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

7518

2009-2010 Regular Sessions

I N A S S E M B L Y

April 14, 2009

Introduced by M. of A. V. LOPEZ, HOYT -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to providing facilities aid to charter schools

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

Section 1. Paragraph (c) of subdivision 4 of section 2853 of the education law, as added by chapter 4 of the laws of 1998, is amended to read as follows:

(c) A charter school may contract with a school district or the governing body of a public college or university for the use of a school building and grounds, INCLUDING the operation and maintenance thereof. Any such contract shall provide such services or facilities at cost, PROVIDED THAT A SCHOOL DISTRICT AND A CHARTER SCHOOL MAY ENTER INTO AN AGREEMENT FOR SUCH CHARTER SCHOOL TO PAY UP TO THE AMOUNT PROVIDED PURSUANT TO PARAGRAPH (D) OF SUBDIVISION ONE OF SECTION TWENTY-EIGHT HUNDRED FIFTY-SIX OF THIS ARTICLE FOR THE USE OF SUCH FACILITIES.

S 2. Subdivision 1 of section 2856 of the education law, as amended by chapter 378 of the laws of 2007, is amended by adding a new paragraph (d) to read as follows:

(D) AN AMOUNT EQUAL TO FIFTEEN PERCENT OF THE AMOUNT CALCULATED PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION SHALL BE PAID BY THE COMMISSIONER DIRECTLY TO EACH CHARTER SCHOOL RECEIVING PAYMENTS IN ACCORDANCE WITH SUCH PARAGRAPH. PAYMENTS PURSUANT TO THIS PARAGRAPH SHALL BE MADE BY THE COMMISSIONER IN SIX SUBSTANTIALLY EQUAL INSTALLMENTS EACH YEAR BEGINNING ON THE FIRST BUSINESS DAY OF JULY AND EVERY TWO MONTHS THEREAFTER. PAYMENTS MADE PURSUANT TO THIS PARAGRAPH SHALL BE MADE BY THE COMMISSIONER FROM MONEYS APPROPRIATED BY THE STATE LEGISLATURE FOR THE SUPPORT OF PUBLIC SCHOOLS.

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

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S 3. The opening paragraph of subdivision 1 of section 2856 of the education law, as added by chapter 4 of the laws of 1998, is designated paragraph (a) and a new paragraph (b) is added to read as follows:

(B) AN AMOUNT EQUAL TO FIFTEEN PERCENT OF THE AMOUNT CALCULATED PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION SHALL BE PAID BY THE COMMISSIONER DIRECTLY TO EACH CHARTER SCHOOL RECEIVING PAYMENTS IN ACCORDANCE WITH SUCH PARAGRAPH. PAYMENTS PURSUANT TO THIS PARAGRAPH SHALL BE MADE BY THE COMMISSIONER IN SIX SUBSTANTIALLY EQUAL INSTALLMENTS EACH YEAR BEGINNING ON THE FIRST BUSINESS DAY OF JULY AND EVERY TWO MONTHS THEREAFTER. PAYMENTS MADE PURSUANT TO THIS PARAGRAPH SHALL BE MADE BY THE COMMISSIONER FROM MONEYS APPROPRIATED BY THE STATE LEGISLATURE FOR THE SUPPORT OF PUBLIC SCHOOLS.

S 4. This act shall take effect April 1, 2010; provided, however, that the amendments to subdivision 1 of section 2856 of the education law made by section two of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 27 of chapter 378 of the laws of 2007, as amended, when upon such date the provisions of section three of this act shall take effect.