

5543

2009-2010 Regular Sessions

I N S E N A T E

May 14, 2009

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

AN ACT in relation to affecting the health insurance benefits and contributions of certain retired public employees

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. From on and after May 1, 2010, a public employer shall be
2 prohibited from diminishing the health insurance benefits provided to
3 retirees and their dependents or the contributions such employer makes
4 for such health insurance coverage below the level of such benefits or
5 contributions made on behalf of such retirees and their dependents by
6 such employer as of May 1, 2010. For the purpose of this act, "public
7 employer" shall mean the following: (i) the state; (ii) a county, city,
8 town or village; (iii) a school district, board of cooperative educa-
9 tional services, vocational education and extension board or a school
10 district as enumerated in section 1 of chapter 566 of the laws of 1967,
11 as amended; (iv) any governmental entity operating a college or univer-
12 sity; (v) a public improvement or special district including police or
13 fire districts; (vi) a public authority, commission or public benefit
14 corporation; or (vii) any other public corporation, agency, instrumen-
15 tality or unit of government which exercises governmental power under
16 the laws of this state.

17 S 2. Nothing contained in this act shall supersede or diminish the
18 terms of a collective bargaining agreement.

19 S 3. Notwithstanding the provisions of section one of this act to the
20 contrary, a public employer shall be prohibited from diminishing the
21 health insurance benefits provided to retirees who retire after May 1,
22 2010 from positions not subject to a collective bargaining agreement and
23 their dependents, or the contributions such employer makes for such
24 health insurance coverage, below the level of such benefits or contrib-

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

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1 utions made on behalf of active employees in such positions as of the
2 retiree's date of retirement.

3 S 4. Nothing contained in this act shall require a public employer
4 which does not provide health insurance benefits to retirees and their
5 dependents as of May 1, 2010 to offer such benefits.

6 S 5. This act shall take effect May 1, 2010.