

STATE OF NEW YORK

5476

2017-2018 Regular Sessions

IN SENATE

March 30, 2017

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

AN ACT to authorize the Hendrick Hudson central school district to establish an energy system tax stabilization reserve fund as the result of the closure of the Indian Point nuclear power plant

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

1 Section 1. Legislative findings. The legislature hereby finds that the
2 closure of the Indian Point nuclear power plant located within the
3 Hendrick Hudson central school district may result in instability in the
4 real property tax base and the budgets of the district due to the uncer-
5 tainty of future payments and impact the closure will have on the
6 taxpayers.

7 § 2. Definitions. As used in this act:

8 (a) "Board of education" or "board" means the board of education of
9 the Hendrick Hudson central school district.

10 (b) "Energy system tax stabilization reserve fund" means the energy
11 system tax stabilization fund established pursuant to this act.

12 (c) "School district" or "district" means the Hendrick Hudson central
13 school district.

14 § 3. The board of education is hereby authorized to establish an ener-
15 gy system tax stabilization reserve fund to lessen or prevent increases
16 in the school district's real property tax levy resulting from decreases
17 in revenue due to the closure of the Indian Point nuclear power plant
18 provided, however, that no such fund shall be established unless
19 approved by a majority vote of the voters present and voting on a sepa-
20 rate ballot proposition therefor at either a special district meeting
21 which the board of education may call for such purpose or at the annual
22 district meeting and election, to be noticed and conducted in either
23 case in accordance with article 41 of the education law. Such separate
24 proposition shall set forth the maximum allowable balance to be deposit-

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

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1 ed and held in the energy system stabilization reserve fund. Moneys
2 shall be paid into and withdrawn from the fund and the fund shall be
3 administered as follows:

4 (a) The board of education is hereby authorized to make payments into
5 the energy system tax stabilization reserve fund in an amount not to
6 exceed the balance over any maximum allowable balance in such unassigned
7 fund balance and from any reserve funds authorized or required by law in
8 amounts which the board of education shall determine are not reasonably
9 necessary for the purpose of such fund or funds and which accrued prior
10 to the establishment of the energy system tax stabilization reserve fund
11 provided that no such payment from any unassigned fund balance or any
12 reserve fund shall cause the balance of the fund to exceed the amount
13 approved in the ballot proposal pursuant to this section.

14 (b) Moneys may be withdrawn from the energy system tax stabilization
15 reserve fund for any fiscal year to be expended for any lawful purpose.
16 Withdrawals from the fund shall be disclosed in a manner consistent with
17 the required disclosures of similar reserve funds held by the district,
18 including disclosures required by the property tax report card prepared
19 by the district pursuant to the provisions of subdivision 7 of section
20 1716 of the education law; and deposits and withdrawals made in each
21 fiscal year shall be subject to the district's annual budget approval
22 process.

23 (c) The moneys in the energy system tax stabilization reserve fund
24 shall be deposited, invested and accounted for in the manner provided
25 for in subdivisions 2 and 6 of section 3651 and section 3652 of the
26 education law.

27 § 4. This act shall take effect immediately.