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

2171

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. McENENY, CANESTRARI, JOHN, DelMONTE, EDDINGTON -- Multi-Sponsored by -- M. of A. COOK, GLICK, GOTTFRIED -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to limiting the costs to be paid by the local board of education budget to five percent per annum of that budget

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

Section 1. Subdivision 1 of section 2852 of the education law, as amended by section 2 of part D2 of chapter 57 of the laws of 2007, is amended to read as follows:

1. A charter entity that receives an application for approval of a charter school shall act on each request received prior to July first of a calendar year on or before January first of the succeeding calendar year, and a proposed charter between the applicant and the charter entity resulting from such application shall be executed on or before February first of such succeeding year. Nothing in this subdivision shall be construed to prevent a charter entity from receiving or acting upon an application at any time. HOWEVER, NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION OR OTHER PROVISION OF LAW, NO CHARTERING ENTITY SHALL APPROVE A CHARTER IN A CITY WITH A POPULATION OF ONE HUNDRED THOUSAND OR LESS WHEN ISSUANCE OF THAT CHARTER WOULD CAUSE THE COST OF ALL PAYMENTS MADE PURSUANT TO SECTION TWENTY-EIGHT HUNDRED FIFTY-SIX OF THIS ARTICLE TO EXCEED FIVE PERCENT OF THAT CITY'S SCHOOL DISTRICT'S TOTAL STATE APPROVED OPERATING EXPENSE AS CALCULATED PURSUANT TO SUBDIVISION ELEVEN OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER.

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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