensation for certain state officers and employees in
 2 the collective negotiating unit designated as security services. 1.
 3 Pursuant to the terms of an agreement covering certain members of the
 4 security services unit who are ineligible for interest arbitration, and
 5 notwithstanding any inconsistent provision of law, rule or regulation to
 6 the contrary, all members of the security services unit who are ineligi-
 7 ble for interest arbitration, and are full-time annual salaried employ-
 8 ees and whose principal place of employment or, in the case of a field
 9 employee, whose official station as determined in accordance with the
 10 regulations of the state comptroller, is in the city of New York or in
 11 the county of Orange, Putnam, Dutchess, Nassau, Suffolk, Westchester or
 12 Rockland, shall receive locational compensation according to the follow-
 13 ing schedule:

	Orange/Putnam/Dutchess	NYC/Rock/Nassau/ Suffolk/Westchester
14 April 1, 2023	\$1,004	\$1,882
17 April 1, 2024	\$1,111	\$2,195
18 April 1, 2025	\$1,650	\$3,400

19 2. Pursuant to the terms of an agreement covering certain members of
 20 the security services unit who are ineligible for interest arbitration,
 21 and notwithstanding any inconsistent provision of law, rule or regu-
 22 lation to the contrary, effective April 1, 2016, all such members of the
 23 security services unit who are full-time annual salaried employees and
 24 whose principal place of employment or, in the case of a field employee,
 25 whose official station as determined in accordance with the regulations
 26 of the comptroller is located in the county of Monroe and who were
 27 eligible to receive locational pay on May 23, 1985 shall receive loca-
 28 tional pay at the rate of two hundred dollars per year provided they
 29 continue to be otherwise eligible.

30 3. The locational compensation as set out in all subdivisions of this
 31 section shall be equally divided over the 26 payroll periods in each
 32 fiscal year and be in addition to and shall not be a part of an employ-
 33 ee's basic annual salary, and shall not affect or impair any performance
 34 advance or other rights or benefits to which an employee may be entitled
 35 by law, provided, however, that locational pay shall be included as
 36 compensation for the purposes of computation of overtime pay and for
 37 retirement purposes.

38 § 7. Locational compensation for certain members of the security
 39 services collective negotiating unit. 1. Pursuant to the terms of an
 40 agreement covering certain members of the security services unit who are
 41 eligible for interest arbitration, and notwithstanding any inconsistent
 42 provision of law, rule or regulation to the contrary, all members of
 43 this unit who are employed by the state department of corrections and
 44 community supervision as peace officers pursuant to section 2.10 of the
 45 criminal procedure law, and are annual salaried employees and whose
 46 principal place of employment, or, in the case of a field employee,
 47 whose official station as determined in accordance with the regulations
 48 of the state comptroller, is located in the city of New York, or in the
 49 county of Orange, Putnam, Dutchess, Rockland, Westchester, Nassau, or
 50 Suffolk, shall receive locational compensation according to the follow-
 51 ing schedule:

	Orange/Putnam/Dutchess	NYC/Rock/Nassau/ Suffolk/Westchester
52		
53		

1	April 1, 2023	\$1,400	\$3,758
2	April 1, 2024	\$1,442	\$3,871
3	April 1, 2025	\$1,846	\$4,623

4 2. The locational compensation as set out in subdivision 1 of this
5 section shall be in addition to and shall not be a part of an employee's
6 basic annual salary, and shall not affect or impair any performance
7 advance or other rights or benefits to which an employee may be entitled
8 by law, provided, however, that locational compensation shall be
9 included as compensation for the purposes of computation of overtime pay
10 and for retirement purposes. This payment will be equally divided over
11 the 26 payroll periods in each fiscal year.

12 § 8. Continuation of locational compensation for certain officers and
13 employees of the Hudson Valley developmental disabilities services
14 office. 1. Notwithstanding any law, rule or regulation to the contrary,
15 any officer or employee of the Hudson Valley developmental disabilities
16 services office represented in the security services unit who is ineli-
17 gible for interest arbitration and who is receiving locational pay
18 pursuant to section 5 of chapter 174 of the laws of 1993 shall continue
19 to receive such locational pay under the conditions and at the rates
20 specified by such section 5 of chapter 174 of the laws of 1993.

21 2. Notwithstanding any law, rule or regulation to the contrary, any
22 officer or employee of the Hudson Valley developmental disabilities
23 services office represented in the security services unit who is ineli-
24 gible for interest arbitration and who is receiving locational pay
25 pursuant to subdivision 2 of section 11 of chapter 3 of the laws of 1996
26 shall continue to receive such locational pay under the conditions and
27 at the rates specified by such subdivision 2 of section 11 of chapter 3
28 of the laws of 1996.

29 3. Notwithstanding this section or any other law, rule or regulation
30 to the contrary, any officer or employee of the Hudson Valley develop-
31 mental disabilities services office represented in the security services
32 unit who is ineligible for interest arbitration and who is receiving
33 locational pay pursuant to this section shall continue to be eligible
34 for such locational pay if such officer's or employee's principal place
35 of employment is changed to a location outside of the county of Rockland
36 as the result of a reduction or redeployment of staff, provided, howev-
37 er, that such officer or employee is reassigned to or otherwise
38 appointed or promoted to a different position at another work location
39 within such Hudson Valley developmental disabilities services office
40 located outside of the county of Rockland. The rate of such continued
41 locational pay shall not exceed the rate such officer or employee is
42 receiving on the date of such reassignment, appointment, or promotion.

43 § 9. Inconvenience pay. 1. Pursuant to chapter 333 of the laws of
44 1969, as amended, and an agreement covering certain members of the secu-
45 rity services unit who are ineligible for interest arbitration, are
46 full-time annual salaried employees and, notwithstanding any inconsis-
47 tent provision of law, rule or regulation to the contrary, where and to
48 the extent that an agreement so provides, effective April 1, 2016, the
49 inconvenience pay provided to eligible employees shall continue to be
50 \$626 per year for working 4 or more hours between the hours of 6:00 p.m.
51 and 6:00 a.m., except on an overtime basis. Effective April 1, 2025, the
52 amount shall be increased to \$645.

53 2. Pursuant to the terms of an agreement covering certain members of
54 the security services unit who are eligible for interest arbitration and
55 who are employed by the state department of corrections and community

1 supervision and are designated as peace officers pursuant to section
2 2.10 of the criminal procedure law, effective April 1, 2016, the incon-
3 venience pay paid to annual salaried unit members to whom the provisions
4 of this section apply who work the evening shift as defined by the indi-
5 vidual facilities within the department of corrections and community
6 supervision, shall continue to be \$2,006. Effective April 1, 2025, the
7 inconvenience pay paid to annual salaried unit members to whom the
8 provisions of this section apply who work the evening shift as defined
9 by the individual facilities within the department of corrections and
10 community supervision, shall increase to \$2,066. Effective April 1,
11 2016, the inconvenience pay paid to annual salaried unit members to whom
12 the provisions of this section apply who work the night shift as defined
13 by the individual facilities within the department of corrections and
14 community supervision shall continue to be \$1,003. Effective April 1,
15 2025, the inconvenience pay paid to annual salaried unit members to whom
16 the provisions of this section apply who work the night shift as defined
17 by the individual facilities within the department of corrections and
18 community supervision shall increase to \$1,033. Such unit members to
19 whom the provisions of this section apply who are on paid leave for line
20 of duty injuries shall continue to receive inconvenience payments as
21 provided above. Any such additional compensation pursuant to this
22 section shall be included as compensation for retirement purposes.

23 § 10. Facility security pay. Pursuant to the terms of an agreement
24 covering certain members of the security services unit who are ineligi-
25 ble for interest arbitration, are full-time annual salaried employees
26 and, notwithstanding any inconsistent provision of law, rule, or regu-
27 lation to the contrary, where and to the extent that an agreement so
28 provides, effective April 1, 2016, such eligible members of the security
29 services unit shall continue to receive \$750 annually. Effective April
30 1, 2024, the facility security pay paid to such eligible members of the
31 security services unit shall increase to \$1,050 annually. Effective
32 April 1, 2025, the facility security pay paid to such eligible members
33 of the security services unit shall increase to \$1,550 annually. This
34 payment will be equally divided over the 26 payroll periods in each
35 fiscal year and shall count as compensation for overtime and retirement
36 purposes.

37 § 11. Expanded duty pay. Pursuant to the terms of an agreement cover-
38 ing members of the security services unit who are employed within the
39 state department of corrections and community supervision and who are
40 designated as peace officers pursuant to section 2.10 of the criminal
41 procedure law and notwithstanding any other provision of law, effective
42 April 1, 2016, such annual salaried unit members to whom the provisions
43 of this section apply shall continue to be paid an expanded duty pay in
44 the amount of \$2,600 per year. Effective April 1, 2024, such expanded
45 duty pay shall increase to \$2,900 per year. Effective April 1, 2025,
46 such expanded duty pay shall increase to \$3,400 per year. Payment for
47 such compensation shall be equally divided over the 26 payroll periods
48 of a fiscal year. Such compensation pursuant to this section shall be
49 included as compensation for overtime and retirement purposes.

50 § 12. Hazardous duty pay. 1. Pursuant to the terms of an agreement
51 covering certain members of the security services unit who are ineligi-
52 ble for interest arbitration, are full-time annual salaried employees,
53 have completed one year of service in the bargaining unit and, notwith-
54 standing any inconsistent provision of law, rule or regulation to the
55 contrary, where and to the extent that an agreement so provides. Effec-
56 tive April 1, 2023, this payment shall continue to be \$200 annually.

1 Effective April 1, 2024, this payment shall increase to \$575 annually.
2 Effective April 1, 2025, this payment shall increase to \$1,075 annually.
3 This payment will be equally divided over the 26 payroll periods in each
4 fiscal year and shall be included as compensation for overtime and
5 retirement purposes.

6 2. Pursuant to the terms of an agreement covering members of the secu-
7 rity services unit who are employed within the state department of
8 corrections and community supervision and who are designated as peace
9 officers pursuant to section 2.10 of the criminal procedure law, have
10 completed one year of service in the bargaining unit and notwithstanding
11 any other provision of law, effective April 1, 2023, this payment shall
12 continue to be \$1,500. Effective April 1, 2024, this payment shall
13 increase to \$1,875 annually. Effective April 1, 2025, this payment shall
14 increase to \$2,375 annually. Payment for such compensation shall be
15 equally divided over the 26 payroll periods of a fiscal year and shall
16 be included as compensation for overtime and retirement purposes.

17 § 13. During the period April 1, 2023 through March 31, 2025, there
18 shall be a statewide joint labor-management committee continued and
19 administered pursuant to the terms of the agreement negotiated between
20 the state and the employee organization representing employees in the
21 collective negotiating unit designated as the security services unit
22 established pursuant to article 14 of the civil service law which shall,
23 after April 1, 2023 with the amounts available therefor, study and make
24 recommendations concerning major issues of health benefits, employee
25 assistance, performance evaluation, education and training, quality of
26 work life, overtime, leave benefits, workers' compensation and backpay
27 and provide for the implementation of the terms of agreements of such
28 committees. There shall also be a joint labor-management committee
29 administered pursuant to the terms of the agreement to study the issue
30 of excessive use of force and make joint recommendations on that subject
31 and provide for employee training to be conducted by the state within
32 amounts appropriated therefor.

33 § 14. Notwithstanding any provision of law, rule or regulation to the
34 contrary, and where and to the extent an agreement negotiated between
35 the state and the employee organization representing employees in the
36 security services unit established pursuant to article 14 of the civil
37 service law so provides, the salaries of newly hired employees on or
38 after September 1, 1992 into state service in positions within negotiat-
39 ing units shall not be subject to the provisions of subdivision 2-a of
40 section 200 of the state finance law.

41 § 15. For employees in the security services unit, a one-time \$3,000
42 retention bonus will be paid to all eligible members of the unit. This
43 signing bonus is not part of basic annual salary. Similarly, the signing
44 bonus is not subject to any salary increases and is not pensionable. The
45 bonus shall be pro-rated for those employees paid on any basis other
46 than an annual basis. Employees paid on a part-time, hourly or per diem
47 basis shall receive a signing bonus pro-rated on a basis reflecting the
48 actual hours worked between February 2, 2024 and May 29, 2024. To quali-
49 fy, employees must be in continuous service in the security services
50 unit between February 2, 2024 and May 29, 2024 as defined by paragraph
51 (c) of subdivision 3 of section 130 of the civil service law. Employees
52 who separate from state service between February 2, 2024 and May 29,
53 2024, are not eligible for this bonus unless they retire directly from
54 active state employment. This bonus shall be effective May 29, 2024.

55 § 16. Notwithstanding any provision of law to the contrary, pursuant
56 to the terms of the agreement negotiated between the state and the

1 employee organization representing the security services unit, effective
2 December 1, 2025, all members of the unit who have completed 11 years of
3 service as of November 1, 2025, as defined by the agreement between the
4 parties, shall receive an annual payment of \$750. Such payment shall be
5 a lump sum and paid in a check when payment is made for the payroll that
6 includes December 1. Such payment shall be in addition to, and shall not
7 be a part of, a member's annual basic salary, and shall not affect or
8 impair any increments or other rights or benefits to which the member
9 may be entitled; provided, however, that the payment shall be included
10 as compensation for purposes of computation of overtime pay and for
11 retirement purposes.

12 § 17. Notwithstanding any law, rule or regulation to the contrary, any
13 employees of the state in the security services unit who are ineligible
14 for interest arbitration and who are eligible for additional compen-
15 sation pursuant to subdivision 5 of section 134 of the civil service law
16 shall be deemed ineligible for such additional compensation to the
17 extent, in the manner and under the circumstances provided for in a
18 negotiated agreement on behalf of such employees.

19 § 18. Notwithstanding any provision of law to the contrary, the appro-
20 priations contained in this act shall be available to the state for the
21 payment and publication of grievance and arbitration settlements and
22 awards pursuant to articles 7 and 8 of the collective negotiating agree-
23 ment between the state and the employee organization representing the
24 collective negotiating unit designated as the security services unit
25 established pursuant to article 14 of the civil service law.

26 § 19. The salary increases, benefit modifications, and any other
27 modifications to terms and conditions of employment provided for by this
28 act for state employees in the collective negotiating unit designated as
29 the security services unit established pursuant to article 14 of the
30 civil service law shall not be implemented until the director of employ-
31 ee relations shall have delivered to the director of the budget and the
32 comptroller a letter certifying that there is in effect, with respect to
33 such negotiating unit, a collective negotiating agreement which provides
34 for such increases and modifications, and which is fully executed in
35 writing with the state pursuant to article 14 of the civil service law,
36 and ratified pursuant to the ratification procedure of the employee
37 organization certified pursuant to article 14 of the civil service law
38 to represent such collective negotiating unit.

39 § 20. Date of entitlement to salary increase. Notwithstanding the
40 provisions of this act or of any other provision of law to the contrary,
41 the increases in salary or compensation of any members of the security
42 services unit established pursuant to article 14 of the civil service
43 law provided by this act shall be added to the salary of such member at
44 the beginning of that payroll period the first day of which is nearest
45 to the effective date of such increase as provided in this act, or at
46 the beginning of the earlier of two payroll periods the first days of
47 which are nearest but equally near to the effective date of such
48 increase as provided in this act; provided, however, that for the
49 purposes of determining the salary of such unit members upon reclassi-
50 fication, reallocation, appointment, promotion, transfer, demotion,
51 reinstatement, or other change of status, such salary increase shall be
52 deemed to be effective on the date thereof as prescribed by this act,
53 with payment thereof pursuant to this section on a date prior thereto,
54 instead of on such effective date, and shall not operate to confer any
55 additional salary rights or benefits on such unit members. Payment of

1 such salary increase may be deferred pursuant to section twenty-one of
2 this act.

3 § 21. Deferred payment of salary increase. Notwithstanding the
4 provisions of any other section of this act, or of any other law to the
5 contrary, pending payment pursuant to this act of the basic annual sala-
6 ries and other compensation to incumbents of positions subject to this
7 act, such incumbents shall receive, as partial compensation for services
8 rendered, the rate of compensation otherwise payable in their respective
9 positions. An incumbent holding a position subject to this act at any
10 time during the period from April 1, 2023, until the time when basic
11 annual salaries and other compensation are first paid pursuant to this
12 act for such services in excess of the compensation actually received
13 therefor, shall be entitled to a lump sum payment for the difference
14 between the salary to which such incumbent is entitled for such services
15 and the compensation actually received therefor in accordance with the
16 terms of the agreement between the employee organization representing
17 such members and the state. The amounts paid under this act shall count
18 as compensation earned during the year or years for which it is calcu-
19 lated and not as compensation earned wholly in the year in which it is
20 paid. Notwithstanding any provision of law, rule, or regulation to the
21 contrary, no member of the security services unit to whom the provisions
22 of this act apply shall be entitled to, or owed, any interest or other
23 penalty for any reason on any monies due to such member pursuant to the
24 terms of this act and the terms of the agreement covering employees in
25 the security services unit.

26 § 22. Use of appropriations. Notwithstanding any provision of the
27 state finance law or any other provision of law to the contrary, the
28 state comptroller is authorized to pay any amounts required during the
29 fiscal year commencing April 1, 2023, by the provisions of this act for
30 any state department or agency from any appropriation or other funds
31 available to such state department or agency for personal service or for
32 other related employee benefits during such fiscal year. To the extent
33 that such appropriations are insufficient in any fund to accomplish the
34 purposes herein set forth, the director of the budget is authorized to
35 allocate to the various departments and agencies, from any appropri-
36 ations available in any fund, the amounts necessary to pay such amounts.
37 The aforementioned appropriations shall be available for payment of any
38 liabilities or obligations incurred prior to April 1, 2024, in addition
39 to current liabilities.

40 § 23. Notwithstanding any provision of the state finance law or any
41 other provision of law to the contrary, the sum of \$252,000,000 is here-
42 by appropriated in the general fund/state purposes account (10050) in
43 miscellaneous-all state departments and agencies solely for
44 apportionment/transfer by the director of the budget for use by any
45 state department or agency in any fund for the period April 1, 2023
46 through March 31, 2025 to supplement appropriations for personal
47 service, other than personal service and fringe benefits, and to carry
48 out the provisions of this act. No money shall be available for expendi-
49 ture from this appropriation until a certificate of approval has been
50 issued by the director of the budget and a copy of such certificate or
51 any amendment thereto has been filed with the state comptroller, the
52 chair of the senate finance committee and the chair of the assembly ways
53 and means committee. The monies hereby appropriated are available for
54 payment of any liabilities or obligations incurred prior to or during
55 the period April 1, 2023 through March 31, 2025. For this purpose, the

1 monies appropriated shall remain in full force and effect for the
2 payment of liabilities incurred on or before March 31, 2025.

3 § 24. The several amounts as hereinafter set forth, or so much thereof
4 as may be necessary, are hereby appropriated from the fund so designated
5 for use by any state department or agency for the period April 1, 2023
6 through March 31, 2025 to supplement appropriations from each respective
7 fund available for other than personal service and fringe benefits, and
8 to carry out the provisions of this act. The monies hereby appropriated
9 are available for the payment of any liabilities or obligations incurred
10 prior to or during the period commencing April 1, 2023 through March 31,
11 2025. No money shall be available for expenditure from the monies appro-
12 priated until a certificate of approval has been issued by the director
13 of the budget and a copy of such certificate or any amendment thereto
14 has been filed with the state comptroller, the chair of the senate
15 finance committee and the chair of the assembly ways and means commit-
16 tee.

17 ALL STATE DEPARTMENTS AND AGENCIES

18 SPECIAL PAY BILLS

19 General Fund/State Operations
20 State Purposes Account - 003

21 NON-PERSONAL SERVICE

22	Labor Management Committees	\$700,000
23	Employee assistance program	\$500,000
24	Joint committee on health benefits	\$413,300
25	Contract administration	\$200,000
26	Employee Benefit Fund	\$1,920,000
27	Employee Training and Development	\$397,000
28	Organizational alcoholism program	\$390,000
29	Labor Management Training	\$250,000
30	Family Benefits	\$2,100,000

31 § 25. This act shall take effect immediately and shall be deemed to
32 have been in full force and effect on and after April 1, 2023. Approp-
33 riations made by this act shall remain in full force and effect for
34 liabilities incurred through March 31, 2025.

REPEAL NOTE.-- Paragraphs f and g of subdivision 1 of section 130 of
the civil service law, repealed by section one of this act, provided
salary schedules for state employees in the particular titles in the
security services unit employees who are ineligible for interest arbi-
tration and who are employed by the state department of corrections and
community supervision and are designated as peace officers pursuant to
section 2.10 of the criminal procedure law, and are replaced and
revised by salary schedules in a new paragraph f of subdivision 1 of
section 130 of the civil service law, as added by section one of this
act implementing an agreement between the state and the employee orga-
nization representing such unit for all employees in the security
services unit both eligible and ineligible for interest arbitration.

STATE OF NEW YORK

9820

IN SENATE

May 31, 2024

Introduced by Sen. JACKSON -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to mend the civil service law, in relation to compensation, benefits and other terms and conditions of employment of state officers and employees who are the members of the security supervisors unit; to amend the state finance law, in relation to the employee benefit fund for all members of the security supervisors unit; to authorize funding of joint labor-management committees; to implement an agreement between the state and the employee organization representing the members of the security supervisors unit; to repeal certain provisions of the civil service law relating thereto; and making an appropriation for the purpose of effectuating certain provisions thereof

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

1 Section 1. Paragraphs b and i of subdivision 1 of section 130 of the
2 civil service law are REPEALED and a new paragraph b is added to read as
3 follows:

4 b. Pursuant to the terms of an agreement between the state and an
5 employee organization entered into pursuant to article fourteen of this
6 chapter covering members of the collective negotiating unit designated
7 as security supervisors, effective on the dates indicated, salary grades
8 for positions in the competitive, non-competitive and labor classes
9 shall be as follows:

10 (1) Effective March thirtieth, two thousand twenty-three for officers
11 and employees on the administrative payroll and effective April sixth,
12 two thousand twenty-three for officers and employees on the institu-
13 tional payroll:

	<u>Hir-</u>								
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Job</u>	<u>Incr</u>	
<u>SG</u>	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>Rate</u>		
17	<u>1</u>	<u>31273</u>	<u>32466</u>	<u>33659</u>	<u>34852</u>	<u>36045</u>	<u>37238</u>	<u>38431</u>	<u>1193</u>

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

LBD12038-03-4

1	<u>2</u>	<u>32310</u>	<u>33569</u>	<u>34828</u>	<u>36087</u>	<u>37346</u>	<u>38605</u>	<u>39864</u>	<u>1259</u>
2	<u>3</u>	<u>33762</u>	<u>35074</u>	<u>36386</u>	<u>37698</u>	<u>39010</u>	<u>40322</u>	<u>41634</u>	<u>1312</u>
3	<u>4</u>	<u>35152</u>	<u>36533</u>	<u>37914</u>	<u>39295</u>	<u>40676</u>	<u>42057</u>	<u>43438</u>	<u>1381</u>
4	<u>5</u>	<u>36683</u>	<u>38139</u>	<u>39595</u>	<u>41051</u>	<u>42507</u>	<u>43963</u>	<u>45419</u>	<u>1456</u>
5	<u>6</u>	<u>38459</u>	<u>39988</u>	<u>41517</u>	<u>43046</u>	<u>44575</u>	<u>46104</u>	<u>47633</u>	<u>1529</u>
6	<u>7</u>	<u>40478</u>	<u>42071</u>	<u>43664</u>	<u>45257</u>	<u>46850</u>	<u>48443</u>	<u>50036</u>	<u>1593</u>
7	<u>8</u>	<u>42600</u>	<u>44254</u>	<u>45908</u>	<u>47562</u>	<u>49216</u>	<u>50870</u>	<u>52524</u>	<u>1654</u>
8	<u>9</u>	<u>44824</u>	<u>46548</u>	<u>48272</u>	<u>49996</u>	<u>51720</u>	<u>53444</u>	<u>55168</u>	<u>1724</u>
9	<u>10</u>	<u>47208</u>	<u>49023</u>	<u>50838</u>	<u>52653</u>	<u>54468</u>	<u>56283</u>	<u>58098</u>	<u>1815</u>
10	<u>11</u>	<u>49834</u>	<u>51721</u>	<u>53608</u>	<u>55495</u>	<u>57382</u>	<u>59269</u>	<u>61156</u>	<u>1887</u>
11	<u>12</u>	<u>52450</u>	<u>54419</u>	<u>56388</u>	<u>58357</u>	<u>60326</u>	<u>62295</u>	<u>64264</u>	<u>1969</u>
12	<u>13</u>	<u>55413</u>	<u>57472</u>	<u>59531</u>	<u>61590</u>	<u>63649</u>	<u>65708</u>	<u>67767</u>	<u>2059</u>
13	<u>14</u>	<u>58436</u>	<u>60592</u>	<u>62748</u>	<u>64904</u>	<u>67060</u>	<u>69216</u>	<u>71372</u>	<u>2156</u>
14	<u>15</u>	<u>61638</u>	<u>63883</u>	<u>66128</u>	<u>68373</u>	<u>70618</u>	<u>72863</u>	<u>75108</u>	<u>2245</u>
15	<u>16</u>	<u>64958</u>	<u>67301</u>	<u>69644</u>	<u>71987</u>	<u>74330</u>	<u>76673</u>	<u>79016</u>	<u>2343</u>
16	<u>17</u>	<u>68448</u>	<u>70916</u>	<u>73384</u>	<u>75852</u>	<u>78320</u>	<u>80788</u>	<u>83256</u>	<u>2468</u>
17	<u>18</u>	<u>72179</u>	<u>74771</u>	<u>77363</u>	<u>79955</u>	<u>82547</u>	<u>85139</u>	<u>87731</u>	<u>2592</u>
18	<u>19</u>	<u>75963</u>	<u>78673</u>	<u>81383</u>	<u>84093</u>	<u>86803</u>	<u>89513</u>	<u>92223</u>	<u>2710</u>
19	<u>20</u>	<u>79719</u>	<u>82548</u>	<u>85377</u>	<u>88206</u>	<u>91035</u>	<u>93864</u>	<u>96693</u>	<u>2829</u>
20	<u>21</u>	<u>83850</u>	<u>86799</u>	<u>89748</u>	<u>92697</u>	<u>95646</u>	<u>98595</u>	<u>101544</u>	<u>2949</u>
21	<u>22</u>	<u>88180</u>	<u>91305</u>	<u>94430</u>	<u>97555</u>	<u>100680</u>	<u>103805</u>	<u>106930</u>	<u>3125</u>
22	<u>23</u>	<u>92797</u>	<u>96011</u>	<u>99225</u>	<u>102439</u>	<u>105653</u>	<u>108867</u>	<u>112081</u>	<u>3214</u>
23	<u>24</u>	<u>97663</u>	<u>100997</u>	<u>104331</u>	<u>107665</u>	<u>110999</u>	<u>114333</u>	<u>117667</u>	<u>3334</u>
24	<u>25</u>	<u>102951</u>	<u>106428</u>	<u>109905</u>	<u>113382</u>	<u>116859</u>	<u>120336</u>	<u>123813</u>	<u>3477</u>

