

STATE OF NEW YORK

114

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 2019

Introduced by M. of A. BUCHWALD, GALEF, ZEBROWSKI, SEAWRIGHT, RIVERA, BARRON, CAHILL, LAVINE, CROUCH, COOK, ORTIZ -- Multi-Sponsored by -- M. of A. BARCLAY, SIMON -- read once and referred to the Committee on Education

AN ACT to amend the general municipal law, in relation to authorizing all school districts to establish reserve funds

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

1 Section 1. Paragraph (a) of subdivision 2 of section 6-n of the gener-
2 al municipal law, as separately amended by chapters 414 and 416 of the
3 laws of 2016, is amended to read as follows:
4 (a) The governing board of any municipal corporation may establish a
5 reserve fund to be known as the insurance reserve fund. Upon the
6 creation of the fund, the municipality may make expenditures from the
7 fund for any loss, claim, action or judgment for which the municipal
8 corporation is authorized or required to purchase or maintain insurance,
9 except those kinds of risks for which insurance is authorized pursuant
10 to paragraph one, two, three, fifteen, sixteen, seventeen, eighteen,
11 twenty-two or twenty-three of subsection (a) of section one thousand one
12 hundred thirteen of the insurance law, or for payments in lieu of
13 contributions under article eighteen of the labor law; provided however,
14 that no municipality shall make an expenditure from such fund for any
15 loss, claim, action or judgment for which the municipal corporation has
16 established a reserve fund under any other provision of law; provided,
17 further that [~~the Scarsdale union free school district and the Vernon
18 Verona Sherrill central school district may establish insurance reserve
19 funds in compliance with this section and article seventy four of the
20 education law and the Minisink Valley central~~] any school district may
21 establish insurance reserve funds in compliance with this section and
22 article seventy-four of the education law, in an amount and manner

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

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1 determined by a qualified and independent actuary certified by the Amer-
2 ican Academy of Actuaries to be reasonable and necessary, and such
3 school districts may make expenditures in compliance with this section
4 and article seventy-four of the education law from such reserve fund for
5 any loss, claim, action or judgment for which the school districts are
6 authorized or required to purchase or maintain insurance for the kinds
7 of risks for which insurance is authorized pursuant to paragraph three
8 of subsection (a) of section one thousand one hundred thirteen of the
9 insurance law.
10 § 2. This act shall take effect on the first of July next succeeding
11 the date on which it shall have become a law.