

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. NOLAN, BRENNAN, TITONE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to restricting the sale, lease, transfer or authorization of open-air schoolhouse playgrounds for certain uses

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

1 Section 1. Subdivision 5 of section 2556 of the education law, such
2 section as renumbered by chapter 762 of the laws of 1950, is amended to
3 read as follows:

4 5. It shall be unlawful for a schoolhouse to be constructed in the
5 city of New York without an open-air playground attached to or used in
6 connection with the same. EXISTING PLAYGROUNDS SHALL NOT BE SOLD,
7 LEASED OR TRANSFERRED, OR PERMANENTLY AUTHORIZED FOR OTHER USES SUCH AS
8 SCHOOL BUILDING CONSTRUCTION, RENOVATION, PLACEMENT OR STORAGE OF BUILD-
9 ING MATERIALS FOR SUCH WORK THAT WOULD ELIMINATE THE USE OF SUCH PLAY-
10 GROUND SPACE FOR OUTDOOR RECREATIONAL ACTIVITIES UNLESS A PLAN IS ESTAB-
11 LISHED AND IMPLEMENTED TO PROVIDE SUITABLE AND ADEQUATE PHYSICAL
12 ACTIVITIES OR SPACE TO ACCOMMODATE THE PHYSICAL AND RECREATIONAL NEEDS
13 OF THE PUPILS OF SUCH BUILDING. THE PROVISIONS OF THIS SUBDIVISION
14 SHALL NOT APPLY TO SCHOOL CONSTRUCTION OR RENOVATION ACTIVITIES THAT
15 OCCUR ON OR REQUIRE THE USE OF SUCH PLAYGROUNDS FOR A DURATION OF NO
16 MORE THAN ONE YEAR.

17 S 2. This act shall take effect July 1, 2014; provided however, that
18 the commissioner of education is authorized and directed to promulgate
19 any rules or regulations necessary for the timely implementation of this
20 act on or before such date.

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

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