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

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I N A S S E M B L Y

January 12, 2011

Introduced by M. of A. TEDISCO, CALHOUN, SAYWARD, KOLB, RAIA -- Multi-Sponsored by -- M. of A. BURLING, BUTLER, CONTE, CROUCH, FINCH, FITZPATRICK, HAYES, J. MILLER, REILICH, THIELE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to providing additional reimbursement to school districts for expenses incurred for failure to receive timely payments of state aid

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

Section 1. The education law is amended by adding a new section 3605 to read as follows:

S 3605. ADDITIONAL STATE REIMBURSEMENT TO SCHOOL DISTRICTS. 1. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW, THE STATE SHALL BE LIABLE FOR ANY INTEREST PAYMENTS OR ANCILLARY EXPENSES INCURRED BY A SCHOOL DISTRICT AS A RESULT OF THE SCHOOL DISTRICT NOT HAVING RECEIVED TIMELY PAYMENTS OF STATE AID DUE TO A FAILURE BY THE STATE TO ADOPT THE AID TO LOCALITIES BUDGET BY APRIL FIRST IN ANY FISCAL YEAR DURING WHICH BUDGET BILLS AS DEFINED BY ARTICLE SEVEN OF THE CONSTITUTION OF THE STATE OF NEW YORK HAVE NOT BEEN ADOPTED.

2. WITHIN THIRTY DAYS AFTER THE ADOPTION OF SUCH BUDGET BILLS THE GOVERNOR SHALL PREPARE AND SUBMIT TO THE LEGISLATURE CHAPTER AMENDMENTS TO THE AID TO LOCALITIES BUDGET PROVIDING FOR ADDITIONAL REIMBURSEMENT TO REPAY SCHOOL DISTRICTS FOR ANY AND ALL INTEREST PAYMENTS OR ANCILLARY EXPENSES REFERENCED IN SUBDIVISION ONE OF THIS SECTION.

3. SUCH REIMBURSEMENT MONEYS SHALL BE PAID UPON THE AUDIT OF VOUCHERS CERTIFIED BY THE CHIEF FISCAL OFFICER FOR THE SCHOOL DISTRICT DEMANDING REIMBURSEMENT FOR THE INTEREST PAYMENTS AND ANCILLARY EXPENSES INCURRED BY SUCH SCHOOL DISTRICT.

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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