

S T A T E O F N E W Y O R K

1863--A

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

Introduced by M. of A. NOLAN, BRENNAN -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to restricting the sale, lease, transfer or authorization of open-air schoolhouse playgrounds for certain uses

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

1 Section 1. Subdivision 5 of section 2556 of the education law, such
2 section as renumbered by chapter 762 of the laws of 1950, is amended to
3 read as follows:
4 5. It shall be unlawful for a schoolhouse to be constructed in the
5 city of New York without an open-air playground attached to or used in
6 connection with the same. EXISTING PLAYGROUNDS SHALL NOT BE SOLD,
7 LEASED OR TRANSFERRED, OR PERMANENTLY AUTHORIZED FOR OTHER USES SUCH AS
8 SCHOOL BUILDING CONSTRUCTION, RENOVATION, PLACEMENT OR STORAGE OF BUILD-
9 ING MATERIALS FOR SUCH WORK THAT WOULD ELIMINATE THE USE OF SUCH PLAY-
10 GROUND SPACE FOR OUTDOOR RECREATIONAL ACTIVITIES UNLESS AN ALTERNATIVE
11 PLAN FOR SUCH ACTIVITIES IS ESTABLISHED WHICH PROVIDES SUITABLE AND
12 ADEQUATE PLAYGROUND SPACE TO ACCOMMODATE THE PHYSICAL RECREATIONAL NEEDS
13 OF THE PUPILS OF SUCH BUILDING.
14 S 2. This act shall take effect July 1, 2011; provided however, that
15 the commissioner of education is authorized and directed to promulgate
16 any rules or regulations necessary for the timely implementation of this
17 act on or before such date.

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

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