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I N S E N A T E

June 18, 2012

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Introduced by Sens. FLANAGAN, MARTINS, LITTLE, HANNON, SALAND, RANZEN-HOFER -- 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 establishing Earth day; to amend the education law, in relation to removing references to subcommittees on special education; to amend the education law, in relation to the committee on special education membership requirements; to amend the education law, in relation to eliminating the requirement for written parental consent prior to initial placement of a student with a disability in a July/August program; to amend the education law, in relation to transportation of students with disabilities parentally placed in a private school; to amend the education law relating to committee on preschool special education membership; to amend the education law, in relation to the additional parent member of committees on special education; to amend the education law, in relation to authorizing access to students' individualized education program electronically; to amend the education law, in relation to discontinuance of an internal audit function in school districts with enrollment of less than one thousand students; to amend the general municipal law, in relation to school districts or board of cooperative educational services option to purchase goods and services; to repeal paragraph d of subdivision 4 of section 3641 of the education law relating to submission of a triennial report on the status of asbestos containing building materials in schools; to repeal subdivision 17 of section 1950 of the education law relating to board of cooperative educational services special education space plans; to repeal clause (d-2) of subparagraph 3 of paragraph b of subdivision 1 of section 4402 of the education law relating to the requirement that boards of education develop plans and policies for appropriate declassification of students with disabilities; to amend the general municipal law and the education law, in relation to requiring the state to fund certain programs mandated for municipal corporations and school districts; and to amend the education law, in relation to the effect of mandates on school districts; to amend the criminal procedure law and the general municipal law, in relation to the period of validity of certificates attesting to the satisfactory completion of an approved police basic training program; and to amend the social

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

LBD16292-02-2

services law, in relation to the training of persons assigned to be supervisors by a child protective service

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

1 Section 1. Section 810 of the education law, as amended by chapter 616  
2 of the laws of 1969 and subdivision 1 as amended by chapter 96 of the  
3 laws of 1978, is amended to read as follows:

4 S 810. [Conservation] EARTH day. [1. The last Friday in April each  
5 year is hereby made and declared to be known as Conservation day, and  
6 observed in accordance with the provisions of this chapter, except that  
7 for the year nineteen hundred seventy-eight, Conservation day shall be  
8 May third.

9 2. It shall be the duty of the authorities of every public school in  
10 this state to assemble the pupils in their charge on that day in the  
11 school building, or elsewhere, as they may deem proper, and to provide  
12 for and conduct (1) such exercises as shall tend to encourage the plant-  
13 ing, protection and preservation of trees and shrubs, and an acquaint-  
14 ance with the best methods to be adopted to accomplish such results, and  
15 (2) such lectures, pictures or tours, as shall tend to increase the  
16 interest and knowledge of such pupils in the fish and wild life, soil  
17 and water of the state.

18 3. The commissioner of education may prescribe from time to time a  
19 course of exercises and instruction in the subjects hereinbefore  
20 mentioned, which shall be adopted and observed by the public school  
21 authorities on Conservation day. Upon receipt of copies of such course  
22 sufficient in number to supply all the schools under their supervision,  
23 the school authorities aforesaid shall promptly provide each of the  
24 schools under their charge with a copy, and cause it to be observed]  
25 ANNUALLY, IT SHALL BE THE DUTY OF THE AUTHORITIES OF EVERY PUBLIC SCHOOL  
26 IN THIS STATE TO OBSERVE EARTH DAY AS THEY MAY DEEM PROPER AND TO  
27 ENCOURAGE INSTRUCTION ON THE EARTH'S NATURAL ENVIRONMENT AS APPROPRIATE.

28 S 2. Section 3035 of the education law is amended by adding a new  
29 subdivision 3-b to read as follows:

30 3-B. UPON REQUEST FROM A PROSPECTIVE EMPLOYEE WHO HAS BEEN CLEARED BY  
31 THE COMMISSIONER OF MOTOR VEHICLES PURSUANT TO SECTION FIVE HUNDRED  
32 NINE-CC OR SECTION TWELVE HUNDRED TWENTY-NINE-D OF THE VEHICLE AND TRAF-  
33 FIC LAW, THE DEPARTMENT OF MOTOR VEHICLES SHALL BE AUTHORIZED TO FORWARD  
34 A COPY OF SUCH INDIVIDUAL'S CRIMINAL HISTORY RECORD AND SUCH INDIVID-  
35 UAL'S FINGERPRINTS TO THE COMMISSIONER FOR PURPOSES OF CONDUCTING A  
36 CRIMINAL HISTORY RECORD CHECK PURSUANT TO THIS SECTION. FURTHERMORE,  
37 UPON NOTIFICATION THAT SUCH PROSPECTIVE EMPLOYEE HAS BEEN CLEARED FOR  
38 EMPLOYMENT BY THE COMMISSIONER PURSUANT TO THIS SECTION, THE DIVISION OF  
39 CRIMINAL JUSTICE SERVICES SHALL HAVE THE AUTHORITY TO PROVIDE SUBSEQUENT  
40 CRIMINAL HISTORY NOTIFICATIONS DIRECTLY TO THE COMMISSIONER.

41 S 3. Paragraph d of subdivision 4 of section 3641 of the education law  
42 is REPEALED.

43 S 4. Subdivision 1-b of section 103 of the general municipal law, as  
44 added by section 4 of subpart A of part C of chapter 97 of the laws of  
45 2011, is amended read as follows:

46 1-b. A political subdivision or any district therein shall have the  
47 option of purchasing information technology and telecommunications hard-  
48 ware, software and professional services through cooperative purchasing  
49 permissible pursuant to federal general services administration informa-

1 tion technology schedule seventy or any successor schedule. A political  
2 subdivision or any district therein that purchases through general  
3 services administration schedule seventy, information technology and  
4 consolidated schedule contracts shall comply with federal schedule  
5 ordering procedures as provided in federal acquisition regulation  
6 8.405-1 or 8.405-2 or successor regulations, whichever is applicable.  
7 Adherence to such procedures shall constitute compliance with the  
8 competitive bidding requirements under this section. IN ADDITION, A  
9 SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL HAVE  
10 THE OPTION OF PURCHASING OTHER GOODS OR SERVICES THROUGH COOPERATIVE  
11 PURCHASING PERMISSIBLE PURSUANT TO A GENERAL SERVICES ADMINISTRATION  
12 CONTRACT. A SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES  
13 THAT PURCHASES OTHER SERVICES THROUGH GENERAL SERVICE ADMINISTRATION  
14 CONTRACTS SHALL COMPLY WITH THE APPLICABLE FEDERAL SCHEDULE ORDERING  
15 PROCEDURES AS PROVIDED IN THE FEDERAL ACQUISITION REGULATIONS AS APPLI-  
16 CABLE.

