# STATE OF NEW YORK

5455--A

2017-2018 Regular Sessions

# IN ASSEMBLY

February 9, 2017

Introduced by M. of A. WEPRIN, BRINDISI, JAFFEE, TITONE, COLTON, RAIA, BENEDETTO, FAHY, SKOUFIS, DiPIETRO, BRONSON, ORTIZ, WOERNER, SANTABARBARA, BRABENEC, ROZIC, MALLIOTAKIS, SEPULVEDA -- Multi-Sponsored by -- M. of A. ABINANTI, DenDEKKER, ENGLEBRIGHT, GALEF, GIGLIO, GUNTHER, LAVINE, MAYER, McDONOUGH, MONTESANO, PERRY, RA, RIVERA, SKARTADOS, THIELE, ZEBROWSKI -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to prohibit public employers from diminishing 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:**

Section 1. On and after the effective date of this act, a public employer shall be prohibited from diminishing the health insurance benefits provided to retirees, who retired before, on or after the effective date of this act, and their dependents or the contributions such employer makes for such health insurance coverage below the level of such benefits or contributions made on behalf of such retirees and their dependents by such employer as of the retiree's date of retirement. For the purpose of this act, "public employer" shall mean the following: (i) the state; (ii) a county, city, town or village; (iii) any governmental entity operating a college or university; (iv) a public improvement or special district including police or fire districts; (v) a public authority, commission or public benefit corporation; or (vi) any other public corporation, agency, instrumentality or unit of government which exercises governmental power under the laws of this state. The term public employer shall not include any school district, board of cooperative educational services, or vocational education and extension board.

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

LBD09559-03-8

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

§ 3. Notwithstanding the provisions of section one of this act to the contrary, a public employer shall be prohibited from diminishing the health insurance benefits provided to retirees who retire after the effective date of this act from positions not subject to a collective bargaining agreement and their dependents, or the contributions such employer makes for such health insurance coverage, below the level of such benefits or contributions made on behalf of active employees in such positions as of the retiree's date of retirement.

§ 4. Nothing contained in this act shall require a public employer which does not provide health insurance benefits to retirees and their dependents as of the effective date of this act to offer such benefits.

§ 5. This act shall take effect on the thirtieth day after it shall have become a law.