

6395

I N S E N A T E

February 3, 2012

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

AN ACT to amend the education law, in relation to assumed amortization
for school projects

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

1 Section 1. Clause (b) of subparagraph 3 of paragraph e of subdivision
2 6 of section 3602 of the education law, as amended by section 4 of
3 subpart F of part C of chapter 97 of the laws of 2011, is amended to
4 read as follows:
5 (b) Such assumed amortization for a project approved by the commis-
6 sioner on or after the later of the first day of December, two thousand
7 one or thirty days after the date upon which this subdivision shall have
8 become a law and prior to the first day of July, two thousand eleven or
9 for any debt service related to projects approved by the commissioner
10 prior to such date where a bond, capital note or bond anticipation note
11 is first issued on or after the first day of December, two thousand one
12 to fund such projects, shall commence: (i) eighteen months after such
13 approval or (ii) on the date of receipt by the commissioner of a certif-
14 ication by the district that a general construction contract has been
15 awarded for such project by the district, whichever is later, and such
16 assumed amortization for a project approved by the [commissioner] VOTERS
17 OF THE SCHOOL DISTRICT OR BY THE BOARD OF EDUCATION OF A CITY SCHOOL
18 DISTRICT IN A CITY WITH MORE THAN ONE HUNDRED TWENTY-FIVE THOUSAND
19 INHABITANTS, AND/OR THE CHANCELLOR IN A CITY SCHOOL DISTRICT IN A CITY
20 HAVING A POPULATION OF ONE MILLION OR MORE, on or after the first day of
21 July, two thousand eleven shall commence: (iii) eighteen months after
22 such approval or (iv) on the date of receipt by the commissioner of both
23 the final certificate of substantial completion of the project issued by
24 the architect or engineer and the final cost report for such project,
25 whichever is later or (v) upon the date of a finding by the commissioner
26 that the certificate of substantial completion of the project has been
27 issued by the architect or engineer, but the district is unable to
28 complete the final cost report because of circumstances beyond the

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

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1 control of the district. Such assumed amortization shall provide for
2 equal semiannual payments of principal and interest based on an interest
3 rate established pursuant to subparagraph five of this paragraph for
4 such purpose for the school year during which such certification is
5 received. The first installment of obligations issued by the school
6 district in support of such projects may mature not later than the dates
7 established pursuant to sections 21.00 and 22.10 of the local finance
8 law.

9 S 2. This act shall take effect immediately.