				Max
	<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>
	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
25				
26				
27				
28	SG			
29	<u>1</u>	<u>40210</u>	<u>41993</u>	<u>45448</u>
30	<u>2</u>	<u>41744</u>	<u>43629</u>	<u>47185</u>
31	<u>3</u>	<u>43596</u>	<u>45561</u>	<u>49200</u>
32	<u>4</u>	<u>45513</u>	<u>47582</u>	<u>51324</u>
33	<u>5</u>	<u>47585</u>	<u>49761</u>	<u>53610</u>
34	<u>6</u>	<u>49925</u>	<u>52215</u>	<u>56184</u>
35	<u>7</u>	<u>52417</u>	<u>54799</u>	<u>58855</u>
36	<u>8</u>	<u>54994</u>	<u>57475</u>	<u>61618</u>
37	<u>9</u>	<u>57758</u>	<u>60345</u>	<u>64607</u>
38	<u>10</u>	<u>60805</u>	<u>63515</u>	<u>67899</u>
39	<u>11</u>	<u>63975</u>	<u>66802</u>	<u>71298</u>
40	<u>12</u>	<u>67219</u>	<u>70178</u>	<u>74803</u>
41	<u>13</u>	<u>70835</u>	<u>73913</u>	<u>78666</u>
42	<u>14</u>	<u>74594</u>	<u>77824</u>	<u>82718</u>
43	<u>15</u>	<u>78458</u>	<u>81821</u>	<u>86848</u>
44	<u>16</u>	<u>82526</u>	<u>86039</u>	<u>91219</u>
45	<u>17</u>	<u>86952</u>	<u>90645</u>	<u>96012</u>
46	<u>18</u>	<u>91609</u>	<u>95499</u>	<u>101052</u>
47	<u>19</u>	<u>96260</u>	<u>100315</u>	<u>106041</u>
48	<u>20</u>	<u>100929</u>	<u>105172</u>	<u>111087</u>
49	<u>21</u>	<u>105966</u>	<u>110386</u>	<u>116482</u>
50	<u>22</u>	<u>111607</u>	<u>116285</u>	<u>122632</u>
51	<u>23</u>	<u>116897</u>	<u>121718</u>	<u>128206</u>
52	<u>24</u>	<u>122653</u>	<u>127650</u>	<u>134320</u>
53	<u>25</u>	<u>129025</u>	<u>134229</u>	<u>141113</u>

54 (2) Effective March twenty-eighth, two thousand twenty-four for offi-
 55 cers and employees on the administrative payroll and effective April

1 fourth, two thousand twenty-four for officers and employees on the
 2 institutional payroll:

3	Hir-								
4	ing	Step	Step	Step	Step	Step	Job		
5	SG	Rate	1	2	3	4	5	Rate	Incr
6	1	32211	33440	34669	35898	37127	38356	39585	1229
7	2	33279	34576	35873	37170	38467	39764	41061	1297
8	3	34775	36126	37477	38828	40179	41530	42881	1351
9	4	36207	37629	39051	40473	41895	43317	44739	1422
10	5	37783	39283	40783	42283	43783	45283	46783	1500
11	6	39613	41188	42763	44338	45913	47488	49063	1575
12	7	41692	43333	44974	46615	48256	49897	51538	1641
13	8	43878	45582	47286	48990	50694	52398	54102	1704
14	9	46169	47945	49721	51497	53273	55049	56825	1776
15	10	48624	50494	52364	54234	56104	57974	59844	1870
16	11	51329	53273	55217	57161	59105	61049	62993	1944
17	12	54024	56052	58080	60108	62136	64164	66192	2028
18	13	57075	59196	61317	63438	65559	67680	69801	2121
19	14	60189	62410	64631	66852	69073	71294	73515	2221
20	15	63487	65799	68111	70423	72735	75047	77359	2312
21	16	66907	69320	71733	74146	76559	78972	81385	2413
22	17	70501	73043	75585	78127	80669	83211	85753	2542
23	18	74344	77014	79684	82354	85024	87694	90364	2670
24	19	78242	81033	83824	86615	89406	92197	94988	2791
25	20	82111	85025	87939	90853	93767	96681	99595	2914
26	21	86366	89403	92440	95477	98514	101551	104588	3037
27	22	90825	94044	97263	100482	103701	106920	110139	3219
28	23	95581	98891	102201	105511	108821	112131	115441	3310
29	24	100593	104027	107461	110895	114329	117763	121197	3434
30	25	106040	109621	113202	116783	120364	123945	127526	3581

31				Max	
32	10 Yr.	15 Yr.	20 Yr.	25 Yr.	
33	Long	Long	Long	Long	
34	SG	Step	Step	Step	
35	1	41416	43253	46811	49188
36	2	42996	44938	48601	51088
37	3	44904	46928	50676	53245
38	4	46878	49009	52864	55533
39	5	49013	51254	55218	58001
40	6	51423	53781	57870	60771
41	7	53990	56443	60621	63619
42	8	56644	59199	63467	66562
43	9	59491	62155	66545	69753
44	10	62629	65420	69936	73274
45	11	65894	68806	73437	76887
46	12	69236	72283	77047	80631
47	13	72960	76130	81026	84738
48	14	76832	80159	85200	89066
49	15	80812	84276	89453	93455
50	16	85002	88620	93956	98111
51	17	89561	93364	98892	103239
52	18	94357	98364	104084	108629
53	19	99148	103324	109222	113940
54	20	103957	108327	114420	119332

1	<u>21</u>	<u>109145</u>	<u>113698</u>	<u>119976</u>	<u>125074</u>
2	<u>22</u>	<u>114955</u>	<u>119774</u>	<u>126311</u>	<u>131670</u>
3	<u>23</u>	<u>120404</u>	<u>125370</u>	<u>132052</u>	<u>137558</u>
4	<u>24</u>	<u>126333</u>	<u>131480</u>	<u>138350</u>	<u>144034</u>
5	<u>25</u>	<u>132896</u>	<u>138256</u>	<u>145346</u>	<u>151251</u>

6 (3) Effective March twenty-seventh, two thousand twenty-five for offi-
 7 cers and employees on the administrative payroll and effective April
 8 third, two thousand twenty-five for officers and employees on the insti-
 9 tutional payroll:

10		<u>Hiring</u>						<u>Job</u>	
11	<u>SG</u>	<u>Rate</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Rate</u>	<u>Incr</u>
12	<u>1</u>	<u>33177</u>	<u>34443</u>	<u>35709</u>	<u>36975</u>	<u>38241</u>	<u>39507</u>	<u>40773</u>	<u>1266</u>
13	<u>2</u>	<u>34277</u>	<u>35613</u>	<u>36949</u>	<u>38285</u>	<u>39621</u>	<u>40957</u>	<u>42293</u>	<u>1336</u>
14	<u>3</u>	<u>35818</u>	<u>37210</u>	<u>38602</u>	<u>39994</u>	<u>41386</u>	<u>42778</u>	<u>44170</u>	<u>1392</u>
15	<u>4</u>	<u>37293</u>	<u>38758</u>	<u>40223</u>	<u>41688</u>	<u>43153</u>	<u>44618</u>	<u>46083</u>	<u>1465</u>
16	<u>5</u>	<u>38916</u>	<u>40461</u>	<u>42006</u>	<u>43551</u>	<u>45096</u>	<u>46641</u>	<u>48186</u>	<u>1545</u>
17	<u>6</u>	<u>40801</u>	<u>42423</u>	<u>44045</u>	<u>45667</u>	<u>47289</u>	<u>48911</u>	<u>50533</u>	<u>1622</u>
18	<u>7</u>	<u>42943</u>	<u>44633</u>	<u>46323</u>	<u>48013</u>	<u>49703</u>	<u>51393</u>	<u>53083</u>	<u>1690</u>
19	<u>8</u>	<u>45194</u>	<u>46949</u>	<u>48704</u>	<u>50459</u>	<u>52214</u>	<u>53969</u>	<u>55724</u>	<u>1755</u>
20	<u>9</u>	<u>47554</u>	<u>49383</u>	<u>51212</u>	<u>53041</u>	<u>54870</u>	<u>56699</u>	<u>58528</u>	<u>1829</u>
21	<u>10</u>	<u>50083</u>	<u>52009</u>	<u>53935</u>	<u>55861</u>	<u>57787</u>	<u>59713</u>	<u>61639</u>	<u>1926</u>
22	<u>11</u>	<u>52869</u>	<u>54871</u>	<u>56873</u>	<u>58875</u>	<u>60877</u>	<u>62879</u>	<u>64881</u>	<u>2002</u>
23	<u>12</u>	<u>55645</u>	<u>57734</u>	<u>59823</u>	<u>61912</u>	<u>64001</u>	<u>66090</u>	<u>68179</u>	<u>2089</u>
24	<u>13</u>	<u>58787</u>	<u>60972</u>	<u>63157</u>	<u>65342</u>	<u>67527</u>	<u>69712</u>	<u>71897</u>	<u>2185</u>
25	<u>14</u>	<u>61995</u>	<u>64283</u>	<u>66571</u>	<u>68859</u>	<u>71147</u>	<u>73435</u>	<u>75723</u>	<u>2288</u>
26	<u>15</u>	<u>65392</u>	<u>67773</u>	<u>70154</u>	<u>72535</u>	<u>74916</u>	<u>77297</u>	<u>79678</u>	<u>2381</u>
27	<u>16</u>	<u>68914</u>	<u>71400</u>	<u>73886</u>	<u>76372</u>	<u>78858</u>	<u>81344</u>	<u>83830</u>	<u>2486</u>
28	<u>17</u>	<u>72616</u>	<u>75234</u>	<u>77852</u>	<u>80470</u>	<u>83088</u>	<u>85706</u>	<u>88324</u>	<u>2618</u>
29	<u>18</u>	<u>76574</u>	<u>79324</u>	<u>82074</u>	<u>84824</u>	<u>87574</u>	<u>90324</u>	<u>93074</u>	<u>2750</u>
30	<u>19</u>	<u>80589</u>	<u>83464</u>	<u>86339</u>	<u>89214</u>	<u>92089</u>	<u>94964</u>	<u>97839</u>	<u>2875</u>
31	<u>20</u>	<u>84574</u>	<u>87576</u>	<u>90578</u>	<u>93580</u>	<u>96582</u>	<u>99584</u>	<u>102586</u>	<u>3002</u>
32	<u>21</u>	<u>88957</u>	<u>92085</u>	<u>95213</u>	<u>98341</u>	<u>101469</u>	<u>104597</u>	<u>107725</u>	<u>3128</u>
33	<u>22</u>	<u>93550</u>	<u>96866</u>	<u>100182</u>	<u>103498</u>	<u>106814</u>	<u>110130</u>	<u>113446</u>	<u>3316</u>
34	<u>23</u>	<u>98448</u>	<u>101857</u>	<u>105266</u>	<u>108675</u>	<u>112084</u>	<u>115493</u>	<u>118902</u>	<u>3409</u>
35	<u>24</u>	<u>103611</u>	<u>107148</u>	<u>110685</u>	<u>114222</u>	<u>117759</u>	<u>121296</u>	<u>124833</u>	<u>3537</u>
36	<u>25</u>	<u>109221</u>	<u>112910</u>	<u>116599</u>	<u>120288</u>	<u>123977</u>	<u>127666</u>	<u>131355</u>	<u>3689</u>

37				<u>Max</u>
38		<u>10 Yr.</u>	<u>15 Yr.</u>	<u>25 Yr.</u>
39		<u>Long</u>	<u>Long</u>	<u>Long</u>
40	<u>SG</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
41	<u>1</u>	<u>42658</u>	<u>44551</u>	<u>48215</u>
42	<u>2</u>	<u>44286</u>	<u>46286</u>	<u>50059</u>
43	<u>3</u>	<u>46251</u>	<u>48336</u>	<u>52196</u>
44	<u>4</u>	<u>48284</u>	<u>50479</u>	<u>54450</u>
45	<u>5</u>	<u>50483</u>	<u>52792</u>	<u>56875</u>
46	<u>6</u>	<u>52966</u>	<u>55394</u>	<u>59606</u>
47	<u>7</u>	<u>55610</u>	<u>58136</u>	<u>62440</u>
48	<u>8</u>	<u>58343</u>	<u>60975</u>	<u>65371</u>
49	<u>9</u>	<u>61276</u>	<u>64020</u>	<u>68541</u>
50	<u>10</u>	<u>64508</u>	<u>67383</u>	<u>72034</u>
51	<u>11</u>	<u>67871</u>	<u>70870</u>	<u>75640</u>

1	<u>12</u>	<u>71313</u>	<u>74451</u>	<u>79358</u>	<u>83050</u>
2	<u>13</u>	<u>75149</u>	<u>78414</u>	<u>83457</u>	<u>87280</u>
3	<u>14</u>	<u>79137</u>	<u>82564</u>	<u>87756</u>	<u>91738</u>
4	<u>15</u>	<u>83236</u>	<u>86804</u>	<u>92137</u>	<u>96259</u>
5	<u>16</u>	<u>87552</u>	<u>91279</u>	<u>96775</u>	<u>101054</u>
6	<u>17</u>	<u>92248</u>	<u>96165</u>	<u>101859</u>	<u>106336</u>
7	<u>18</u>	<u>97188</u>	<u>101315</u>	<u>107207</u>	<u>111888</u>
8	<u>19</u>	<u>102122</u>	<u>106424</u>	<u>112499</u>	<u>117358</u>
9	<u>20</u>	<u>107076</u>	<u>111577</u>	<u>117853</u>	<u>122912</u>
10	<u>21</u>	<u>112419</u>	<u>117109</u>	<u>123575</u>	<u>128826</u>
11	<u>22</u>	<u>118404</u>	<u>123367</u>	<u>130100</u>	<u>135620</u>
12	<u>23</u>	<u>124016</u>	<u>129131</u>	<u>136014</u>	<u>141685</u>
13	<u>24</u>	<u>130123</u>	<u>135424</u>	<u>142501</u>	<u>148355</u>
14	<u>25</u>	<u>136883</u>	<u>142404</u>	<u>149706</u>	<u>155789</u>

15 § 2. Subdivision 2-a of section 207-a of the state finance law, as
 16 amended by chapter 359 of the laws of 2022, is amended to read as
 17 follows:

18 2-a. Where and to the extent that an agreement between the state and
 19 an employee organization entered into pursuant to article fourteen of
 20 the civil service law or an interest arbitration award issued pursuant
 21 to subdivision four of section two hundred nine of the civil service law
 22 so provides on behalf of employees in the collective negotiating unit
 23 designated as the security supervisors unit established pursuant to
 24 article fourteen of the civil service law, and upon audit and warrant of
 25 the comptroller, the director shall provide for the payment of moneys to
 26 such employee organization for the establishment and maintenance of an
 27 employee benefit fund established by the employee organization for the
 28 employees in the negotiating unit covered by the controlling provision
 29 of such agreement providing for such employee benefit fund, such amount
 30 to be determined consistent with said agreement on the basis of the
 31 number of full-time annual salaried employees, as determined by the
 32 comptroller, on the payroll on the last day of the payroll period in
 33 which March first, two thousand ~~[sixteen]~~ **twenty-three** falls for
 34 payments to be made on April first, two thousand ~~[sixteen]~~ **twenty-three**
 35 and, on the last day of the payroll period in which March first, two
 36 thousand ~~[seventeen]~~ **twenty-four** falls for payments to be made on April
 37 first, two thousand ~~[seventeen]~~ **twenty-four** and, on the last day of the
 38 payroll period in which March first, two thousand ~~[eighteen]~~ **twenty-five**
 39 falls for payments to be made on April first, two thousand ~~[eighteen]~~
 40 ~~and, on the last day of the payroll period in which March first, two~~
 41 ~~thousand nineteen falls for payments to be made on April first, two~~
 42 ~~thousand nineteen and, on the last day of the payroll period in which~~
 43 ~~March first, two thousand twenty falls for payments to be made on April~~
 44 ~~first, two thousand twenty and, on the last day of the payroll period in~~
 45 ~~which March first, two thousand twenty-one falls for payments to be made~~
 46 ~~on April first, two thousand twenty-one and, on the last day of the~~
 47 ~~payroll period in which March first, two thousand twenty-two falls for~~
 48 ~~payments to be made on April first, two thousand twenty-two]~~
 49 **twenty-five**. The amount, which will be determined pursuant to this
 50 section, for employees who are paid from special or administrative
 51 funds, other than the general fund or the capital projects fund of the
 52 state, will be paid from the appropriations as provided by law, in which
 53 case the comptroller will establish procedures to ensure repayment from
 54 said special or administrative funds. The director may enter into an
 55 agreement with an employee organization which sets forth the specific
 56 terms and conditions of the establishment and administration of an

1 employee benefit fund as a condition for the transmittal of moneys
2 pursuant to this section. Such agreement shall provide that any contrib-
3 utions paid to the employee organization for the establishment and main-
4 tenance of the employee benefit fund pursuant to this section on behalf
5 of eligible members of this unit shall be offset by contributions
6 already made on behalf of those members in each of the covered years,
7 where applicable.

8 § 3. Compensation for certain members of the collective negotiating
9 unit designated as the security supervisors collective negotiating unit
10 pursuant to an agreement between the state of New York and the employee
11 organization representing such individuals.

12 1. The provisions of this section shall apply to full-time annual-sa-
13 laried officers and employees in the collective negotiating unit desig-
14 nated as the security supervisors collective negotiating unit estab-
15 lished pursuant to article 14 of the civil service law (hereinafter
16 "security supervisors unit").

17 2. Effective April 1, 2023, the basic annual salary of members of the
18 security supervisors unit who are in full-time annual-salaried employ-
19 ment status on March 31, 2023, shall be increased by three percent.

20 3. Effective April 1, 2024, the basic annual salary of members of the
21 security supervisors unit who are in full-time annual-salaried employ-
22 ment status on March 31, 2024, shall be increased by three percent.

23 4. Effective April 1, 2025, the basic annual salary of members of the
24 security supervisors unit who are in full-time annual-salaried employ-
25 ment status on March 31, 2025, shall be increased by three percent.

26 5. Advancement within a salary grade. Payments pursuant to the
27 provisions of subdivision 6 of section 131 of the civil service law for
28 all annual-salaried officers and employees in the security supervisors
29 unit to whom the provisions of this section apply and who are entitled
30 to such payments shall be payable pursuant to the terms of an agreement
31 between the state of New York and an employee organization representing
32 employees subject to the provisions of this section entered into pursu-
33 ant to article 14 of the civil service law (hereinafter "the agreement"
34 or "an agreement").

35 6. Effective April 1, 2023, pursuant to the terms of an agreement
36 covering all full-time officers and employees in the security supervi-
37 sors unit to whom the provision of this section apply and, for such unit
38 members who are on the institutional or administrative payroll, the
39 ten-year, the fifteen-year, the twenty-year and the twenty-five year
40 longevity step payment for such unit members to whom the provisions of
41 this section apply shall be that amount prescribed by paragraph b of
42 subdivision 1 of section 130 of the civil service law, as added by
43 section one of this act.

44 7. Notwithstanding any of the foregoing provisions of this section, if
45 the basic annual salary of such unit members to whom the provisions of
46 this section apply is identical with the hiring rate, performance
47 advance step one, two, three, four or five, the job rate, the ten-year
48 longevity step, the fifteen-year longevity step, the twenty-year longev-
49 ity step or the twenty-five year longevity step of the salary grade of
50 their position on the effective dates of the increases provided by this
51 section, respectively, for such unit members to whom the provisions of
52 this section apply on the institutional or administrative payroll, such
53 basic annual salary shall be increased to the hiring rate, performance
54 advance step one, two, three, four or five, the job rate, the ten-year
55 longevity step, the fifteen-year longevity step, the twenty-year longev-
56 ity step or the twenty-five year longevity step of such salary grade as

1 contained in paragraph b of subdivision 1 of section 130 of the civil
2 service law, as added by section one of this act, to take effect on the
3 dates provided in paragraph b of subdivision 1 of section 130 of the
4 civil service law, as added by section one of this act. The increases in
5 basic annual salary provided by this subdivision shall be in lieu of any
6 increase in basic annual salary provided for in subdivisions two, three,
7 and four of this section.

8 8. If an unencumbered position is one which if encumbered, would be
9 subject to the provisions of this section, the salary of such position
10 shall be increased by the salary increase amounts specified in this
11 section. If a position is created and is filled by the appointment of
12 such unit members to whom the provisions of this section apply, the
13 salary otherwise provided for such position shall be increased in the
14 same manner as though such position had been in existence but unencum-
15 bered. Notwithstanding the provisions of this section, the director of
16 the budget may reduce the salary of any such position, which is or
17 becomes vacant.

18 9. The increases in salary payable pursuant to this section shall
19 apply on a prorated basis to officers and employees, otherwise eligible
20 to receive an increase in salary pursuant to this section, who are paid
21 on an hourly or per diem basis, employees serving on a part-time or
22 seasonal basis and employees paid on any basis other than at an annual-
23 salaried rate; except that the provisions of subdivisions five, six and
24 seven of this section shall not apply to employees serving on an hourly,
25 per diem, or seasonal basis, except as determined by the director of the
26 budget.

27 10. Notwithstanding any other provision of this section, the
28 provisions of this section shall not apply to officers or employees paid
29 on a fee schedule basis.

30 11. In order to provide for the annual-salaried officers and employees
31 to whom this section applies who are not allocated to salary grades,
32 performance advancements and payments in proportion to those provided to
33 persons to whom this section applies who are allocated to salary grades,
34 the director of the budget is authorized to add appropriate adjustments
35 to the compensation which such officers and employees are otherwise
36 entitled to receive. The director of the budget shall issue certificates
37 which shall contain schedules of positions and the salaries thereof for
38 which adjustments are made pursuant to the provisions of this subdivi-
39 sion, and a copy of each such certificate shall be filed with the state
40 comptroller, the department of civil service, the chairperson of the
41 senate finance committee and the chairperson of the assembly ways and
42 means committee.

43 12. Notwithstanding any of the foregoing provisions of this section,
44 any increase in compensation may be withheld in whole or in part from
45 any such unit members to whom the provisions of this section apply when,
46 in the opinion of the director of the division of the budget and the
47 director of employee relations, such increase is not warranted or is not
48 appropriate for any reason.

49 § 4. Additional compensation for all members of the security supervi-
50 sors unit who are in full-time annual-salaried employment status.

51 1. In recognition of the general requirement for full-time annual-sa-
52 laried employees of the state in the security supervisors unit to assem-
53 ble for briefing prior to the commencement of duties, where and to the
54 extent an agreement so provides, each such employee except such an
55 employee receiving additional compensation pursuant to subdivision 5 of

1 section 134 of the civil service law, shall receive additional compen-
2 sation in recognition of pre-shift briefing.

3 2. Each such employee holding a position in the security supervisors
4 unit shall be compensated for pre-shift briefing in accordance with the
5 terms of the agreement covering certain members of the security super-
6 visors unit. No payments authorized pursuant to this section and such
7 negotiated agreement shall be made to an employee who is in non-pay
8 status for that day.

9 3. Any such additional compensation pursuant to this section shall be
10 paid in addition to and shall not be a part of the employee's basic
11 annual salary and shall not be included as compensation for the purposes
12 of computation of overtime pay; provided, however, that such additional
13 compensation shall be included for retirement purposes. Notwithstanding
14 the foregoing provisions of this section or of any other law, such addi-
15 tional compensation shall be in lieu of the continuation of any other
16 additional compensation for such employees in recognition of pre-shift
17 briefing.

18 § 5. Command pay.

19 1. Pursuant to the terms of an agreement between the state and an
20 employee organization entered into pursuant to article 14 of the civil
21 service law covering members of the collective negotiating unit desig-
22 nated as security supervisors, effective April 1, 2023, security super-
23 visors command pay shall continue to be two thousand eight hundred
24 seventy-four dollars. Effective April 1, 2024, command pay shall be
25 increased to three thousand one hundred seventy-four dollars. Effective
26 April 1, 2025, command pay shall be increased to three thousand six
27 hundred seventy-four dollars.

28 2. These payments will be equally divided over the 26 payroll periods
29 in each fiscal year and shall count as compensation for overtime and
30 retirement purposes.

31 § 6. Hazardous duty pay.

32 1. Pursuant to the terms of an agreement covering certain members of
33 the security supervisors unit who are ineligible for interest arbi-
34 tration, are full-time annual-salaried employees, have completed one
35 year of service in the bargaining unit and, notwithstanding any incon-
36 sistent provision of law, rule or regulation to the contrary, where and
37 to the extent that an agreement so provides, effective April 1, 2023,
38 this payment shall continue to be \$200 annually. Effective April 1,
39 2024, this amount shall be increased to \$575 annually. Effective April
40 1, 2025, this amount shall be increased to \$1,075 annually. This payment
41 will be equally divided over the 26 payroll periods in each fiscal year
42 and shall be included as compensation for overtime and retirement
43 purposes.

44 2. Pursuant to the terms of an agreement covering members of the secu-
45 rity supervisors unit who are employed within the New York state depart-
46 ment of corrections and community supervision and who are designated as
47 peace officers pursuant to section 2.10 of the criminal procedure law,
48 have completed one year of service in the bargaining unit and notwith-
49 standing any other provision of law, effective April 1, 2023, such annu-
50 al salaried unit members to whom the provisions of this section apply
51 shall continue to receive \$1,500 annually. Effective April 1, 2024, this
52 amount shall increase to \$1,875 annually. Effective April 1, 2025, this
53 amount shall increase to \$2,375 annually. Payment for such compensation
54 shall be equally divided over the 26 payroll periods in each fiscal year
55 and shall be included as compensation for overtime and retirement
56 purposes.

1 § 7. Location compensation for certain state officers and employees in
2 the collective negotiating unit designated as security supervisors for
3 arbitration ineligible members.

4 1. Pursuant to the terms of an agreement covering certain members of
5 the security supervisors unit who are ineligible for interest arbi-
6 tration, and notwithstanding any inconsistent provision of law, rule or
7 regulation to the contrary, effective April 1, 2023, all members of the
8 security supervisors unit who are ineligible for interest arbitration
9 and are full-time annual-salaried employees and whose principal place of
10 employment or, in the case of a field employee, whose official station
11 as determined in accordance with the regulations of the comptroller is
12 located in the county of Monroe and who were eligible to receive loca-
13 tional pay on May 23, 1985 shall receive locational pay at the rate of
14 two hundred three dollars per year provided they continue to be other-
15 wise eligible.

16 2. Pursuant to the terms of an agreement covering certain members of
17 the security supervisors unit who are ineligible for interest arbi-
18 tration, and notwithstanding any inconsistent provision of law, rule or
19 regulation to the contrary, all members of the security supervisors unit
20 who are ineligible for interest arbitration and are full-time annual-sa-
21 lared employees and whose principal place of employment or, in the case
22 of a field employee, whose official station as determined in accordance
23 with the regulations of the state comptroller, is in the city of New
24 York or in the county of Nassau, Suffolk, Westchester or Rockland or in
25 the county of Orange, Putnam or Dutchess shall receive locational
26 compensation in the annual amounts as follows:

27		Nassau, Suffolk, Westchester,	Orange, Putnam or
28		Rockland or city of New York	Dutchess
29	4/1/2023	\$1,882	\$1,004
30	4/1/2024	\$2,195	\$1,111
31	4/1/2025	\$3,400	\$1,650

32 3. The locational compensation as set out in all subdivisions of this
33 section shall be in addition to and shall not be a part of an employee's
34 basic annual salary, and shall not affect or impair any performance
35 advance or other rights or benefits to which an employee may be entitled
36 by law; provided, however, that locational pay shall be included as
37 compensation for the purposes of computation of overtime pay and for
38 retirement purposes. This payment will be equally divided over the 26
39 payroll periods in each fiscal year.

40 § 8. Location compensation for certain state officers and employees in
41 the collective negotiating unit designated as security supervisors for
42 arbitration eligible members.

43 1. Pursuant to the terms of an agreement covering certain members of
44 the security supervisors unit who are eligible for interest arbitration,
45 and notwithstanding any inconsistent provision of law, rule or regu-
46 lation to the contrary, all members of this unit who are employed by the
47 New York state department of corrections and community supervision as
48 peace officers pursuant to subdivision 25 of section 2.10 of the crimi-
49 nal procedure law, and are full-time annual-salaried employees and whose
50 principal place of employment, or, in the case of a field employee,
51 whose official station as determined in accordance with the regulations
52 of the state comptroller, is located in the city of New York, or in the
53 county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau or

1 Suffolk, shall receive locational compensation in the annual amounts as
 2 follows:

3		Orange/Putnam/	NYC/Rockland/
4		Dutchess	Nassau/Suffolk/
5			Westchester
6	4/1/2023	\$1,400	\$3,758
7	4/1/2024	\$1,442	\$3,871
8	4/1/2025	\$1,846	\$4,623

9 2. The locational compensation as set out in all subdivisions of this
 10 section shall be in addition to and shall not be a part of an employee's
 11 basic annual salary, and shall not affect or impair any performance
 12 advance or other rights or benefits to which an employee may be entitled
 13 by law; provided, however, that locational pay shall be included as
 14 compensation for the purposes of computation of overtime pay and for
 15 retirement purposes. This payment will be equally divided over the 26
 16 payroll periods in each fiscal year.