17 S 5. Subdivision 17 of section 1950 of the education law is REPEALED.

18 S 6. Section 2215 of the education law is amended by adding a new  
19 subdivision 17 to read as follows:

20 17. TO DETERMINE THE ADEQUACY AND APPROPRIATENESS OF THE FACILITIES  
21 SPACE AVAILABLE TO HOUSE SPECIAL EDUCATION PROGRAMS IN THE GEOGRAPHIC  
22 AREA SERVED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES, CONSISTENT  
23 WITH THE LEAST RESTRICTIVE ENVIRONMENT REQUIREMENT AND TO ENSURE THE  
24 STABILITY AND CONTINUITY OF PROGRAM PLACEMENTS FOR STUDENTS WITH DISA-  
25 BILITIES, INCLUDING PROCEDURES THAT ENSURE THAT SPECIAL EDUCATION  
26 PROGRAMS AND SERVICES LOCATED IN APPROPRIATE FACILITIES WILL NOT BE  
27 RELOCATED WITHOUT ADEQUATE CONSIDERATION OF THE NEEDS OF PARTICIPATING  
28 STUDENTS WITH DISABILITIES.

29 S 7. Subdivision 8 of section 3604 of the education law, as amended by  
30 section 46 of part H of chapter 83 of the laws of 2002, is amended to  
31 read as follows:

32 8. No school shall be in session on a Saturday or a legal holiday,  
33 except general election day, Washington's birthday and Lincoln's birth-  
34 day, and except that driver education classes may be conducted on a  
35 Saturday. A deficiency not exceeding [three] FOUR days during any school  
36 year caused by teachers' attendance upon conferences held by superinten-  
37 dents of schools of city school districts or other school districts  
38 employing superintendents of schools shall be excused by the commission-  
39 er, NOTWITHSTANDING ANY PROVISION OF LAW, RULE OR REGULATION TO THE  
40 CONTRARY, A SCHOOL DISTRICT MAY ELECT TO SCHEDULE SUCH CONFERENCE DAYS  
41 IN THE LAST TWO WEEKS OF AUGUST AND SUCH DAYS SHALL BE COUNTED TOWARDS  
42 THE REQUIRED ONE HUNDRED EIGHTY DAYS OF SESSION, provided however,  
43 [notwithstanding any other provision of law, that during the nineteen  
44 hundred ninety-two--ninety-three through the two thousand two--two thou-  
45 sand three school years and thereafter, the] THAT SUCH SCHEDULING SHALL  
46 NOT ALTER THE OBLIGATION OF THE SCHOOL DISTRICT TO PROVIDE TRANSPORTA-  
47 TION TO STUDENTS IN NON-PUBLIC ELEMENTARY AND SECONDARY SCHOOLS OR CHAR-  
48 TER SCHOOLS. THE commissioner shall excuse a deficiency not exceeding  
49 four days during such school year caused by teachers' attendance upon  
50 conferences held by such superintendents, provided that at least two  
51 such conference days during such school year shall be dedicated to staff  
52 attendance upon conferences providing staff development relating to  
53 implementation of the new high learning standards and assessments, as  
54 adopted by the board of regents. Notwithstanding any other provision of  
55 law, rule or regulation to the contrary, school districts may elect to  
56 use one or more of such allowable conference days in units of not less

1 than one hour each to provide staff development activities relating to  
2 implementation of the new high learning standards and assessments. A  
3 district making such election may provide such staff development during  
4 the regularly scheduled daily session and apply such units to satisfy a  
5 deficiency in the length of one or more daily sessions of instruction  
6 for pupils as specified in regulations of the commissioner. The commis-  
7 sioner shall assure that such conference days include appropriate school  
8 violence prevention and intervention training, and may require that up  
9 to one such conference day be dedicated for such purpose.

10 S 8. Clause (d-2) of subparagraph 3 of paragraph b of subdivision 1 of  
11 section 4402 of the education law is REPEALED.

12 S 9. Paragraph a of subdivision 2 of section 4402 of the education  
13 law, as amended by chapter 243 of the laws of 1989, is amended to read  
14 as follows:

15 a. The board of education or trustees of each school district shall be  
16 required to furnish suitable educational opportunities for [children  
17 with handicapping conditions] STUDENTS WITH DISABILITIES by one of the  
18 special services or programs listed in subdivision two of section  
19 forty-four hundred one. The need of the individual child shall determine  
20 which of such services shall be rendered. Each district shall provide to  
21 the maximum extent appropriate such services in a manner which enables  
22 [children with handicapping conditions] STUDENTS WITH DISABILITIES to  
23 participate in regular education services when appropriate. Such  
24 services or programs shall be furnished between the months of September  
25 and June of each year, except that for the nineteen hundred eighty-sev-  
26 en--eighty-eight school year and thereafter, with respect to the  
27 students whose [handicapping conditions] DISABILITIES are severe enough  
28 to exhibit the need for a structured learning environment of twelve  
29 months duration to maintain developmental levels, the board of education  
30 or trustees of each school district upon the recommendation of the  
31 committee on special education [and, in the first instance, the consent  
32 of the parent] shall also provide, either directly or by contract, for  
33 the provision of special services and programs as defined in section  
34 forty-four hundred one of this article during the months of July and  
35 August as contained in the individualized education program for each  
36 eligible [child] STUDENT, and with prior approval by the commissioner if  
37 required; provided that [(i) a student with a handicapping condition who  
38 is first eligible to attend public school in the nineteen hundred eight-  
39 y-seven--eighty-eight school year shall not be eligible to receive  
40 services pursuant to this paragraph during the months of July and August  
41 nineteen hundred eighty-seven and (ii) a student with a handicapping  
42 condition who is first eligible to attend public school in the nineteen  
43 hundred eighty-eight--eighty-nine school year shall not be eligible to  
44 receive services pursuant to this paragraph during the months of July  
45 and August nineteen hundred eighty-eight and (iii) a student with a  
46 handicapping condition who is eligible for services during the months of  
47 July and August nineteen hundred eighty-nine pursuant to the provisions  
48 of subdivision six of section forty-four hundred ten of this article  
49 shall not be eligible to receive services pursuant to this paragraph  
50 during such months and (iv)] a student with a [handicapping condition]  
51 DISABILITY who is eligible for services, including services during the  
52 months of July and August, pursuant to section forty-four hundred ten of  
53 this article shall not be eligible to receive services pursuant to this  
54 paragraph during the months of July and August.

