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

5819

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 in relation to the recovery by the state of excess payments of aid made to the Smithtown central school district

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

Section 1. Notwithstanding any provisions of law to the contrary, state aid payments in the amount of not more than three million five hundred two thousand one hundred fifty dollars ($3,502,150.00) made to the Smithtown Central School District in the 2004-2005 through 2010-2011 school years, which included excess payments of aid for which a recovery must be made by the state through deduction of future aid payments by deducting one-third of such excess payments from the payments due to such school district and payable in the month of June in the years 2011, 2012 and 2013 provided, however, there shall be no interest penalty assessed against such district or collected by the state, and provided further that, any pending payment of moneys due to such district as a prior year adjustment payable pursuant to paragraph c of subdivision 5 of section 3604 of the education law for aid claims that had been previously paid in excess as current year aid payments and for which recovery of excess payments is to be made pursuant to this section, shall be reduced at the time of actual payment by any remaining unrecovered balance of such excess payments, and the remaining scheduled deductions of such excess payments pursuant to this section shall be reduced by the commissioner of education to reflect the amount so recovered.

S 2. This act shall take effect immediately.

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

LBD13195-01-1