17 § 9. Retention bonus lump sum payment. For employees in the security
 18 supervisors unit, a one-time \$3,000 retention bonus will be paid to all
 19 eligible members of the unit. This bonus is not part of basic annual
 20 salary. Similarly, the bonus is not subject to any salary increases and
 21 is not pensionable. The bonus shall be pro-rated for those employees
 22 paid on any basis other than an annual basis. Employees paid on a part-
 23 time, hourly or per diem basis shall receive a retention bonus pro-rated
 24 on a basis reflecting the actual hours worked between May 9, 2024 and
 25 September 4, 2024. To qualify, employees must be in continuous service
 26 in the security supervisors unit between May 9, 2024 and September 4,
 27 2024 as defined by paragraph (c) of subdivision 3 of section 130 of the
 28 civil service law. Employees who separate from state service between May
 29 9, 2024 and September 4, 2024 are not eligible for this bonus unless
 30 they retire directly from active state employment. This bonus shall be
 31 effective September 4, 2024.

32 § 10. Seniority pay. Notwithstanding any provision of law to the
 33 contrary, pursuant to the terms of the agreement negotiated between the
 34 state and the employee organization representing the security supervi-
 35 sors unit, effective December 1, 2025, all members of the unit who have
 36 completed 11 years of service as of November 1, 2025, as defined by the
 37 agreement between the parties, shall receive an annual payment of \$750.
 38 Such payment shall be a lump sum and paid in a check when payment is
 39 made for the payroll that includes December 1. Such payment shall be in
 40 addition to, and shall not be a part of, a member's annual basic salary,
 41 and shall not affect or impair any increments or other rights or bene-
 42 fits to which the member may be entitled; provided, however, that the
 43 payment shall be included as compensation for purposes of computation of
 44 overtime pay and for retirement purposes.

45 § 11. Continuation of locational compensation for certain officers and
 46 employees of the Hudson Valley developmental disabilities services
 47 office.

48 1. Notwithstanding any law, rule or regulation to the contrary, any
 49 officer or employee of the Hudson Valley developmental disabilities
 50 services office represented in the security supervisors unit, who is
 51 receiving locational pay pursuant to section 5 of chapter 174 of the
 52 laws of 1993 shall continue to receive such locational pay under the
 53 conditions and at the rates specified by such section 5 of chapter 174
 54 of the laws of 1993.

1 2. Notwithstanding any law, rule or regulation to the contrary, any
2 officer or employee of the Hudson Valley developmental disabilities
3 services office represented in the security supervisors unit who is
4 receiving locational pay pursuant to subdivision 2 of section 11 of
5 chapter 3 of the laws of 1996 shall continue to receive such locational
6 pay under the conditions and at the rates specified by such subdivision
7 2 of section 11 of chapter 3 of the laws of 1996.

8 3. Notwithstanding this section of this act or any other law, rule or
9 regulation to the contrary, any officer or employee of the Hudson Valley
10 developmental disabilities services office represented in the security
11 supervisors unit who is receiving locational pay pursuant to this
12 section shall continue to be eligible for such locational pay if such
13 officer's or employee's principal place of employment is changed to a
14 location outside of the county of Rockland as the result of a reduction
15 or redeployment of staff; provided, however, that such officer or
16 employee is reassigned to or otherwise appointed or promoted to a
17 different position at another work location within such Hudson Valley
18 developmental disabilities services office located outside of the county
19 of Rockland. The rate of such continued locational pay shall not exceed
20 the rate such officer or employee is receiving on the date of such reas-
21 signment, appointment or promotion.

22 § 12. Inconvenience pay program for arbitration ineligible employees.
23 Pursuant to chapter 333 of the laws of 1969, as amended, and an agree-
24 ment covering certain members of the security supervisors unit who are
25 ineligible for interest arbitration, are full-time annual-salaried
26 employees and, notwithstanding any inconsistent provision of law, rule
27 or regulation to the contrary, where and to the extent that an agreement
28 so provides, effective April 1, 2023, the inconvenience pay provided to
29 eligible employees shall continue to be six hundred twenty-six dollars
30 per year for working four or more hours between the hours of 6:00 p.m.
31 and 6:00 a.m., except on an overtime basis. Effective April 1, 2025,
32 this amount shall be increased to six hundred forty-five dollars.

33 § 13. Inconvenience pay program for arbitration eligible employees.
34 Pursuant to the terms of an agreement covering certain members of the
35 security supervisors unit who are eligible for interest arbitration and
36 who are employed by the New York state department of corrections and
37 community supervision and are designated as peace officers pursuant to
38 subdivision 25 of section 2.10 of the criminal procedure law, effective
39 April 1, 2023, the inconvenience pay paid to unit members to whom the
40 provisions of this section apply who work the evening shift as defined
41 by the individual facilities within the department of corrections and
42 community supervision, shall continue to be one thousand nine hundred
43 twenty-eight dollars. Effective April 1, 2025, this amount shall be
44 increased to one thousand nine hundred eighty-six dollars. Effective
45 April 1, 2023, the inconvenience pay paid to unit members to whom the
46 provisions of this section apply who work the night shift as defined by
47 the individual facilities within the department of corrections and
48 community supervision shall continue to be nine hundred sixty-four
49 dollars. Effective April 1, 2025, this amount shall be increased to nine
50 hundred ninety-three dollars.

51 § 14. Dependent care deductions. Notwithstanding any other provision
52 of law, rule or regulation to the contrary, where and to the extent that
53 an agreement so provides on behalf of employees in the security supervi-
54 sors unit, the state shall contribute an amount designated in such
55 agreement and for the period covered by such agreement to the accounts
56 of such employees enrolled for dependent care deductions pursuant to

1 section 201-a of the state finance law. Such amounts shall be from funds
2 appropriated in this act and shall not be part of basic annual salary
3 for overtime and retirement purposes.

4 § 15. Statewide joint labor-management committee. During the period
5 April 1, 2023 through March 31, 2026, there shall be a statewide joint
6 labor-management committee continued and administered pursuant to the
7 terms of an agreement covering employees in the security supervisors
8 unit which shall, within the amounts available therefor, study and make
9 recommendations concerning major issues of health insurance, employee
10 assistance, work-life services, family benefits, performance evaluation,
11 education and training and provide for the implementation of the terms
12 of agreements of such committee.

13 § 16. Grievance and arbitration settlements and awards. Notwithstand-
14 ing any provision of law, rule or regulation to the contrary, the appro-
15 priations contained in this act shall be available to the state of New
16 York for the payment and publication of grievance and arbitration
17 settlements and awards to employees of the security supervisors unit
18 covered by the terms of the agreement referenced in section one of this
19 act.

20 § 17. Salaries of employees hired on or after September 1, 1992.
21 Notwithstanding any provision of law, rule or regulation to the contra-
22 ry, and where and to the extent an agreement covering employees in the
23 security supervisors unit so provides, the salaries of employees newly
24 hired on or after September 1, 1992 into state service in positions
25 within said negotiating unit shall not be subject to the provisions of
26 subdivision 2-a of section 200 of the state finance law.

27 § 18. Date of entitlement to salary increase. Notwithstanding the
28 provisions of this act or of any other provision of law, rule or regu-
29 lation to the contrary, the increase in salary or compensation of all
30 members of the security supervisors unit, including those who are
31 employed by the New York state department of corrections and community
32 supervision and are peace officers pursuant to subdivision 25 of section
33 2.10 of the criminal procedure law, and those who are ineligible for
34 interest arbitration, shall be added to the salary of such member at the
35 beginning of that payroll period the first day of which is nearest to
36 the effective date of such increase as provided in this act, or at the
37 beginning of the earlier of the payroll periods the first days of which
38 are nearest but equally near to the effective date of such increase as
39 provided in this act; provided, however, that for the purposes of deter-
40 mining the salary of such unit members upon reclassification, reallo-
41 cation, appointment, promotion, transfer, demotion, reinstatement, or
42 other change of status, such salary increase shall be deemed to be
43 effective on the date thereof as prescribed by this act, with payment
44 thereof pursuant to this section on a date prior thereto, instead of on
45 such effective date, and shall not operate to confer any additional
46 salary rights or benefits on such unit members. Payment of such salary
47 increase may be deferred pursuant to section nineteen of this act.

48 § 19. Deferred payment of salary increase. Notwithstanding the
49 provisions of any other section of this act, or of any other law, rule
50 or regulation to the contrary, pending payment pursuant to this act of
51 the basic annual salaries and other compensation due to incumbents of
52 positions subject to this act such incumbents shall receive, as partial
53 compensation for services rendered, the rate of compensation otherwise
54 payable in their respective positions. An incumbent holding a position
55 subject to this act at any time during the period from April 1, 2023,
56 until the time when basic annual salaries are first paid pursuant to

1 this act for such services in excess of the compensation actually
2 received therefor, shall be entitled to a lump sum payment for the
3 difference between the salary to which such incumbent is entitled for
4 such services and the compensation actually received therefor. Such lump
5 sum payment shall be made in one payment in accordance with the terms of
6 the agreement between the state and the employee organization represent-
7 ing the members of the security supervisors unit. Notwithstanding any
8 provision of law, rule or regulation to the contrary, no member of the
9 security supervisors unit to whom the provisions of this act apply shall
10 be entitled to, or owed, any interest or other penalty for any reason on
11 any monies due to such member pursuant to the terms of this act and the
12 terms of the agreement covering employees in the security supervisors
13 unit.

14 § 20. Use of appropriations. The state comptroller is authorized to
15 pay any amounts required during the fiscal year commencing April 1, 2024
16 by the foregoing provisions of this act for any state department or
17 agency from any appropriation or other funds available to such state
18 department or agency for personal service or for other related employee
19 benefits during such fiscal year. To the extent that such appropriations
20 are insufficient to accomplish the purposes herein set forth, the direc-
21 tor of the budget is authorized to allocate to the various departments
22 and agencies, from any appropriations available, the amounts necessary
23 to pay such amounts. The aforementioned appropriations shall be avail-
24 able for payment of any liabilities or obligations incurred prior to or
25 during the state fiscal year commencing April 1, 2024.

26 § 21. Notwithstanding any provision of law to the contrary or the
27 provisions of any section of this act, the salary increases and lump sum
28 payments provided for in this act shall not be implemented until the
29 director of employee relations has delivered a letter to the director of
30 the budget and the state comptroller certifying that there is in effect
31 with respect to such negotiating unit a collectively negotiated agree-
32 ment, ratified by the membership, which provides for such increases and
33 modifications, and which are fully executed in writing with the state
34 pursuant to article 14 of the civil service law.

35 § 22. Notwithstanding any provision of the state finance law or any
36 other provision of law to the contrary, the sum of \$10,000,000 is hereby
37 appropriated in the general fund/state purposes account (10050) in
38 miscellaneous-all state departments and agencies solely for
39 apportionment/transfer by the director of the budget for use by any
40 state department or agency in any fund for the period April 1, 2023
41 through March 31, 2025 to supplement appropriations for personal
42 service, other than personal service and fringe benefits, and to carry
43 out the provisions of this act. No money shall be available for expendi-
44 ture from this appropriation until a certificate of approval has been
45 issued by the director of the budget and a copy of such certificate or
46 any amendment thereto has been filed with the state comptroller, the
47 chair of the senate finance committee and the chair of the assembly ways
48 and means committee. The monies hereby appropriated are available for
49 payment of any liabilities or obligations incurred prior to or during
50 the period April 1, 2023 through March 31, 2025. For this purpose, the
51 monies appropriated shall remain in full force and effect for the
52 payment of liabilities incurred on or before March 31, 2025.

53 § 23. Notwithstanding any provision of the state finance law or any
54 other provision of law to the contrary, the several amounts as herein-
55 after set forth, or so much thereof as may be necessary, are hereby
56 appropriated from the fund so designated for use by any state department

1 or agency for the period April 1, 2023 through March 31, 2025 to supple-
 2 ment appropriations from each respective fund available for the purpose
 3 designated herein and to carry out the provisions of this act. The
 4 monies hereby appropriated are available for the payment of any liabil-
 5 ities or obligations incurred prior to or during the period commencing
 6 April 1, 2023 through March 31, 2025. No money shall be available for
 7 expenditure from the monies appropriated until a certificate of approval
 8 has been issued by the director of the budget and a copy of such certif-
 9 icate or any amendment thereto has been filed with the state comp-
 10 troller, the chair of the senate finance committee and the chair of the
 11 assembly ways and means committee.

12 ALL STATE DEPARTMENTS AND AGENCIES
 13 Special Pay Bills

14 General Fund / State Operations
 15 State Purposes Account - 003

16 Nonpersonal Service

17	Employee training and development	50,819
18	Quality of work life committee	37,514
19	Family benefits committee	33,753
20	Employee assistance program	8,534
21	Contract administration	50,000
22	Employee benefit fund	58,481
23	Management directed training	34,463
24	Organizational alcoholism program	13,254
25	Joint Committee on Health Benefits	16,242

26 § 24. This act shall take effect immediately and shall be deemed to
 27 have been in full force and effect on and after April 1, 2023.

REPEAL NOTE. -- Paragraphs b and i of subdivision 1 of section 130 of the civil service law are REPEALED and replaced by a new paragraph b reflecting the new salary schedules negotiated between the state and employee organization representing employees in the security supervisors negotiating unit established by article 14 of the civil service law.

STATE OF NEW YORK

9821

IN SENATE

May 31, 2024

Introduced by Sen. JACKSON -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the civil service law, in relation to compensation, benefits and other terms and conditions of employment for members of the district council 37 rent regulation services unit; to amend part A of chapter 361 of the laws of 2022, amending the civil service law and the state finance law relating to compensation and other terms and conditions of employment of certain state officers and employees, to authorize funding of joint labor-management committees, and relating to implementing agreements between the state and an employee organization, in relation to location pay for certain state officers and employees; to implement a collective bargaining agreement between the state of New York and the district council 37 rent regulation services unit; making an appropriation therefor; and to repeal certain provisions of the civil service law relating thereto

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

1 Section 1. Subparagraphs 1 and 2 of paragraph e of subdivision 1 of
2 section 130 of the civil service law are REPEALED and three new subpara-
3 graphs 1, 2 and 3 are added to read as follows:

4 **(1) Effective March thirtieth, two thousand twenty-three:**

5			<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>			<u>JR</u>
6	<u>SG</u>	<u>HR</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>JR</u>	<u>INCR</u>	<u>INCR</u>
7	<u>1</u>	<u>27132</u>	<u>28047</u>	<u>28962</u>	<u>29877</u>	<u>30792</u>	<u>31707</u>	<u>32622</u>	<u>33537</u>	<u>915</u>	<u>915</u>
8	<u>2</u>	<u>28167</u>	<u>29127</u>	<u>30087</u>	<u>31047</u>	<u>32007</u>	<u>32967</u>	<u>33927</u>	<u>34894</u>	<u>960</u>	<u>967</u>
9	<u>3</u>	<u>29574</u>	<u>30578</u>	<u>31582</u>	<u>32586</u>	<u>33590</u>	<u>34594</u>	<u>35598</u>	<u>36595</u>	<u>1004</u>	<u>997</u>
10	<u>4</u>	<u>30866</u>	<u>31928</u>	<u>32990</u>	<u>34052</u>	<u>35114</u>	<u>36176</u>	<u>37238</u>	<u>38300</u>	<u>1062</u>	<u>1062</u>
11	<u>5</u>	<u>32343</u>	<u>33455</u>	<u>34567</u>	<u>35679</u>	<u>36791</u>	<u>37903</u>	<u>39015</u>	<u>40127</u>	<u>1112</u>	<u>1112</u>
12	<u>6</u>	<u>34152</u>	<u>35308</u>	<u>36464</u>	<u>37620</u>	<u>38776</u>	<u>39932</u>	<u>41088</u>	<u>42251</u>	<u>1156</u>	<u>1163</u>
13	<u>7</u>	<u>36040</u>	<u>37252</u>	<u>38464</u>	<u>39676</u>	<u>40888</u>	<u>42100</u>	<u>43312</u>	<u>44531</u>	<u>1212</u>	<u>1219</u>

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

LBD12028-03-4

1	<u>8</u>	<u>38073</u>	<u>39332</u>	<u>40591</u>	<u>41850</u>	<u>43109</u>	<u>44368</u>	<u>45627</u>	<u>46886</u>	<u>1259</u>	<u>1259</u>
2	<u>9</u>	<u>40193</u>	<u>41509</u>	<u>42825</u>	<u>44141</u>	<u>45457</u>	<u>46773</u>	<u>48089</u>	<u>49405</u>	<u>1316</u>	<u>1316</u>
3	<u>10</u>	<u>42493</u>	<u>43873</u>	<u>45253</u>	<u>46633</u>	<u>48013</u>	<u>49393</u>	<u>50773</u>	<u>52146</u>	<u>1380</u>	<u>1373</u>
4	<u>11</u>	<u>44957</u>	<u>46406</u>	<u>47855</u>	<u>49304</u>	<u>50753</u>	<u>52202</u>	<u>53651</u>	<u>55093</u>	<u>1449</u>	<u>1442</u>
5	<u>12</u>	<u>47530</u>	<u>49029</u>	<u>50528</u>	<u>52027</u>	<u>53526</u>	<u>55025</u>	<u>56524</u>	<u>58016</u>	<u>1499</u>	<u>1492</u>
6	<u>13</u>	<u>50347</u>	<u>51915</u>	<u>53483</u>	<u>55051</u>	<u>56619</u>	<u>58187</u>	<u>59755</u>	<u>61330</u>	<u>1568</u>	<u>1575</u>
7	<u>14</u>	<u>53262</u>	<u>54894</u>	<u>56526</u>	<u>58158</u>	<u>59790</u>	<u>61422</u>	<u>63054</u>	<u>64693</u>	<u>1632</u>	<u>1639</u>
8	<u>15</u>	<u>56355</u>	<u>58056</u>	<u>59757</u>	<u>61458</u>	<u>63159</u>	<u>64860</u>	<u>66561</u>	<u>68269</u>	<u>1701</u>	<u>1708</u>
9	<u>16</u>	<u>59512</u>	<u>61292</u>	<u>63072</u>	<u>64852</u>	<u>66632</u>	<u>68412</u>	<u>70192</u>	<u>71979</u>	<u>1780</u>	<u>1787</u>
10	<u>17</u>	<u>62862</u>	<u>64742</u>	<u>66622</u>	<u>68502</u>	<u>70382</u>	<u>72262</u>	<u>74142</u>	<u>76029</u>	<u>1880</u>	<u>1887</u>
11	<u>18</u>	<u>63108</u>	<u>65273</u>	<u>67438</u>	<u>69603</u>	<u>71768</u>	<u>73933</u>	<u>76098</u>	<u>80248</u>	<u>2165</u>	<u>4150</u>
12	<u>19</u>	<u>66530</u>	<u>68785</u>	<u>71040</u>	<u>73295</u>	<u>75550</u>	<u>77805</u>	<u>80060</u>	<u>84496</u>	<u>2255</u>	<u>4436</u>
13	<u>20</u>	<u>69934</u>	<u>72289</u>	<u>74644</u>	<u>76999</u>	<u>79354</u>	<u>81709</u>	<u>84064</u>	<u>88721</u>	<u>2355</u>	<u>4657</u>
14	<u>21</u>	<u>73641</u>	<u>76095</u>	<u>78549</u>	<u>81003</u>	<u>83457</u>	<u>85911</u>	<u>88365</u>	<u>93374</u>	<u>2454</u>	<u>5009</u>
15	<u>22</u>	<u>77600</u>	<u>80158</u>	<u>82716</u>	<u>85274</u>	<u>87832</u>	<u>90390</u>	<u>92948</u>	<u>98252</u>	<u>2558</u>	<u>5304</u>
16	<u>23</u>	<u>81706</u>	<u>84367</u>	<u>87028</u>	<u>89689</u>	<u>92350</u>	<u>95011</u>	<u>97672</u>	<u>103350</u>	<u>2661</u>	<u>5678</u>
17	<u>24</u>	<u>86057</u>	<u>88825</u>	<u>91593</u>	<u>94361</u>	<u>97129</u>	<u>99897</u>	<u>102665</u>	<u>108638</u>	<u>2768</u>	<u>5973</u>
18	<u>25</u>	<u>90806</u>	<u>93690</u>	<u>96574</u>	<u>99458</u>	<u>102342</u>	<u>105226</u>	<u>108110</u>	<u>114444</u>	<u>2884</u>	<u>6334</u>
19	<u>26</u>	<u>95588</u>	<u>98587</u>	<u>101586</u>	<u>104585</u>	<u>107584</u>	<u>110583</u>	<u>113582</u>	<u>117825</u>	<u>2999</u>	<u>4243</u>
20	<u>27</u>	<u>100763</u>	<u>103922</u>	<u>107081</u>	<u>110240</u>	<u>113399</u>	<u>116558</u>	<u>119717</u>	<u>124107</u>	<u>3159</u>	<u>4390</u>
21	<u>28</u>	<u>106067</u>	<u>109350</u>	<u>112633</u>	<u>115916</u>	<u>119199</u>	<u>122482</u>	<u>125765</u>	<u>130270</u>	<u>3283</u>	<u>4505</u>
22	<u>29</u>	<u>111628</u>	<u>115035</u>	<u>118442</u>	<u>121849</u>	<u>125256</u>	<u>128663</u>	<u>132070</u>	<u>136714</u>	<u>3407</u>	<u>4644</u>
23	<u>30</u>	<u>117460</u>	<u>120994</u>	<u>124528</u>	<u>128062</u>	<u>131596</u>	<u>135130</u>	<u>138664</u>	<u>143423</u>	<u>3534</u>	<u>4759</u>
24	<u>31</u>	<u>123721</u>	<u>127388</u>	<u>131055</u>	<u>134722</u>	<u>138389</u>	<u>142056</u>	<u>145723</u>	<u>150612</u>	<u>3667</u>	<u>4889</u>
25	<u>32</u>	<u>130301</u>	<u>134089</u>	<u>137877</u>	<u>141665</u>	<u>145453</u>	<u>149241</u>	<u>153029</u>	<u>158054</u>	<u>3788</u>	<u>5025</u>

26 (2) Effective March twenty-eighth, two thousand twenty-four:

27		<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>		<u>JR</u>	<u>JR</u>	
28	<u>SG</u>	<u>HR</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>JR</u>	<u>INCR</u>	<u>INCR</u>
29	<u>1</u>	<u>27946</u>	<u>28889</u>	<u>29832</u>	<u>30775</u>	<u>31718</u>	<u>32661</u>	<u>33604</u>	<u>34540</u>	<u>943</u>	<u>936</u>
30	<u>2</u>	<u>29012</u>	<u>30001</u>	<u>30990</u>	<u>31979</u>	<u>32968</u>	<u>33957</u>	<u>34946</u>	<u>35942</u>	<u>989</u>	<u>996</u>
31	<u>3</u>	<u>30461</u>	<u>31495</u>	<u>32529</u>	<u>33563</u>	<u>34597</u>	<u>35631</u>	<u>36665</u>	<u>37692</u>	<u>1034</u>	<u>1027</u>
32	<u>4</u>	<u>31792</u>	<u>32886</u>	<u>33980</u>	<u>35074</u>	<u>36168</u>	<u>37262</u>	<u>38356</u>	<u>39450</u>	<u>1094</u>	<u>1094</u>
33	<u>5</u>	<u>33313</u>	<u>34459</u>	<u>35605</u>	<u>36751</u>	<u>37897</u>	<u>39043</u>	<u>40189</u>	<u>41328</u>	<u>1146</u>	<u>1139</u>
34	<u>6</u>	<u>35177</u>	<u>36367</u>	<u>37557</u>	<u>38747</u>	<u>39937</u>	<u>41127</u>	<u>42317</u>	<u>43521</u>	<u>1190</u>	<u>1204</u>
35	<u>7</u>	<u>37121</u>	<u>38370</u>	<u>39619</u>	<u>40868</u>	<u>42117</u>	<u>43366</u>	<u>44615</u>	<u>45864</u>	<u>1249</u>	<u>1249</u>
36	<u>8</u>	<u>39215</u>	<u>40512</u>	<u>41809</u>	<u>43106</u>	<u>44403</u>	<u>45700</u>	<u>46997</u>	<u>48294</u>	<u>1297</u>	<u>1297</u>
37	<u>9</u>	<u>41399</u>	<u>42755</u>	<u>44111</u>	<u>45467</u>	<u>46823</u>	<u>48179</u>	<u>49535</u>	<u>50884</u>	<u>1356</u>	<u>1349</u>
38	<u>10</u>	<u>43768</u>	<u>45189</u>	<u>46610</u>	<u>48031</u>	<u>49452</u>	<u>50873</u>	<u>52294</u>	<u>53708</u>	<u>1421</u>	<u>1414</u>
39	<u>11</u>	<u>46306</u>	<u>47798</u>	<u>49290</u>	<u>50782</u>	<u>52274</u>	<u>53766</u>	<u>55258</u>	<u>56743</u>	<u>1492</u>	<u>1485</u>
40	<u>12</u>	<u>48956</u>	<u>50500</u>	<u>52044</u>	<u>53588</u>	<u>55132</u>	<u>56676</u>	<u>58220</u>	<u>59757</u>	<u>1544</u>	<u>1537</u>
41	<u>13</u>	<u>51857</u>	<u>53473</u>	<u>55089</u>	<u>56705</u>	<u>58321</u>	<u>59937</u>	<u>61553</u>	<u>63169</u>	<u>1616</u>	<u>1616</u>
42	<u>14</u>	<u>54860</u>	<u>56541</u>	<u>58222</u>	<u>59903</u>	<u>61584</u>	<u>63265</u>	<u>64946</u>	<u>66634</u>	<u>1681</u>	<u>1688</u>
43	<u>15</u>	<u>58046</u>	<u>59798</u>	<u>61550</u>	<u>63302</u>	<u>65054</u>	<u>66806</u>	<u>68558</u>	<u>70317</u>	<u>1752</u>	<u>1759</u>
44	<u>16</u>	<u>61297</u>	<u>63130</u>	<u>64963</u>	<u>66796</u>	<u>68629</u>	<u>70462</u>	<u>72295</u>	<u>74135</u>	<u>1833</u>	<u>1840</u>
45	<u>17</u>	<u>64748</u>	<u>66685</u>	<u>68622</u>	<u>70559</u>	<u>72496</u>	<u>74433</u>	<u>76370</u>	<u>78307</u>	<u>1937</u>	<u>1937</u>
46	<u>18</u>	<u>65001</u>	<u>67231</u>	<u>69461</u>	<u>71691</u>	<u>73921</u>	<u>76151</u>	<u>78381</u>	<u>82656</u>	<u>2230</u>	<u>4275</u>
47	<u>19</u>	<u>68526</u>	<u>70849</u>	<u>73172</u>	<u>75495</u>	<u>77818</u>	<u>80141</u>	<u>82464</u>	<u>87032</u>	<u>2323</u>	<u>4568</u>
48	<u>20</u>	<u>72032</u>	<u>74458</u>	<u>76884</u>	<u>79310</u>	<u>81736</u>	<u>84162</u>	<u>86588</u>	<u>91381</u>	<u>2426</u>	<u>4793</u>
49	<u>21</u>	<u>75850</u>	<u>78378</u>	<u>80906</u>	<u>83434</u>	<u>85962</u>	<u>88490</u>	<u>91018</u>	<u>96173</u>	<u>2528</u>	<u>5155</u>
50	<u>22</u>	<u>79928</u>	<u>82563</u>	<u>85198</u>	<u>87833</u>	<u>90468</u>	<u>93103</u>	<u>95738</u>	<u>101197</u>	<u>2635</u>	<u>5459</u>
51	<u>23</u>	<u>84157</u>	<u>86898</u>	<u>89639</u>	<u>92380</u>	<u>95121</u>	<u>97862</u>	<u>100603</u>	<u>106454</u>	<u>2741</u>	<u>5851</u>
52	<u>24</u>	<u>88639</u>	<u>91490</u>	<u>94341</u>	<u>97192</u>	<u>100043</u>	<u>102894</u>	<u>105745</u>	<u>111897</u>	<u>2851</u>	<u>6152</u>
53	<u>25</u>	<u>93530</u>	<u>96501</u>	<u>99472</u>	<u>102443</u>	<u>105414</u>	<u>108385</u>	<u>111356</u>	<u>117875</u>	<u>2971</u>	<u>6519</u>