55 S 10. Paragraphs (a) and (c) of subdivision 9-a of section 4410 of the  
56 education law, paragraph (a) as amended by chapter 581 of the laws of

1 2011 and paragraph (c) as added by chapter 82 of the laws of 1995, are  
2 amended to read as follows:

3 (a) A [school district or a] group of appropriately licensed and/or  
4 certified professionals associated with a public or private agency may  
5 apply to the commissioner for approval as an evaluator on a form  
6 prescribed by the commissioner. The commissioner shall approve evalu-  
7 ators pursuant to this subdivision consistent with the approval process  
8 for the multi-disciplinary evaluation component of programs approved  
9 pursuant to subdivision nine of this section consistent with regulations  
10 adopted pursuant to such subdivision. ALL SCHOOL DISTRICTS ARE DEEMED  
11 APPROVED EVALUATORS OF PRESCHOOL STUDENTS SUSPECTED OF HAVING A DISABIL-  
12 ITY WITHOUT THE NEED TO SUBMIT AN APPLICATION TO THE COMMISSIONER.

13 Such application shall include, but not be limited to, a description  
14 of the multi-disciplinary evaluation services proposed to be provided  
15 and a demonstration that all agency employees and staff who provide such  
16 evaluation services shall have appropriate licensure and/or certifi-  
17 cation and that the individual who shall have direct supervision  
18 responsibilities over such staff shall have an appropriate level of  
19 experience in providing evaluation or services to preschool or kinder-  
20 garten-aged children with disabilities. To be eligible for approval as  
21 an evaluator under this subdivision on and after July first, two thou-  
22 sand eleven, a group of appropriately licensed or certified profes-  
23 sionals shall be formed as a limited liability company or professional  
24 services corporation established pursuant to article fifteen of the  
25 business corporation law, article twelve or thirteen of the limited  
26 liability company law or article eight-B of the partnership law. The  
27 approval of any groups of licensed or certified professionals that are  
28 in existence on July first, two thousand eleven and would not be eligi-  
29 ble for approval thereafter shall terminate on July first, two thousand  
30 thirteen.

31 (c) The commissioner shall establish a billing and reimbursement  
32 system for services provided by SCHOOL DISTRICTS AND evaluators approved  
33 pursuant to the provisions of this subdivision consistent with billing  
34 and reimbursement for evaluation services provided by evaluators  
35 approved pursuant to the provisions of subdivision nine of this section.

36 S 11. Subclause (viii) of clause (a) of subparagraph 1 of paragraph b  
37 of subdivision 1 of section 4402 of the education law, as amended by  
38 chapter 194 of the laws of 2004, is amended to read as follows:

39 (viii) IF REQUESTED BY THE PARENT OR PERSON IN PARENTAL RELATIONSHIP  
40 TO THE STUDENT, an additional parent, residing in the school district or  
41 a neighboring school district, of a student with a disability, of a  
42 student who has been declassified and is no longer eligible for an indi-  
43 vidualized education program (IEP), or a parent of a disabled child who  
44 has graduated, for a period of five years beyond the student's declassi-  
45 fication or graduation, provided such parent shall not be employed by or  
46 under contract with the school district[, and provided further that such  
47 additional parent shall not be a required member if the parents request  
48 that such additional parent member not participate]. DISTRICTS SHALL  
49 PROVIDE PARENTS AND PERSONS IN PARENTAL RELATIONSHIP TO THE STUDENT  
50 NOTICE OF THE RIGHT TO REQUEST THE PARTICIPATION OF AN ADDITIONAL  
51 PARENT;

52 S 12. Paragraph a of subdivision 7 of section 4402 of the education  
53 law, as added by chapter 408 of the laws of 2002, is amended to read as  
54 follows:

55 a. The board of education or trustees of each school district and the  
56 board of trustees of each charter school shall adopt a policy to ensure

1 that each regular education teacher, special education teacher, related  
2 service provider, and other service provider who is responsible for the  
3 implementation of a student's individualized education program shall be  
4 given a copy of such student's individualized education program prior to  
5 the implementation of such program OR SHALL BE ABLE TO ACCESS SUCH  
6 STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM ELECTRONICALLY; PROVIDED,  
7 HOWEVER, IF THE POLICY PROVIDES THAT THE STUDENT'S INDIVIDUALIZED EDUCA-  
8 TION PROGRAM IS TO BE ACCESSED ELECTRONICALLY, THEN SUCH POLICY SHALL  
9 ALSO ENSURE THAT THE INDIVIDUALS RESPONSIBLE FOR THE IMPLEMENTATION OF A  
10 STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM SHALL BE NOTIFIED AND TRAINED  
11 ON HOW TO ACCESS SUCH INDIVIDUALIZED EDUCATION PROGRAMS ELECTRONICALLY.

12 S 13. Subdivision 2 of section 2116-b of the education law, as added  
13 by chapter 263 of the laws of 2005, is amended to read as follows:

14 2. School districts of less than eight teachers, school districts with  
15 actual general fund expenditures totaling less than five million dollars  
16 in the previous school year, or school districts with actual enrollment  
17 of less than [three hundred] ONE THOUSAND students in the previous  
18 school year shall be exempt from this requirement. Any school district  
19 claiming such exemption shall annually certify to the commissioner that  
20 such school district meets the requirements set forth in this subdivi-  
21 sion. ANY SCHOOL DISTRICT WITH ACTUAL ENROLLMENT OF LESS THAN ONE THOU-  
22 SAND STUDENTS IN THE PREVIOUS SCHOOL YEAR THAT HAS ESTABLISHED AN INTER-  
23 NAL AUDIT FUNCTION MAY DISCONTINUE SUCH FUNCTION, UPON NOTICE TO THE  
24 STATE COMPTROLLER AND THE COMMISSIONER.

