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

45

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. FUSCHILLO -- 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 the adoption of a school district budget upon the voters failing to approve a proposed school district budget

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

Section 1. Subdivisions 4 and 5 of section 2022 of the education law, subdivision 4 as amended by section 7 of part M of chapter 57 of the laws of 2005 and subdivision 5 as added by section 23 of part A of chapter 436 of the laws of 1997, are amended to read as follows:

4. In the event that the original proposed budget is not approved by the voters, the sole trustee, trustees or board of education [may] SHALL adopt a final budget pursuant to subdivision five of this section [or resubmit to the voters the original or a revised budget pursuant to subdivision three of section two thousand seven of this part. Upon one defeat of such resubmitted budget, the sole trustee, trustees or board of education shall adopt a final budget pursuant to subdivision five of this section. Notwithstanding any other provision of law to the contrary, the school district budget for any school year, or any part of such budget or any propositions involving the expenditure of money for such school year shall not be submitted for a vote of the qualified voters more than twice].

5. If the qualified voters fail to approve the proposed school district budget [upon resubmission or upon a determination not to resubmit for a second vote pursuant to subdivision four of this section], the sole trustee, trustees or board of education, after applying thereto the public school moneys and other moneys received or to be received for that purpose, shall levy a tax for the sum necessary for teachers' salaries and other ordinary contingent expenses in accordance with the

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

provisions of this subdivision and section two thousand twenty-three of this [article] PART.

S 2. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.