1	<u>26</u>	<u>98456</u>	<u>101545</u>	<u>104634</u>	<u>107723</u>	<u>110812</u>	<u>113901</u>	<u>116990</u>	<u>121360</u>	<u>3089</u>	<u>4370</u>
2	<u>27</u>	<u>103786</u>	<u>107040</u>	<u>110294</u>	<u>113548</u>	<u>116802</u>	<u>120056</u>	<u>123310</u>	<u>127830</u>	<u>3254</u>	<u>4520</u>
3	<u>28</u>	<u>109249</u>	<u>112630</u>	<u>116011</u>	<u>119392</u>	<u>122773</u>	<u>126154</u>	<u>129535</u>	<u>134178</u>	<u>3381</u>	<u>4643</u>
4	<u>29</u>	<u>114977</u>	<u>118486</u>	<u>121995</u>	<u>125504</u>	<u>129013</u>	<u>132522</u>	<u>136031</u>	<u>140815</u>	<u>3509</u>	<u>4784</u>
5	<u>30</u>	<u>120984</u>	<u>124624</u>	<u>128264</u>	<u>131904</u>	<u>135544</u>	<u>139184</u>	<u>142824</u>	<u>147726</u>	<u>3640</u>	<u>4902</u>
6	<u>31</u>	<u>127433</u>	<u>131210</u>	<u>134987</u>	<u>138764</u>	<u>142541</u>	<u>146318</u>	<u>150095</u>	<u>155130</u>	<u>3777</u>	<u>5035</u>
7	<u>32</u>	<u>134210</u>	<u>138112</u>	<u>142014</u>	<u>145916</u>	<u>149818</u>	<u>153720</u>	<u>157622</u>	<u>162796</u>	<u>3902</u>	<u>5174</u>

8 (3) Effective March twenty-seventh, two thousand twenty-five:

9		<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>		<u>JR</u>		
10	<u>SG</u>	<u>HR</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>JR</u>	<u>INCR</u>	<u>INCR</u>
11	<u>1</u>	<u>28784</u>	<u>29755</u>	<u>30726</u>	<u>31697</u>	<u>32668</u>	<u>33639</u>	<u>34610</u>	<u>35574</u>	<u>971</u>	<u>964</u>
12	<u>2</u>	<u>29882</u>	<u>30901</u>	<u>31920</u>	<u>32939</u>	<u>33958</u>	<u>34977</u>	<u>35996</u>	<u>37022</u>	<u>1019</u>	<u>1026</u>
13	<u>3</u>	<u>31375</u>	<u>32440</u>	<u>33505</u>	<u>34570</u>	<u>35635</u>	<u>36700</u>	<u>37765</u>	<u>38823</u>	<u>1065</u>	<u>1058</u>
14	<u>4</u>	<u>32746</u>	<u>33873</u>	<u>35000</u>	<u>36127</u>	<u>37254</u>	<u>38381</u>	<u>39508</u>	<u>40635</u>	<u>1127</u>	<u>1127</u>
15	<u>5</u>	<u>34312</u>	<u>35492</u>	<u>36672</u>	<u>37852</u>	<u>39032</u>	<u>40212</u>	<u>41392</u>	<u>42565</u>	<u>1180</u>	<u>1173</u>
16	<u>6</u>	<u>36232</u>	<u>37458</u>	<u>38684</u>	<u>39910</u>	<u>41136</u>	<u>42362</u>	<u>43588</u>	<u>44828</u>	<u>1226</u>	<u>1240</u>
17	<u>7</u>	<u>38235</u>	<u>39521</u>	<u>40807</u>	<u>42093</u>	<u>43379</u>	<u>44665</u>	<u>45951</u>	<u>47237</u>	<u>1286</u>	<u>1286</u>
18	<u>8</u>	<u>40391</u>	<u>41727</u>	<u>43063</u>	<u>44399</u>	<u>45735</u>	<u>47071</u>	<u>48407</u>	<u>49743</u>	<u>1336</u>	<u>1336</u>
19	<u>9</u>	<u>42641</u>	<u>44037</u>	<u>45433</u>	<u>46829</u>	<u>48225</u>	<u>49621</u>	<u>51017</u>	<u>52413</u>	<u>1396</u>	<u>1396</u>
20	<u>10</u>	<u>45081</u>	<u>46545</u>	<u>48009</u>	<u>49473</u>	<u>50937</u>	<u>52401</u>	<u>53865</u>	<u>55322</u>	<u>1464</u>	<u>1457</u>
21	<u>11</u>	<u>47695</u>	<u>49232</u>	<u>50769</u>	<u>52306</u>	<u>53843</u>	<u>55380</u>	<u>56917</u>	<u>58447</u>	<u>1537</u>	<u>1530</u>
22	<u>12</u>	<u>50425</u>	<u>52015</u>	<u>53605</u>	<u>55195</u>	<u>56785</u>	<u>58375</u>	<u>59965</u>	<u>61548</u>	<u>1590</u>	<u>1583</u>
23	<u>13</u>	<u>53413</u>	<u>55077</u>	<u>56741</u>	<u>58405</u>	<u>60069</u>	<u>61733</u>	<u>63397</u>	<u>65061</u>	<u>1664</u>	<u>1664</u>
24	<u>14</u>	<u>56506</u>	<u>58238</u>	<u>59970</u>	<u>61702</u>	<u>63434</u>	<u>65166</u>	<u>66898</u>	<u>68630</u>	<u>1732</u>	<u>1732</u>
25	<u>15</u>	<u>59787</u>	<u>61592</u>	<u>63397</u>	<u>65202</u>	<u>67007</u>	<u>68812</u>	<u>70617</u>	<u>72429</u>	<u>1805</u>	<u>1812</u>
26	<u>16</u>	<u>63136</u>	<u>65024</u>	<u>66912</u>	<u>68800</u>	<u>70688</u>	<u>72576</u>	<u>74464</u>	<u>76359</u>	<u>1888</u>	<u>1895</u>
27	<u>17</u>	<u>66690</u>	<u>68685</u>	<u>70680</u>	<u>72675</u>	<u>74670</u>	<u>76665</u>	<u>78660</u>	<u>80655</u>	<u>1995</u>	<u>1995</u>
28	<u>18</u>	<u>66951</u>	<u>69248</u>	<u>71545</u>	<u>73842</u>	<u>76139</u>	<u>78436</u>	<u>80733</u>	<u>85138</u>	<u>2297</u>	<u>4405</u>
29	<u>19</u>	<u>70582</u>	<u>72975</u>	<u>75368</u>	<u>77761</u>	<u>80154</u>	<u>82547</u>	<u>84940</u>	<u>89645</u>	<u>2393</u>	<u>4705</u>
30	<u>20</u>	<u>74193</u>	<u>76692</u>	<u>79191</u>	<u>81690</u>	<u>84189</u>	<u>86688</u>	<u>89187</u>	<u>94121</u>	<u>2499</u>	<u>4934</u>
31	<u>21</u>	<u>78126</u>	<u>80730</u>	<u>83334</u>	<u>85938</u>	<u>88542</u>	<u>91146</u>	<u>93750</u>	<u>99056</u>	<u>2604</u>	<u>5306</u>
32	<u>22</u>	<u>82326</u>	<u>85040</u>	<u>87754</u>	<u>90468</u>	<u>93182</u>	<u>95896</u>	<u>98610</u>	<u>104230</u>	<u>2714</u>	<u>5620</u>
33	<u>23</u>	<u>86682</u>	<u>89505</u>	<u>92328</u>	<u>95151</u>	<u>97974</u>	<u>100797</u>	<u>103620</u>	<u>109650</u>	<u>2823</u>	<u>6030</u>
34	<u>24</u>	<u>91298</u>	<u>94234</u>	<u>97170</u>	<u>100106</u>	<u>103042</u>	<u>105978</u>	<u>108914</u>	<u>115252</u>	<u>2936</u>	<u>6338</u>
35	<u>25</u>	<u>96336</u>	<u>99396</u>	<u>102456</u>	<u>105516</u>	<u>108576</u>	<u>111636</u>	<u>114696</u>	<u>121413</u>	<u>3060</u>	<u>6717</u>
36	<u>26</u>	<u>101410</u>	<u>104592</u>	<u>107774</u>	<u>110956</u>	<u>114138</u>	<u>117320</u>	<u>120502</u>	<u>125001</u>	<u>3182</u>	<u>4499</u>
37	<u>27</u>	<u>106900</u>	<u>110252</u>	<u>113604</u>	<u>116956</u>	<u>120308</u>	<u>123660</u>	<u>127012</u>	<u>131665</u>	<u>3352</u>	<u>4653</u>
38	<u>28</u>	<u>112526</u>	<u>116008</u>	<u>119490</u>	<u>122972</u>	<u>126454</u>	<u>129936</u>	<u>133418</u>	<u>138203</u>	<u>3482</u>	<u>4785</u>
39	<u>29</u>	<u>118426</u>	<u>122040</u>	<u>125654</u>	<u>129268</u>	<u>132882</u>	<u>136496</u>	<u>140110</u>	<u>145039</u>	<u>3614</u>	<u>4929</u>
40	<u>30</u>	<u>124614</u>	<u>128363</u>	<u>132112</u>	<u>135861</u>	<u>139610</u>	<u>143359</u>	<u>147108</u>	<u>152158</u>	<u>3749</u>	<u>5050</u>
41	<u>31</u>	<u>131256</u>	<u>135146</u>	<u>139036</u>	<u>142926</u>	<u>146816</u>	<u>150706</u>	<u>154596</u>	<u>159784</u>	<u>3890</u>	<u>5188</u>
42	<u>32</u>	<u>138236</u>	<u>142255</u>	<u>146274</u>	<u>150293</u>	<u>154312</u>	<u>158331</u>	<u>162350</u>	<u>167680</u>	<u>4019</u>	<u>5330</u>

43 § 2. Section 10 of part A of chapter 361 of the laws of 2022, amending
 44 the civil service law and the state finance law relating to compensation
 45 and other terms and conditions of employment of certain state officers
 46 and employees, to authorize funding of joint labor-management commit-
 47 tees, and relating to implementing agreements between the state and an
 48 employee organization, is amended to read as follows:

49 § 10. Location compensation for certain state officers and employees
 50 in collective negotiating units. Notwithstanding any inconsistent
 51 provisions of law, full-time annual salaried officers and employees, as
 52 well as non-annual salaried seasonal officers and employees who shall
 53 receive the compensation provided for pursuant to this section on a

1 prorated basis, except non-annual salaried officers and employees who
2 are not seasonal, in the collective negotiating units designated as the
3 administrative services unit, the institutional services unit, the oper-
4 ational services unit, or the division of military and naval affairs
5 unit established pursuant to article 14 of the civil service law, whose
6 principal place of employment or, in the case of a field employee, whose
7 official station as determined in accordance with the regulations of the
8 comptroller is located: (1) in the county of Monroe and who were eligi-
9 ble to receive location pay on March 31, 1985, shall receive location
10 pay at the rate of \$200 per year provided they continue to be otherwise
11 eligible; (2) in the city of New York, or in the county of Rockland,
12 Westchester, Nassau or Suffolk shall, effective April 1, 2021, continue
13 to receive a downstate adjustment at the annual rate of \$3,026; or (3)
14 in the county of Dutchess, Putnam or Orange shall, effective April 1,
15 2021, continue to receive a mid-Hudson adjustment at the annual rate of
16 \$1,513. Effective April 1, 2023, in the city of New York, or in the
17 county of Rockland, Westchester, Nassau or Suffolk such amount shall
18 increase to an annual rate of \$3,087; and in the county of Dutchess,
19 Putnam or Orange such amount shall increase to an annual rate of \$1,543.
20 Effective April 1, 2024, in the city of New York, or in the county of
21 Rockland, Westchester, Nassau or Suffolk such amount shall increase to
22 an annual rate of \$3,400; and in the county of Dutchess, Putnam or
23 Orange such amount shall increase to an annual rate of \$1,650. **Effective**
24 **April 1, 2025, in the city of New York, or in the county of Rockland,**
25 **Westchester, Nassau or Suffolk such amount shall increase to an annual**
26 **rate of \$4,000; and in the county of Dutchess, Putnam or Orange such**
27 **amount shall increase to an annual rate of \$2,000.** Such location
28 payments shall be in addition to and shall not be a part of an officer's
29 or employee's basic annual salary, and shall not affect or impair any
30 performance advancements or other rights or benefits to which an officer
31 or employee may be entitled by law, provided, however, that location
32 payments shall be included as compensation for purposes of computation
33 of overtime pay and for retirement purposes. For the sole purpose of
34 continuing eligibility for location pay in Monroe county, an officer or
35 employee previously eligible to receive location pay on March 31, 1985
36 who is on an approved leave of absence or participates in an employer
37 program to reduce to part-time service during summer months shall
38 continue to be eligible for said location pay upon return to full-time
39 state service in Monroe county.

40 § 3. Compensation for certain state officers and employees in collec-
41 tive negotiating units. 1. The provisions of this section shall apply to
42 full-time officers and employees in the collective negotiating unit
43 designated as the rent regulation services negotiating unit.

44 2. Effective March 30, 2023, the basic annual salary of officers and
45 employees in full-time employment status on the day before such payroll
46 period shall be increased by three percent adjusted to the nearest whole
47 dollar amount.

48 3. Effective March 28, 2024, the basic annual salary of officers and
49 employees in full-time employment status on the day before such payroll
50 period shall be increased by three percent adjusted to the nearest whole
51 dollar amount.

52 4. Effective March 27, 2025, the basic annual salary of officers and
53 employees in full-time employment status on the day before such payroll
54 period shall be increased by three percent adjusted to the nearest
55 whole dollar amount.

1 5. Notwithstanding the provisions of subdivisions two, three and
2 four of this section, if the basic annual salary of an officer or
3 employee to whom the provisions of this section apply is identical with
4 the hiring rate, job rate, or step 1, 2, 3, 4, 5, or 6 of the salary
5 grade of his or her position on the effective dates of the increases
6 provided in these subdivisions, such basic annual salary shall be
7 increased to the hiring rate, step 1, 2, 3, 4, 5, 6, or job rate,
8 respectively, of such salary grade as contained in the appropriate
9 salary schedules in subparagraphs 1, 2 and 3 of paragraph e of subdivi-
10 sion 1 of section 130 of the civil service law, as added by section one
11 of this act, to take effect on the dates provided in subparagraphs
12 1, 2 and 3 of such paragraph, respectively. The increases in basic annu-
13 al salary provided by this subdivision shall be in lieu of any increase
14 in basic annual salary provided for in subdivisions two, three and four
15 of this section.

16 6. Payments pursuant to the provisions of subdivision 6 of section 131
17 of the civil service law for officers and employees entitled to such
18 payments to whom the provisions of this section apply shall be payable
19 in accordance with the terms of an agreement reached pursuant to article
20 14 of the civil service law between the state and an employee organiza-
21 tion representing employees in the collective negotiating unit desig-
22 nated as the rent regulation services negotiating unit.

23 7. If an unencumbered position is one which if encumbered, would be
24 subject to the provisions of this section, the salary of such position
25 shall be increased by the salary increase amounts specified in this
26 section. If a position is created and filled by the appointment of an
27 officer or employee who is subject to the provisions of this section,
28 the salary otherwise provided for such position shall be increased in
29 the same manner as though such position had been in existence but unen-
30 cumbered. Notwithstanding the provisions of this section, the director
31 of the budget may reduce the salary of any such position which is or
32 becomes vacant.

33 8. The increases in salary provided in subdivisions two, three and
34 four of this section shall apply on a prorated basis to officers and
35 employees, otherwise eligible to receive an increase in salary, who are
36 paid on an hourly or per diem basis, employees serving on a part-time
37 or seasonal basis and employees paid on any basis other than at an annu-
38 al salary rate. Notwithstanding the foregoing, the provisions of subdivi-
39 sions five and six of this section shall not apply to employees serv-
40 ing on a seasonal basis, except as determined by the director of the
41 budget.

42 9. In order to provide for the officers and employees to whom this
43 section applies who are not allocated to salary grades, increases and
44 payments pursuant to this section in proportion to those provided to
45 persons to whom this section applies who are allocated to salary grades,
46 the director of the budget is authorized to add appropriate adjustments
47 and/or payments to the compensation which such officers and employees
48 are otherwise entitled to receive. The director of the budget shall
49 issue certificates which shall contain schedules of positions and the
50 salaries and/or payments thereof for which adjustments and/or payments
51 are made pursuant to the provisions of this subdivision, and a copy of
52 each such certificate shall be filed with the state comptroller, the
53 state department of civil service, the chairman of the senate finance
54 committee and the chairman of the assembly ways and means committee.

1 10. Notwithstanding any of the foregoing provisions of this section,
2 the provisions of this section shall not apply to officers or employees
3 paid on a fee schedule basis.

4 11. Notwithstanding any of the foregoing provisions of this section
5 except subdivision one, any increase in compensation for any officer or
6 employee appointed to a lower graded position from a redeployment list
7 pursuant to subdivision 1 of section 79 of the civil service law who
8 continues to receive his or her former salary pursuant to such subdivi-
9 sion shall be determined on the basis of such lower graded position
10 provided, however, that the increases in salary provided in subdivisions
11 two, three and four of this section shall not cause such officer's or
12 employee's salary to exceed the job rate of such lower graded position.

13 12. Notwithstanding any of the foregoing provisions of this section or
14 any law to the contrary, any increase in compensation may be withheld in
15 whole or in part from any employee to whom the provisions of this
16 section are applicable when, in the opinion of the director of the budg-
17 et and the director of employee relations, such increase is not
18 warranted or is not appropriate for any reason.

19 § 4. 1. Location compensation for certain state officers and employees
20 in collective negotiating units. Notwithstanding any inconsistent
21 provisions of law, officers and employees, including seasonal officers
22 and employees who shall receive the compensation provided for pursuant
23 to this section on a pro-rated basis, except part-time officers and
24 employees, in the collective negotiating unit designated as the rent
25 regulation services negotiating unit, whose principal place of employ-
26 ment or, in the case of a field employee, whose official station as
27 determined in accordance with the regulations of the comptroller, is
28 located in the city of New York, or in the county of Rockland, Westches-
29 ter, Nassau or Suffolk shall continue to receive a downstate adjustment
30 at the annual rate of \$3,026. Such location payments shall increase to
31 the following amounts:

- 32 (a) Effective April 1, 2023: \$3,087;
33 (b) Effective April 1, 2024: \$3,400; and
34 (c) Effective April 1, 2025: \$4,000.

35 2. Such location payments shall be in addition to and shall not be a
36 part of an officer's or employee's basic annual salary, and shall not
37 affect or impair any performance advancements or other rights or bene-
38 fits to which an officer or employee may be entitled by law, provided,
39 however, that location payments shall be included as compensation for
40 purposes of computation of overtime pay and for retirement purposes.

41 § 5. 1. For employees in the rent regulation services unit, a one-time
42 \$3,000 signing bonus shall be paid to all eligible members of the unit.
43 Such signing bonus shall not be part of basic annual salary. Similarly,
44 such signing bonus shall not be subject to any salary increases and
45 shall not be pensionable. Such signing bonus shall be prorated for those
46 employees paid on any basis other than an annual basis. Employees paid
47 on a part-time, hourly or per diem basis shall receive a signing bonus
48 pro-rated on a basis reflecting the actual hours worked between December
49 22, 2023 and April 24, 2024, for officers and employees on the adminis-
50 trative payroll. To qualify, employees must be in continuous service in
51 the Rent Regulation Services Unit between December 22, 2023 and April
52 24, 2024 as defined by paragraph (c) of subdivision 3 of section 130 of
53 the civil service law. Employees who separate from state service between
54 December 22, 2023 and April 24, 2024 shall not be eligible for such
55 signing bonus unless they retire directly from active state employment.

1 Such bonus shall be effective April 24, 2024 for officers and employees
2 on the administrative payroll.

3 2. Any DC-37 represented employee that has already received a bonus
4 payment pursuant to the collective bargaining agreement of another unit
5 or as a management confidential employee shall be ineligible for this
6 payment.

7 § 6. Notwithstanding any other law to the contrary, where an agreement
8 between the state and the employee organization that represents employ-
9 ees in the rent regulation services unit so provides, effective April 1,
10 2025 longevity awards shall be paid in accordance with the terms of such
11 agreement.

12 § 7. Notwithstanding any other law to the contrary, where an agreement
13 between the state and the employee organization that represents employ-
14 ees in the rent regulation services unit so provides, there shall be
15 paid a higher education differential consistent with the terms of such
16 agreement.

17 § 8. Notwithstanding any inconsistent provision of law, where and to
18 the extent that any agreement between the state and an employee organ-
19 ization entered into pursuant to article 14 of the civil service law so
20 provides on behalf of employees in the collective negotiating unit
21 designated as the rent regulation services negotiating unit, the state
22 shall contribute an amount designated in such agreement and for the
23 period covered by such agreement to the accounts of such employees
24 enrolled for dependent care deductions pursuant to subdivision 7 of
25 section 201-a of the state finance law. Such amounts shall be from funds
26 appropriated in this act and shall not be part of basic annual salary
27 for overtime or retirement purposes.

28 § 9. Notwithstanding any provision of law to the contrary, the appro-
29 priations contained in this act shall be available to the state for the
30 payment and publication of grievance and arbitration settlements and
31 awards pursuant to articles 31 and 33 of the collective negotiating
32 agreement between the state and the employee organization representing
33 the collective negotiating unit designated as the rent regulation
34 services negotiating unit.

35 § 10. During the period April 2, 2023 through April 1, 2026, there
36 shall be labor-management committees continued, administered and created
37 pursuant to the terms of the agreement negotiated between the state and
38 an employee organization representing employees in the collective nego-
39 tiating unit designated as the rent regulation services negotiating unit
40 established pursuant to article 14 of the civil service law which shall,
41 after April 2, 2023, have the responsibility for discussing and attempt-
42 ing to resolve matters of mutual concern and implementing any agreements
43 reached.

44 § 11. The salary increases, benefit modifications, and any other
45 modifications to the terms and conditions of employment provided for by
46 this act for state employees in the collective negotiating unit desig-
47 nated as the rent regulations services negotiating unit established
48 pursuant to article 14 of the civil service law shall not be implemented
49 until the director of employee relations shall have delivered to the
50 director of the budget and the comptroller a letter certifying that
51 there is in effect with respect to such negotiating unit a collectively
52 negotiated agreement, ratified by the membership, which provides for
53 such increases and modifications and which are fully executed in writing
54 with the state pursuant to article 14 of the civil service law.

55 § 12. The comptroller is authorized to pay any amounts required during
56 the fiscal year commencing April 1, 2023 by the foregoing provisions of

1 this act for any state department or agency from any appropriation or
2 other funds available to such state department or agency for personal
3 service or for other related employee benefits during such fiscal year.
4 To the extent that such appropriations in any fund are insufficient to
5 accomplish the purposes herein set forth, the director of the budget is
6 authorized to allocate to the various departments and agencies, from any
7 appropriations available in any fund, the amounts necessary to pay such
8 amounts.

9 § 13. No officer or employee participating in a special annuity
10 program pursuant to the provisions of article 8-C of the education law
11 shall, by reason of an increase in compensation pursuant to this act,
12 suffer any reduction of the salary adjustment to which he or she would
13 otherwise be entitled by reason of participation in such program, and
14 such salary adjustment shall be based upon the salary of such officer or
15 employee without regard to the reduction authorized by such article.

16 § 14. Notwithstanding the provisions of any other section of this act,
17 or any other law, pending payment pursuant to this act of the basic
18 annual salaries of incumbents of positions subject to this act, such
19 incumbents shall receive, as partial compensation for services rendered,
20 the rate of compensation otherwise payable in their respective posi-
21 tions. An incumbent holding a position subject to this act at any time
22 during the period from April 1, 2023, until the time when basic annual
23 salaries are first paid pursuant to this act for such services in excess
24 of the compensation actually received therefor, shall be entitled to a
25 lump sum payment for the difference between the salary to which such
26 incumbent is entitled for such services and the compensation actually
27 received therefor. Such lump sum payment shall be made as soon as prac-
28 ticable.

29 § 15. Notwithstanding any provision of the state finance law or any
30 other provision of law to the contrary, the sum of five million, three
31 hundred thousand dollars (\$5,300,000) is hereby appropriated in the
32 general fund/state purposes account (10050) in miscellaneous-all state
33 departments and agencies solely for apportionment/transfer by the direc-
34 tor of the budget for use by any state department or agency in any fund
35 for the fiscal year beginning April 1, 2023 through March 31, 2025 to
36 supplement appropriations for personal service, other than personal
37 service and fringe benefits, and to carry out the provisions of this
38 act. No money shall be available for expenditure from this appropri-
39 ation until a certificate of approval has been issued by the director of
40 the budget and a copy of such certificate or any amendment thereto has
41 been filed with the state comptroller, the chair of the senate finance
42 committee and the chair of the assembly ways and means committee. The
43 monies hereby appropriated are available for payment of any liabilities
44 or obligations incurred prior to or during the state fiscal year
45 commencing April 1, 2023 through March 31, 2025. For this purpose, these
46 appropriations shall remain in full force and effect for the payment of
47 liabilities incurred on or before March 31, 2025.

48 § 16. Notwithstanding any provision of the state finance law or any
49 other provision of law to the contrary, the several amounts as herein-
50 after set forth, or so much thereof as may be necessary, are hereby
51 appropriated from the fund so designated for use by any state department
52 or agency for the fiscal year beginning April 1, 2023 through March 31,
53 2025 to supplement appropriations from each respective fund available
54 for personal service, other than personal service and fringe benefits,
55 and to carry out the provisions of this act. The monies hereby appropri-
56 ated are available for payment of any liabilities or obligations

1 incurred prior to or during the state fiscal year commencing April 1,
 2 2023 through March 31, 2025. No money shall be available for expenditure
 3 from this appropriation until a certificate of approval has been issued
 4 by the director of the budget and a copy of such certificate or any
 5 amendment thereto has been filed with the state comptroller, the chair
 6 of the senate finance committee, and the chair of the assembly ways and
 7 means committee.

8 ALL STATE DEPARTMENTS AND AGENCIES
 9 SPECIAL PAY BILLS

10 General Fund/State Operations
 11 State Purposes Account - 003
 12 Non-Personal Service

13	Joint Committee on Health Benefits	7,493
14	Employee Assistance Program/Work-Life	
15	Services/Family Benefits	20,524
16	Employee Development and Training	111,000
17	Statewide Performance Rating Committee	4,000
18	Time & Attendance Umpire Process Admin	4,000
19	Disciplinary Panel Administration	6,000
20	Contract Administration	3,000
21	Employee Benefit Fund	797,000

22 § 17. This act shall take effect immediately and shall be deemed to
 23 have been in full force and effect on and after April 2, 2023. Appropri-
 24 ations made by this act shall remain in full force and effect for
 25 liabilities incurred through March 31, 2025.

