

# STATE OF NEW YORK

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1964

2021-2022 Regular Sessions

## IN SENATE

January 16, 2021

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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 [~~Workmen's~~] 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

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

LBD03676-01-1

1 board shall delegate such duty to him or her, may invest the moneys in  
2 such fund in the manner provided in section eleven of this article. Any  
3 interest earned or capital gain realized on the money so deposited or  
4 invested shall accrue to and become part of such fund. The separate  
5 identity of such fund shall be maintained whether its assets consist of  
6 cash or investments or both.

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

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

21 § 2. This act shall take effect immediately.