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

5821

2011-2012 Regular Sessions

I N S E N A T E

June 17, 2011

Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to assumed amortization for certain school district projects approved by the commissioner

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

Section 1. Clause (b) of subparagraph 3 of paragraph e of subdivision 6 of section 3602 of the education law, as amended by section 1 of part F of chapter 383 of the laws of 2001, is amended to read as follows:

(b) Such assumed amortization for a project approved by the commissioner on or after the later of the first day of December, two thousand one or thirty days after the date upon which this subdivision shall have become a law AND PRIOR TO THE FIRST DAY OF JULY, TWO THOUSAND ELEVEN or for any debt service related to projects approved by the commissioner prior to such date where a bond, capital note or bond anticipation note is first issued [on or after such date] THE FIRST DAY OF DECEMBER, TWO THOUSAND ONE to fund such projects, shall commence: (i) eighteen months after such approval or (ii) on the date of receipt by the commissioner of a certification by the district that a general construction contract has been awarded for such project by the district, whichever is later, and SUCH ASSUMED AMORTIZATION FOR A PROJECT APPROVED BY THE COMMISSIONER ON OR AFTER THE FIRST DAY OF JULY, TWO THOUSAND ELEVEN SHALL COMMENCE: (III) EIGHTEEN MONTHS AFTER SUCH APPROVAL OR (IV) ON THE DATE OF RECEIPT BY THE COMMISSIONER OF BOTH THE FINAL CERTIFICATE OF SUBSTANTIAL COMPLETION OF THE PROJECT ISSUED BY THE ARCHITECT OR ENGINEER AND THE FINAL COST REPORT FOR SUCH PROJECT, WHICHEVER IS LATER OR (V) UPON THE DATE OF A FINDING BY THE COMMISSIONER THAT THE CERTIFICATE OF SUBSTANTIAL COMPLETION OF THE PROJECT HAS BEEN ISSUED BY THE ARCHITECT OR ENGINEER, BUT THE DISTRICT IS UNABLE TO COMPLETE THE FINAL COST REPORT BECAUSE OF CIRCUMSTANCES BEYOND THE CONTROL OF THE DISTRICT. SUCH ASSUMED AMORTIZATION shall provide for equal semiannual payments of

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

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principal and interest based on an interest rate established pursuant to subparagraph five of this paragraph for such purpose for the school year during which such certification is received. The first installment of obligations issued by the school district in support of such projects may mature not later than the dates established pursuant to sections 21.00 and 22.10 of the local finance law.

S 2. This act shall take effect immediately.