25 S 14. The general municipal law is amended by adding a new section 25  
26 to read as follows:

27 S 25. FUNDING OF MANDATES. 1. DEFINITIONS. AS USED IN THIS SECTION,  
28 THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS UNLESS THE CONTEXT  
29 SHALL OTHERWISE REQUIRE:

30 (A) "MANDATE" MEANS:

31 (I) ANY STATE LAW, RULE, OR REGULATION WHICH CREATES A NEW PROGRAM OR  
32 REQUIRES A HIGHER LEVEL OF SERVICE FOR AN EXISTING PROGRAM WHICH A  
33 MUNICIPAL CORPORATION IS REQUIRED TO PROVIDE; OR

34 (II) ANY GENERAL LAW WHICH GRANTS A NEW PROPERTY TAX EXEMPTION OR  
35 INCREASES AN EXISTING PROPERTY TAX EXEMPTION WHICH THE MUNICIPAL CORPO-  
36 RATION IS REQUIRED TO PROVIDE.

37 (B) "UNFUNDED MANDATE" SHALL MEAN:

38 (I) ANY STATE LAW, RULE, OR REGULATION WHICH CREATES A NEW PROGRAM OR  
39 REQUIRES A HIGHER LEVEL OF SERVICE FOR AN EXISTING PROGRAM WHICH A  
40 MUNICIPAL CORPORATION IS REQUIRED TO PROVIDE AND WHICH RESULTS IN A NET  
41 ADDITIONAL COST TO THE MUNICIPAL CORPORATION;

42 (II) ANY ALTERATION IN FUNDING PROVIDED TO A MUNICIPAL CORPORATION FOR  
43 THE PURPOSE OF DEFRAYING THE COSTS OF A PROGRAM WHICH IT IS REQUIRED TO  
44 PROVIDE, THEREBY RESULTING IN A NET ADDITIONAL COST TO THE MUNICIPAL  
45 CORPORATION; OR

46 (III) ANY GENERAL LAW WHICH GRANTS A NEW PROPERTY TAX EXEMPTION OR  
47 INCREASES AN EXISTING PROPERTY TAX EXEMPTION WHICH THE MUNICIPAL CORPO-  
48 RATION IS REQUIRED TO PROVIDE, THEREBY RESULTING IN A NET ADDITIONAL  
49 COST TO THE MUNICIPAL CORPORATION.

50 (C) "NET ADDITIONAL COST" MEANS THE COST OR COSTS INCURRED OR ANTIC-  
51 IPATED TO BE INCURRED WITHIN A ONE YEAR PERIOD BY A LOCAL GOVERNMENT IN  
52 PERFORMING OR ADMINISTERING A MANDATE AFTER SUBTRACTING THEREFROM ANY  
53 REVENUES RECEIVED OR RECEIVABLE BY THE LOCAL GOVERNMENT ON ACCOUNT OF  
54 THE MANDATED PROGRAM OR SERVICE, INCLUDING BUT NOT LIMITED TO:

55 (I) FEES CHARGED TO THE RECIPIENTS OF THE MANDATED PROGRAM OR SERVICE;

1 (II) STATE OR FEDERAL AID PAID SPECIFICALLY OR CATEGORICALLY IN  
2 CONNECTION WITH THE PROGRAM OR SERVICE; AND

3 (III) AN OFFSETTING SAVINGS RESULTING FROM THE DIMINUTION OR ELIMI-  
4 NATION OF ANY OTHER PROGRAM OR SERVICE DIRECTLY ATTRIBUTABLE TO THE  
5 PERFORMANCE OR ADMINISTRATION OF THE MANDATED PROGRAM.

6 2. FUNDING OF MUNICIPAL CORPORATION MANDATES. NOTWITHSTANDING ANY  
7 OTHER PROVISION OF LAW, NO UNFUNDED MANDATE SHALL BE ENACTED WHICH  
8 CREATES AN ANNUAL NET ADDITIONAL COST TO ANY MUNICIPAL CORPORATION.

9 3. EXEMPTIONS TO THE FUNDING OF MUNICIPAL CORPORATION MANDATES  
10 REQUIREMENT. (A) THE STATE SHALL NOT BE REQUIRED TO FUND ANY NEW OR  
11 EXPANDED PROGRAMS IF:

12 (I) THE MANDATE IS REQUIRED BY A COURT ORDER OR JUDGMENT;

13 (II) THE MANDATE IS PROVIDED AT THE OPTION OF THE LOCAL GOVERNMENT  
14 UNDER A LAW, REGULATION, RULE, OR ORDER THAT IS PERMISSIVE RATHER THAN  
15 MANDATORY;

16 (III) THE MANDATE RESULTS FROM THE PASSAGE OF A HOME RULE MESSAGE  
17 WHEREBY A LOCAL GOVERNMENT REQUESTS AUTHORITY TO IMPLEMENT THE PROGRAM  
18 OR SERVICE SPECIFIED IN THE STATUTE, AND THE STATUTE IMPOSES COSTS ONLY  
19 UPON THAT LOCAL GOVERNMENT WHICH REQUESTS THE AUTHORITY TO IMPOSE THE  
20 PROGRAM OR SERVICE;

21 (IV) THE MANDATE IS REQUIRED BY, OR ARISES FROM, AN EXECUTIVE ORDER OF  
22 THE GOVERNOR EXERCISING HIS OR HER EMERGENCY POWERS; OR

23 (V) THE MANDATE IS REQUIRED BY STATUTE OR EXECUTIVE ORDER THAT IMPLE-  
24 MENTS A FEDERAL LAW OR REGULATION AND RESULTS FROM COSTS MANDATED BY THE  
25 FEDERAL GOVERNMENT TO BE BORNE AT THE LOCAL LEVEL, UNLESS THE STATUTE OR  
26 EXECUTIVE ORDER RESULTS IN COSTS WHICH EXCEED THE COSTS MANDATED BY THE  
27 FEDERAL GOVERNMENT.

28 (B) EACH ACT ESTABLISHING A MANDATE SHALL PROVIDE THAT THE EFFECTIVE  
29 DATE OF ANY SUCH MANDATE IMPOSED ON MUNICIPAL CORPORATIONS SHALL BE  
30 CONSISTENT WITH THE NEEDS OF THE STATE AND MUNICIPAL CORPORATIONS TO  
31 PLAN IMPLEMENTATION THEREOF AND CONSISTENT WITH THE AVAILABILITY OF  
32 REQUIRED FUNDS.

