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

5153

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. 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 public hearings in the school district budget process

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

Section 1. Subdivisions 1 and 2 of section 1608 of the education law, subdivision 1 as amended by section 5 of part A of chapter 436 of the laws of 1997 and subdivision 2 as amended by chapter 640 of the laws of 2008, are amended to read as follows:

1. It shall be the duty of the trustees of each common school district to [present at the] CONDUCT AN annual budget hearing TO FORMULATE a detailed statement in writing of the amount of money which will be required for the ensuing year for school purposes, specifying the several purposes and the amount for each. The amount for each purpose estimated necessary for payments to boards of cooperative educational services shall be shown in full, with no deduction of estimated state aid. The amount of state aid provided and its percentage relationship to the total expenditures shall also be shown. [This section shall not be construed to prevent the trustees from presenting such statement at a budget hearing held not less than seven nor more than fourteen days prior to a special meeting called for the purpose, nor from presenting a supplementary and amended statement or estimate at any time.]

2. Such statement shall be completed at least seven days [before] AFTER the budget hearing [at which it is to be presented] and copies thereof shall be prepared and made available, upon request and at the school district offices, at any public library or free association library within the district and on the school district's internet website, if one exists, to residents within the district during the period of fourteen days immediately [preceding] FOLLOWING the annual meeting and PRECEDING THE election or special district meeting at which

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

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the budget vote will occur and at such [meeting or hearing] ELECTION. The board shall also as a part of the notice required by section two thousand three of this chapter give notice of the date, time and place of the budget hearing [and that a]. A copy of [such statement] THE PROPOSED BUDGET may be obtained by any resident in the district at each schoolhouse in the district in which school is maintained during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen days immediately [preceding] FOLLOWING such meeting. The board shall include notice of the availability of such statement at least once during the school year in any district-wide mailing distributed.

S 2. Subdivisions 1 and 2 of section 1716 of the education law, subdivision 1 as amended by section 7 of part A of chapter 436 of the laws of 1997 and subdivision 2 as amended by chapter 640 of the laws of 2008, are amended to read as follows:

1. It shall be the duty of the board of education of each district to [present at the] CONDUCT AN annual budget hearing TO FORMULATE a detailed statement in writing of the amount of money which will be required for the ensuing year for school purposes, specifying the several purposes and the amount for each. The amount for each purpose estimated necessary for payments to boards of cooperative educational services shall be shown in full, with no deduction of estimated state aid. The amount of state aid provided and its percentage relationship to the total expenditures shall also be shown. [This section shall not be construed to prevent the board from presenting such statement at a budget hearing held not less than seven nor more than fourteen days prior to a special meeting called for the purpose, nor from presenting a supplementary and amended statement or estimate at any time.]

2. Such statement shall be completed at least seven days [before] AFTER the budget hearing [at which it is to be presented] and copies thereof shall be prepared and made available, upon request and at the school district offices, at any public library or free association library within the district and on the school district's internet website, if one exists, to residents within the district during the period of fourteen days immediately [preceding] FOLLOWING the annual meeting and PRECEDING THE election or special district meeting at which the budget vote will occur and at such [meeting or hearing] ELECTION. The board shall also as a part of the notice required by section two thousand four of this chapter give notice of the date, time and place of the budget hearing [and that a]. A copy of such statement may be obtained by any resident in the district at each schoolhouse in the district in which school is maintained during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen days immediately [preceding] FOLLOWING such meeting. The board shall include notice of the availability of such statement at least once during the school year in any district-wide mailing distributed.

S 3. This act shall take effect immediately.