

STATE OF NEW YORK

4489

2023-2024 Regular Sessions

IN SENATE

February 9, 2023

Introduced by Sens. GALLIVAN, TEDISCO -- 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
all school districts to establish reserve funds

The People of the State of New York, represented in Senate and Assem-
bly, 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 251 and 338 of the
3 laws of 2022, 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
22 school district, the Tonawanda city school district, the enlarged city
23 school district of Middletown, the Frontier central school district, the
24 Owego Apalachin central school district, the Maine-Endwell 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.