33 S 15. The education law is amended by adding a new section 1527-a to  
34 read as follows:

35 S 1527-A. FUNDING OF MANDATES IMPOSED ON SCHOOL DISTRICTS. 1. DEFI-  
36 NITIONS. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE  
37 FOLLOWING MEANINGS UNLESS THE CONTEXT SHALL OTHERWISE REQUIRE:

38 (A) "MANDATE" MEANS:

39 (I) ANY STATE LAW, RULE, OR REGULATION WHICH CREATES A NEW PROGRAM OR  
40 REQUIRES A HIGHER LEVEL OF SERVICE FOR AN EXISTING PROGRAM WHICH A  
41 SCHOOL DISTRICT ORGANIZED EITHER BY SPECIAL LAWS OR PURSUANT TO THE  
42 PROVISIONS OF A GENERAL LAW, IS REQUIRED TO PROVIDE; OR

43 (II) ANY GENERAL LAW WHICH GRANTS A NEW PROPERTY TAX EXEMPTION OR  
44 INCREASES AN EXISTING PROPERTY TAX EXEMPTION WHICH ANY SUCH SCHOOL  
45 DISTRICT IS REQUIRED TO PROVIDE.

46 (B) "UNFUNDED MANDATE" SHALL MEAN:

47 (I) ANY STATE LAW, RULE, OR REGULATION WHICH CREATES A NEW PROGRAM OR  
48 REQUIRES A HIGHER LEVEL OF SERVICE FOR AN EXISTING PROGRAM WHICH ANY  
49 SUCH SCHOOL DISTRICT IS REQUIRED TO PROVIDE AND WHICH RESULTS IN A NET  
50 ADDITIONAL COST TO SUCH SCHOOL DISTRICT;

51 (II) ANY ALTERATION IN FUNDING PROVIDED TO ANY SUCH SCHOOL DISTRICT  
52 FOR THE PURPOSE OF DEFRAYING THE COSTS OF A PROGRAM WHICH IT IS REQUIRED  
53 TO PROVIDE, THEREBY RESULTING IN A NET ADDITIONAL COST TO SUCH SCHOOL  
54 DISTRICT; OR

55 (III) ANY GENERAL LAW WHICH GRANTS A NEW PROPERTY TAX EXEMPTION OR  
56 INCREASES AN EXISTING PROPERTY TAX EXEMPTION WHICH ANY SUCH SCHOOL

1 DISTRICT IS REQUIRED TO PROVIDE, THEREBY RESULTING IN A NET ADDITIONAL  
2 COST TO SUCH SCHOOL DISTRICT.

3 (C) "NET ADDITIONAL COST" MEANS THE COST OR COSTS INCURRED OR ANTIC-  
4 IPATED TO BE INCURRED WITHIN A ONE YEAR PERIOD BY A SCHOOL DISTRICT IN  
5 PERFORMING OR ADMINISTERING A MANDATE AFTER SUBTRACTING THEREFROM ANY  
6 REVENUES RECEIVED OR RECEIVABLE BY THE SCHOOL DISTRICT ON ACCOUNT OF THE  
7 MANDATED PROGRAM OR SERVICE, INCLUDING BUT NOT LIMITED TO:

8 (I) FEES CHARGED TO THE RECIPIENTS OF THE MANDATED PROGRAM OR SERVICE;

9 (II) STATE OR FEDERAL AID PAID SPECIFICALLY OR CATEGORICALLY IN  
10 CONNECTION WITH THE PROGRAM OR SERVICE; AND

11 (III) AN OFFSETTING SAVINGS RESULTING FROM THE DIMINUTION OR ELIMI-  
12 NATION OF ANY OTHER PROGRAM OR SERVICE DIRECTLY ATTRIBUTABLE TO THE  
13 PERFORMANCE OR ADMINISTRATION OF THE MANDATED PROGRAM.

14 2. FUNDING OF SCHOOL DISTRICT MANDATES. NOTWITHSTANDING ANY OTHER  
15 PROVISION OF LAW, NO UNFUNDED MANDATE SHALL BE ENACTED WHICH CREATES AN  
16 ANNUAL NET ADDITIONAL COST TO ANY SCHOOL DISTRICT.

17 3. EXEMPTIONS TO THE FUNDING OF SCHOOL DISTRICT MANDATES REQUIREMENT.

18 (A) THE STATE SHALL NOT BE REQUIRED TO FUND ANY NEW OR EXPANDED PROGRAMS  
19 FOR SCHOOL DISTRICTS IF:

20 (I) THE MANDATE IS REQUIRED BY A COURT ORDER OR JUDGMENT;

21 (II) THE MANDATE IS PROVIDED AT THE OPTION OF THE SCHOOL DISTRICT  
22 UNDER A LAW, REGULATION, RULE, OR ORDER THAT IS PERMISSIVE RATHER THAN  
23 MANDATORY;

24 (III) THE MANDATE RESULTS FROM THE PASSAGE OF A HOME RULE MESSAGE  
25 WHEREBY A SCHOOL DISTRICT REQUESTS AUTHORITY TO IMPLEMENT THE PROGRAM OR  
26 SERVICE SPECIFIED IN THE STATUTE, AND THE STATUTE IMPOSES COSTS ONLY  
27 UPON THAT SCHOOL DISTRICT WHICH REQUESTS THE AUTHORITY TO IMPOSE THE  
28 PROGRAM OR SERVICE;

29 (IV) THE MANDATE IS REQUIRED BY, OR ARISES FROM, AN EXECUTIVE ORDER OF  
30 THE GOVERNOR EXERCISING HIS OR HER EMERGENCY POWERS; OR

31 (V) THE MANDATE IS REQUIRED BY STATUTE OR EXECUTIVE ORDER THAT IMPLE-  
32 MENTS A FEDERAL LAW OR REGULATION AND RESULTS FROM COSTS MANDATED BY THE  
33 FEDERAL GOVERNMENT TO BE BORNE AT THE LOCAL LEVEL, UNLESS THE STATUTE OR  
34 EXECUTIVE ORDER RESULTS IN COSTS WHICH EXCEED THE COSTS MANDATED BY THE  
35 FEDERAL GOVERNMENT.