REPEAL NOTE: Subparagraphs 1 and 2 of paragraph e of subdivision 1 of
 section 130 of the civil service law are REPEALED by section 1 of this
 act and are replaced with new subparagraphs 1, 2 and 3.

STATE OF NEW YORK

7586--A

2023-2024 Regular Sessions

IN SENATE

June 28, 2023

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to permit accidental death benefits to be awarded to the beneficiary of Anthony Varvaro

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

1 Section 1. Notwithstanding the provisions of any law, rule or regulation to the contrary, Anthony Varvaro, who was a member of the New York state and local police and fire retirement system employed as a police officer by the Port Authority of New York and New Jersey, and who died on September 11, 2022 as the result of an accident which occurred while he was travelling to work, shall be deemed to have died as the natural and proximate result of an accident sustained in the performance of duty. The beneficiary or beneficiaries of Anthony Varvaro shall be eligible to receive the accidental death benefit if an application therefor is filed within one year of the effective date of this act. Any amounts paid by the New York state and local police and fire retirement system as the result of the death of Anthony Varvaro prior to the receipt of the accidental death benefit pursuant to this section shall be deducted from the benefit payable on an actuarially equivalent basis over the expected future lifetime of the beneficiary or beneficiaries.

17 § 2. All costs associated with this act shall be borne by the state of New York.

19 § 3. This act shall take effect immediately.

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

This bill would make the statutory beneficiary or beneficiaries of Anthony Varvaro eligible to collect an accidental death benefit pursuant

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

LBD11782-06-4

to sections 361 and 361-a of the Retirement and Social Security Law. Anthony Varvaro was employed as a police officer with the Port Authority of New York and New Jersey until their death on September 11, 2022. Currently, an ordinary death benefit equal to three (3) times Anthony Varvaro's prior twelve-month salary is payable to a designated beneficiary or beneficiaries.

If this bill is enacted during the 2024 Legislative Session and the required application for an accidental death benefit is timely filed, there will be an immediate past service cost of approximately \$7.47 million which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2025.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 6, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-128, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

8411

IN SENATE

January 29, 2024

Introduced by Sen. WALCZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to deem an application filed with the New York state and local police and fire retirement system by the widow of Paul C. Adam as timely filed

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

1 Section 1. Notwithstanding the provisions of any general or special
2 law, rule or regulation to the contrary, an application for conversion
3 of service or disability retirement to accidental death benefits for
4 victims of the 2001 World Trade Center disaster filed by Cynthia Adam
5 with the New York state and local police and fire retirement system, on
6 behalf of her deceased husband Paul C. Adam who was previously employed
7 by the department of environmental conservation and who was granted a
8 service retirement benefit in March 2013, which was filed on September
9 11, 2018 shall be considered timely filed.

10 § 2. All costs of implementing the provisions of this act shall be
11 borne by the state of New York.

12 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:
This bill would deem the Application for Conversion of Service or Disability Retirement to Accidental Death Benefit for Victims of the 2001 World Trade Center Disaster originally filed by Cynthia Adam, the beneficiary of deceased environmental conservation police officer Paul Adam, on September 11, 2018 to be timely filed. Paul Adam died on September 8, 2015. Such application for conversion is required to be filed within two years of a retiree's date of death as provided in Section 361 of the Retirement and Social Security Law.

If this bill is enacted during the 2024 Legislative Session, there will be an immediate past service cost of approximately \$3.17 million which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2025.

Summary of relevant resources:

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

LBD13351-04-4

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 10, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-5, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

6623

2023-2024 Regular Sessions

IN SENATE

May 1, 2023

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend chapter 154 of the laws of 1921, relating to the port authority of New York and New Jersey, in relation to military leave for all represented and non-represented persons employed by the port authority of New York and New Jersey

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

1 Section 1. Section 1 of chapter 154 of the laws of 1921, relating to
2 the port authority of New York and New Jersey, is amended by adding a
3 new article XXIII to read as follows:

ARTICLE XXIII

1. Definitions. The term:

6 a. "Employee" means those persons employed at the port authority,
7 including but not limited to: full-time and part-time employees, those
8 employees on probation, and temporary employees, whether or not repres-
9 ented by a labor organization.

10 b. "Ordered military duty", as used in this article, means any mili-
11 tary duty performed in the service of the state of New York or of the
12 United States, including but not limited to attendance at any service
13 school or schools conducted by the armed forces of the United States, by
14 a port authority employee as a member of any force of the organized
15 militia or of any reserve force or reserve component of the armed forces
16 of the United States, pursuant to orders issued by competent state or
17 federal authority, with or without the consent of such port authority
18 employee. Participation in routine reserve officer training corps
19 training is not considered to be military duty except when performing
20 advanced training duty as a member of a reserve component of the armed
21 forces.

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

LBD11012-01-3

1 2. Leave of absence while engaged in performance of ordered military
2 duty. Every employee shall be entitled to absent themselves and shall be
3 deemed to have a leave of absence from his or her duties or service as
4 such public officer or employee while engaged in the performance of
5 ordered military duty and while going to and returning from such duty.

6 3. Leave of absence while attending service schools. Every employee
7 who is or becomes a voluntary member of any force of the organized mili-
8 tia or of any reserve force or reserve component of the armed forces of
9 the United States shall be entitled to absent themselves and shall be
10 deemed to have a leave of absence from his or her duties or service as
11 such employee while in attendance, as a member of such force or reserve
12 components, at any service school or schools conducted by the armed
13 forces of the United States, and while going to and returning from such
14 school or schools, notwithstanding that orders for such attendance are
15 or may be issued with the consent of such public officer or employee.

16 4. Leave of absence while performing full-time training duty or active
17 duty for training with or in an armed force of the United States. Every
18 employee who is or becomes a member of any force of the organized mili-
19 tia or of any reserve force or reserve component of the armed forces of
20 the United States shall be entitled to absent themselves and shall be
21 deemed to have a leave of absence from his or her duties or service as
22 such public officer or employee while performing, as a member of such
23 force or reserve component, initial full-time training duty or initial
24 active duty for training with or in an armed force of the United States
25 under the provisions of this chapter or the laws of the United States or
26 both, and while going to and returning from such full-time training duty
27 or active duty for training, notwithstanding that orders for such duty
28 are or may be issued with the consent of such public officer or employ-
29 ee.

30 5. Employment rights. Time during which an employee is absent pursuant
31 to the provisions of subdivisions two, three and four of this article
32 shall not constitute an interruption of continuous employment and,
33 notwithstanding the provisions of any general, special or local law or
34 the provisions of any city charter, no such employee shall be subjected,
35 directly or indirectly, to any loss or diminution of time service,
36 increment, vacation or holiday privileges, or any other right or privi-
37 lege, by reason of such absence, or be prejudiced, by reason of such
38 absence, with reference to continuance in office or employment, reap-
39 pointment to office, re-employment, reinstatement, transfer or
40 promotion.

41 6. Pay for military duty. a. Every employee shall be paid their salary
42 or other compensation as a port authority employee for any and all peri-
43 ods of absence while engaged in the performance of ordered military
44 duty, and while going to and returning from such duty, not exceeding a
45 total of thirty days or twenty-two working days, whichever is greater,
46 in any one calendar year and not exceeding thirty days or twenty-two
47 working days, whichever is greater, in any one continuous period of such
48 absence.

49 b. Every employee of the port authority who served in a combat theater
50 or combat zone of operations as documented by a copy of his or her
51 DD214, certificate of release or discharge from active duty, or other
52 applicable department of defense documentation, shall be paid his or her
53 salary or other compensation as such port authority employee for any and
54 all periods of absence while utilizing any health care related services
55 related to such duty, not exceeding five working days, in any one calen-
56 dar year.

1 7. Rights and contributions under retirement systems. a. The amount of
2 required contributions to any pension or retirement system of which an
3 employee absent while engaged in the performance of ordered military
4 duty is a member, shall be deducted from the salary or other compen-
5 sation paid to him or her as such employee as provided in this article.
6 If such required contributions exceed the amount of such salary or other
7 compensation to which an employee is entitled while engaged in the
8 performance of military duty, the amount of such salary or other compen-
9 sation shall be applied upon such required contributions and such
10 employee shall have the right to pay to such pension or retirement
11 system the amount by which such contributions exceed such salary or
12 other compensation. Such employee shall also have the right to pay to
13 such system, for any period of the absence during which he or she shall
14 receive no salary or other compensation as an employee of the port
15 authority, the amount that he or she would have contributed to such
16 system if he or she had been present and continuously engaged in the
17 performance of the duties of his or her position during such period.

18 b. Such payments, other than those deducted from his or her salary or
19 other compensation as such employee, may be paid from time to time at
20 any time while engaged in such ordered military duty or within five
21 years after the date of termination of such ordered military duty, or,
22 in the event of the death of such employee while engaged in ordered
23 military duty, such payments, or any part thereof, may be made by the
24 named beneficiary or the legal representative of such employee's estate
25 within one year following proof of such death.

26 c. To the extent that such contributions are paid, absence while
27 engaged in the performance of military duty shall be counted in deter-
28 mining the length of total service under such pension or retirement
29 system.

30 d. Any employee, while engaged in the performance of ordered military
31 duty, or his or her beneficiary, as the case may be, shall be entitled
32 to all the benefits of the pension or retirement system of which he or
33 she is a member, except accidental disability retirement and accidental
34 death benefit.

35 § 2. This act shall take effect upon the enactment into law by the
36 state of New Jersey of legislation having an identical effect with this
37 act, but if the state of New Jersey shall have already enacted such
38 legislation, this act shall take effect immediately; provided that the
39 state of New Jersey shall notify the legislative bill drafting commis-
40 sion upon the occurrence of the enactment of the legislation provided
41 for in section one of this act in order that the commission may maintain
42 an accurate and timely effective data base of the official text of the
43 laws of the state of New York in furtherance of effectuating the pro-
44 visions of section 44 of the legislative law and section 70-b of the
45 public officers law.

STATE OF NEW YORK

8686

IN SENATE

February 29, 2024

Introduced by Sen. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize the city of Buffalo to offer an optional twenty year retirement plan to firefighters Rhiannon Maguire and Jeffrey Brett

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

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 the city of Buffalo, in the county of Erie, a participating employer in
3 the New York state and local police and fire retirement system, which
4 previously elected to offer the optional twenty year retirement plan,
5 established pursuant to section 384-d of the retirement and social secu-
6 rity law, to firefighters employed by such city, is hereby authorized to
7 make participation in such plan available to Rhiannon Maguire and
8 Jeffrey Brett, firefighters employed by the city of Buffalo, who, for
9 reasons not ascribable to their own negligence, failed to make a timely
10 application to participate in such optional twenty year retirement plan.
11 The city of Buffalo may so elect by filing with the state comptroller,
12 within nine months of the effective date of this act, a resolution of
13 its own common council together with certification that such firefight-
14 ers did not bar themselves from participation in such retirement plan as
15 a result of their own negligence. Thereafter, such firefighters may
16 elect to be covered by the provisions of section 384-d of the retirement
17 and social security law, and shall be entitled to the full rights and
18 benefits associated with coverage under such section as well as section
19 384-e of such law, by filing a request to that effect with the state
20 comptroller within one year of the effective date of this act.

21 § 2. All employer past service costs associated with implementing the
22 provisions of this act shall be borne by the city of Buffalo and may be
23 amortized over a ten year period.

24 § 3. This act shall take effect immediately.

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

This bill would allow the City of Buffalo to reopen the provisions of section 384-d, together with 384-e, of the Retirement and Social Security Law for firefighters Jeffrey Brett and Rhiannon Maguire.

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

LBD14155-02-4

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$10,000 in the annual contributions of the City of Buffalo for the fiscal year ending March 31, 2025. In future years this cost will vary as the billing rates and salary of Jeffrey Brett and Rhiannon Maguire change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$357,000 which will be borne by the City of Buffalo as a one-time payment. This estimate assumes that payment will be made on February 1, 2025. If the City of Buffalo elects to amortize this cost over a 10-year period, the cost for each year including interest would be \$45,600.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 22, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-121, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9295

IN SENATE

May 10, 2024

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize the Honorable Joseph J. Maltese to receive compensation and service credit

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

1 Section 1. Under New York state law, justices over the age of 70 must
 2 request certification to continue to serve. In September 2020, Justice
 3 Joseph J. Maltese, who was assigned to the Appellate Division, Second
 4 Department of the Supreme Court and other justices were denied certifi-
 5 cation by the office of court administration based on potential future
 6 budget cuts that never materialized. As a result, Justice Maltese and
 7 other similarly situated justices were terminated effective January 1,
 8 2021. Pursuant to chapter 185 of the laws of 2023, judicial compen-
 9 sation was awarded to 15 justices for the period from January 1, 2021,
 10 to June 14, 2021. The legislature allocated monies to the office of
 11 court administration to make those justices whole. Justice Maltese, who
 12 believed he was included in that legislation was not compensated for
 13 that period of time as he did not resume service at the Appellate Divi-
 14 sion, Second Department until November 8, 2021, because he needed the
 15 Governor's redesignation, to return to the Appellate Division, which did
 16 not take effect until November 8, 2021. Justice Maltese rejoined the
 17 court with the approval of the office of court administration and
 18 suspended his pension benefits effective on November 8, 2021.

19 This body is in agreement with the office of court administration,
 20 that in the interest of fairness, and for the purpose of remedying the
 21 injury to Justice Maltese who was, through no fault of his own, denied
 22 his compensation and the opportunity to continue to serve the people of
 23 the state of New York, that Justice Maltese should be made whole, to the
 24 extent possible, in terms of his salary and his pension.

25 § 2. Notwithstanding any other provision of law, rule, or regulation,
 26 the office of court administration is authorized to pay Justice Joseph
 27 J. Maltese the salary he would have earned from the period of January 1,

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

LBD15321-02-4

1 2021 to November 7, 2021. In the event that Justice Maltese worked
 2 full- or part-time during the period of January 1, 2021 to November 7,
 3 2021, outside earnings from such employment shall be deducted from the
 4 amount payable as judicial compensation, so that his total wages shall
 5 not exceed the amount he would have earned as wages from New York state
 6 during that period. The office of court administration is also author-
 7 ized to pay to the New York state and local employees' retirement system
 8 the amount that would have been deducted and paid to such retirement
 9 system for the pension credit accrued by Justice Maltese during such
 10 period. All such payments shall be made out of moneys appropriated
 11 therefor. The New York state and local employees' retirement system is
 12 authorized to reinstate Justice Maltese to the retirement system for
 13 that period from January 1, 2021 to November 7, 2021 and continuing
 14 until the present time nunc pro tunc, and to adjust his seniority and
 15 add any additional credits since returning to the court prospectively
 16 from November 8, 2021. The comptroller is authorized to waive the
 17 payment of interest by Justice Maltese who received his pension during
 18 the period from January 1, 2021 to November 7, 2021, and is now required
 19 to repay it.

20 § 3. This act shall take effect immediately.

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

This bill would allow Justice Joseph J. Maltese, a member of the New York State and Local Employees' Retirement System (NYSLERS), who was dismissed from employment as a supreme court justice of the Unified Court System during the period beginning January 1, 2021 and ending on November 7, 2021, to obtain service credit for the duration of the period of unemployment. Additionally, Joseph J. Maltese shall be paid pensionable earnings for the period of January 1, 2021 through November 7, 2021, the date of reemployment. To be eligible for this additional service credit, Joseph J. Maltese, who retired and collected pension benefits during the period of unemployment, will be required to repay those benefits. This bill would not be consistent with the NYSLERS policy of granting service credit only when a salary has been paid for services performed.

If this bill is enacted during the 2024 Legislative Session, there will be an immediate past service cost of approximately \$51,900 which will be borne by the New York State Office of Court Administration as a one-time payment. This estimate assumes that payment will be made on March 1, 2025.

This bill will not increase the future annual contributions of the New York State Office of Court Administration.

The costs quoted above are in addition to the employer contributions required for any increase in pensionable earnings reported to the NYSLERS and are estimated to be \$48,000, which will be collected as part of the customary billing process.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 8, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-175, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

8997

IN SENATE

April 8, 2024

Introduced by Sen. MARTINEZ -- 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 retirement of members employed as an emergency medical technician, critical care technician, advanced emergency medical technician, paramedic or supervisor of such titles in a participating Suffolk county fire district

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

1 Section 1. Subdivisions a and j of section 89-ss of the retirement and
2 social security law, as added by chapter 714 of the laws of 2023, are
3 amended to read as follows:

4 a. Any member employed on or after December eighth, two thousand twen-
5 ty-three as an emergency medical technician, critical care technician,
6 advanced emergency medical technician, paramedic or supervisor of such
7 titles upon an election by a participating Suffolk county fire district
8 shall be eligible to retire pursuant to the provisions of this section.
9 Such eligibility shall be an alternative to the eligibility provisions
10 available under any other plan of this article to which such member is
11 subject.

12 j. ~~Any member who, on or before the effective date of this section,~~
13 ~~is employed as an emergency medical technician, critical care techni-~~
14 ~~cian, advanced emergency medical technician, paramedic or supervisor of~~
15 ~~such titles in a participating Suffolk county fire district may, by~~
16 ~~filing an election within one year after the effective date of this~~
17 ~~section, elect to be subject to the provisions of this section. Such~~
18 ~~election shall be in writing, shall be duly executed and filed with the~~
19 ~~comptroller and shall be irrevocable.]~~ (1) Each Suffolk county fire
20 district that elects pursuant to the provisions of this subdivision
21 shall pay the cost attributable therefor.

22 (2) The benefits of this section shall be available only to those
23 members defined in subdivisions a and d of this section whose employer
24 elects to provide such benefits by adopting a resolution to such effect
25 and filing a certified copy thereof with the comptroller. Such resol-

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

LBD14934-02-4

1 ution shall be accompanied by the affidavit of the chief executive offi-
 2 cer of the fire district that the fire district has received an estimate
 3 from the retirement system of the cost of the benefit provided by this
 4 section.

5 (3) Such resolution shall apply to all members defined in subdivisions
 6 a and d of this section.

7 § 2. Subdivision v of section 603 of the retirement and social securi-
 8 ty law, as added by chapter 714 of the laws of 2023, is amended to read
 9 as follows:

10 v. The service retirement benefit specified in section six hundred
 11 four of this article shall be payable to members with twenty-five years
 12 of creditable service, without regard to age, who are employed by a
 13 participating fire district that makes the election provided for in
 14 subdivision j of section eighty-nine-ss of this chapter as an emergency
 15 medical technician, critical care technician, advanced emergency medical
 16 technician, paramedic or supervisor of such titles in a participating
 17 Suffolk county fire district as defined in section eighty-nine-ss of
 18 this chapter if: (i) such members have met the minimum service require-
 19 ments upon retirement; and (ii) in the case of a member subject to the
 20 provisions of article fourteen of this chapter, such member files an
 21 election therefor which provides that ~~he or she~~ such member will be
 22 subject to the provisions of this article and to none of the provisions
 23 of such article fourteen. Such election, which shall be irrevocable,
 24 shall be in writing, duly executed and shall be filed with the comp-
 25 troller within one year of ~~[the effective date of this subdivision]~~ the
 26 election such member's employer makes pursuant to subdivision j of
 27 section eighty-nine-ss or within one year after entering the employment
 28 with the participating Suffolk county fire district upon which eligibil-
 29 ity is based, whichever comes later. For the purposes of this subdivi-
 30 sion, the term "creditable service" shall have the meaning as so defined
 31 in both sections eighty-nine-ss and six hundred one of this chapter.

32 § 3. All past service costs associated with implementing the
 33 provisions of this act shall be borne by the participating Suffolk coun-
 34 ty fire district.

35 § 4. This act shall take effect immediately and shall be deemed to
 36 have been in full force and effect on December 8, 2023.

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

This bill is a technical correction to Chapter 714 of the Laws of 2023. It would allow fire districts in Suffolk County that participate in the New York State and Local Employees' Retirement System to elect to provide individuals employed in the title of emergency medical technician, advanced emergency medical technician, critical care technician, or paramedic, and supervisors of these titles, the option to retire upon completion of twenty-five years of creditable service with a benefit of one-half of final average salary (FAS) and an additional benefit of one-sixtieth of FAS for each year of creditable service in excess of twenty-five years. Members in Tiers 3 - 6 would be limited to 15 years of additional one-sixtieths.

As a technical amendment to Chapter 714 of the Laws of 2023, the fiscal costs quoted for that bill still apply. There is no additional cost associated with this bill.

The exact number of current members as well as future members who could be affected by this legislation cannot be readily determined. Prior to electing to provide these benefits, an eligible fire district would be required to submit a roster of individuals in covered titles to the New York State and Local Retirement System. This roster would be

used to develop an exact cost for the individual fire district electing to provide these benefits.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 29, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-154, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9254

IN SENATE

May 7, 2024

Introduced by Sen. PALUMBO -- 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 mandatory age of the members of the town of Southampton police department

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

1 Section 1. Subdivision m of section 384-d of the retirement and social
 2 security law, as amended by chapter 476 of the laws of 2015, is amended
 3 to read as follows:
 4 m. Notwithstanding any inconsistent provision of law, if the town
 5 board of the town of Southampton elects to make the benefits of this
 6 section available to the members of its police department, each member
 7 of such department shall be separated from service upon completion of
 8 twenty years of service, provided, however, that the town board may
 9 permit a member to continue in service on an annual basis after the
 10 completion of twenty years of service, but in no event shall such annual
 11 service be continued after a member has attained age sixty unless such
 12 member has not attained twenty years of service, **except however, that a**
 13 **member of such department who holds the rank of chief within such**
 14 **department may be permitted by the town board to remain in service until**
 15 **such member has attained the age of sixty-five.**
 16 § 2. This act shall take effect immediately.

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

This bill would amend subdivision m of Section 384-d of the Retirement and Social Security Law to allow a police officer employed by the Town of Southampton who holds the rank of chief to remain in active service until attaining age 65. Currently, such officers must separate from service after attaining age 60.

If this bill is enacted during the 2024 Legislative Session, there could be additional benefits for certain members who remain in active service beyond age 60, which would be funded by the normal employer contributions. If such members delay separation of service due to the

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

LBD15297-03-4

enactment of this bill, we do not anticipate any increases in the annual contribution rates for the Town of Southampton.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 3, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-172, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

7071--A

2023-2024 Regular Sessions

IN SENATE

May 17, 2023

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the county of Steuben to offer an optional twenty-five year retirement plan to Erica M. McCoy, a deputy sheriff employed by such county

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

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 the county of Steuben, a participating employer in the New York state
3 employees' retirement system, which has elected to offer the optional
4 twenty-five year retirement plan, established pursuant to article 14-B
5 of the retirement and social security law, to deputy sheriffs employed
6 by such county, is hereby authorized to make participation in such plan
7 available to Erica M. McCoy, a deputy sheriff employed by the county of
8 Steuben with a start date of September 6, 2016, who, for reasons not
9 ascribable to her own negligence, failed to make a timely application to
10 participate in such optional twenty-five year plan contained in article
11 14-B of the retirement and social security law. The county of Steuben
12 may so elect by filing with the state comptroller, on or before 180 days
13 after this act shall have become a law, a resolution of its governing
14 body together with certification that such deputy sheriff did not bar
15 himself from participation in the retirement plan as a result of their
16 own negligence. Thereafter, such deputy sheriff may individually elect
17 to be covered by the provisions of section 551 of the retirement and
18 social security law, and shall be entitled to the full rights and bene-
19 fits associated with coverage under such section, by filing a request
20 with the state within one year of the effective date of this act.

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

LBD10841-04-4

1 § 2. All employer past service costs associated with implementing the
2 provisions of this act shall be borne by the county of Steuben and may
3 be amortized over a five-year period.

4 § 3. This act shall take effect immediately.

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

This bill would allow the County of Steuben to elect to reopen the provisions of Section 551 of Article 14-B of the Retirement and Social Security Law for deputy sheriff Erica M. McCoy.

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$4,700 in the annual contributions of the County of Steuben for the fiscal year ending March 31, 2025. In future years this cost will vary as the billing rates and salary of Erica M. McCoy change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$28,600 which will be borne by the County of Steuben as a one-time payment. This estimate assumes that payment will be made on February 1, 2025. If the County of Steuben elects to amortize this cost over a five-year period, the cost for each year including interest would be \$6,390.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 15, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-114, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9300

IN SENATE

May 10, 2024

Introduced by Sen. WALCZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize the village of Clayton to offer an optional twenty year retirement plan to a certain police officer employed by such village

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

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 Joshua David, a member of the New York state and local police and fire
3 retirement system who was employed as a police officer for the village
4 of Clayton in 2009, and who through no fault of his own, failed to file
5 a timely application to participate in the special twenty year retire-
6 ment plan contained in section 384-d of the retirement and social secu-
7 rity law resulting in the crediting of his service with the village of
8 Clayton in the retirement plan contained in section 375-e of such law,
9 shall be given full credit in the section 384-d special twenty year
10 retirement plan for such service upon the election of the village of
11 Clayton to assume the additional cost of such service and his election
12 to participate in such plan. The village of Clayton may so elect within
13 one year of the effective date of this act, by filing with the state
14 comptroller a resolution of its local legislative body together with
15 certification that such member did not bar himself from participation in
16 such retirement plan as a result of his own negligence.

17 § 2. Such police officer may elect to be covered by the provisions of
18 section 384-d of the retirement and social security law, and shall be
19 entitled to the full rights and benefits associated with coverage under
20 such section by filing a request to that effect with the state comp-
21 troller within eighteen months of the effective date of this act.

22 § 3. All employer past service costs associated with the implementa-
23 tion of this act shall be borne by the village of Clayton, and may be
24 amortized over a period of five years.

25 § 4. This act shall take effect immediately.

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

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

LBD13542-02-4

This bill would allow the Village of Clayton to reopen the provisions of section 384-d of the Retirement and Social Security Law for police officer Joshua David.

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$14,000 in the annual contributions of the Village of Clayton for the fiscal year ending March 31, 2025. In future years, this cost will vary as the billing rates and salary of Joshua David change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$164,000 which will be borne by the Village of Clayton as a one-time payment. This estimate assumes that payment will be made on February 1, 2025. If the Village of Clayton elects to amortize this cost over a 5-year period, the cost for each year including interest would be \$36,600.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 15, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-52, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9730

IN SENATE

May 23, 2024

Introduced by Sen. HOYLMAN-SIGAL -- (at request of the Office of Court Administration) -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend chapter 1 of the laws of 2023 relating to terms and conditions of employment of certain nonjudicial officers and employees of the unified court system and amending chapter 400 of the laws of 2014 relating to terms and conditions of employment of certain nonjudicial officers and employees of the unified court system, relating to annual longevity payments for certain employees, in relation to the annual maintenance allowance received by employees who are required to wear an employer-approved blazer

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

1 Section 1. Chapter 1 of the laws of 2023 relating to terms and condi-
2 tions of employment of certain nonjudicial officers and employees of the
3 unified court system and amending chapter 400 of the laws of 2014 relat-
4 ing to terms and conditions of employment of certain nonjudicial offi-
5 cers and employees of the unified court system, relating to annual
6 longevity payments for certain employees, is amended by adding a new
7 section 8-b to read as follows:

8 § 8-b. Where a nonjudicial officer or employee of the unified court
9 system to whom the provisions of section three or four of this act apply
10 is required to wear an employer-approved blazer while performing the
11 duties of his or her position and, on account thereof, is entitled to
12 receive an annual maintenance allowance pursuant to a collective
13 bargaining agreement between the unified court system and an employee
14 organization representing such nonjudicial officer or employee, such
15 allowance shall not be a part of such employee's basic annual salary but
16 shall be included as compensation for retirement purposes.

17 § 2. This act shall take effect immediately and shall be deemed to
18 have been in full force and effect on and after April 1, 2021.

