

# STATE OF NEW YORK

9670

## IN SENATE

April 1, 2026

Introduced by Sen. BYNOE -- 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 BOCES to establish a workers' compensation reserve fund

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

1 Section 1. Section 6-j of the general municipal law, as amended by  
2 chapter 704 of the laws of 1956, subdivisions 1 and 4 as amended by  
3 chapter 476 of the laws of 2018, subdivisions 2 and 6 as amended by  
4 chapter 340 of the laws of 1973, subdivision 3 as amended by chapter 140  
5 of the laws of 1996, and subdivision 5 as added and subdivision 6 as  
6 renumbered by chapter 433 of the laws of 1987, is amended to read as  
7 follows:

8 § 6-j. [~~Workmen's~~] Workers' compensation reserve fund. 1. The govern-  
9 ing board of any municipal corporation, school district [~~or~~], fire  
10 district or board of cooperative educational services, which is, or  
11 shall hereafter become a self-insurer under the provisions of subdivi-  
12 sion four of section fifty of the workers' compensation law or section  
13 thirty of the volunteer firefighters' benefit law may establish a  
14 reserve fund to be known as the workers' compensation reserve fund of  
15 such municipal corporation, school district [~~or~~], fire district or board  
16 of cooperative educational services.

17 2. There may be paid into any such fund (a) such amounts as may be  
18 provided therefor by budgetary appropriations; and (b) such other sums  
19 as may be legally appropriated.

20 3. The moneys in such fund shall be deposited and secured in the  
21 manner provided by section ten of this article. The money in such fund  
22 so deposited shall be accounted for separate and apart from all other  
23 funds of the municipality, school district [~~or~~], fire district or board  
24 of cooperative educational services, in the same manner as provided in  
25 subdivision ten of section six-c of this article. The governing board,  
26 or the chief fiscal officer of such municipality, school district [~~or~~],  
27 fire district or board of cooperative educational services, if the  
28 governing board shall delegate such duty to [~~him~~] such chief fiscal

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

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1 officer, may invest the moneys in such fund in the manner provided in  
2 section eleven of this article. Any interest earned or capital gain  
3 realized on the money so deposited or invested shall accrue to and  
4 become part of such fund. The separate identity of such fund shall be  
5 maintained whether its assets consist of cash or investments or both.

6 4. An expenditure shall be made from such fund only for the payment of  
7 compensation and benefits, medical, hospital or other expense authorized  
8 by article two of the workers' compensation law and by the volunteer  
9 firefighters' benefit law and expenses of administering the self-insu-  
10 rance program for such municipal corporation, school district ~~[or]~~, fire  
11 district or board of cooperative educational services.

12 5. If at the end of any fiscal year the moneys in such fund shall  
13 exceed the amounts required to be paid pursuant to subdivision four of  
14 this section plus any additional amount required to pay all pending  
15 claims, the governing board of the municipal corporation, school  
16 district, board of cooperative educational services or fire district  
17 may, within sixty days of the close of such fiscal year, elect to: (a)  
18 transfer said excess, or any part thereof, to any fund authorized by  
19 this article or section thirty-six hundred fifty-one of the education  
20 law; and/or (b) apply said excess, or any part thereof to the budget  
21 appropriation of the next succeeding fiscal year.

22 6. If the municipal corporation, school district ~~[or]~~, fire district  
23 or board of cooperative educational services shall, after the establish-  
24 ment of such fund, cease to be a self-insurer, the moneys remaining in  
25 such fund may be transferred to any other fund authorized by this chap-  
26 ter or section thirty-six hundred fifty-one of the education law only to  
27 the extent that the moneys in such fund shall exceed in amount the sum  
28 sufficient to pay all expenditures authorized in ~~[paragraph-numbered]~~  
29 subdivision four of this section, both accrued and contingent.

30 § 2. This act shall take effect immediately.