

2015--A

Cal. No. 1029

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the education law, in relation to the dates school district proposition votes may be held

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

1 Section 1. The education law is amended by adding a new section 1501-d
2 to read as follows:
3 S 1501-D. DATE OF SCHOOL DISTRICT PROPOSITION VOTES. 1. NOTWITHSTAND-
4 ING ANY LAW, RULE OR REGULATION TO THE CONTRARY, ALL PROPOSITIONS
5 CONDUCTED PURSUANT TO THIS TITLE AND VOTED UPON BY THE QUALIFIED VOTERS
6 OF ANY SCHOOL DISTRICT SHALL BE HELD ONLY ON THE FOLLOWING DATES:
7 (A) ON THE THIRD TUESDAY IN MAY, PROVIDED, HOWEVER, THAT SUCH ELECTION
8 SHALL BE HELD ON THE SECOND TUESDAY IN MAY IF THE COMMISSIONER AT THE
9 REQUEST OF A LOCAL SCHOOL BOARD CERTIFIES NO LATER THAN MARCH FIRST THAT
10 SUCH ELECTION WOULD CONFLICT WITH RELIGIOUS OBSERVANCES. SUCH ELECTION
11 SHALL TAKE PLACE AT A TIME AND PLACE SEPARATE FROM THE ANNUAL MEETING OF
12 SUCH SCHOOL DISTRICT; OR
13 (B) ON EITHER OR BOTH OF TWO ADDITIONAL DATES TO BE SET BY THE COMMIS-
14 SIONER, IN CONSULTATION WITH THE STATE BOARD OF ELECTIONS. SUCH ADDI-
15 TIONAL DATES SHALL NOT TAKE PLACE BETWEEN THE FIRST TUESDAY AFTER THE
16 FIRST MONDAY OF NOVEMBER AND THE THIRD MONDAY OF JANUARY, KNOWN AS DR.
17 MARTIN LUTHER KING, JR. DAY.
18 2. SCHOOL DISTRICT PROPOSITION VOTES MAY BE OFFERED ON ANOTHER DATE IF
19 SUCH VOTE IS BEING OFFERED IN RESPONSE TO AN EMERGENCY OR DISASTER SITU-
20 ATION. THE LOCAL SCHOOL BOARD SHALL DECIDE, BY A TWO-THIRDS MAJORITY

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

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1 VOTE, IF A PROPOSITION MUST BE OFFERED DUE TO AN EMERGENCY OR DISASTER
2 SITUATION. VOTERS SHALL BE NOTIFIED, BY REASONABLE MEANS, OF SUCH VOTE
3 AT LEAST SEVEN DAYS PRIOR TO SUCH VOTE TAKING PLACE.

4 S 2. This act shall take effect on the one hundred twentieth day after
5 it shall have become a law; provided, however, that effective immediate-
6 ly, the addition, amendment and/or repeal of any rule or regulation
7 necessary for the implementation of this act on its effective date is
8 authorized and directed to be made and completed on or before such
9 effective date.