

4832

2011-2012 Regular Sessions

I N A S S E M B L Y

February 8, 2011

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

AN ACT to amend the education law, in relation to restricting the sale,
lease, transfer or authorization of open-air schoolhouse playgrounds
for certain uses

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

1 Section 1. Subdivision 5 of section 2556 of the education law, such
2 section as renumbered by chapter 762 of the laws of 1950, is amended to
3 read as follows:
4 5. It shall be unlawful for a schoolhouse to be constructed in the
5 city of New York without an open-air playground attached to or used in
6 connection with the same. EXISTING PLAYGROUNDS SHALL NOT BE SOLD,
7 LEASED OR TRANSFERRED, OR PERMANENTLY AUTHORIZED FOR OTHER USES SUCH AS
8 SCHOOL BUILDING CONSTRUCTION, RENOVATION, PLACEMENT OR STORAGE OF BUILD-
9 ING MATERIALS FOR SUCH WORK THAT WOULD ELIMINATE THE USE OF SUCH PLAY-
10 GROUND SPACE FOR OUTDOOR RECREATIONAL ACTIVITIES UNLESS A PLAN IS ESTAB-
11 LISHED AND IMPLEMENTED TO PROVIDE SUITABLE AND ADEQUATE PHYSICAL
12 ACTIVITIES OR SPACE TO ACCOMMODATE THE PHYSICAL AND RECREATIONAL NEEDS
13 OF THE PUPILS OF SUCH BUILDING. THE PROVISIONS OF THIS SUBDIVISION
14 SHALL NOT APPLY DURING SCHOOL CONSTRUCTION ACTIVITIES ON SUCH PLAY-
15 GROUNDS THAT HAVE A DURATION OF SIX MONTHS OR LESS.
16 S 2. This act shall take effect July 1, 2012; provided however, that
17 the commissioner of education is authorized and directed to promulgate
18 any rules or regulations necessary for the timely implementation of this
19 act on or before such date.

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

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