36 (B) EACH ACT ESTABLISHING A MANDATE SHALL PROVIDE THAT THE EFFECTIVE  
37 DATE OF ANY SUCH MANDATE IMPOSED ON SCHOOL DISTRICTS SHALL BE CONSISTENT  
38 WITH THE NEEDS OF THE STATE AND SCHOOL DISTRICTS TO PLAN IMPLEMENTATION  
39 THEREOF, AND ALSO CONSISTENT WITH THE AVAILABILITY OF REQUIRED FUNDS.

40 S 16. The education law is amended by adding a new section 308-a to  
41 read as follows:

42 S 308-A. SPECIAL PROVISIONS; MANDATES. 1. AS USED IN THIS SECTION,  
43 "MANDATE" MEANS (A) ANY STATE LAW, RULE OR REGULATION WHICH CREATES A  
44 NEW PROGRAM OR REQUIRES A HIGHER LEVEL OF SERVICE FOR AN EXISTING  
45 PROGRAM WHICH A SCHOOL DISTRICT, ORGANIZED EITHER BY SPECIAL LAWS OR  
46 PURSUANT TO THE PROVISIONS OF A GENERAL LAW, IS REQUIRED TO PROVIDE, OR

47 (B) ANY GENERAL LAW WHICH GRANTS A NEW PROPERTY TAX EXEMPTION OR  
48 INCREASES AN EXISTING PROPERTY TAX EXEMPTION WHICH ANY SUCH SCHOOL  
49 DISTRICT IS REQUIRED TO PROVIDE.

50 2. IN THE EVENT THAT A MANDATE WHICH IMPOSES A COST UPON A SCHOOL  
51 DISTRICT IS CREATED AFTER THE ADOPTION OF A SCHOOL BUDGET, SUCH MANDATE  
52 SHALL NOT BE IMPLEMENTED UNTIL THE FOLLOWING YEAR FOR WHICH SUCH SCHOOL  
53 BUDGET WAS ADOPTED.

54 3. NOTWITHSTANDING SUBDIVISION TWO OF THIS SECTION, SUCH A MANDATE CAN  
55 BE IMPOSED IF:



1 (A) THE MANDATE IS PROVIDED AT THE OPTION OF THE SCHOOL DISTRICT UNDER  
2 A LAW, REGULATION, RULE OR ORDER THAT IS PERMISSIVE RATHER THAN MANDATO-  
3 RY;

4 (B) THE MANDATE IS REQUIRED BY, OR ARISES FROM, AN EXECUTIVE ORDER OF  
5 THE GOVERNOR EXERCISING HIS OR HER EMERGENCY POWERS; OR

6 (C) THE MANDATE IS REQUIRED BY STATUTE OR EXECUTIVE ORDER THAT IMPLE-  
7 MENTS A FEDERAL LAW OR REGULATION AND RESULTS FROM COSTS MANDATED BY THE  
8 FEDERAL GOVERNMENT TO BE BORNE AT THE LOCAL LEVEL, UNLESS THE STATUTE OR  
9 EXECUTIVE ORDER IMPOSES COSTS WHICH EXCEED THE COSTS MANDATED BY THE  
10 FEDERAL GOVERNMENT.

11 S 17. Subdivision 6 of section 2.30 of the criminal procedure law, as  
12 amended by chapter 491 of the laws of 2010, is amended to read as  
13 follows:

14 6. A certificate attesting to satisfactory completion of the training  
15 requirements imposed under this section awarded to any peace officer by  
16 the [executive director] CHAIRMAN of the municipal police training coun-  
17 cil pursuant to this section shall remain valid:

18 (a) during the holder's continuous service as a peace officer; and

19 (b) for [two] FIVE years after the date of the commencement of an  
20 interruption in such service where the holder had, immediately prior to  
21 such interruption, served as a peace officer [for less than two consec-  
22 utive years; or

23 (c) for four years after the date of the commencement of an inter-  
24 ruption in such service where the holder had, immediately prior to such  
25 interruption, served as a peace officer for two consecutive years or  
26 longer].

27 As used in this subdivision, the term "interruption" shall mean a  
28 period of separation from employment as a peace officer by reason of  
29 such officer's leave of absence, resignation or removal, other than  
30 removal for cause.

31 S 18. Subdivisions 1 and 1-a of section 209-q of the general municipal  
32 law, subdivision 1 as amended by chapter 735 of the laws of 1988, para-  
33 graphs (b) and (c) of subdivision 1 as amended by chapter 551 of the  
34 laws of 2001 and subdivision 1-a as added by chapter 671 of the laws of  
35 1967, are amended to read as follows:

36 1. (a) Notwithstanding the provisions of any general, special or local  
37 law or charter to the contrary, no person shall[, after July first,  
38 nineteen hundred sixty,] receive an original appointment on a permanent  
39 basis as a police officer of any county, city, town, village or police  
40 district unless such person has previously been awarded a certificate by  
41 the [executive director] CHAIRMAN of the municipal police training coun-  
42 cil created under article thirty-five of the executive law, attesting to  
43 his OR HER satisfactory completion of an approved municipal police basic  
44 training program; and every person who is appointed [on a temporary  
45 basis or for a probationary term or on other than a permanent basis] as  
46 a police officer [of any county, city, town, village or police district]  
47 shall forfeit his OR HER position as such unless he OR SHE previously  
48 has satisfactorily completed, or within the time prescribed by regu-  
49 lations promulgated by the governor pursuant to section eight hundred  
50 forty-two of the executive law, satisfactorily completes[, a] AN  
51 APPROVED municipal police basic training program [for temporary or  
52 probationary police officers] and is awarded a certificate by such  
53 [director] CHAIRMAN attesting thereto.

