

# STATE OF NEW YORK

5030

2021-2022 Regular Sessions

## IN SENATE

February 22, 2021

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to prohibit public employers from diminishing the health insurance benefits and contributions of certain retired public employees

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

1 Section 1. On and after the effective date of this act, a public  
2 employer shall be prohibited from diminishing the health insurance bene-  
3 fits provided to retirees, who retired before, on or after the effective  
4 date of this act, and their dependents or the contributions such employ-  
5 er makes for such health insurance coverage below the level of such  
6 benefits or contributions made on behalf of such retirees and their  
7 dependents by such employer as of the retiree's date of retirement. For  
8 the purpose of this act, "public employer" shall mean the following: (i)  
9 the state; (ii) a county, city, town or village; (iii) any governmental  
10 entity operating a college or university; (iv) a public improvement or  
11 special district including police or fire districts; (v) a public  
12 authority, commission or public benefit corporation; or (vi) any other  
13 public corporation, agency, instrumentality or unit of government which  
14 exercises governmental power under the laws of this state. The term  
15 public employer shall not include any school district, board of cooper-

16 ative educational services, or vocational education and extension board.  
17 § 2. Nothing contained in this act shall supersede or diminish the  
18 terms of a collective bargaining agreement.

19 § 3. Notwithstanding the provisions of section one of this act to the  
20 contrary, a public employer shall be prohibited from diminishing the  
21 health insurance benefits provided to retirees who retire after the  
22 effective date of this act from positions not subject to a collective  
23 bargaining agreement and their dependents, or the contributions such  
24 employer makes for such health insurance coverage, below the level of

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

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1 such benefits or contributions made on behalf of active employees in  
2 such positions as of the retiree's date of retirement.

3 § 4. Nothing contained in this act shall require a public employer  
4 which does not provide health insurance benefits to retirees and their  
5 dependents as of the effective date of this act to offer such benefits.

6 § 5. This act shall take effect on the thirtieth day after it shall  
7 have become a law.