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

2800

2013-2014 Regular Sessions

I N S E N A T E

January 23, 2013

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

AN ACT to amend the education law, in relation to exempting BOCES capital expenditures from limitations upon local school district tax levies

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

Section 1. Paragraph c of subdivision 2 of section 2023-a of the education law, as added by section 2 of part A of chapter 97 of the laws of 2011, is amended to read as follows:

c. "Capital local expenditures" means the taxes associated with budgeted expenditures resulting from the financing, refinancing, acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for school district capital facilities or school district capital equipment AND THE SCHOOL DISTRICT'S SHARE OF SUCH EXPENDITURES FOR BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES) CAPITAL FACILITIES AND BOCES CAPITAL EQUIPMENT, including debt service and lease expenditures, and transportation capital debt service, subject to the approval of the qualified voters where required by law.

S 2. Paragraph b of subdivision 4 of section 2023 of the education law, as added by section 3 of part A of chapter 97 of the laws of 2011, is amended to read as follows:

b. The resolution of the trustee, board of trustees, or board of education adopting a contingency budget shall incorporate by reference a statement specifying the projected percentage increase or decrease in total spending for the school year, and explaining the reasons for disregarding any portion of an increase in spending in formulating the contingency budget; PROVIDED, HOWEVER, THAT CAPITAL EXPENDITURES AND CAPITAL IMPROVEMENT PROJECTS BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES) SHALL NOT BE INCLUDED IN TOTAL SPENDING.

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

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S 3. This act shall take effect immediately; provided that the amendments to paragraph c of subdivision 2 of section 2023-a of the education law made by section one of this act shall be subject to the repeal of such section and shall be deemed to be repealed therewith; and provided further, that the amendments to paragraph b of subdivision 4 of section 2023 of the education law made by section two of this act shall be subject to the expiration of such section and shall be deemed to expire therewith.