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

LBD14395-01-4

STATE OF NEW YORK

6141--B

2023-2024 Regular Sessions

IN SENATE

March 30, 2023

Introduced by Sens. JACKSON, CHU -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to the retirement of county correction officers in Suffolk county

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

1 Section 1. Subdivisions c, g and h of section 89-f of the retirement
2 and social security law, as added by chapter 591 of the laws of 1988,
3 and such section as renumbered by chapter 771 of the laws of 1988,
4 subdivisions g and h as relettered by chapter 543 of the laws of 1992,
5 are amended to read as follows:

6 c. **(1)** Upon completion of twenty-five years of such service and upon
7 retirement, each such member shall receive a pension which, together
8 with an annuity which shall be the actuarial equivalent of ~~his~~ **such**
9 **member's** accumulated contributions at the time of ~~his~~ **such member's**
10 retirement and an additional pension which is the actuarial equivalent
11 of the reserved-for-increased-take-home-pay to which ~~he~~ **such member**
12 may then be entitled shall be sufficient to provide ~~him~~ **such member**
13 with a retirement allowance equal to one-half of ~~his~~ **such member's**
14 final average salary.

15 **(2) Upon completion of thirty years of such service and upon retire-**
16 **ment, each such member shall receive a pension which, together with an**
17 **annuity which shall be the actuarial equivalent of such member's accumu-**
18 **lated contributions at the time of such member's retirement and an addi-**
19 **tional pension which is the actuarial equivalent of the reserved-for-in-**
20 **creased-take-home-pay to which such member may then be entitled shall be**

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

LBD10296-13-4

1 sufficient to provide such member with a retirement allowance equal to
 2 sixty percent of such member's final average salary.

3 g. A member contributing on the basis of this section at the time of
 4 retirement, shall retire after the completion of twenty-five years or
 5 thirty years of total creditable service. Application therefor may be
 6 filed in a manner similar to that provided in section seventy of this
 7 article. Upon completion of twenty-five years or thirty years of such
 8 service and upon retirement, each such member shall receive a pension
 9 which, together with an annuity which shall be the actuarial equivalent
 10 of [~~his~~] such member's accumulated contributions at the time of [~~his~~]
 11 such member's retirement and an additional pension which is the actuari-
 12 al equivalent of the reserve-for-increased-take-home-pay to which [~~he~~]
 13 such member may then be entitled shall be sufficient to provide [~~him~~]
 14 such member with a retirement allowance equal to one-half of [~~his~~] such
 15 member's final average salary for a member retiring after the completion
 16 of twenty-five years, or a retirement allowance equal to sixty percent
 17 of such member's final average salary for a member retiring after the
 18 completion of thirty years.

19 h. In computing the twenty-five years or thirty years of total service
 20 of a member pursuant to this section full credit shall be given and full
 21 allowance shall be made for service of such member in time of war after
 22 World War I as defined in section two of this chapter, provided such
 23 member at the time of [~~his~~] such member's entrance into the armed forces
 24 was in the service of the county of Suffolk.

25 § 2. Subdivision d of section 604 of the retirement and social secu-
 26 rity law, as amended by chapter 771 of the laws of 1988, is amended to
 27 read as follows:

28 d. 1. The early service retirement for a member who is employed in
 29 Suffolk county as a correction officer as defined in section eighty-
 30 nine-f of this chapter, shall be a pension equal to one-fiftieth of
 31 final average salary times years of credited service at the completion
 32 of twenty-five years of service as such correction officer, but not
 33 exceeding one-half of [~~his or her~~] such member's final average salary.

34 2. The early service retirement for a member who is employed in
 35 Suffolk county as a correction officer as defined in section eighty-
 36 nine-f of this chapter, shall be a pension equal to one-fiftieth of
 37 final average salary times years of credited service at the completion
 38 of thirty years of service as such correction officer, but not exceeding
 39 sixty percent of such member's final average salary.

40 § 3. All past service costs associated with implementing the
 41 provisions of this act shall be borne by the county of Suffolk and may
 42 be amortized over a period of ten years.

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

46 § 5. This act shall take effect immediately and shall apply to all
 47 members that retire on or after such date.

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

This bill would modify the service retirement benefit for members of the New York State and Local Employees' Retirement System employed by Suffolk County as correction officers. The modified service retirement benefit will be one-half of final average salary (FAS) upon completion of twenty-five years of creditable service and sixty percent of FAS upon completion of thirty years of creditable service. The current service retirement benefit is one-half of FAS upon completion of twenty-five years of creditable service.

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$440,000 in the annual contributions of Suffolk County for the fiscal year ending March 31, 2025. In future years this cost will vary but is expected to average 0.3% of salary annually.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$5.5 million which will be borne by Suffolk County as a one-time payment. This estimate assumes that payment will be made on February 1, 2025. If Suffolk County elects to amortize this cost over a 10-year period, the cost for each year including interest would be \$702,000.

These estimated costs are based on 843 affected members employed by Suffolk County, with annual salary of approximately \$115 million as of March 31, 2023.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 8, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-106, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

8989

IN SENATE

April 8, 2024

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize Lee Weinstein to receive certain service credit under section 384-d of the retirement and social security law

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

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 Lee Weinstein, currently employed as a police officer with the town of
3 Chester police department, who was employed as a police officer with the
4 village of Greenwood Lake between August 15, 2001 and September 6, 2005,
5 and who, through no fault of his own, failed to file a timely applica-
6 tion to participate in the special twenty year retirement plan contained
7 in section 384-d of the retirement and social security law resulting in
8 the crediting of his service with the village of Greenwood Lake in the
9 general retirement plan contained in section 375-c of such law and with
10 the town of Chester in the general retirement plan contained in section
11 375-i of such law, shall be given full credit in the special twenty year
12 retirement plan for such additional cost of such service upon the
13 election of the village of Greenwood Lake to assume the additional cost
14 of such service to such village and the town of Chester to assume the
15 additional cost of such service to such town. The village of Greenwood
16 Lake may so elect by filing with the state comptroller, within one year
17 from the effective date of this act, a resolution of its local legisla-
18 tive body together with certification that such officer did not bar
19 himself from participation in such retirement plan as a result of his
20 own negligence. The town of Chester may so elect by filing with the
21 state comptroller, within one year from the effective date of this act,
22 a resolution of its local legislative body together with certification
23 that such officer did not bar himself from participation in such retire-
24 ment plan as a result of his own negligence. Thereafter, such officer
25 may elect to be covered by the provisions of section 384-d of the
26 retirement and social security law, and shall be entitled to the
27 full rights and benefits associated with coverage under such section, by

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

LBD13576-05-4

1 filing a request to that effect with the state comptroller within the
2 effective date of such resolution.

3 § 2. All employer past service costs associated with implementing the
4 provisions of this act shall be borne by the village of Greenwood Lake
5 and the town of Chester and may be amortized over a ten-year period.

6 § 3. This act shall take effect immediately.

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

This bill would allow the Town of Chester to reopen the provisions of section 384-d of the Retirement and Social Security Law for police officer Lee Weinstein. This bill would also grant service credit under section 384-d to Lee Weinstein for the period during which they were employed as a police officer by the Village of Greenwood Lake.

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$15,000 in the annual contributions of the Town of Chester for the fiscal year ending March 31, 2025. In future years this cost will vary as the billing rates and salary of Lee Weinstein change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$435,000. The Town of Chester and the Village of Greenwood Lake will each be required to make one-time payments of \$411,000 and \$24,000, respectively. This estimate assumes that payments will be made on February 1, 2025. If the Town of Chester and the Village of Greenwood Lake elect to amortize these costs over a 10-year period, the cost for each year including interest would be \$52,400 and \$3,110, respectively.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 26, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-72, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9205

IN SENATE

May 6, 2024

Introduced by Sen. GOUNARDES -- 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 paid firefighters to receive disability benefits for endocrine/thyroid cancer

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

1 Section 1. Section 363-d of the retirement and social security law, as
2 amended by chapter 531 of the laws of 2003, is amended to read as
3 follows:

4 § 363-d. Certain impairments of health; presumption. Notwithstanding
5 any other provisions of this chapter to the contrary, any (i) melanoma
6 or (ii) condition of cancer affecting the lymphatic, digestive, hemato-
7 logical, urinary, neurological, breast, reproductive, **endocrine/thyroid**
8 or prostate systems, resulting in total or partial disability or death
9 to a paid firefighter, who successfully passed a physical examination on
10 entry into firefighter service, which examination failed to reveal any
11 evidence of such melanoma or condition, shall be presumptive evidence
12 that, unless the contrary be proven by competent evidence, such disabili-
13 ty or death (a) was caused by the natural and proximate result of an
14 accident, not caused by such firefighter's own willful negligence, and
15 (b) was sustained in the performance and discharge of duty. The
16 provisions of this section shall remain in full force and effect [~~to and~~
17 ~~including the thirtieth day of June, two thousand five~~] **pursuant to**
18 **section four hundred eighty of this chapter.**

19 § 2. This act shall take effect immediately.

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

This bill would amend Section 363-d of the Retirement and Social Security Law to provide an accidental disability presumption to firefighters who contract cancer affecting the endocrine/thyroid system, resulting in disability or death. Such presumption would provide that the disease was contracted during the performance and discharge of duty and as the result of an accident, unless the contrary can be proved by competent evidence.

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

LBD14511-03-4

Insofar as this bill affects the New York State and Local Police and Fire Retirement System (NYSLPFRS), if this legislation is enacted during the 2024 Legislative Session, it would lead to more disabilities and deaths being classified as "accidental". The cost of the revised benefit will depend upon the applicant's age, service, salary, plan, and any benefit type otherwise payable but would average:

Benefit prior to enactment:	None	Ordinary Disability	Performance of Duty
NYSLPFRS cost for proposed benefit:	10 times salary	5.5 times salary	3 times salary
Benefit prior to enactment:	Service Retirement	Ordinary Death	
NYSLPFRS cost for proposed benefit:	2 times salary	13 times salary	

Further, we anticipate that there could be some administrative costs to implement the provisions of this legislation.

All costs arising from this bill would be shared by the State of New York and all the participating employers in the NYSLPFRS.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated April 9, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-126, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9812--A

IN SENATE

May 31, 2024

Introduced by Sen. SKOUFIS -- (at request of the State Comptroller) -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to authorizing beneficiaries to choose pension benefits or a death benefit in certain circumstances

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

1 Section 1. Subdivision a of section 70 of the retirement and social
2 security law, as amended by chapter 375 of the laws of 2011, is amended
3 to read as follows:

4 a. Any member may retire if [~~he or she~~] **such member** shall have
5 attained at least the minimum retirement age while in service as a
6 member, or while in federal service, or in the service of the United
7 Nations or other international organizations of which the United States
8 is a member, as a member continued pursuant to paragraph one of subdivi-
9 sion f of section forty of this article, or while entitled to make
10 application for a vested retirement allowance pursuant to section seven-
11 ty-six of this title. Any such member desiring to retire shall execute
12 and file with the comptroller an application for retirement, which shall
13 specify the effective date of [~~his or her~~] **such member's** retirement,
14 which shall be not less than fifteen nor more than ninety days subse-
15 quent to such date of filing. An application for service retirement,
16 filed hereunder in accordance with the provisions of subdivision c of
17 section sixty-two or subdivision f of section sixty-three of this arti-
18 cle, shall be processed in the regular manner, provided that if the
19 application filed simultaneously therewith under either of such subdivi-
20 sions is granted, then and in that event the retirement allowance grant-
21 ed in accordance with the provisions of this section shall be appropri-
22 ately adjusted. **Notwithstanding any other provision of law, for any**
23 **member who is eligible to retire, who has died while in active service,**
24 **and who has filed an application for service retirement less than ninety**

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

LBD15350-03-4

1 days prior to death, such member's designated option election benefici-
 2 ary or beneficiaries, if an option election has been filed prior to
 3 death, or the beneficiary or beneficiaries designated for the death
 4 benefit, if no option election was filed prior to death, shall have the
 5 option to choose the benefit provided by service retirement rather than
 6 the death benefit, provided, however that if the designated beneficiary
 7 elects the service retirement benefit such person shall be required to
 8 choose an option as provided by law. If the member's beneficiary or
 9 beneficiaries elect the service retirement benefit, the member shall be
 10 deemed to have retired on the day before the member's date of death. If
 11 there are multiple option beneficiaries and such beneficiaries cannot
 12 agree on the choice between the death benefit or the service retirement
 13 under an agreed upon option, the service retirement benefit shall be
 14 payable under the option election form filed by the member prior to such
 15 member's death. If there are multiple death beneficiaries and such bene-
 16 ficiaries cannot agree on the choice between the death benefit or the
 17 service retirement under an agreed upon option, the death benefit shall
 18 be payable.

19 § 2. Subdivision a of section 370 of the retirement and social securi-
 20 ty law, as amended by chapter 375 of the laws of 2011, is amended to
 21 read as follows:

22 a. Any member may retire if ~~[he or she]~~ such member shall have
 23 attained at least the minimum retirement age while in service as a
 24 member, or while in federal service, or in the service of the United
 25 Nations or other international organizations of which the United States
 26 is a member, as a member continued pursuant to paragraph one of subdivi-
 27 sion f of section three hundred forty of this article or while entitled
 28 to make application for a vested retirement allowance pursuant to
 29 section three hundred seventy-six of this title. Any such member desir-
 30 ing to retire shall execute and file with the comptroller an application
 31 for retirement, which shall specify the effective date of ~~[his or her]~~
 32 such member's retirement, which shall be not less than fifteen nor more
 33 than ninety days subsequent to such date of filing. An application for
 34 service retirement, filed hereunder in accordance with the provisions of
 35 subdivision c of section sixty-two or subdivision f of section sixty-
 36 three of this chapter, shall be processed in the regular manner,
 37 provided that if the application filed simultaneously therewith under
 38 either of such subdivisions is granted, then and in that event the
 39 retirement allowance granted in accordance with the provisions of this
 40 section shall be appropriately adjusted. Notwithstanding any other
 41 provision of law, for any member who is eligible to retire ~~[and]~~, who
 42 has died while in active service, and who has filed an application for
 43 service retirement less than ~~[thirty]~~ ninety days prior to death, ~~[shall~~
 44 ~~be deemed to have retired and]~~ the member's designated option election
 45 beneficiary or beneficiaries, if an option election has been filed prior
 46 to death, or the beneficiary or beneficiaries designated for the death
 47 benefit, if no option election was filed prior to death, shall have the
 48 option to choose the benefit provided by service retirement rather than
 49 the death benefit, provided, however that if the designated beneficiary
 50 elects the service retirement benefit such person shall be required to
 51 choose an option ~~[under section three hundred ninety of this article]~~ as
 52 provided by law. If the member's beneficiary or beneficiaries elect the
 53 service retirement benefit, the member shall be deemed to have retired
 54 on the day before the member's date of death. If there are multiple
 55 option beneficiaries and such beneficiaries cannot agree on the choice
 56 between the death benefit or the service retirement under an agreed upon

1 option, the service retirement benefit shall be payable under the option
 2 election form filed by the member prior to such member's death. If there
 3 are multiple death beneficiaries and such beneficiaries cannot agree on
 4 the choice between the death benefit or the service retirement under an
 5 agreed upon option, the death benefit shall be payable.

6 § 3. Notwithstanding any other provision of law to the contrary, the
 7 provisions of this act shall not be subject to section 25 of the retire-
 8 ment and social security law.

9 § 4. This act shall take effect immediately.

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

This bill would allow a deceased member's beneficiary the ability to select between the active member death benefit or a survivor's benefit payable under any optional form of payment elected by said beneficiary, provided that the member

1) was eligible to retire as of the day immediately prior to their death,

2) has died in active service, and

3) has filed an application for service retirement less than ninety days prior to their death.

If an option election form was filed by the member prior to death, the beneficiary listed on such option election form shall be permitted to select between the active death benefit or a survivor's benefit. If no option election form was filed by the member prior to death, the active death beneficiary shall be permitted to select between the active death benefit or a survivor's benefit.

When the survivor's benefit is selected, the beneficiary will be permitted to file their own option election form determining the survivor's benefit payable and the member will be deemed to have retired the day prior to their death.

Insofar as this bill affects the New York State and Local Employees' Retirement System (NYSLERS), if this bill is enacted during the 2024 Legislative Session, the cost will depend upon the deceased member's age, service, salary, plan, and the optional form elected by the beneficiary. For standard options, there will be an estimated additional cost of five (5) times the salary of the deceased member, including the cost of the post-retirement death benefit. All costs arising would be shared and spread by the State of New York and all participating employers in the NYSLERS.

Insofar as this bill affects the New York State and Local Police and Fire Retirement System (NYSLPFRS), if this bill is enacted during the 2024 Legislative Session, the cost will depend upon the deceased member's age, service, salary, plan, and the optional form elected by the beneficiary. For standard options, no additional cost is expected to arise in NYSLPFRS. Any costs arising would be shared and spread by the State of New York and all participating employers in the NYSLPFRS.

The number of beneficiaries who could be affected by this legislation cannot be readily determined. However, it is estimated that more than 600 beneficiaries could benefit from this provision each year.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the

Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 16, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-188, prepared by the Actuary for the New York State and Local Retirement System.

SECTION II

Vetoed Legislation Affecting the
New York State and Local Retirement System

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STATE OF NEW YORK

8472--A

IN SENATE

February 1, 2024

Introduced by Sens. JACKSON, BAILEY, CANZONERI-FITZPATRICK, CHU, CLEARE, COMRIE, COONEY, GALLIVAN, MANNION, MAY, SKOUFIS, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement

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

- 1 Section 1. The retirement and social security law is amended by adding
- 2 a new section 383-e to read as follows:
- 3 § 383-e. Retirement of officers of state law enforcement; twenty year
- 4 retirement plan. a. Membership. Every non-seasonally appointed sworn
- 5 member or officer of the division of law enforcement in the department
- 6 of environmental conservation, a forest ranger in the service of the
- 7 department of environmental conservation, which shall mean a person who
- 8 serves on a full-time basis in the title of forest ranger I, forest
- 9 ranger II, forest ranger III, assistant superintendent of forest fire
- 10 control, superintendent of forest fire control or any successor titles
- 11 or new titles in the forest ranger title series in the department of
- 12 environmental conservation, a police officer in the department of envi-
- 13 ronmental conservation, the regional state park police, and university
- 14 police officers who enter or re-enter service in any such title shall be
- 15 covered by the provisions of this section, and every member described in
- 16 this subdivision in such service on or before one year prior to the
- 17 effective date of this section may elect to be covered by the provisions
- 18 of this section by filing an election therefor with the comptroller. To
- 19 be effective, such election must be duly executed and acknowledged on a
- 20 form prepared by the comptroller for that purpose.
- 21 b. Retirement allowance. A member, covered by the provisions of this
- 22 section at the time of retirement, shall be entitled to retire upon

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

LBD01826-05-4

1 completion of twenty years of total creditable service in such titles,
2 and shall retire upon the attainment of the mandatory retirement age
3 prescribed by this section, by filing an application therefor in a
4 manner similar to that provided in section three hundred seventy of this
5 article.

6 1. Upon completion of twenty years of such service and upon retire-
7 ment, each such member shall receive a pension which, together with an
8 annuity for such years of service as provided in paragraph four of this
9 subdivision, shall be sufficient to provide such member with a retire-
10 ment allowance of one-half of such member's final average salary.

11 2. Upon completion of more than twenty years of such service and upon
12 retirement, each such member shall receive, for each year of service in
13 excess of twenty, an additional pension which, together with an annuity
14 for each such year as provided in paragraph four of this subdivision,
15 shall be equal to one-sixtieth of such member's final average salary,
16 provided, however, that the pension payable pursuant to this section
17 shall not exceed three-quarters of final average salary.

18 3. Upon attainment of the mandatory retirement age without completion
19 of twenty years of such service, each such member shall receive a
20 pension which, together with an annuity for such years of service as
21 provided in paragraph four of this subdivision, shall be equal to one-
22 fortieth of such member's final average salary for each year of credita-
23 ble service in such titles. Every such member shall also be entitled to
24 an additional pension equal to the pension for any creditable service
25 rendered while not an employee in such titles as provided under para-
26 graphs three and four of subdivision a of section three hundred seven-
27 ty-five of this article. This latter pension shall not increase the
28 total allowance to more than one-half of such member's final average
29 salary.

30 4. The annuity provided under paragraphs one, two and three of this
31 subdivision shall be the actuarial equivalent, at the time of retire-
32 ment, of the member's accumulated contributions based upon the rate of
33 contribution fixed under section three hundred eighty-three of this
34 title and upon the salaries earned while in such service. Such annuity
35 shall be computed as it would be if it were not reduced by the actuarial
36 equivalent of any outstanding loan nor by reason of the member's
37 election to decrease such member's contributions toward retirement in
38 order to apply the resulting amount toward payment of contributions for
39 old age and survivor's insurance. Any accumulated contributions in
40 excess of the amount required to provide the annuity computed pursuant
41 to this paragraph shall be used to increase the member's retirement
42 allowance.

43 c. Credit for previous service. In computing the years of total cred-
44 itable service for each member described herein, full credit shall be
45 given and full allowance shall be made for service rendered as a police
46 officer or state university peace officer or member of a police force or
47 department of a state park authority or commission or an organized
48 police force or department of a county, city, town, village, police
49 district, authority or other participating employer or member of the
50 capital police force in the office of general services while a member of
51 the New York state and local police and fire retirement system, of the
52 New York state and local employees' retirement system or of the New York
53 city police pension fund and for all service for which full credit has
54 been given and full allowance made pursuant to the provisions of section
55 three hundred seventy-five-h of this article provided, however, that
56 full credit pursuant to the provisions of such section shall mean only

1 such service as would be creditable service pursuant to the provisions
 2 of section three hundred eighty-three, three hundred eighty-three-a,
 3 three hundred eighty-three-b, as added by chapter six hundred seventy-
 4 four of the laws of nineteen hundred eighty-six, three hundred eighty-
 5 three-b, as added by chapter six hundred seventy-seven of the laws of
 6 nineteen hundred eighty-six, three hundred eighty-three-c or three
 7 hundred eighty-three-d of this title or pursuant to the provisions of
 8 title thirteen of the administrative code of the city of New York for
 9 any member contributing pursuant to this section who transferred to the
 10 jurisdiction of the department of environmental conservation including
 11 but not limited to environmental conservation officers and forest
 12 rangers, regional state park police or state university of New York
 13 peace officers.

14 d. Retirement for cause. Upon receipt of a certificate from the head
 15 of the entity where such member is employed or such member's designee, a
 16 member as described in subdivision a of this section, who has accrued
 17 twenty-five or more years of service credit under this section shall be
 18 retired on the first day of the second month next succeeding the date
 19 such certificate was filed with the comptroller.

20 e. Credit for military service. In computing the years of total cred-
 21 itable service full credit shall be given and full allowance shall be
 22 made for service of such member in war after world war I as defined in
 23 section three hundred two of this article, provided such member at the
 24 time of such member's entrance into the armed forces was in police
 25 service as defined in subdivision eleven of section three hundred two of
 26 this article.

27 f. Transfer of membership to employees' retirement system. Any member
 28 currently enrolled pursuant to this section and who previously trans-
 29 ferred service credit from the New York state and local employees'
 30 retirement system to the New York state and local police and fire
 31 retirement system, may elect to transfer such previously transferred
 32 service credit back to the New York state and local employees' retire-
 33 ment system, and such member shall have the option to retroactively
 34 transfer such member's membership into such employees' retirement
 35 system.

36 g. The provisions of this section shall be controlling, notwithstand-
 37 ing any provision of this article to the contrary.

38 § 2. All past service costs associated with implementing the
 39 provisions of this act shall be borne by the state of New York and may
 40 be amortized over a period of ten years.

41 § 3. This act shall take effect on the sixtieth day after it shall
 42 have become a law.

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

This bill would allow any non-seasonally appointed sworn member or officer of the division of law enforcement, police officer, or forest ranger in the department of environmental conservation; any regional state park police officer; or any university police officer to become covered by the provisions of a special 20-year retirement plan, which will provide a benefit of one-half of final average salary upon retirement and an additional benefit of one-sixtieth of final average salary for each year of creditable service in excess of 20 years, not to exceed 12 years.

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$6.6 million in the annual contributions of the State of New York for the fiscal year

ending March 31, 2025. In future years this cost will vary but is expected to average 3.9% of salary annually.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$70.3 million which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2025. If the State of New York elects to amortize this cost over a 10-year period, the cost for each year including interest would be \$8.98 million.

These estimated costs are based on 1,228 affected members employed by the State of New York, with annual salary of approximately \$131 million as of March 31, 2023.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein. This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 22, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-90, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

8408

IN SENATE

January 29, 2024

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 beneficiaries of certain deceased members to elect to receive death benefits in a lump sum

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

1 Section 1. Subdivision b of section 448 of the retirement and social
2 security law is amended by adding a new paragraph 3 to read as follows:

3 **3. Provided further, notwithstanding any other provision of this arti-**
4 **cle to the contrary, where the member is in a title as defined in subdi-**
5 **vision i of section eighty-nine of this chapter, and would have been**
6 **entitled to a service retirement benefit at the time of such member's**
7 **death and where such member's death occurs on or after July first, two**
8 **thousand twenty-four, the beneficiary or beneficiaries nominated for the**
9 **purposes of this subdivision may elect to receive, in a lump sum, an**
10 **amount payable which shall be equal to the pension reserve that would**
11 **have been established had the member retired on the date of such**
12 **member's death, or the value of the death benefit and the reserve-for-**
13 **increased-take-home-pay, if any, whichever is greater.**

14 § 2. Subdivision b of section 508 of the retirement and social securi-
15 ty law, as amended by chapter 476 of the laws of 2018, is amended to
16 read as follows:

17 b. A member of a retirement system subject to the provisions of this
18 article who is a police officer, firefighter, correction officer, inves-
19 tigator revised plan member or sanitation worker and is in a plan which
20 permits immediate retirement upon completion of a specified period of
21 service without regard to age or who is subject to the provisions of
22 section five hundred four or five hundred five of this article, shall
23 upon completion of ninety days of service be covered for financial
24 protection in the event of death in service pursuant to this subdivi-
25 sion.

26 **1.** Such death benefit shall be equal to three times the member's sala-
27 ry raised to the next highest multiple of one thousand dollars, but in

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

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1 no event shall it exceed three times the maximum salary specified in
 2 section one hundred thirty of the civil service law or, in the case of a
 3 member of a retirement system other than the New York city employees'
 4 retirement system, or in the case of a member of the New York city
 5 employees' retirement system who is a New York city uniformed
 6 correction/sanitation revised plan member or an investigator revised
 7 plan member, the specific limitations specified for age of entrance into
 8 service contained in subparagraphs (b), (c), (d), (e) and (f) of para-
 9 graph two of subdivision a of this section.

10 **2. Provided further, notwithstanding any other provision of this arti-**
 11 **cle to the contrary, where the member is in a title as defined in subdi-**
 12 **vision i of section eighty-nine of this chapter, and would have been**
 13 **entitled to a service retirement benefit at the time of such member's**
 14 **death and where such member's death occurs on or after July first, two**
 15 **thousand twenty-four, the beneficiary or beneficiaries nominated for the**
 16 **purposes of this subdivision may elect to receive, in a lump sum, an**
 17 **amount payable which shall be equal to the pension reserve that would**
 18 **have been established had the member retired on the date of such**
 19 **member's death, or the value of the death benefit and the reserve-for-**
 20 **increased-take-home-pay, if any, whichever is greater.**

21 § 3. This act shall take effect immediately.

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

This bill would modify the in-service death benefit for retirement eligible members of the New York State and Local Employees' Retirement System who are employed by New York State as correction officers and security hospital treatment assistants. The in-service death benefit will be the value of the pension reserve as if the member had retired on their date of death.

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$1.7 million in the annual contributions of the State of New York for the fiscal year ending March 31, 2025. In future years this cost will vary but is expected to average 0.1% of salary annually.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$10.4 million which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2025.

