

STATE OF NEW YORK

7783

IN SENATE

February 20, 2020

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to authorizing boards of cooperative educational services to establish workers' compensation reserve funds

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

1 Section 1. The section heading and subdivisions 1, 3, 4 and 6 of
2 section 6-j of the general municipal law, the section heading as amended
3 by chapter 704 of the laws of 1956, subdivisions 1 and 4 as amended by
4 chapter 476 of the laws of 2018, subdivision 3 as amended by chapter 140
5 of the laws of 1996 and subdivision 6 as amended by chapter 340 of the
6 laws of 1973 and as renumbered by chapter 433 of the laws of 1987, are
7 amended to read as follows:

8 [~~Workers'~~] Workers' compensation reserve fund.

9 1. The governing board of any municipal corporation, school district,
10 board of cooperative educational services or fire district, which is, or
11 shall [~~hereafter~~] become a self-insurer under the provisions of subdivi-
12 sion four of section fifty of the workers' compensation law or section
13 thirty of the volunteer firefighters' benefit law may establish a
14 reserve fund to be known as the workers' compensation reserve fund of
15 such municipal corporation, school district, board of cooperative educa-
16 tional services or fire district.

17 3. The moneys in such fund shall be deposited and secured in the
18 manner provided by section ten of this article. The money in such fund
19 so deposited shall be accounted for separate and apart from all other
20 funds of the municipality, school district, board of cooperative educa-
21 tional services or fire district, in the same manner as provided in
22 subdivision ten of section six-c of this article. The governing board,
23 or the chief fiscal officer of such municipality, school district, board
24 of cooperative educational services or fire district, if the governing
25 board shall delegate such duty to him or her, may invest the moneys in
26 such fund in the manner provided in section eleven of this article. Any
27 interest earned or capital gain realized on the money so deposited or

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

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1 invested shall accrue to and become part of such fund. The separate
2 identity of such fund shall be maintained whether its assets consist of
3 cash or investments or both.

4 4. An expenditure shall be made from such fund only for the payment of
5 compensation and benefits, medical, hospital or other expense authorized
6 by article two of the workers' compensation law and by the volunteer
7 firefighters' benefit law and expenses of administering the self-insu-
8 rance program for such municipal corporation, school district, board of
9 cooperative educational services or fire district.

10 6. If the municipal corporation, school district, board of cooperative
11 educational services or fire district shall, after the establishment of
12 such fund, cease to be a self-insurer, the moneys remaining in such fund
13 may be transferred to any other fund authorized by this chapter or
14 section thirty-six hundred fifty-one of the education law only to the
15 extent that the moneys in such fund shall exceed in amount the sum
16 sufficient to pay all expenditures authorized in [~~paragraph-numbered~~]
17 subdivision four of this section, both accrued and contingent.

18 § 2. This act shall take effect immediately.