

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

April 24, 2013

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Education

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

AN ACT to amend the education law, in relation to providing that a school bond resolution vote shall take place in conjunction with the school budget vote

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

1 Section 1. The section heading and subdivision 1 of section 2022 of  
2 the education law, as amended by section 7 of part A of chapter 97 of  
3 the laws of 2011, are amended and a new subdivision 1-a is added to read  
4 as follows:  
5 Vote on school district budgets, ON BOND RESOLUTIONS and on the  
6 election of school district trustees and board of education members. 1.  
7 Notwithstanding any law, rule or regulation to the contrary, the  
8 election of trustees or members of the board of education, [and] the  
9 vote upon the appropriation of the necessary funds to meet the estimated  
10 expenditures, AND THE VOTE UPON A BOND RESOLUTION, in any common school  
11 district, union free school district, central school district or central  
12 high school district shall be held at the annual meeting and election on  
13 the third Tuesday in May, provided, however, that such election shall be  
14 held on the second Tuesday in May if the commissioner at the request of  
15 a local school board certifies no later than March first that such  
16 election would conflict with religious observances. The sole trustee,  
17 board of trustees or board of education of every common, union free,  
18 central or central high school district and every city school district  
19 to which this article applies shall hold a budget hearing not less than  
20 seven nor more than fourteen days prior to the annual meeting and  
21 election or special district meeting at which a school budget vote will

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

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1 occur, and shall prepare and present to the voters at such budget hear-  
2 ing a proposed school district budget for the ensuing school year.

3 1-A. ANY BOND RESOLUTION VOTED UPON PURSUANT TO SUBDIVISION ONE OF  
4 THIS SECTION MAY ONLY BE RESUBMITTED TO THE VOTERS OF THE SCHOOL  
5 DISTRICT ONE TIME SUBSEQUENT TO SUCH VOTE.

6 S 2. The section heading and subdivision 1 of section 2022 of the  
7 education law, the section heading as amended by section 23 of part A of  
8 chapter 436 of the laws of 1997 and subdivision 1 as amended by section  
9 8 of part C of chapter 58 of the laws of 1998, are amended and a new  
10 subdivision 1-a is added to read as follows:

11 Vote on school district budgets, ON BOND RESOLUTIONS and on the  
12 election of school district trustees and board of education members. 1.  
13 Notwithstanding any law, rule or regulation to the contrary, the  
14 election of trustees or members of the board of education, [and] the  
15 vote upon the appropriation of the necessary funds to meet the estimated  
16 expenditures, AND THE VOTE UPON A BOND RESOLUTION, in any common school  
17 district, union free school district, central school district or central  
18 high school district shall be held at the annual meeting and election on  
19 the third Tuesday in May, provided, however, that such election shall be  
20 held on the second Tuesday in May if the commissioner at the request of  
21 a local school board certifies no later than March first that such  
22 election would conflict with religious observances. When such election  
23 or vote is taken by recording the ayes and noes of the qualified voters  
24 attending, a majority of the qualified voters present and voting, by a  
25 hand or voice vote, may determine to take up the question of voting the  
26 necessary funds to meet the estimated expenditures for a specific item  
27 separately, and the qualified voters present and voting may increase the  
28 amount of any estimated expenditures or reduce the same, except for  
29 teachers' salaries, and the ordinary contingent expenses of the schools.  
30 The sole trustee, board of trustees or board of education of every  
31 common, union free, central or central high school district and every  
32 city school district to which this article applies shall hold a budget  
33 hearing not less than seven nor more than fourteen days prior to the  
34 annual meeting and election or special district meeting at which a  
35 school budget vote will occur, and shall prepare and present to the  
36 voters at such budget hearing a proposed school district budget for the  
37 ensuing school year.

38 1-A. ANY BOND RESOLUTION VOTED UPON PURSUANT TO SUBDIVISION ONE OF  
39 THIS SECTION MAY ONLY BE RESUBMITTED TO THE VOTERS OF THE SCHOOL  
40 DISTRICT ONE TIME SUBSEQUENT TO SUCH VOTE.

41 S 3. This act shall take effect on the first of January next succeed-  
42 ing the date on which it shall have become a law; provided that the  
43 amendments to section 2022 of the education law made by section one of  
44 this act shall be subject to the expiration and reversion of such  
45 section pursuant to section 13 of part A of chapter 97 of the laws of  
46 2011, as amended, when upon such date the provisions of section two of  
47 this act shall take effect.