

# STATE OF NEW YORK

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4953

2023-2024 Regular Sessions

## IN ASSEMBLY

February 27, 2023

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Introduced by M. of A. McDONALD -- read once and referred to the Committee on Education

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 general municipal law, as separately amended by chapters 251 and 338 of the laws of 2022, is amended to read as follows:

2 (a) The governing board of any municipal corporation may establish a  
3 reserve fund to be known as the insurance reserve fund. Upon the  
4 creation of the fund, the municipality may make expenditures from the  
5 fund for any loss, claim, action or judgment for which the municipal  
6 corporation is authorized or required to purchase or maintain insurance,  
7 except those kinds of risks for which insurance is authorized pursuant  
8 to paragraph one, two, three, fifteen, sixteen, seventeen, eighteen,  
9 twenty-two or twenty-three of subsection (a) of section one thousand one  
10 hundred thirteen of the insurance law, or for payments in lieu of  
11 contributions under article eighteen of the labor law; provided however,  
12 that no municipality shall make an expenditure from such fund for any  
13 loss, claim, action or judgment for which the municipal corporation has  
14 established a reserve fund under any other provision of law; provided,  
15 further that the Scarsdale union free school district, the Mamaroneck  
16 union free school district, the Minisink Valley central school district,  
17 the Vernon Verona Sherrill central school district, the Ithaca city  
18 school district, the Kenmore-Town of Tonawanda union free school  
19 district, the Bedford central school district, the Grand Island central  
20 school district, the Tonawanda city school district, the enlarged city  
21 school district of Middletown, the Frontier central school district, the  
22 Owego Apalachin central school district, the Maine-Endwell central  
23 school district, the Binghamton city school district, the Candor central  
24 school district, the Binghamton city school district, the Candor central  
25 school district, the Binghamton city school district, the Candor 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 Depew union free school district, the Liverpool  
2 central school district, the Carmel central school district, [~~and~~] the  
3 Canastota central school district and any other school district, pursu-  
4 ant to a collective bargaining agreement, may establish insurance  
5 reserve funds in compliance with this section and article seventy-four  
6 of the education law, in an amount and manner determined by a qualified  
7 and independent actuary certified by the American Academy of Actuaries  
8 to be reasonable and necessary, and such school districts may make  
9 expenditures in compliance with this section and article seventy-four of  
10 the education law from such reserve fund for any loss, claim, action or  
11 judgment for which the school districts are authorized or required to  
12 purchase or maintain insurance for the kinds of risks for which insur-  
13 ance is authorized pursuant to paragraph three of subsection (a) of  
14 section one thousand one hundred thirteen of the insurance law.

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