54 (b) A certificate attesting to satisfactory completion of an approved  
55 municipal police basic training program awarded by the [executive direc-

1 tor] CHAIRMAN of the municipal police training council pursuant to this  
2 subdivision shall remain valid:

3 (i) during the holder's continuous service as a police officer [or  
4 peace officer who has an equivalency certificate for police officer  
5 training or an approved course for state university of New York public  
6 safety officers issued in accordance with subdivision three of section  
7 eight hundred forty-one of the executive law]; and

8 (ii) for [two] FIVE years after the date of the commencement of an  
9 interruption in such service where the holder had, immediately prior to  
10 such interruption, served as a police officer [or peace officer who has  
11 an equivalency certificate for police officer training or an approved  
12 course for state university of New York public safety officers issued in  
13 accordance with subdivision three of section eight hundred forty-one of  
14 the executive law, for less than two consecutive years]; or

15 (iii) [for four years after the date of the commencement of an inter-  
16 ruption in such service where the holder had, immediately prior to such  
17 interruption, served as a police officer or peace officer who has an  
18 equivalency certificate for police officer training or an approved  
19 course for state university of New York public safety officers issued in  
20 accordance with subdivision three of section eight hundred forty-one of  
21 the executive law, for two consecutive years or longer; or

22 (iv)] where the holder, whose interruption in continuous service as a  
23 police officer does not exceed ten years, has satisfactorily completed  
24 an approved police officer refresher course [or where a peace officer,  
25 who seeks an equivalency certificate for police officer training or an  
26 approved course for state university of New York public safety officers  
27 issued in accordance with subdivision three of section eight hundred  
28 forty-one of the executive law, has satisfactorily completed relevant  
29 police officer training courses,] as prescribed by the municipal police  
30 training council.

31 (c) As used in this subdivision, the term "interruption" shall mean a  
32 period of separation from employment as a police officer [or peace offi-  
33 cer who has an equivalency certificate for police officer training or an  
34 approved course for state university of New York public safety officers  
35 issued in accordance with subdivision three of section eight hundred  
36 forty-one of the executive law,] by reason of such officer's leave of  
37 absence, resignation or removal, other than removal for cause.

38 1-a. Notwithstanding the provisions of any general, special or local  
39 law or charter, the promotion of any police officer to a first-line  
40 supervisory position [on or after July first, nineteen hundred sixty-  
41 seven,] shall not become permanent unless such police officer has previ-  
42 ously been awarded a certificate by the [executive director] CHAIRMAN of  
43 the municipal police training council created under article [nineteen-f]  
44 THIRTY-FIVE of the executive law, attesting to his OR HER satisfactory  
45 completion of an approved course in police supervision as prescribed by  
46 the municipal police training council. Any police officer who is  
47 promoted on any basis to a first-line supervisory position [on or after  
48 July first, nineteen hundred sixty-seven] shall forfeit such promotion  
49 unless he OR SHE previously has satisfactorily completed, or within the  
50 time prescribed by regulations promulgated by the governor pursuant to  
51 section [four hundred eighty-four] EIGHT HUNDRED FORTY-TWO of the execu-  
52 tive law satisfactorily completes, the prescribed course in police  
53 supervision and is awarded a certificate by such [director] CHAIRMAN  
54 attesting thereto.

1 S 19. Subdivision 1 of section 103 of the general municipal law, as  
2 amended by section 1 of chapter 2 of the laws of 2012, is amended to  
3 read as follows:

4 1. Except as otherwise expressly provided by an act of the legislature  
5 or by a local law adopted prior to September first, nineteen hundred  
6 fifty-three, all contracts for public work involving an expenditure of  
7 more than [thirty-five] ONE HUNDRED thousand dollars and all purchase  
8 contracts involving an expenditure of more than [twenty] FIFTY thousand  
9 dollars, shall be awarded by the appropriate officer, board or agency of  
10 a political subdivision or of any district therein including but not  
11 limited to a soil conservation district to the lowest responsible bidder  
12 furnishing the required security after advertisement for sealed bids in  
13 the manner provided by this section, provided, however, that purchase  
14 contracts (including contracts for service work, but excluding any  
15 purchase contracts necessary for the completion of a public works  
16 contract pursuant to article eight of the labor law) may be awarded on  
17 the basis of best value, as defined in section one hundred sixty-three  
18 of the state finance law, to a responsive and responsible bidder or  
19 offerer in the manner provided by this section except that in a poli-  
20 tical subdivision other than a city with a population of one million  
21 inhabitants or more or any district, board or agency with jurisdiction  
22 exclusively therein the use of best value for awarding a purchase  
23 contract or purchase contracts must be authorized by local law or, in  
24 the case of a district corporation, school district or board of cooper-  
25 ative educational services, by rule, regulation or resolution adopted at  
26 a public meeting. In any case where a responsible bidder's or responsi-  
27 ble offerer's gross price is reducible by an allowance for the value of  
28 used machinery, equipment, apparatus or tools to be traded in by a poli-  
29 tical subdivision, the gross price shall be reduced by the amount of  
30 such allowance, for the purpose of determining the best value. In cases  
31 where two or more responsible bidders furnishing the required security  
32 submit identical bids as to price, such officer, board or agency may  
33 award the contract to any of such bidders. Such officer, board or agency  
34 may, in his or her or its discretion, reject all bids or offers and  
35 readvertise for new bids or offers in the manner provided by this  
36 section. In determining whether a purchase is an expenditure within the  
37 discretionary threshold amounts established by this subdivision, the  
38 officer, board or agency of a political subdivision or of any district  
39 therein shall consider the reasonably expected aggregate amount of all  
40 purchases of the same commodities, services or technology to be made  
41 within the twelve-month period commencing on the date of purchase.  
42 Purchases of commodities, services or technology shall not be arti-  
43 ficially divided for the purpose of satisfying the discretionary buying  
44 thresholds established by this subdivision. A change to or a renewal of  
45 a discretionary purchase shall not be permitted if the change or renewal  
46 would bring the reasonably expected aggregate amount of all purchases of  
47 the same commodities, services or technology from the same provider  
48 within the twelve-month period commencing on the date of the first  
49 purchase to an amount greater than the discretionary buying threshold  
50 amount. For purposes of this section, "sealed bids" and "sealed offers",  
51 as that term applies to purchase contracts, (including contracts for  
52 service work, but excluding any purchase contracts necessary for the  
53 completion of a public works contract pursuant to article eight of the  
54 labor law) shall include bids and offers submitted in an electronic  
55 format including submission of the statement of non-collusion required  
56 by section one hundred three-d of this article, provided that the

1 governing board of the political subdivision or district, by resolution,  
2 has authorized the receipt of bids and offers in such format. Submission  
3 in electronic format may, for technology contracts only, be required as  
4 the sole method for the submission of bids and offers. Bids and offers  
5 submitted in an electronic format shall be transmitted by bidders and  
6 offerers to the receiving device designated by the political subdivision  
7 or district. Any method used to receive electronic bids and offers shall  
8 comply with article three of the state technology law, and any rules and  
9 regulations promulgated and guidelines developed thereunder and, at a  
10 minimum, must (a) document the time and date of receipt of each bid and  
11 offer received electronically; (b) authenticate the identity of the  
12 sender; (c) ensure the security of the information transmitted; and (d)  
13 ensure the confidentiality of the bid or offer until the time and date  
14 established for the opening of bids or offers. The timely submission of  
15 an electronic bid or offer in compliance with instructions provided for  
16 such submission in the advertisement for bids or offers and/or the spec-  
17 ifications shall be the responsibility solely of each bidder or offerer  
18 or prospective bidder or offerer. No political subdivision or district  
19 therein shall incur any liability from delays of or interruptions in the  
20 receiving device designated for the submission and receipt of electronic  
21 bids and offers.

