

1047

2009-2010 Regular Sessions

I N S E N A T E

January 22, 2009

Introduced by Sens. LAVALLE, FLANAGAN, MORAHAN, ONORATO -- 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 providing that a
school bond resolution vote shall take place in conjunction with the
school budget vote

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

1 Section 1. The section heading and subdivision 1 of section 2022 of
2 the education law, the section heading as amended by section 23 of part
3 A of chapter 436 of the laws of 1997 and subdivision 1 as amended by
4 section 8 of part C of chapter 58 of the laws of 1998, are amended and a
5 new subdivision 1-a is added to read as follows:
6 Vote on school district budgets, ON BOND RESOLUTIONS and on the
7 election of school district trustees and board of education members. 1.
8 Notwithstanding any law, rule or regulation to the contrary, the
9 election of trustees or members of the board of education, [and] the
10 vote upon the appropriation of the necessary funds to meet the estimated
11 expenditures, AND THE VOTE UPON A BOND RESOLUTION, in any common school
12 district, union free school district, central school district or central
13 high school district shall be held at the annual meeting and election on
14 the third Tuesday in May, provided, however, that such election shall be
15 held on the second Tuesday in May if the commissioner at the request of
16 a local school board certifies no later than March first that such
17 election would conflict with religious observances. When such election
18 or vote is taken by recording the ayes and noes of the qualified voters
19 attending, a majority of the qualified voters present and voting, by a
20 hand or voice vote, may determine to take up the question of voting the
21 necessary funds to meet the estimated expenditures for a specific item
22 separately, and the qualified voters present and voting may increase the
23 amount of any estimated expenditures or reduce the same, except for

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

LBD05389-01-9

1 teachers' salaries, and the ordinary contingent expenses of the schools.
2 The sole trustee, board of trustees or board of education of every
3 common, union free, central or central high school district and every
4 city school district to which this article applies shall hold a budget
5 hearing not less than seven nor more than fourteen days prior to the
6 annual meeting and election or special district meeting at which a
7 school budget vote will occur, and shall prepare and present to the
8 voters at such budget hearing a proposed school district budget for the
9 ensuing school year.

10 1-A. ANY BOND RESOLUTION VOTED UPON PURSUANT TO SUBDIVISION ONE OF
11 THIS SECTION MAY ONLY BE RESUBMITTED TO THE VOTERS OF THE SCHOOL
12 DISTRICT ONE TIME SUBSEQUENT TO SUCH VOTE.

13 S 2. This act shall take effect on the first of January next succeed-
14 ing the date on which it shall have become a law.