

6831

2013-2014 Regular Sessions

I N   A S S E M B L Y

April 19, 2013

---

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

AN ACT to amend the education law, in relation to school district tax  
levies

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

1     Section 1. Subdivision 6 of section 2023-a of the education law, as  
2     added by section 2 of part A of chapter 97 of the laws of 2011, is  
3     amended to read as follows:  
4     6. (a) Notwithstanding any other provision of law to the contrary, in  
5     the event the trustee, trustees or board of education of a school  
6     district that is subject to the provisions of this section proposes a  
7     budget that will require a tax levy that exceeds the tax levy limit for  
8     the corresponding school year, not including any levy necessary to  
9     support the expenditures pursuant to subparagraphs (i) through (iv) of  
10    paragraph i of subdivision two of this section, then such budget shall  
11    be approved if [sixty] FIFTY percent of the votes cast thereon are in  
12    the affirmative.  
13    (b) Where the trustee, trustees or board of education proposes a budg-  
14    et subject to the requirements of paragraph (a) of this subdivision, the  
15    ballot for such budget shall include the following statement in substan-  
16    tially the same form: "Adoption of this budget requires a tax levy  
17    increase of            which exceeds the statutory tax levy increase limit  
18    of            for this school fiscal year and therefore exceeds the state tax  
19    cap and must be approved by [sixty] FIFTY percent of the qualified  
20    voters present and voting."  
21    S 2. Subdivision 9 of section 2023-a of the education law, as added by  
22    section 2 of part A of chapter 97 of the laws of 2011, is amended to  
23    read as follows:  
24    9. Nothing in this section shall preclude the trustee, trustees, or  
25    board of education of a school district, in their discretion, from

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

LBD10110-02-3

1 submitting additional items of expenditures to the voters for approval  
2 as separate propositions or the voters from submitting propositions  
3 pursuant to sections two thousand eight and two thousand thirty-five of  
4 this part; provided however, except in the case of a proposition submit-  
5 ted for any expenditure contained within subparagraphs (i) through (iv)  
6 of paragraph i of subdivision two of this section, if any proposition,  
7 or propositions collectively that are subject to a vote on the same  
8 date, would require an expenditure of money that would require a tax  
9 levy and would result in the tax levy limit being exceeded for the  
10 corresponding school year then such proposition shall be approved if  
11 [sixty] FIFTY percent of the votes cast thereon are in the affirmative.  
12 S 3. This act shall take effect immediately; provided, however, that  
13 the amendments to section 2023-a of the education law made by sections  
14 one and two of this act shall not affect the repeal of such section and  
15 shall expire and be deemed repealed therewith.