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

9845

I N A S S E M B L Y

February 3, 2010

Introduced by M. of A. O'DONNELL, WRIGHT -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to charter school locations in New York city

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

Section 1. Paragraph (a) of subdivision 3 of section 2853 of the education law, as amended by section 4 of part D-2 of chapter 57 of the laws of 2007, is amended to read as follows:

(a) A charter school may be located in part of an existing public school building, in space provided on a private work site, in a public building or in any other suitable location. Provided, however, before a charter school may be located in part of an existing public school building, the charter entity shall provide notice to the parents or guardians of the students then enrolled in the existing school building and shall hold a public hearing for purposes of discussing the location of the charter school. A charter school may own, lease or rent its space. For purposes of local zoning, land use regulation and building code compliance, a charter school shall be deemed a nonpublic school. PROVIDED FURTHER, HOWEVER, THAT BEFORE A CHARTER SCHOOL MAY BE LOCATED IN PART OF AN EXISTING SCHOOL BUILDING IN THE CITY OF NEW YORK, OR IN ANY OTHER REAL PROPERTY OF THE CITY OF NEW YORK, THERE SHALL BE FULL COMPLIANCE WITH THE PROVISIONS OF SECTION ONE HUNDRED NINETY-SEVEN-C OF THE NEW YORK CITY CHARTER, RELATING TO UNIFORM LAND USE REVIEW PROCEDURE, OR THE PROVISIONS OF ANY OTHER LOCAL LAW OF THE CITY OF NEW YORK RELATING THERETO.

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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