

STATE OF NEW YORK

2065--A

2021-2022 Regular Sessions

IN SENATE

January 19, 2021

Introduced by Sens. JORDAN, AKSHAR, BOYLE, GALLIVAN, TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to authorizing all school districts to establish reserve funds

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

1 Section 1. Paragraph (a) of subdivision 2 of section 6-n of the gener-
2 al municipal law, as separately amended by chapters 212, 215, 290, 353
3 and 354 of the laws of 2021, is amended to read as follows:

4 (a) The governing board of any municipal corporation may establish a
5 reserve fund to be known as the insurance reserve fund. Upon the
6 creation of the fund, the municipality may make expenditures from the
7 fund for any loss, claim, action or judgment for which the municipal
8 corporation is authorized or required to purchase or maintain insurance,
9 except those kinds of risks for which insurance is authorized pursuant
10 to paragraph one, two, three, fifteen, sixteen, seventeen, eighteen,
11 twenty-two or twenty-three of subsection (a) of section one thousand one
12 hundred thirteen of the insurance law, or for payments in lieu of
13 contributions under article eighteen of the labor law; provided however,
14 that no municipality shall make an expenditure from such fund for any
15 loss, claim, action or judgment for which the municipal corporation has
16 established a reserve fund under any other provision of law; provided,
17 further that the Scarsdale union free school district, the Mamaroneck
18 union free school district, the Minisink Valley central school district,
19 the Vernon Verona Sherrill central school district, the Ithaca city
20 school district, the Kenmore-Town of Tonawanda union free school
21 district, the Bedford central school district, the Grand Island central

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

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1 school district, the Tonawanda city school district, the enlarged city
2 school district of Middletown, the Frontier central school district, the
3 Owego Apalachin central school district the Maine-Endwell central school
4 district the Binghamton city school district, and the Depew union free
5 school district, and the Liverpool central school district and the
6 Carmel central school district and any other school district, pursuant
7 to a collective bargaining agreement, may establish insurance reserve
8 funds in compliance with this section and article seventy-four of the
9 education law, in an amount and manner determined by a qualified and
10 independent actuary certified by the American Academy of Actuaries to
11 be reasonable and necessary, and such school districts may make expendi-
12 tures in compliance with this section and article seventy-four of the
13 education law from such reserve fund for any loss, claim, action or
14 judgment for which the school districts are authorized or required to
15 purchase or maintain insurance for the kinds of risks for which insur-
16 ance is authorized pursuant to paragraph three of subsection (a) of
17 section one thousand one hundred thirteen of the insurance law.

18 § 2. This act shall take effect on the first of July next succeeding
19 the date on which it shall have become a law.