

6395--A

I N   S E N A T E

February 3, 2012

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Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, on or after the first day of July, two thousand eleven  
20    shall commence: (iii) eighteen months after such approval or (iv) on the  
21    date of receipt by the commissioner of both the final certificate of  
22    substantial completion of the project issued by the architect or engi-  
23    neer and the final cost report for such project, whichever is later or  
24    (v) upon the date of a finding by the commissioner that the certificate  
25    of substantial completion of the project has been issued by the archi-

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

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1 tect or engineer, but the district is unable to complete the final cost  
2 report because of circumstances beyond the control of the district. Such  
3 assumed amortization shall provide for equal semiannual payments of  
4 principal and interest based on an interest rate established pursuant to  
5 subparagraph five of this paragraph for such purpose for the school year  
6 during which such certification is received. The first installment of  
7 obligations issued by the school district in support of such projects  
8 may mature not later than the dates established pursuant to sections  
9 21.00 and 22.10 of the local finance law.  
10 S 2. This act shall take effect immediately.