

1368

2011-2012 Regular Sessions

I N S E N A T E

January 6, 2011

Introduced by Sens. DILAN, DIAZ, HASSELL-THOMPSON -- read twice and
ordered printed, and when printed to be committed to the Committee on
Judiciary

AN ACT to amend the family court act, in relation to contracts for the
transportation of children

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

1 Section 1. Subdivision 3 of section 236 of the family court act, as
2 amended by chapter 705 of the laws of 1992, is amended to read as
3 follows:
4 3. (a) Every such order for services to be provided after September
5 first, nineteen hundred eighty-six which provides for the transportation
6 of a child shall further require that such transportation shall be
7 provided by the county or the city of New York, as the case may be, and,
8 that the city of New York may delegate the authority to provide such
9 transportation to the board of education OR THE CITY SCHOOL DISTRICT of
10 such city.
11 (b) Such order shall further require that such transportation shall be
12 provided within thirty days of the issuance of such order, and, shall be
13 provided as part of a municipal cooperation agreement [or], as part of a
14 contract awarded to the lowest responsible bidder in accordance with the
15 provisions of section one hundred three of the general municipal law, OR
16 IN THE CITY OF NEW YORK, NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL,
17 SPECIAL OR LOCAL LAW OR CHARTER, AS PART OF A CONTRACT AWARDED PURSUANT
18 TO AN EVALUATION OF PROPOSALS SUBMITTED IN RESPONSE TO A REQUEST FOR
19 PROPOSALS PREPARED BY SUCH CITY OR BY THE CHANCELLOR OF THE CITY SCHOOL
20 DISTRICT OF SUCH CITY, and that buses and vehicles utilized in the
21 performance of such contract shall meet the minimum requirements for
22 school age children as established by the commissioner of transporta-
23 tion. WHEN, IN THE CITY OF NEW YORK, THE BOARD OF EDUCATION OR THE CITY
24 SCHOOL DISTRICT AWARDS A CONTRACT OR CONTRACTS FOR TRANSPORTATION PURSU-

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

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1 ANT TO AN EVALUATION OF PROPOSALS SUBMITTED IN RESPONSE TO A REQUEST FOR
2 PROPOSALS, THE BOARD OR CITY SCHOOL DISTRICT SHALL INCLUDE EMPLOYEE
3 PROTECTION PROVISIONS RATIONALLY RELATING TO THE PROMOTION OF A POOL OF
4 QUALIFIED WORKERS AND THE AVOIDANCE OF LABOR DISPUTES, INCLUDING BUT NOT
5 LIMITED TO PROVISIONS FOR THE PREFERENCE IN HIRING OF EMPLOYEES PERFORM-
6 ING WORK FOR EMPLOYERS UNDER CONTRACTS WITH THE BOARD OF EDUCATION OR
7 THE CITY SCHOOL DISTRICT, THE PRESERVATION OF WAGES, BENEFITS, AND
8 SENIORITY FOR SUCH EMPLOYEES, AND OTHER PROVISIONS RELATING TO THE
9 HIRING, COMPENSATION, AND RETENTION OF EMPLOYEES, IN THE REQUEST FOR
10 PROPOSALS AND IN THE AWARDED CONTRACT.

11 S 2. This act shall take effect immediately.