

3228

2009-2010 Regular Sessions

I N S E N A T E

March 13, 2009

Introduced by Sens. FLANAGAN, LITTLE, MORAHAN -- 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 children residing on a state university of New York

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

1 Section 1. Section 3202 of the education law is amended by adding a
2 new subdivision 9 to read as follows:
3 9. CHILDREN RESIDING ON A STATE UNIVERSITY OF NEW YORK. A CHILD OF A
4 MEMBER OF THE ADMINISTRATION, FACULTY OR A STUDENT OVER FIVE AND UNDER
5 TWENTY-ONE YEARS OF AGE WHO HAS NOT RECEIVED A HIGH SCHOOL DIPLOMA AND
6 WHO RESIDES ON PROPERTY OWNED BY THE STATE UNIVERSITY OF NEW YORK OR
7 RELATED ENTITIES SHALL BE ENTITLED TO ENROLL IN THE PUBLIC SCHOOL
8 DISTRICT WITHIN WHICH SUCH PERSON RESIDES. THE STATE SHALL MAKE A
9 PAYMENT TO THE SCHOOL DISTRICT FOR EACH CHILD WHO ATTENDS A PUBLIC
10 SCHOOL DISTRICT PURSUANT TO THIS SUBDIVISION BASED ON THE AVERAGE COST
11 PER STUDENT TWO YEARS PRIOR TO THE BASE IN THE DISTRICT LESS ANY STATE
12 AND FEDERAL AID THE DISTRICT RECEIVES IN SUCH YEAR AS A RESULT OF THE
13 CHILD'S ENROLLMENT AND SUCH PAYMENT SHALL BE DETERMINED BY THE COMMIS-
14 SIONER. THE PAYMENT SHALL BE DUE AND PAYABLE THIRTY DAYS AFTER THE DATE
15 WHEN THE TAX WARRANT IS ISSUED PURSUANT TO THE PROVISIONS OF SECTION
16 THIRTEEN HUNDRED SIX OF THE REAL PROPERTY TAX LAW. FOR ANY CHILD WHO
17 ATTENDS A PUBLIC SCHOOL DISTRICT PURSUANT TO THIS SUBDIVISION FOR ONLY
18 PART OF THE SCHOOL YEAR, THE COMMISSIONER SHALL PRO RATE THE PAYMENT
19 APPROPRIATELY TO REFLECT THE PERIOD OF ENROLLMENT IN A GIVEN SCHOOL
20 YEAR.
21 S 2. This act shall take effect immediately.

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

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