



**New York State Correctional Officers
& Police Benevolent Association, Inc.**

“Keeping New York Safe”

Death Gamble Legislation Officially Signed into Law

NYSCOPBA Lobbied for Years to get Vital Legislation Approved

For Immediate Release

May 28, 2026

Albany , NY — NYSCOPBA is pleased to announce that “Death Gamble” legislation has officially been signed into law by Governor Hochul as part of the 2026–2027 Executive Budget.

This new law modifies the in-service death benefit for members of the New York State and Local Employees’ Retirement System employed by New York State as correction officers and others in the section 89 retirement plan. Under this reform, the in-service death benefit will reflect the value of the pension reserve as if the member had retired on their date of death.

The “Death Gamble” law eliminates the financial penalty placed on officers who continue working beyond retirement eligibility by ensuring beneficiaries receive pension benefits as if the member had retired the day before death, rather than being limited to a standard three-times salary death benefit. This important reform provides greater financial security

to the families of correction officers and security hospital treatment assistants who dedicate their careers to public service.

First introduced in 2004, the bill faced numerous challenges over the years, including fiscal concerns leading to the bill being vetoed on four separate occasions. NYSCOPBA's leadership never gave up in its pursuit of this critically important new law, and we are proud to have finally secured this critical benefit.

NYSCOPBA leadership extends its sincere appreciation to Governor Hochul, Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, and their colleagues in the Legislature for hearing our concerns and seeing through this critical new law that emphasizes protecting correction officers and their families. Our leadership also thanks DOCCS Commissioner Daniel Martuscello III and his team for their continued support and partnership in helping advance this important legislation. Special recognition is extended to Assemblywoman Stacey Pheffer Amato and Senator Robert Jackson, sponsors of the "Death Gamble" legislation, for their steadfast advocacy and commitment to advancing this critical NYSCOPBA member benefit.