STATE OF NEW YORK

5331

2019-2020 Regular Sessions

IN SENATE

April 26, 2019

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to providing an insurance premium reduction for landscape businesses whose employees complete a safety course for the landscape industry

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

Section 1. The workers' compensation law is amended by adding a new section 138 to read as follows:

§ 138. Occupational safety and health administration course; premium reduction. 1. For purposes of this section, the term "landscape business" shall mean a business whose primary concern involves the modification of the visible features of an area of land, and shall include, but not be limited to, lawn care, gardening and the removal or pruning of trees.

2. Notwithstanding any other provision of law to the contrary, any insurer doing business within this state who offers workers' compensation insurance to landscape businesses doing business within this state shall provide a ten percent reduction in its premiums for such insurance to any landscape business that meets the requirements set forth in subdivision three of this section.

3. Any person, firm, partnership, limited liability company, corporation or any other business entity shall receive a ten percent reduction in its workers' compensation premium for any year in which fifty percent or more of the employees of such business successfully complete the ten hour construction safety course for the landscaping industry approved by the occupational safety and health administration. Such premium reduction shall be available on an annual basis. Application for such premium reduction shall be made in a manner and with a standardized form to be developed cooperatively between the commission-

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

LBD11346-01-9

ers of the state insurance fund, the commissioner of labor and the superintendent of financial services.

4. The commissioners of the state insurance fund, in cooperation with the commissioner of labor and the superintendent of financial services, are authorized to promulgate rules and regulations necessary to implement the provisions of this section.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.