These estimated costs are based on 17,000 affected members employed by the State of New York, with annual salary of approximately \$1.6 billion as of March 31, 2023.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 25, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-97, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

7410--A

2023-2024 Regular Sessions

IN SENATE

May 23, 2023

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT granting retroactive membership with Tier IV status in the New York state and local employees' retirement system to Dawn Ward

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

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 Dawn Ward, who was employed with the village of Kensington with a start
3 date of November 1, 1993, and who is currently a member of the New York
4 state and local employees' retirement system, who through no fault of
5 her own did not become a member of the New York state and local employ-
6 ees' retirement system on November 1, 1993 when first employed by the
7 village of Kensington, shall be deemed to have been a member of the New
8 York state and local employees' retirement system on such date she
9 commenced her employment and shall be granted Tier IV status, provided
10 that an application is filed with the head of the New York state and
11 local employees' retirement system within one year from the effective
12 date of this act. Upon the granting of such retroactive membership,
13 Dawn Ward shall not be granted a refund of any employee contribution
14 made by her to the New York state and local employees' retirement
15 system.

16 § 2. All past services costs associated with the implementation of
17 this act shall be borne by the village of Kensington.

18 § 3. This act shall take effect immediately.

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

This bill would provide Dawn Ward with a date of membership of November 11, 1993, their date of first employment with the Village of Kens-

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

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ington, resulting in Tier 4 status in the New York State and Local Employees' Retirement System. Dawn Ward is currently a Tier 5 member. There will be no refund of member contributions.

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$2,100 in the annual contributions of the Village of Great Neck, \$640 in the annual contributions of the Village of Kensington, and \$160 in the annual contributions of the Village of Baxter Estates for the fiscal year ending March 31, 2025. In future years this cost will vary as the billing rates and salary of Dawn Ward change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$300 which will be borne by the Village of Kensington as a one-time payment. This estimate assumes that payment will be made on February 1, 2025.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 22, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-79, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

7567--A

2023-2024 Regular Sessions

IN SENATE

June 7, 2023

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to death benefits for the beneficiaries of certain members of the retirement system

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

1 Section 1. The retirement and social security law is amended by adding
2 a new section 63-j to read as follows:

3 § 63-j. Death benefits for state-paid judges and justices. a. As used
4 in this section, the term "judge or justice" shall mean a state-paid
5 judge or justice of the unified court system including a retired judge
6 of the court of appeals or retired justice of the supreme court who is
7 serving as a justice of the supreme court pursuant to certification by
8 the administrative board of the courts in accordance with section one
9 hundred fourteen or one hundred fifteen of the judiciary law, or a hous-
10 ing judge of the civil court of the city of New York.

11 b. Notwithstanding any provision of law to the contrary, where a judge
12 or justice would have been entitled to a service retirement benefit at
13 the time of his or her death and where his or her death occurs on or
14 after the effective date of this section, the beneficiary or benefici-
15 aries may elect to receive, in a lump sum, an amount payable which shall
16 be equal to the pension reserve that would have been established had the
17 member retired on the date of his or her death, or the value of the
18 death benefit and the reserve-for-increased-take-home-pay, if any,
19 whichever is greater.

20 § 2. The retirement and social security law is amended by adding a new
21 section 508-d to read as follows:

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

LBD10201-05-4

1 § 508-d. Death benefits for state-paid judges and justices. a. As
 2 used in this section, the term "judge or justice" shall mean a state-
 3 paid judge or justice of the unified court system including a retired
 4 judge of the court of appeals or retired justice of the supreme court
 5 who is serving as a justice of the supreme court pursuant to certifi-
 6 cation by the administrative board of the courts in accordance with
 7 section one hundred fourteen or one hundred fifteen of the judiciary
 8 law, or a housing judge of the civil court of the city of New York.

9 b. Notwithstanding any provision of law to the contrary, where a judge
 10 or justice would have been entitled to a service retirement benefit at
 11 the time of his or her death and where his or her death occurs on or
 12 after the effective date of this section, the beneficiary or benefici-
 13 aries may elect to receive, in a lump sum, an amount payable which shall
 14 be equal to the pension reserve that would have been established had the
 15 member retired on the date of his or her death, or the value of the
 16 death benefit and the reserve-for-increased-take-home-pay, if any,
 17 whichever is greater.

18 § 3. The retirement and social security law is amended by adding a new
 19 section 606-d to read as follows:

20 § 606-d. Death benefits for state-paid judges and justices. a. As
 21 used in this section, the term "judge or justice" shall mean a state-
 22 paid judge or justice of the unified court system including a retired
 23 judge of the court of appeals or retired justice of the supreme court
 24 who is serving as a justice of the supreme court pursuant to certifi-
 25 cation by the administrative board of the courts in accordance with
 26 section one hundred fourteen or one hundred fifteen of the judiciary
 27 law, or a housing judge of the civil court of the city of New York.

28 b. Notwithstanding any provision of law to the contrary, where a judge
 29 or justice would have been entitled to a service retirement benefit at
 30 the time of his or her death and where his or her death occurs on or
 31 after the effective date of this section, the beneficiary or benefici-
 32 aries may elect to receive, in a lump sum, an amount payable which shall
 33 be equal to the pension reserve that would have been established had the
 34 member retired on the date of his or her death, or the value of the
 35 death benefit and the reserve-for-increased-take-home-pay, if any,
 36 whichever is greater.

37 § 4. All past service costs associated with implementing the
 38 provisions of this act shall be borne by the state of New York and may
 39 be amortized over a period of ten years.

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

43 § 6. This act shall take effect immediately.

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

This bill would modify the in-service death benefit for retirement eligible members of the New York State and Local Employees' Retirement System who are employed as state-paid judges or justices of the Unified Court System. The in-service death benefit will be the value of the pension reserve as if the member had retired on their date of death.

If this bill is enacted during the 2024 Legislative Session, we anticipate that there will be an increase of approximately \$243,000 in the annual contributions of the State of New York for the fiscal year ending March 31, 2025. In future years, this cost will vary as the billing rates and salary of the affected members change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$3.86 million which will

be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2025. If the State of New York elects to amortize this cost over a 10-year period, the cost for each year including interest would be \$493,000.

These estimated costs are based on 1,148 affected members employed by the State of New York, with annual salary of approximately \$222 million as of March 31, 2023.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 3, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-13, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

8788

IN SENATE

March 12, 2024

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 eligibility for retirement benefits for certain members of the unified court system

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

1 Section 1. Subdivision a of section 503 of the retirement and social
2 security law, as amended by chapter 18 of the laws of 2012, is amended
3 to read as follows:

4 a. The normal service retirement benefit specified in section five
5 hundred four of this article shall be payable to general members, other
6 than elective members, who have met the minimum service requirements
7 upon retirement and attainment of age sixty-two, provided, however, a
8 general member who is a peace officer employed by the unified court
9 system or a member of a teachers' retirement system may retire without
10 reduction of ~~[his or her]~~ **such member's** retirement benefit upon attain-
11 ment of at least fifty-five years of age and completion of thirty or
12 more years of service. For members who become members of the New York
13 state and local employees' retirement system on or after April first,
14 two thousand twelve, the normal service retirement benefits specified in
15 section five hundred four of this article shall be payable to general
16 members, other than elective members, who have met the minimum service
17 requirements upon retirement and attainment of age sixty-three; **provided**
18 **that, a member who is a peace officer employed by the unified court**
19 **system may retire without reduction of such member's retirement benefit**
20 **upon attainment of at least fifty-five years of age and completion of**
21 **thirty or more years of service.**

22 § 2. Subdivisions a and a-1 of section 603 of the retirement and
23 social security law, subdivision a as amended and subdivision a-1 as
24 added by chapter 18 of the laws of 2012, are amended to read as follows:

25 a. The service retirement benefit specified in section six hundred
26 four of this article shall be payable to members who have met the mini-
27 mum service requirements upon retirement and attainment of age sixty-

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

LBD08385-03-4

1 two, other than members who are eligible for early service retirement
2 pursuant to subdivision c of section six hundred four-b of this article,
3 subdivision c of section six hundred four-c of this article, subdivision
4 d of section six hundred four-d of this article, subdivision c of
5 section six hundred four-e of this article, subdivision c of section six
6 hundred four-f of this article, subdivision c of section six hundred
7 four-g of this article, subdivision c of section six hundred four-h of
8 this article or subdivision c of section six hundred four-i of this
9 article, provided, however, a member of a teachers' retirement system or
10 the New York state and local employees' retirement system who first
11 joins such system before January first, two thousand ten or a member who
12 is a uniformed court officer or peace officer employed by the unified
13 court system [~~who first becomes a member of the New York state and local~~
14 ~~employees' retirement system before April first, two thousand twelve~~]
15 may retire without reduction of [~~his or her~~] such member's retirement
16 benefit upon attainment of at least fifty-five years of age and
17 completion of thirty or more years of service, provided, however, that a
18 uniformed court officer or peace officer employed by the unified court
19 system who first becomes a member of the New York state and local
20 employees' retirement system on or after January first, two thousand ten
21 and retires without reduction of [~~his or her~~] such member's retirement
22 benefit upon attainment of at least fifty-five years of age and
23 completion of thirty or more years of service pursuant to this section
24 shall be required to make the member contributions required by subdivi-
25 sion f of section six hundred thirteen of this article for all years of
26 credited and creditable service, provided further that the [~~the~~] preced-
27 ing provisions of this subdivision shall not apply to a New York city
28 revised plan member.

29 a-1. For members who first become a member of a public retirement
30 system of the state on or after April first, two thousand twelve, except
31 for uniformed court officers or peace officers employed by the unified
32 court system, the service retirement benefit specified in section six
33 hundred four of this article shall be payable to members who have met
34 the minimum service requirements upon retirement and have attained age
35 sixty-three.

36 § 3. Subdivisions a and b-1 of section 604 of the retirement and
37 social security law, subdivision a as amended and subdivision b-1 as
38 added by chapter 18 of the laws of 2012, are amended to read as follows:

39 a. The service retirement benefit at normal retirement age for a
40 member with less than twenty years of credited service, or less than
41 twenty-five years credited service for a member who joins the New York
42 state teachers' retirement system on or after January first, two thou-
43 sand ten, shall be a retirement allowance equal to one-sixtieth of final
44 average salary times years of credited service. Normal retirement age
45 for members who first become members of a public retirement system of
46 the state on or after April first, two thousand twelve shall be age
47 sixty-three; except that the normal retirement age shall be sixty-two
48 for a member who is a peace officer or uniformed court officer employed
49 by the unified court system.

50 b-1. Notwithstanding any other provision of law to the contrary, the
51 service retirement benefit for members with twenty or more years of
52 [~~credit~~] credited service who first become a member of a public retire-
53 ment system of the state on or after April first, two thousand twelve at
54 age sixty-three, or at age sixty-two for uniformed court officers or
55 peace officers employed by the unified court system, shall be a pension
56 equal to the sum of thirty-five per centum and one-fiftieth of final

1 average salary for each year of service in excess of twenty times final
 2 average salary times years of credited service. In no event shall any
 3 retirement benefit payable without optional modification be less than
 4 the actuarially equivalent annuitized value of the member's contrib-
 5 utions accumulated with interest at five percent per annum compounded
 6 annually to the date of retirement.

7 § 4. Paragraph 3 of subdivision i of section 603 of the retirement and
 8 social security law, as added by chapter 18 of the laws of 2012, is
 9 amended to read as follows:

10 3. A member of a public retirement system of the state who has met the
 11 minimum service requirement, but who is not a New York city transit
 12 authority member, as defined in paragraph one of subdivision a of
 13 section six hundred four-b of this article, may retire prior to normal
 14 retirement age, but no earlier than attainment of age fifty-five, in
 15 which event, the amount of ~~[his or her]~~ **such member's** retirement benefit
 16 computed without optional modification shall be reduced by six and one-
 17 half per centum for each year by which early retirement precedes age
 18 sixty-three; **provided, however, that for a member who is a uniformed**
 19 **court officer or peace officer employed by the unified court system, the**
 20 **retirement benefit computed without optional modification shall be**
 21 **reduced in accordance with paragraph one of this subdivision.**

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

25 § 6. This act shall take effect immediately; provided that the amend-
 26 ments to subdivision a of section 603 of the retirement and social secu-
 27 rity law made by section two of this act shall not affect the expiration
 28 of such subdivision and shall be deemed to expire therewith.

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

This bill would allow any Tier 6 member who is a uniformed court offi-
 cer or peace officer employed by the unified court system to retire
 without early age reduction upon attaining 30 years of creditable
 service and age 55. It would also reduce the normal retirement age from
 63 to 62 and lessen the reductions in benefits for those who retire
 prior to normal retirement age.

Insofar as this bill affects the New York State and Local Employees'
 Retirement System (NYSLERS), the increased costs would be borne entirely
 by the State of New York. If this bill were enacted during the 2024
 Legislative Session, the increase in the present value of benefits would
 be approximately \$34.2 million.

In the NYSLERS, this benefit improvement will be funded by (1) billing
 a past service cost to cover retrospective benefit increases and (2)
 increasing the billing rates charged annually to cover prospective bene-
 fit increases, as follows:

(1) To fund retrospective costs, the State of New York will be
 required to pay \$18.9 million as of March 1, 2025.

(2) To fund prospective costs, the annual contribution required of the
 State of New York will include a separate itemized charge equal to 1.0%
 of billable salary reported to the NYSLERS for the affected members, or
 approximately \$2.2 million beginning in fiscal year ending March 31,
 2025. This **permanent annual cost will increase** as Tier 6 salary grows
 and will vary in subsequent billing cycles with changes in the billing
 rate.

These estimated costs are based on 2,207 affected members employed by
 New York State, with annual salary of approximately \$166 million as of
 March 31, 2023.

Summary of relevant resources:

Membership data as of March 31, 2023 was used in measuring the impact of the proposed change, the same data used in the April 1, 2023 actuarial valuation. Distributions and other statistics can be found in the 2023 Report of the Actuary and the 2023 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2023 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2023 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 8, 2024, and intended for use only during the 2024 Legislative Session, is Fiscal Note No. 2024-92, prepared by the Actuary for the New York State and Local Retirement System.

SECTION III

Legislation Affecting Other
New York Public Retirement Systems

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STATE OF NEW YORK

S. 8305--C

A. 8805--C

SENATE - ASSEMBLY

January 17, 2024

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors (Part EE); to amend the administrative code of the city of New York, in relation to the pensionable earnings of first grade police officers (Part II)

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

PART EE

Section 1. The retirement and social security law is amended by adding a new section 604-j to read as follows:

§ 604-j. Twenty-five year retirement program for fire protection inspector 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. "Fire protection inspector member" shall mean a member who is employed by the city of New York or by the New York city fire department in a title whose duties are those of a fire protection inspector or associate fire protection inspector; or in a title whose duties require the supervision of employees whose duties are those of a fire protection inspector or associate fire protection inspector.

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

3. "Starting date of the twenty-five year retirement program" shall mean the effective date of this section.

4. "Participant in the twenty-five year retirement program" shall mean any fire protection inspector 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-five year retirement program, as applicable to them.

5. "Discontinued member" shall mean a participant in the twenty-five year retirement program who, while they were a fire protection inspector member, discontinued service as such a member and has a right to a deferred vested benefit under subdivision d of this section.

6. "Administrative code" shall mean the administrative code of the city of New York.

7. "Allowable service as a fire protection inspector member" shall mean all service as a fire protection inspector member.

b. Participation in the twenty-five year retirement program. 1. Subject to the provisions of paragraphs six and seven of this subdivision, any person who is a fire protection inspector member on the starting date of the twenty-five year retirement program and who, as such a fire protection inspector member or otherwise, last became subject to the provisions of this article prior to such starting date, may elect to become a participant in the twenty-five year retirement program by filing, within one hundred eighty days after the starting date of the twenty-five year retirement program, a duly executed application for such participation with the retirement system of which such person is a member, provided they are such a fire protection inspector member on the date such application is filed.

2. Subject to the provisions of paragraphs six and seven of this subdivision, any person who becomes a fire protection inspector member after the starting date of the twenty-five year retirement program and who, as such a fire protection inspector member or otherwise, last became subject to the provisions of this article prior to such starting date, may elect to become a participant in the twenty-five year retirement program by filing, within one hundred eighty days after becoming

such a fire protection inspector member, a duly executed application for such participation with the retirement system for which such person is a member, provided they are such a fire protection inspector member on the date such application is filed.

3. Each fire protection inspector member, other than a fire protection inspector member subject to paragraph one or two of this subdivision, who becomes subject to the provisions of this article on or after the starting date of the twenty-five year retirement program shall become a participant in the twenty-five year retirement program on the date they become such a fire protection inspector member. Provided, however, a person subject to this paragraph, and who has exceeded age twenty-five upon employment as a fire protection inspector member, shall be exempt from participation in the improved twenty-five year retirement program if such person elects not to participate by filing a duly executed form with the retirement system within one hundred eighty days of becoming a fire protection inspector member.

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

5. Where any participant in the twenty-five year retirement program shall cease to be employed as a fire protection inspector member, they shall cease to be such a participant and, during any period in which such person is not so employed, they shall not be a participant in the twenty-five year retirement program and shall not be eligible for the benefits of subdivision c of this section.

6. Where any participant in the twenty-five year retirement program terminates service as a fire protection inspector member and returns to such service as a fire protection inspector member at a later date, they shall again become such a participant on that date.

7. Notwithstanding any other provision of the law to the contrary, any person who is eligible to elect to become a participant in the twenty-five 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.

c. Service retirement benefits. 1. A participant in the twenty-five year retirement program:

(i) who has completed twenty-five or more years of allowable service as a fire protection inspector member; and

(ii) 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

(iii) who files with the retirement system of which they are a member an application for service retirement setting forth at what time, not less than thirty days subsequent to the execution and filing thereof, their desire to be retired; and

(iv) who shall be a participant in the twenty-five year retirement program at the time so specified for their retirement; shall be retired pursuant to the provisions of this section affording early service retirement.

2. Notwithstanding the provisions of subdivision a-1 of section six hundred three of this article, or any other provision of law to the contrary, and subject to the provisions of paragraph six of subdivision e of this section, the early service retirement benefit for participants in the twenty-five year retirement program who retire pursuant to para-

graph one of this subdivision shall be a retirement allowance consisting of:

- (i) an amount, on account of the required minimum period of service, equal to fifty percent of their final average salary; plus
- (ii) an amount on account of allowable service as a fire protection inspector member, or fraction thereof, beyond such required minimum period of service equal to two percent of their final salary for such allowable service as a fire protection inspector member during the period from completion of twenty-five years of allowable service as a fire protection inspector member to the date of retirement but not to exceed more than five years of additional service as a fire protection inspector member.

d. Vesting. 1. A participant in the twenty-five 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-five years of allowable service as a fire protection inspector member; 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 their accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen; shall be entitled to receive a deferred vested benefit as provided in this subdivision.

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) In the case of a participant who is not a New York city revised plan member, 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 or, in the case of a participant who is a New York city revised plan member, such vested benefit shall become payable at age sixty-three. Subject to the provisions of paragraph seven of subdivision e of this section, such deferred vested benefit shall be a retirement allowance consisting of an amount equal to two percent of such discontinued member's final average salary, multiplied by the number of years of credited service.

e. Additional member contributions. 1. In addition to the member contributions required by section six hundred thirteen of this article, each participant in the twenty-five year retirement program shall contribute to the retirement system of which they are a member (subject to the applicable provisions of subdivision d of section six hundred thirteen of this article and subject to the limitation provided for in paragraph two of this subdivision) an additional six and twenty-five one-hundredths percent of their compensation earned from (i) all allowable service, as a participant in the twenty-five year retirement program, rendered on or after the starting date of the twenty-five year retirement program, and (ii) all allowable service after such person ceases to be a participant, but before they again become a participant pursuant to paragraph six of subdivision b of this section. The additional contributions required by this section shall be in lieu of addi-

tional member contributions required by subdivision d of section six hundred four-c of this article, as added by chapter ninety-six of the laws of nineteen hundred ninety-five, and no member making additional contributions pursuant to this section shall be required to make contributions pursuant to such subdivision d of section six hundred four-c of this article. Notwithstanding the foregoing provisions of this paragraph, the additional member contribution required to be paid by each participant pursuant to this paragraph shall not exceed the percentage of their compensation that, when added to the contribution made pursuant to subdivision d of section six hundred thirteen of this article, equals nine and twenty-five one-hundredths percent of that compensation.

2. A participant in the twenty-five year retirement program shall contribute additional member contributions until the later of (i) the first anniversary of the starting date of the twenty-five year retirement program, or (ii) the date on which they complete thirty years of allowable service as a fire protection inspector member.

3. Commencing with the first full payroll period after each person becomes a participant in the twenty-five year retirement program, additional member contributions at the rate specified in paragraph one of this subdivision shall be deducted (subject to the applicable provisions of subdivision d of section six hundred thirteen 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 they are such a participant.

4. (i) Each participant in the twenty-five 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 they 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 contribution including any interest paid on such contributions, again become a participant in the twenty-five 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 paragraph twelve of 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 them pursuant to paragraphs four and five of this subdivision, or repay the entire amount of a loan of their additional member contributions pursuant to paragraph eleven of this subdivision (including accrued interest on such loan), 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 of this section 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:

(i) the amount of any unpaid contribution deficiency chargeable to such member pursuant to paragraphs four and five of this subdivision; plus

(ii) the amount of any unpaid balance of a loan of their additional member contributions pursuant to paragraph eleven of this subdivision (including accrued interest on such loan).

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 them pursuant to paragraphs four and five of this subdivision, or repay the entire amount of a loan of their additional member contributions pursuant to paragraph eleven of this subdivision (including accrued interest on such loan), that participant, nevertheless, shall have 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 two of subdivision d of this section 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:

(i) the amount of any unpaid contribution chargeable to such member pursuant to paragraphs four and five of this subdivision; plus

(ii) the amount of any unpaid balance of a loan of their additional member contributions pursuant to paragraph eleven of this subdivision (including accrued interest on such a loan).

8. The head of a retirement system which includes participants in the twenty-five 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 them pursuant to paragraphs four and five of this subdivision, and a benefit, other than a refund of member contributions pursuant to section six hundred thirteen 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 six hundred thirteen of this article or otherwise while they are a participant in the twenty-five year retirement program or otherwise.

(ii) Should a participant in the twenty-five year retirement program who has rendered less than fifteen years of credited service cease to hold a position as a fire protection inspector member for any reason whatsoever, their accumulated additional member contributions made pursuant to this subdivision (together with any interest thereon paid to the retirement system) may be withdrawn by them 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 person 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 person, while they are 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. A participant in the twenty-five year retirement program shall be permitted to borrow from their additional member contributions (including any interest paid thereon) which are credited to the additional contributions account established for such participant in the contingent reserve fund of the retirement system. The borrowing from such additional member contributions pursuant to this paragraph shall be governed by the rights, privileges, obligations, and procedures set forth in section six hundred thirteen-b of this article which govern the borrowing of member contributions made pursuant to section six hundred thirteen of this article. The board of trustees of the retirement system may, consistent with the provisions of this subdivision and the provisions of section six hundred thirteen-b of this article as made applicable to this subdivision, promulgate regulations governing the borrowing of such additional member contributions.

12. Whenever a person has an unpaid balance of a loan or their additional member contributions pursuant to paragraph eleven of this subdivision at the time they become entitled to a refund of their additional member contributions pursuant to subparagraph (ii) of paragraph ten of this subdivision, the amount of such unpaid loan balance (including

accrued interest) shall be deemed to have been returned to such member, and the refund of such additional contributions shall be the net amount of such contribution, together with interest thereon in accordance with the provisions of such subparagraph (ii).

§ 2. Subdivision d of section 613 of the retirement and social security law is amended by adding a new paragraph 12 to read as follows:

12. (i) The city of New York shall, in the case of a fire protection inspector member (as defined in paragraph one of subdivision a of section six hundred four-j of this article) who is a participant in the twenty-five year retirement program (as defined in paragraph four of subdivision a of such section six hundred four-j), 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 such section six hundred four-j 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 in 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.

(ii) An amount equal to the amount of additional contributions picked up pursuant to this paragraph 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 them hereunder) and shall not be paid to such member.

(iii) The additional member contributions picked up pursuant to this paragraph 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 six hundred four-j of this article, and shall be deemed to be and treated as employer contributions pursuant to section 414(h) of the Internal Revenue Code.

(iv) 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 paragraph, 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 six hundred four-j of this article.

(v) With the exception of federal income tax treatment, the additional member contributions picked up pursuant to subparagraph (i) of this paragraph 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.

§ 3. Subdivision a of section 603 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

a. The service retirement benefit specified in section six hundred four of this article shall be payable to members who have met the minimum service requirements upon retirement and attainment of age sixty-two, other than members who are eligible for early service retirement

pursuant to subdivision c of section six hundred four-b of this article, subdivision c of section six hundred four-c of this article, subdivision d of section six hundred four-d of this article, subdivision c of section six hundred four-e of this article, subdivision c of section six hundred four-f of this article, subdivision c of section six hundred four-g of this article, subdivision c of section six hundred four-h of this article [or] subdivision c of section six hundred four-i of this article, or subdivision c of section six hundred four-j of this article, provided, however, a member of a teachers' retirement system or the New York state and local employees' retirement system who first joins such system before January first, two thousand ten or a member who is a uniformed court officer or peace officer employed by the unified court system who first becomes a member of the New York state and local employees' retirement system before April first, two thousand twelve may retire without reduction of [his or her] their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service, provided, however, that a uniformed court officer or peace officer employed by the unified court system who first becomes a member of the New York state and local employees' retirement system on or after January first, two thousand ten and retires without reduction of [his or her] their retirement benefit upon attainment of at least fifty-five years of age and completion of thirty or more years of service pursuant to this section shall be required to make the member contributions required by subdivision f of section six hundred thirteen of this article for all years of credited and creditable service, provided further that the [the] preceding provisions of this subdivision shall not apply to a New York city revised plan member.

§ 4. Nothing contained in sections two and three of this act shall be construed to create any contractual right with respect to members to whom such sections apply. The provisions of such sections are intended to afford members the advantages of certain benefits contained in the internal revenue code, and the effectiveness and existence of such sections and benefits they confer are completely contingent thereon.

§ 5. This act shall take effect immediately, provided, however that:

(a) The provisions of sections two and three of this act shall remain in full force and effect only so long as, pursuant to federal law, contributions picked up under such sections are not includable as gross income of a member for federal income tax purposes until distributed or made available to the member; provided that the New York city employees' retirement system shall notify the legislative bill drafting commission upon the occurrence of such a change in federal law ruling affecting the provisions of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law;

(b) The amendments to subdivision a of section 603 of the retirement and social security law made by section three of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

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

SUMMARY: This proposed legislation would establish 25-Year Retirement Programs for Fire Protection Inspectors (FPI 25-Year Plans) for Tier 4 and Tier 6 members of NYCERS.

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

Year	NYCERS
2025	321.8
2026	309.8
2027	299.1
2028	290.0
2029	281.4
2030	273.4
2031	264.3
2032	256.8
2033	250.5
2034	241.9
2035	232.1
2036	223.9
2037	24.9
2038	17.1
2039	9.4
2040	3.3
2041	(0.9)
2042	(4.7)
2043	(7.8)
2044	(9.9)
2045	(11.1)
2046	(11.6)
2047	(11.5)
2048	(11.5)
2049	(11.8)

Employer Contribution impact beyond Fiscal Year 2049 is not shown.
Projected contributions include future new hires that may be impacted.

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

INITIAL INCREASE (DECREASE) IN ACTUARIAL LIABILITIES
as of June 30, 2023 (\$ in Millions)

Present Value (PV)	NYCERS
PV of Benefits:	3.3
PV of Employee Contributions:	1.9
PV of Employer Contributions:	1.4
Unfunded Accrued Liabilities:	1.5

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

NYCERS	
Number of Payments:	12
Fiscal Year of Last Payment:	2036
Amortization Payment:	192 K

Unfunded Accrued Liability increases were amortized over the expected remaining working lifetime of those impacted by the benefit changes using level dollar payments.

