STATE OF NEW YORK

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1964--A

Cal. No. 942

2021-2022 Regular Sessions

IN SENATE

January 16, 2021
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Introduced by Sens. BROOKS, MANNION -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the general municipal law, in relation to authorizing boards of cooperative educational services in Suffolk and Nassau counties 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 in Suffolk and Nassau counties**
11 or fire district, which is, or shall [hereafter] become a self-insurer
12 under the provisions of subdivision four of section fifty of the work-
13 ers' compensation law or section thirty of the volunteer firefighters'
14 benefit law may establish a reserve fund to be known as the workers'
15 compensation reserve fund of such municipal corporation, school
16 district**, board of cooperative educational services in Suffolk and**
17 **Nassau counties** or fire district.
18   3. The moneys in such fund shall be deposited and secured in the
19 manner provided by section ten of this article. The money in such fund
20 so deposited shall be accounted for separate and apart from all other
21 funds of the municipality, school district**, board of cooperative educa-**

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

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1 **tional services in Suffolk and Nassau counties** or fire district, in the
2 same manner as provided in subdivision ten of section six-c of this
3 article. The governing board, or the chief fiscal officer of such muni-
4 cipality, school district**, board of cooperative educational services in**
5 **Suffolk and Nassau counties** or fire district, if the governing board
6 shall delegate such duty to him **or her**, may invest the moneys in such
7 fund in the manner provided in section eleven of this article. Any
8 interest earned or capital gain realized on the money so deposited or
9 invested shall accrue to and become part of such fund. The separate
10 identity of such fund shall be maintained whether its assets consist of
11 cash or investments or both.
12   4. An expenditure shall be made from such fund only for the payment of
13 compensation and benefits, medical, hospital or other expense authorized
14 by article two of the workers' compensation law and by the volunteer
15 firefighters' benefit law and expenses of administering the self-insu-
16 rance program for such municipal corporation, school district**, board of**
17 **cooperative educational services in Suffolk and Nassau counties** or fire
18 district.
19   6. If the municipal corporation, school district**, board of cooperative**
20 **educational services in Suffolk and Nassau counties** or fire district
21 shall, after the establishment of such fund, cease to be a self-insurer,
22 the moneys remaining in such fund may be transferred to any other fund
23 authorized by this chapter or section thirty-six hundred fifty-one of
24 the education law only to the extent that the moneys in such fund shall
25 exceed in amount the sum sufficient to pay all expenditures authorized
26 in [~~paragraph numbered~~] **subdivision** four **of this section**, both accrued
27 and contingent.
28   § 2. This act shall take effect immediately.