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

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:

Section 1. Section 3202 of the education law is amended by adding a new subdivision 9 to read as follows:

9. CHILDREN RESIDING ON A STATE UNIVERSITY OF NEW YORK. A CHILD OF A MEMBER OF THE ADMINISTRATION, FACULTY OR A STUDENT OVER FIVE AND UNDER TWENTY-ONE YEARS OF AGE WHO HAS NOT RECEIVED A HIGH SCHOOL DIPLOMA AND WHO RESIDES ON PROPERTY OWNED BY THE STATE UNIVERSITY OF NEW YORK OR RELATED ENTITIES SHALL BE ENTITLED TO ENROLL IN THE PUBLIC SCHOOL DISTRICT WITHIN WHICH SUCH PERSON RESIDES. THE STATE SHALL MAKE A PAYMENT TO THE SCHOOL DISTRICT FOR EACH CHILD WHO ATTENDS A PUBLIC SCHOOL DISTRICT PURSUANT TO THIS SUBDIVISION BASED ON THE AVERAGE COST PER STUDENT TWO YEARS PRIOR TO THE BASE IN THE DISTRICT LESS ANY STATE AND FEDERAL AID THE DISTRICT RECEIVES IN SUCH YEAR AS A RESULT OF THE CHILD'S ENROLLMENT AND SUCH PAYMENT SHALL BE DETERMINED BY THE COMMISSIONER. THE PAYMENT SHALL BE DUE AND PAYABLE THIRTY DAYS AFTER THE DATE WHEN THE TAX WARRANT IS ISSUED PURSUANT TO THE PROVISIONS OF SECTION THIRTEEN HUNDRED SIX OF THE REAL PROPERTY TAX LAW. FOR ANY CHILD WHO ATTENDS A PUBLIC SCHOOL DISTRICT PURSUANT TO THIS SUBDIVISION FOR ONLY PART OF THE SCHOOL YEAR, THE COMMISSIONER SHALL PRO RATE THE PAYMENT APPROPRIATELY TO REFLECT THE PERIOD OF ENROLLMENT IN A GIVEN SCHOOL YEAR.

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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