

9058

2009-2010 Regular Sessions

I N A S S E M B L Y

June 23, 2009

Introduced by M. of A. TEDISCO, AMEDORE -- read once and referred to the
Committee on Education

AN ACT to amend the education law, in relation to enacting the "school
budget vote fairness act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "school budget vote fairness act".
3 S 2. Paragraph a of subdivision 4 of section 2023 of the education
4 law, as added by section 24 of part A of chapter 436 of the laws of
5 1997, is amended and a new paragraph b-2 is added to read as follows:
6 a. The contingency budget shall not result in: (I) a percentage
7 increase in total spending over the district's total spending under the
8 school district budget for the prior school year that exceeds the lesser
9 of: [(i)] (A) the result obtained when one hundred twenty percent is
10 multiplied by the percentage increase in the consumer price index, with
11 the result rounded to two decimal places; or [(ii)] (B) four percent; OR
12 (II) TOTAL SPENDING GREATER THAN AN AMOUNT EQUAL TO ONE PERCENT LESS
13 THAN THE TOTAL SPENDING SET FORTH IN THE SECOND BUDGET PREPARED BY THE
14 SCHOOL DISTRICT AND REJECTED BY THE VOTERS OF SUCH SCHOOL DISTRICT.
15 B-2. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBDIVISION, IN
16 DETERMINING THE TOTAL SPENDING FROM EXPENDITURES THAT WILL BE INCLUDED
17 IN A CONTINGENCY BUDGET, ESTIMATES, INCLUDING BUT NOT LIMITED TO, ESTI-
18 MATES WITH REGARD TO INCREASES OR CHANGES IN SCHOOL DISTRICT ENROLLMENT
19 OR DEMOGRAPHICS, USED TO DETERMINE ITEMS ELIGIBLE FOR EXCLUSION PURSUANT
20 TO PARAGRAPH B OF THIS SUBDIVISION, SHALL NOT BE CHANGED, INCREASED OR
21 MODIFIED IN ANY WAY FROM ESTIMATES USED FOR SUCH EXCLUSION ITEMS IN
22 DETERMINING THE SCHOOL DISTRICT BUDGET ORIGINALLY PREPARED BY SUCH
23 SCHOOL DISTRICT AND REJECTED BY THE VOTERS OF SUCH SCHOOL DISTRICT.
24 S 3. 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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