

6395

I N   S E N A T E

February 3, 2012

---

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and  
when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to assumed amortization  
for school projects

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Clause (b) of subparagraph 3 of paragraph e of subdivision  
2     6 of section 3602 of the education law, as amended by section 4 of  
3     subpart F of part C of chapter 97 of the laws of 2011, is amended to  
4     read as follows:  
5     (b) Such assumed amortization for a project approved by the commis-  
6     sioner on or after the later of the first day of December, two thousand  
7     one or thirty days after the date upon which this subdivision shall have  
8     become a law and prior to the first day of July, two thousand eleven or  
9     for any debt service related to projects approved by the commissioner  
10    prior to such date where a bond, capital note or bond anticipation note  
11    is first issued on or after the first day of December, two thousand one  
12    to fund such projects, shall commence: (i) eighteen months after such  
13    approval or (ii) on the date of receipt by the commissioner of a certif-  
14    ication by the district that a general construction contract has been  
15    awarded for such project by the district, whichever is later, and such  
16    assumed amortization for a project approved by the [commissioner] VOTERS  
17    OF THE SCHOOL DISTRICT OR BY THE BOARD OF EDUCATION OF A CITY SCHOOL  
18    DISTRICT IN A CITY WITH MORE THAN ONE HUNDRED TWENTY-FIVE THOUSAND  
19    INHABITANTS, AND/OR THE CHANCELLOR IN A CITY SCHOOL DISTRICT IN A CITY  
20    HAVING A POPULATION OF ONE MILLION OR MORE, on or after the first day of  
21    July, two thousand eleven shall commence: (iii) eighteen months after  
22    such approval or (iv) on the date of receipt by the commissioner of both  
23    the final certificate of substantial completion of the project issued by  
24    the architect or engineer and the final cost report for such project,  
25    whichever is later or (v) upon the date of a finding by the commissioner  
26    that the certificate of substantial completion of the project has been  
27    issued by the architect or engineer, but the district is unable to  
28    complete the final cost report because of circumstances beyond the

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

LBD14225-01-2

1 control of the district. Such assumed amortization shall provide for  
2 equal semiannual payments of principal and interest based on an interest  
3 rate established pursuant to subparagraph five of this paragraph for  
4 such purpose for the school year during which such certification is  
5 received. The first installment of obligations issued by the school  
6 district in support of such projects may mature not later than the dates  
7 established pursuant to sections 21.00 and 22.10 of the local finance  
8 law.

9 S 2. This act shall take effect immediately.