

3402

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 25, 2011

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

AN ACT to amend chapter 57 of the laws of 2005, amending the education law relating to providing for school budget revote, in relation to a special apportionment for public pension accruals

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

1     Section 1. Subdivision a of section 10 of part M of chapter 57 of the  
2 laws of 2005, amending the education law relating to providing for  
3 school budget revote, is amended to read as follows:  
4     a.     Notwithstanding any other provision of law, (1) upon application  
5 to the commissioner of education, not later than June 30, 2005, a school  
6 district eligible for an apportionment pursuant to section 3602 of the  
7 education law shall be eligible to receive an apportionment pursuant to  
8 this section, for the school year ending June 30, 2005, and such appor-  
9 tionment shall not exceed the additional accruals required to be made by  
10 school districts in the 2004-2005 school year associated with changes in  
11 accounting methodologies for liabilities for employer and employee  
12 contributions due and payable to a public retirement system, and (2)  
13 upon application to the commissioner of education, not later than June  
14 30, 2006, a school district eligible for an apportionment pursuant to  
15 section 3602 of the education law shall be eligible to receive an appor-  
16 tionment pursuant to this section, for the school year ending June 30,  
17 2006, and such apportionment shall not exceed the additional accruals  
18 required to be made by school districts in the 2004-05 or 2005-06  
19 school years associated with changes in accounting methodologies for  
20 such public pension liabilities AND/OR (3) FOR SCHOOL DISTRICTS WITH A  
21 POPULATION IN EXCESS OF ONE HUNDRED NINETY-FIVE THOUSAND INHABITANTS AND  
22 LESS THAN TWO HUNDRED NINETEEN THOUSAND INHABITANTS ACCORDING TO THE  
23 LATEST FEDERAL CENSUS, UPON APPLICATION TO THE COMMISSIONER OF EDUCA-  
24 TION, NOT LATER THAN JUNE 30, 2011, A SCHOOL DISTRICT ELIGIBLE FOR AN

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

LBD02435-01-1

1 APPORTIONMENT PURSUANT TO SECTION 3602 OF THE EDUCATION LAW SHALL BE  
2 ELIGIBLE TO RECEIVE AN APPORTIONMENT PURSUANT TO THIS SECTION, FOR THE  
3 SCHOOL YEAR ENDING JUNE 30, 2011, AND SUCH APPORTIONMENT SHALL NOT  
4 EXCEED THE ADDITIONAL ACCRUALS REQUIRED TO BE MADE BY SUCH DISTRICT IN  
5 BOTH THE 2009-2010 AND THE 2010-2011 SCHOOL YEARS ASSOCIATED WITH CHANG-  
6 ES IN PUBLIC PENSION LIABILITIES. The amount of such additional accrual  
7 shall be certified to the commissioner of education by the president of  
8 the board of education or the trustees or, in the case of a city school  
9 district in a city with a population in excess of one hundred twenty-  
10 five thousand inhabitants, the mayor of such city. Such application  
11 shall be made by a school district, after the board of education or  
12 trustees have adopted a resolution to do so and in the case of a city  
13 school district in a city with a population in excess of one hundred  
14 twenty-five thousand inhabitants, with the approval of the mayor of such  
15 city.

16 S 2. This act shall take effect April 1, 2011; provided that if this  
17 act shall become a law after such date, it shall take effect immediately  
18 and be deemed to have been in full force and effect on and after such  
19 date.