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

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:

Section 1. The section heading and subdivision 1 of section 2022 of the education law, as amended by section 7 of part A of chapter 97 of the laws of 2011, are amended and a new subdivision 1-a is added to read as follows:

Vote on school district budgets, ON BOND RESOLUTIONS and on the election of school district trustees and board of education members. 1. Notwithstanding any law, rule or regulation to the contrary, the election of trustees or members of the board of education, [and] the vote upon the appropriation of the necessary funds to meet the estimated expenditures, AND THE VOTE UPON A BOND RESOLUTION, in any common school district, union free school district, central school district or central high school district shall be held at the annual meeting and election on the third Tuesday in May, provided, however, that such election shall be held on the second Tuesday in May if the commissioner at the request of a local school board certifies no later than March first that such election would conflict with religious observances. The sole trustee, board of trustees or board of education of every common, union free, central or central high school district and every city school district to which this article applies shall hold a budget hearing not less than seven nor more than fourteen days prior to the annual meeting and 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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occur, and shall prepare and present to the voters at such budget hearing a proposed school district budget for the ensuing school year.

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

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

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

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

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