

S. 4805

A. 6911

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.