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2023. The census data for the fire

protection inspectors assumed to elect an FPI 25-Year Plan is summarized below.

NYCERS

Active Members

Number Count:	82
Average Age:	41.6
Average Service:	13.6
Average Salary:	88,200

IMPACT ON MEMBER BENEFITS AND CONTRIBUTIONS: The proposed legislation would provide fire protection inspectors a service retirement benefit under the FPI 25-Year Plans equal to 50% of Final Average Salary (FAS) for the first 25 years of Allowable Service, plus 2% of FAS for each additional year of Allowable Service exceeding 25 years up to a maximum of 30 years. The FAS is based on a three-year average for Tier 4 members and a five-year average for Tier 6 members. The vested benefit under the FPI 25-Year Plans would be 2% of FAS for each year of Allowable Service. Members of the FPI 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 on and after the starting date of the Plan until the later of the one-year anniversary of the effective date of the Plans or 30 years of Allowable Service. In no event shall BMC plus AMC exceed 9.25% of compensation.

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:

* The rates of retirement for the FPI 25-Year Plans were assigned based on members' eligibility to elect or opt out of the plan. The FPI 25-year plan will be optional for current fire protection inspectors. Future members will be mandated into the FPI 25-year plan unless they are over age 25 when hired as a fire protection inspector.

* New entrants were assumed to replace exiting members so that total payroll for fire protection inspectors increases by 3% each year. New entrant demographics were developed based on data for recent new hires and actuarial judgement. Future members, who are not over age 25 when hired as a fire protection inspector, would be mandated into the FPI 25-year plan.

To determine the impact of the elective nature of the proposed legislation, a subgroup of NYCERS Fire Protection Inspectors 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 FPI 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).

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 2024-37 dated March 25, 2024 was prepared by the Chief Actuary for the New York City Retirement

Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session

PART II

Section 1. Legislative findings and declaration. The legislature hereby finds and declares that an adjustment to pensionable earnings of first grade police officers is necessary to enhance public safety and prevent the loss of vital public services in this state. The legislature hereby finds and declares that such adjustment is necessary to address, inter alia, the historic police officer recruitment and retention crisis, the increase in police overtime, and the rise in crime impacting New Yorkers. Therefore, the legislature declares the necessity for the enactment of this act to enhance public safety and protect against disruption of vital public services in this state.

§ 2. Section 14-111 of the administrative code of the city of New York is amended by adding two new subdivisions c and d to read as follows:
c. When a first grade police officer of the New York city police department shall have served in the rank of police officer for a period

of twenty-five years, such officer shall have the same rights in respect to the New York state and local police and fire retirement system or the New York city police pension fund as a police officer designated to act as detective of the third grade who shall have served as such for a period of time aggregating two years at the highest salary rate for a detective of the third grade.

d. When a first grade police officer of the New York city police department shall have served in the rank of police officer for a period of thirty years, such officer shall have the same rights in respect to the New York state and local police and fire retirement system or the New York city police pension fund as a sergeant who shall have served as such for a period of time aggregating two years at the highest salary rate for a sergeant.

§ 3. This act shall take effect immediately.

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

SUMMARY: This proposed legislation, as it relates to the New York City Police Pension Fund (POLICE), would increase the salary used for determining pension benefits for first grade NYPD officers who have served in such rank for 25 or 30 years, to salaries equivalent to detective 3rd grade or sergeant, respectively.

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

Year	POLICE
2025	0.0
2026	1.0
2027	2.0
2028	3.0
2029	4.0
2030	5.1
2031	6.2
2032	7.4
2033	8.6
2034	9.7
2035	10.9
2036	12.0
2037	13.1
2038	14.1
2039	15.1
2040	14.9
2041	14.7
2042	14.4
2043	14.0
2044	13.5
2045	13.1
2046	12.6
2047	12.1
2048	11.6
2049	11.1

Projected contributions are based on historical experience for Tier 2 members. Future retirement patterns may differ due to a larger Tier 3 population (e.g., Tier 2 is expected to retire at 20 years of service, and Tier 3 is expected to retire at 25 years of service).

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

EXPECTED INCREASE (DECREASE) IN ACTUARIAL LIABILITIES

The enactment of this proposed legislation is expected to increase the Present Value of Future Benefits (PVFB) by approximately \$8.2 million in the first year and every year thereafter. Each year's PVFB increase will depend on the actual experience of benefiting retirees and will be recognized in the year benefits are first payable.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Recognized as Ongoing Gain/Loss POLICE
 Number of Payments: 14
 Fiscal Year of Last Payment: N/A
 First-year Amortization Payment: 1.0 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2023. The census data for POLICE active members is summarized below.

POLICE

Active Members

Number Count: 33,800
 Average Age: 37.6
 Average Service: 11.3
 Average Salary: 128,600

The salaries used in this analysis were provided by the Police Benevolent Association of the City of New York and reflect the latest contract negotiations. Below is a summary of the salary data provided:

- * Police Officer 1st Grade - \$105,146
- * Detective 3rd Grade - \$111,999
- * Sergeant - \$125,852

Data from prior actuarial valuations was used to estimate the number of retirees who could potentially benefit from this proposed legislation and is summarized below.

- * Police Officer 1st Grade who retired with 25-29 years in rank - 930 retired over the past 10 years.
- * Police Officer 1st Grade who retired with 30+ years in rank - 218 retired over the past 10 years.

IMPACT ON MEMBER BENEFITS: The proposed legislation would permit first grade police officers, who have met certain service requirements, to have their pension calculations based on a higher assumed salary.

For example, under this proposed legislation a Tier 2 Police Officer 1st Grade who holds such position for at least 25, or 30, years would receive an increase in their annual pension benefit of approximately \$4,300 or \$12,200 per year, respectively, due to the higher assumed pensionable salary.

Based on an estimate of the number of POLICE members who are expected to be impacted by the increased pensionable salary, it is estimated that if this proposed legislation is enacted, the annual increase in POLICE pension benefits paid will be approximately \$0.7 million in the first year and increase in every year thereafter.

With respect to an individual member, the impact on benefits due to this proposed legislation could vary greatly depending on the member's age, years of service, retirement cause, and Tier.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the actuarial assumptions and methods to be used for

the Preliminary Fiscal Year 2025 employer contributions of the impacted retirement systems. In addition:

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

* Future contribution impacts have been developed assuming a homogeneous population and consistent retirement pattern.

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).

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 2024-02 dated January 16, 2024 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session.

LAWS OF NEW YORK, 2024

CHAPTER 551

(See FISCAL NOTE at end of Chapter.)

AN ACT to amend the administrative code of the city of New York and the education law, in relation to the transfer of board of education employees to the teachers' retirement system of the city of New York

Became a law December 11, 2024, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

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

Section 1. Subdivision 7 of section 13-501 of the administrative code of the city of New York is amended by adding a new paragraph (c) to read as follows:

(c) "Teacher" shall also mean all those serving as board of education employees in a title represented by the united federation of teachers who file an application for membership in the retirement association on a form supplied by the retirement board.

§ 2. The education law is amended by adding a new section 2575-f to read as follows:

§ 2575-f. Transfer of employees represented by the united federation of teachers to the New York city teachers' retirement system. Any employee represented by the united federation of teachers who is a member of the New York city board of education retirement system shall have the right to transfer their membership to the teachers' retirement system of the City of New York. To affect such a transfer, a member must give notice to the New York city board of education retirement system, within one year of such member becoming eligible for membership in the said teachers' retirement system, of such member's intention to transfer to the said teachers' retirement system. Membership in the united federation of teachers is not required to be covered under this section. Upon receipt of such notice, the New York city board of education system shall transfer to such teachers' retirement system the reserve on such members' benefits in the manner provided by subdivisions c and d of section forty-three of the retirement and social security law and notwithstanding subdivision 1 of such section. The former system shall also transfer to the latter system the member's contributions, which shall become such member's contributions in the latter system. A person so transferring shall be deemed to have been a member of the system to which such member has transferred during the entire period of membership service credited to such member in the system from which such member has transferred. Such transferee shall be entitled to all the rights, privileges and benefits of the system to which they have transferred.

§ 3. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would allow current and future full time or part time New York City Department of Education employees serv-

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

ing in New York City Board of Education Retirement System (BERS) eligible titles represented by the United Federation of Teachers (UFT) to join or transfer into the New York City Teachers' Retirement System (TRS) by filing a notice with BERS within one year of becoming eligible for such TRS membership.

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

Year	NYC
2025	2.3
2026	2.3
2027	2.3
2028	2.4
2029	2.4
2030	2.4
2031	2.4
2032	2.4
2033	2.4
2034	2.4
2035	2.3
2036	2.3
2037	2.3
2038	1.1
2039	1.1
2040	1.0
2041	1.0
2042	1.0
2043	0.9
2044	0.9
2045	0.9
2046	0.8
2047	0.8
2048	0.8
2049	0.8

The Employer Contribution impact shown above reflects the cost of expected benefit increases using TRS assumptions only. Not shown is any impact due to valuing impacted BERS members using TRS assumptions. The potential impact of assumption changes is discussed further below. The Employer Contribution impact beyond Fiscal Year 2049 is not shown. Projected contributions include future new hires that may be impacted.

INITIAL INCREASE (DECREASE) IN ACTUARIAL LIABILITIES
as of June 30, 2023 (\$ in Millions)

Present Value (PV) Group	Impacted
PV of Benefits:	8.3
PV of Employee Contributions:	(2.4)
PV of Employer Contributions:	20.8
Unfunded Accrued Liabilities:	9.0

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Impacted
Group

Number of Payments: 13
 Fiscal Year of Last Payment: 2037
 Amortization Payment: 1.1 M

Unfunded Accrued Liability increases were amortized over the expected remaining working lifetime of those impacted by the benefit changes using level dollar payments.

IMPACT ON CONTRIBUTIONS AND FUNDING: Employer contributions are actuarially determined to fund expected benefit payments over the future working lifetime of the members, with any gain or loss resulting from actual experience differing from expectations recognized separately. Applying TRS assumptions to members currently in BERS would change the funding pattern for these members, immediately increasing the employer contributions, and over time, gains and losses would ultimately offset any changes in the required contributions. Reevaluating actuarial assumptions (e.g., salary scale, mortality, etc.) may be warranted if there is a significant change in the demographics of the underlying population. The first-year impact of valuing these BERS members using current TRS assumptions, assuming no change in benefits, is an additional net increase in the employer contributions of \$19.6 million.

In addition, the transfer of reserves based on the accrued liability for members who switch between systems is dependent on the actuarial assumptions utilized. The calculation of reserves based on BERS assumptions would be less than the reserves calculated based on TRS assumptions. The net impact will ultimately be reconciled through actuarial gains and losses but may vary by system. The accrued liability and expected reserve transfer from BERS to TRS due to the proposed legislation is approximately \$730 million.

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2023. The census data for the impacted population is summarized below.

BERS

Active Members

Number Count: 5,533
 Average Age: 47
 Average Service: 8.6
 Average Salary: 80,300

IMPACT ON MEMBER BENEFITS: Employees in the impacted titles would generally, except as provided below, be eligible for the same respective plans in TRS in which they are eligible to participate in BERS.

Under the proposed legislation, if a member elects to join or transfer to TRS, members may be entitled to additional benefits. Among those, the following differences were valued for purposes of this Fiscal Note:

- * Unreduced Retirement with 30 years of service for Tier 4 members
- * Provisions for additional member contributions
- * Greater Accidental Disability Retirement benefits
- * Loans Factors applied to outstanding balances at retirement
- * Early Deferred Vested Retirement commencement

Additional differences may apply but were not valued for the purposes of this Fiscal Note.

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

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. 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 members in UFT represented titles 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 comparable TRS 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).

In addition, this Fiscal Note does not measure the impact of the significant transfer of member contributions and reserves from BERS to TRS.

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 2024-32 dated March 20, 2024 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

ANDREA STEWART-COUSINS
Temporary President of the Senate

CARL E. HEASTIE
Speaker of the Assembly

LAWS OF NEW YORK, 2024

CHAPTER 577

(See FISCAL NOTE at end of Chapter.)

AN ACT to amend the general municipal law, in relation to allowing certain members of the New York city fire department pension fund to receive a membership date in the New York city fire department pension fund attributable to service in the titles of police cadet program or police cadet program II in the New York city police department cadet program

Became a law December 13, 2024, with the approval of the Governor. Passed on Home Rule request pursuant to Article IX, section 2(b) (2) of the Constitution by a majority vote, three-fifths being present.

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

Section 1. Section 209-fff of the general municipal law, as added by chapter 431 of the laws of 2019, is amended to read as follows:
 § 209-fff. Provisions relating to a membership date in the New York city police pension fund or the fire department pension fund attributable to service in the titles of police cadet program and police cadet program II in the New York city police department cadet program. 1. Notwithstanding any provision of law to the contrary, upon election, any member of the New York city police pension fund or the New York city fire department pension fund who is subject to article fourteen of the retirement and social security law, and who served in the New York city police department cadet program in the title of police cadet program or police cadet program II prior to April first, two thousand twelve, but did not join the New York city employees' retirement system while serving in either such title, may purchase credit for the period of service in such titles in the New York city police department cadet program by paying into the New York city police pension fund or the New York city fire department pension fund all member contributions plus interest, at a rate of five percent per annum, which would have been payable to the New York city employees' retirement system under any provision of law had such member joined the New York city employees' retirement system on the earliest date that [he or she] such member was appointed to the title of police cadet program or police cadet program II in the New York city police department cadet program, provided such payment, for members of the New York city police pension fund, is made within five years [after] of the effective date of [this section] chapter four hundred thirty-one of the laws of two thousand nineteen. For members of the New York city fire department pension fund, such payment must be made within five years of the effective date of the chapter of the laws of two thousand twenty-four which amended this section. 2. Any member of the New York city police pension fund or the New York city fire department pension fund who acquires service credit pursuant to this section shall be entitled to all rights, benefits and privileges to which [he or she] such member would have been entitled had [his or

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

her] such member's membership in the New York city police pension fund or the New York city fire department pension fund begun upon the earliest date that [he or she] such member was appointed to the title of police cadet program or police cadet program II in the New York city police department cadet program, but in no event shall the service credit acquired pursuant to this section be deemed to be: (a) service in the police force or any other type of service counted or creditable as service in the police force under section 13-218 of the administrative code of the city of New York[,]; (b) service in the fire department of the city of New York or any other type of service counted or creditable as service in such fire department under section 13-318 of the administrative code of the city of New York; or (c) service under section five hundred thirteen of the retirement and social security law or any other provision of law for purposes of eligibility for benefits and to determine the amount of benefits under the New York city police pension fund or the New York city fire department pension fund.

§ 2. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would allow Tier 3 members of FIRE to purchase prior service as a cadet in the NYPD and use the appointment date as a cadet to determine the initial date of FIRE membership for plan or tier eligibility purposes provided such purchase of service is made within five years of the effective date of this legislation.

ILLUSTRATION - INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
 by Fiscal Year for the first 25 years (\$)

Tier or Plan Change*

Year	To Tier 2	From Within Tier 3
2025	51,700	1,500
2026	51,700	1,500
2027	51,700	1,500
2028	51,700	1,500
2029	51,700	1,500
2030	51,700	1,500
2031	51,700	1,500
2032	51,700	1,500
2033	51,700	1,500
2034	51,700	1,500
2035	51,700	1,500
2036	51,700	1,500
2037	51,700	1,500
2038	51,700	1,500
2039	0	0
2040	0	0
2041	0	0
2042	0	0
2043	0	0
2044	0	0
2045	0	0
2046	0	0
2047	0	0
2048	0	0
2049	0	0

* From Tier 3 (original, modified, or enhanced) to Tier 2 or from Tier 3 (modified or enhanced) to Tier 3 original.

The potential increases in employer contributions will be allocated to New York City.

EXPECTED INCREASE (DECREASE) IN ACTUARIAL LIABILITIES
as of June 30, 2023 (\$ in Thousands)

Present Value (PV)	To Tier 2	Within Tier 3
PV of Benefits:	390.6	14.4
PV of Employee Contributions:	(46.8)	1.7
PV of Employer Contributions:	437.4	12.7
Unfunded Accrued Liabilities:	437.4	12.7

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Recognized as Ongoing Gain/Loss	To Tier 2	Within Tier 3
Number of Payments:	14	14
Amortization Payment:	51.7 K	1.5 K

CENSUS DATA: The number of members who will benefit in the future from this fiscal note is unknown. The estimates presented herein are based on preliminary census data collected as of June 30, 2023. The census data for the potentially impacted population used to develop the average costs is summarized below.

To Tier 2 Within Tier 3

Active Members

Number Count:	3,144	3,913
Average Age:	35.9	34.3
Average Service:	6.8	5.8
Average Salary:	125,500	117,100

IMPACT ON MEMBER BENEFITS AND CONTRIBUTIONS: Currently, the purchase of prior NYPD cadet service performed while not a member of the New York City Employees' Retirement System (NYCERS) does not provide a retroactive date of membership in FIRE, nor would it provide additional service retirement benefits for Tier 3 members.

Under the proposed legislation, purchased NYPD cadet service would entitle members with cadet service before July 1, 2009 to be deemed a Tier 2 member, and would be included in the calculation of benefits as non-qualifying service credit.

Also, purchased NYPD cadet service would entitle members with cadet service between July 1, 2009 and April 1, 2012 to be deemed an original Tier 3 member.

For cadets who did not join NYCERS, the member would have to pay member contributions that would have been payable to NYCERS had they joined on their initial cadet appointment date, plus 5.0% annual interest.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. Additionally, 1.2 years of cadet service was assumed based on the amount of cadet service previously purchased by members of the New York City Police Pension Fund.

The number of members who will benefit in the future from this Fiscal Note is unknown. The cost of this proposed legislation could vary greatly depending on the number of future members who benefit and on their length of service, age, and salary history.

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).

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 2024-49 dated May 3, 2024 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2024 Legislative Session.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

ANDREA STEWART-COUSINS
Temporary President of the Senate

CARL E. HEASTIE
Speaker of the Assembly

LAWS OF NEW YORK, 2024

CHAPTER 578

(See FISCAL NOTE at end of Chapter.)

AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service

Became a law December 13, 2024, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

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

Section 1. Subdivision 11 of section 503 of the education law, as added by chapter 507 of the laws of 1972 and as renumbered by chapter 512 of the laws of 1976, is amended to read as follows:

11. a. If a retired member, receiving a retirement allowance for other than disability, returns to active public service, except as otherwise provided in sections two hundred eleven or two [hyndred] hundred twelve of the retirement and social security law, and is eligible for membership in the retirement system, [he thereupon] such employee shall become a member and [his] their retirement allowance shall be suspended in the same manner as provided in subdivision five of this section [five hundred three of this article. In such event, he shall contribute to the retirement system as if he were a new member]. Upon [his] subsequent retirement [after at least two years of service he] such employee shall:

1. Be credited with all member service earned [by him] since [he] they last became a member of the retirement system, and
2. Receive a retirement allowance which shall consist of[:
 - (a) An annuity as provided in subdivision five of section five hundred three of this article plus an annuity which is the actuarial equivalent of any contributions made by him since he last became a member, and
 - (b) The] the pension which [he] such employee was receiving immediately prior to [his] the last restoration to membership as provided in subdivision five of this section [five hundred three of this article], plus a pension based upon the [member] service credit earned [by him] since [he] such employee last became a member. Such latter pension shall be computed as if [he] they were a new member when [he] they rejoined the system pursuant to the provisions of this subdivision.

b. Where such member shall have earned at least [five] two years of [member] service credit after restoration to active service, the total service credit to which [he] such member was entitled at the time of [his] the earlier retirement may, at [his] their option, again be credited to [him] them and upon [his] subsequent retirement [he] such member shall be credited in addition for purposes of computation of the pension portion of the retirement allowance with all [member] service credit earned [by him] subsequent to [his] the last restoration to membership. Such total service credit to which [he] such member was entitled at the time of [his] the earlier retirement shall be so credited only in the

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

event that such member returns to the retirement system with regular interest the actuarial equivalent of the amount of the pension [he] received, or in the event that such amount is not so repaid the actuarial equivalent thereof shall be deducted from [his] such member's subsequent retirement allowance.

c. Notwithstanding the foregoing provisions of this subdivision, a retired member who is receiving a retirement allowance for other than physical disability, and who returns to active public service, may elect not to be restored to membership in the retirement system until [he] such retired member has rendered one year of service following [his] their return to public service. In such event [his] the retirement allowance shall be suspended during such year of service in the same manner as provided in subdivision five of this section [five hundred three of this article]. Upon restoration to membership following completion of such year of service, [his] service in such year shall be deemed to be service while a member for purposes of subdivision b of section five hundred twelve of this article. [He] Such retired member may purchase [member] service credit for such year, which shall be deemed earned [member] service credit. If a retired member receiving a retirement benefit allowance for other than physical disability, returns to active public service, and is then ineligible for membership in the retirement system, the retirement allowance shall be suspended in the same manner as provided in this section.

d. Notwithstanding any other provision of this article, a retired member who rejoins the system under the provisions of [paragraphs a or c of] this subdivision shall only be entitled to a death benefit according to the provisions of paragraph two of subdivision b of section five hundred twelve of this article and of no other subdivision thereof and for the purposes of [said] such paragraph two of subdivision b of section five hundred twelve the credited service as a teacher shall be service as a teacher credited since last joining the system.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

This bill would amend subdivision 11 of Section 503 of the Education Law to allow a retired member of the New York State Teachers' Retirement System (NYSTRS), who returns to active service and suspends their pension benefit, to elect to combine their service credit earned prior to their retirement with the service credit earned after their restoration to active service, provided they have earned at least two years of service credit since restoration and they pay back their prior pension received or have the new benefit reduced for life based upon the actuarial equivalent of the prior pension received. Current law requires five years of service credit since restoration to combine all service credit into one pension benefit. State employees and other members of the New York State and Local Retirement System (NYS&LRS) are eligible to combine their service credit after earning two years of service credit after restoration. This bill would make this eligibility the same for teachers as it is for state employees. This bill would take effect on the sixtieth day after it shall become a law.

The annual cost to the employers of members of the New York State Teachers' Retirement System would be negligible if this bill is enacted. Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's

Annual Report. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report.

The source of this estimate is Fiscal Note 2024-2 dated October 16, 2023 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2024 Legislation Session. I, Richard A. Young, am the Chief Actuary for the New York State Teacher's Retirement System. I am a member of the American Academy of Actuaries and I met the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

ANDREA STEWART-COUSINS
Temporary President of the Senate

CARL E. HEASTIE
Speaker of the Assembly

SECTION IV

Vetoed Legislation Affecting Other
New York Public Retirement Systems

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VETO MESSAGE - No. 79

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 7563-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to death benefits for active New York city transit authority members"

Assembly Bill Number 7693-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to permitting certain twenty-five-year retirement program dispatcher members to file elections not to participate"

Assembly Bill Number 9084, entitled:

"AN ACT to amend the retirement and social security law, in relation to allowing beneficiaries of certain deceased members to elect to receive death benefits in a lump sum"

Assembly Bill Number 9381, entitled:

"AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriffs in certain cities"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 7498-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for participants in the automotive 25 year/age 50 pension plan with more than 30 years of credited service who remain in active service after age 62 to receive a service retirement benefit equivalent to the standard service retirement benefit received by Tier IV members with the same age and service"

Senate Bill Number 7567-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to death benefits for the beneficiaries of certain members of the retirement system"

Senate Bill Number 8532, entitled:

"AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities"

Senate Bill Number 8788, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for retirement benefits for certain members of the unified court system"

NOT APPROVED

These bills aim to provide State and local employee with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers. However, I cannot sign these bills because none of them includes a funding source or plan to cover its costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined estimated minimum total of \$66.2 million in near-term costs and \$13.5 million in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations, where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Therefore, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

VETO MESSAGE - No. 80

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 7563-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to death benefits for active New York city transit authority members"

Assembly Bill Number 7693-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to permitting certain twenty-five-year retirement program dispatcher members to file elections not to participate"

Assembly Bill Number 9084, entitled:

"AN ACT to amend the retirement and social security law, in relation to allowing beneficiaries of certain deceased members to elect to receive death benefits in a lump sum"

Assembly Bill Number 9381, entitled:

"AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriffs in certain cities"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 7498-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for participants in the automotive 25 year/age 50 pension plan with more than 30 years of credited service who remain in active service after age 62 to receive a service retirement benefit equivalent to the standard service retirement benefit received by Tier IV members with the same age and service"

Senate Bill Number 7567-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to death benefits for the beneficiaries of certain members of the retirement system"

Senate Bill Number 8532, entitled:

"AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities"

Senate Bill Number 8788, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for retirement benefits for certain members of the unified court system"

NOT APPROVED

These bills aim to provide State and local employee with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers. However, I cannot sign these bills because none of them includes a funding source or plan to cover its costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined estimated minimum total of \$66.2 million in near-term costs and \$13.5 million in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations, where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Therefore, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

VETO MESSAGE - No. 85

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 7563-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to death benefits for active New York city transit authority members"

Assembly Bill Number 7693-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to permitting certain twenty-five-year retirement program dispatcher members to file elections not to participate"

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"AN ACT to amend the retirement and social security law, in relation to allowing beneficiaries of certain deceased members to elect to receive death benefits in a lump sum"

Assembly Bill Number 9381, entitled:

"AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriffs in certain cities"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 7498-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for participants in the automotive 25 year/age 50 pension plan with more than 30 years of credited service who remain in active service after age 62 to receive a service retirement benefit equivalent to the standard service retirement benefit received by Tier IV members with the same age and service"

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Senate Bill Number 8532, entitled:

"AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities"

Senate Bill Number 8788, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for retirement benefits for certain members of the unified court system"

NOT APPROVED

These bills aim to provide State and local employee with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers. However, I cannot sign these bills because none of them includes a funding source or plan to cover its costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined estimated minimum total of \$66.2 million in near-term costs and \$13.5 million in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations, where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Therefore, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

VETO MESSAGE - No. 101

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 7563-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to death benefits for active New York city transit authority members"

Assembly Bill Number 7693-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to permitting certain twenty-five-year retirement program dispatcher members to file elections not to participate"

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"AN ACT to amend the retirement and social security law, in relation to allowing beneficiaries of certain deceased members to elect to receive death benefits in a lump sum"

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"AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriffs in certain cities"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 7498-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for participants in the automotive 25 year/age 50 pension plan with more than 30 years of credited service who remain in active service after age 62 to receive a service retirement benefit equivalent to the standard service retirement benefit received by Tier IV members with the same age and service"

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"AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities"

Senate Bill Number 8788, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for retirement benefits for certain members of the unified court system"

NOT APPROVED

These bills aim to provide State and local employee with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers. However, I cannot sign these bills because none of them includes a funding source or plan to cover its costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined estimated minimum total of \$66.2 million in near-term costs and \$13.5 million in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations, where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Therefore, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

VETO MESSAGE - No. 106

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 7563-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to death benefits for active New York city transit authority members"

Assembly Bill Number 7693-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to permitting certain twenty-five-year retirement program dispatcher members to file elections not to participate"

Assembly Bill Number 9084, entitled:

"AN ACT to amend the retirement and social security law, in relation to allowing beneficiaries of certain deceased members to elect to receive death benefits in a lump sum"

Assembly Bill Number 9381, entitled:

"AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriffs in certain cities"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 7498-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for participants in the automotive 25 year/age 50 pension plan with more than 30 years of credited service who remain in active service after age 62 to receive a service retirement benefit equivalent to the standard service retirement benefit received by Tier IV members with the same age and service"

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Senate Bill Number 8788, entitled:

"AN ACT to amend the retirement and social security law, in relation to eligibility for retirement benefits for certain members of the unified court system"

NOT APPROVED

These bills aim to provide State and local employee with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers. However, I cannot sign these bills because none of them includes a funding source or plan to cover its costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined estimated minimum total of \$66.2 million in near-term costs and \$13.5 million in long-term costs.

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Therefore, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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Printed 2/25

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