22 S 20. Subdivision 1 of section 103 of the general municipal law, as  
23 amended by section 2 of chapter 2 of the laws of 2012, is amended to  
24 read as follows:

25 1. Except as otherwise expressly provided by an act of the legislature  
26 or by a local law adopted prior to September first, nineteen hundred  
27 fifty-three, all contracts for public work involving an expenditure of  
28 more than [thirty-five] ONE HUNDRED thousand dollars and all purchase  
29 contracts involving an expenditure of more than [twenty] FIFTY thousand  
30 dollars, shall be awarded by the appropriate officer, board or agency of  
31 a political subdivision or of any district therein including but not  
32 limited to a soil conservation district to the lowest responsible bidder  
33 furnishing the required security after advertisement for sealed bids in  
34 the manner provided by this section, provided, however, that purchase  
35 contracts (including contracts for service work, but excluding any  
36 purchase contracts necessary for the completion of a public works  
37 contract pursuant to article eight of the labor law) may be awarded on  
38 the basis of best value, as defined in section one hundred sixty-three  
39 of the state finance law, to a responsive and responsible bidder or  
40 offerer in the manner provided by this section except that in a poli-  
41 tical subdivision other than a city with a population of one million  
42 inhabitants or more or any district, board or agency with jurisdiction  
43 exclusively therein the use of best value of awarding a purchase  
44 contract or purchase contracts must be authorized by local law or, in  
45 the case of a district corporation, school district or board of cooper-  
46 ative educational services, by rule, regulation or resolution adopted at  
47 a public meeting. In determining whether a purchase is an expenditure  
48 within the discretionary threshold amounts established by this subdivi-  
49 sion, the officer, board or agency of a political subdivision or of any  
50 district therein shall consider the reasonably expected aggregate amount  
51 of all purchases of the same commodities, services or technology to be  
52 made within the twelve-month period commencing on the date of purchase.  
53 Purchases of commodities, services or technology shall not be arti-  
54 ficially divided for the purpose of satisfying the discretionary buying  
55 thresholds established by this subdivision. A change to or a renewal of  
56 a discretionary purchase shall not be permitted if the change or renewal

1 would bring the reasonably expected aggregate amount of all purchases of  
2 the same commodities, services or technology from the same provider  
3 within the twelve-month period commencing on the date of the first  
4 purchase to an amount greater than the discretionary buying threshold  
5 amount. In any case where a responsible bidder's or responsible  
6 offerer's gross price is reducible by an allowance for the value of used  
7 machinery, equipment, apparatus or tools to be traded in by a political  
8 subdivision, the gross price shall be reduced by the amount of such  
9 allowance, for the purpose of determining the low bid or best value. In  
10 cases where two or more responsible bidders furnishing the required  
11 security submit identical bids as to price, such officer, board or agen-  
12 cy may award the contract to any of such bidders. Such officer, board or  
13 agency may, in his, her or its discretion, reject all bids or offers and  
14 readvertise for new bids or offers in the manner provided by this  
15 section.

16 S 21. Paragraph (c) of subdivision 5 of section 421 of the social  
17 services law, as added by chapter 525 of the laws of 2006, is amended to  
18 read as follows:

19 (c) require all persons assigned to be a supervisor by a child protec-  
20 tive service on or after April first, nineteen hundred eighty-six, shall  
21 have satisfactorily completed, within the first three months of employ-  
22 ment as a supervisor or within three months of the effective date of  
23 this paragraph, whichever shall occur first, a course in the fundamen-  
24 tals of child protection developed by the office of children and family  
25 services. Such training course shall, among other things, strengthen and  
26 expand current training procedures for child protective service supervi-  
27 sors; provide the skills, knowledge and standards to practice effective  
28 case planning and case management; provide comprehensive assessment  
29 tools needed in critical decision making; require participation in the  
30 existing common core training required by child protective service case-  
31 workers ONLY WHEN SUCH SUPERVISOR HAS NEVER HAD SUCH TRAINING OR MORE  
32 THAN FIVE YEARS HAVE ELAPSED SINCE SUCH TRAINING; strengthen recognition  
33 and response to safety and risk indicators; improve skills to promote  
34 consistent implementation of training and practice; provide the neces-  
35 sary tools and assistance to build the ability to coach and monitor  
36 child protective service caseworkers and model effective investigation  
37 practice; increase cultural competency and sensitivity; and establish an  
38 annual in service training program specifically focused on child protec-  
39 tive service supervisors.

40 S 22. This act shall take effect July 1, 2012; provided that in the  
41 event this act shall become a law after such date, it shall take effect  
42 immediately and shall be deemed to have been in full force and effect on  
43 and after July 1, 2012; and provided further that:

44 (a) the amendments to subdivision 1-b of the general municipal law  
45 made by section four of this act shall not affect the repeal of such  
46 subdivision and shall be deemed repealed therewith;

47 (b) sections fourteen through sixteen of this act shall be deemed to  
48 have been in full force and effect on and after April 1, 2012 and shall  
49 apply to any general or special law imposing mandates on municipal  
50 corporations or school districts enacted on or after such effective  
51 date;

52 (c) the commissioner of education shall adopt any regulations needed  
53 to implement the provisions of sections sixteen through twenty-one of  
54 this act on or before July 1, 2013; and

55 (d) provided further that the amendments to subdivision 1 of section  
56 103 of the general municipal law, made by section nineteen of this act,

1 shall be subject to the expiration and reversion of such subdivision  
2 pursuant to subdivision (a) of section 41 of part X of chapter 62 of the  
3 laws of 2003, as amended, when upon such date the provisions of section  
4 twenty of this act shall take effect.