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

3402

2011-2012 Regular Sessions

I N A S S E M B L Y

January 25, 2011

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

AN ACT to amend chapter 57 of the laws of 2005, amending the education law relating to providing for school budget revote, in relation to a special apportionment for public pension accruals

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

Section 1. Subdivision a of section 10 of part M of chapter 57 of the laws of 2005, amending the education law relating to providing for school budget revote, is amended to read as follows:

a. Notwithstanding any other provision of law, (1) upon application to the commissioner of education, not later than June 30, 2005, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2005, and such apportionment shall not exceed the additional accruals required to be made by school districts in the 2004-2005 school year associated with changes in accounting methodologies for liabilities for employer and employee contributions due and payable to a public retirement system, and (2) upon application to the commissioner of education, not later than June 30, 2006, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2006, and such apportionment shall not exceed the additional accruals required to be made by school districts in the 2004-05 or 2005-06 school years associated with changes in accounting methodologies for such public pension liabilities AND/OR (3) FOR SCHOOL DISTRICTS WITH A POPULATION IN EXCESS OF ONE HUNDRED NINETY-FIVE THOUSAND INHABITANTS AND LESS THAN TWO HUNDRED NINETEEN THOUSAND INHABITANTS ACCORDING TO THE LATEST FEDERAL CENSUS, UPON APPLICATION TO THE COMMISSIONER OF EDUCATION, NOT LATER THAN JUNE 30, 2011, A SCHOOL DISTRICT ELIGIBLE FOR AN

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

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APPORTIONMENT PURSUANT TO SECTION 3602 OF THE EDUCATION LAW SHALL BE ELIGIBLE TO RECEIVE AN APPORTIONMENT PURSUANT TO THIS SECTION, FOR THE SCHOOL YEAR ENDING JUNE 30, 2011, AND SUCH APPORTIONMENT SHALL NOT EXCEED THE ADDITIONAL ACCRUALS REQUIRED TO BE MADE BY SUCH DISTRICT IN BOTH THE 2009-2010 AND THE 2010-2011 SCHOOL YEARS ASSOCIATED WITH CHANGES IN PUBLIC PENSION LIABILITIES. The amount of such additional accrual shall be certified to the commissioner of education by the president of the board of education or the trustees or, in the case of a city school district in a city with a population in excess of one hundred twenty-five thousand inhabitants, the mayor of such city. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of one hundred twenty-five thousand inhabitants, with the approval of the mayor of such city.

S 2. This act shall take effect April 1, 2011; provided that if this act shall become a law after such date, it shall take effect immediately and be deemed to have been in full force and effect on and after such date.