S T A T E O F N E W Y O R K

8257

2011-2012 Regular Sessions

I N A S S E M B L Y

June 9, 2011

Introduced by M. of A. MORELLE -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to authorizing a trust that has been issued an experience rated group insurance policy to accept certain community rated employers without affecting the experience rated status of the trust; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Paragraph 2 of subsection (d) of section 4235 of the insurance law is amended to read as follows:

(2) In this section "employer" may include any PUBLIC BENEFIT CORPORATION, ANY municipal corporation, or the proper officers, as such, of any unincorporated municipality, or any department of such corporation or municipality determined by conditions pertaining to the employment.

S 2. Subsections (l) and (m) of section 4235 of the insurance law are relettered subsections (m) and (n) and a new subsection (l) is added to read as follows:

(L) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, A TRUST THAT (1) WAS ESTABLISHED NOVEMBER FIFTEENTH, TWO THOUSAND TEN AND (2) WHICH HAS BEEN VALIDLY ISSUED A GROUP POLICY UNDER SUBPARAGRAPH (D) OF PARAGRAPH ONE OF SUBSECTION (C) OF THIS SECTION IS AUTHORIZED TO ACCEPT AS A MEMBER ANY MUNICIPAL CORPORATION, AS SUCH TERM IS DEFINED IN SECTION TWO OF THE GENERAL MUNICIPAL LAW, AND ANY PUBLIC BENEFIT CORPORATION, INCLUDING, BUT NOT LIMITED TO ANY WATER AUTHORITY OR DISTRICT AND ANY HOUSING AUTHORITY, EVEN IF SUCH MUNICIPAL OR PUBLIC BENEFIT CORPORATION HAS LESS THAN FIFTY EMPLOYEES. SUCH CORPORATIONS SHALL BE ACCEPTED AS MEMBERS NOTWITHSTANDING THEIR STATUS AS COMMUNITY RATED PURSUANT TO SECTION THREE THOUSAND TWO HUNDRED THIRTY-ONE OF THIS CHAPTER AND THE ACCEPTANCE THEREOF SHALL NOT AFFECT THE TRUST'S STATUS AS EXPERIENCE

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

LBD10454-01-1

RATED PURSUANT TO SUBPARAGRAPH (D) OF PARAGRAPH ONE OF SUBSECTION (C) OF THIS SECTION.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law and shall expire and be deemed repealed 3 years after such effective date; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.