

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

S. 1871--A

A. 2025--A

2015-2016 Regular Sessions

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

January 15, 2015

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, EXCEPT WHERE THE
11 BOARD SHALL BY UNANIMOUS VOTE DECLARE THAT AN EMERGENCY EXISTS AND THE
12 COMMISSIONER DETERMINES THAT THE BEST INTERESTS OF THE DISTRICT REQUIRE
13 THAT THE VOTE ON THE BOND RESOLUTION BE HELD ON A DIFFERENT DATE, in any
14 common school district, union free school district, central school
15 district or central high school district shall be held at the annual
16 meeting and election on the third Tuesday in May, provided, however,
17 that such election shall be held on the second Tuesday in May if the
18 commissioner at the request of a local school board certifies no later
19 than March first that such election would conflict with religious obser-
20 vances. The sole trustee, board of trustees or board of education of
21 every common, union free, central or central high school district and

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

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1 every city school district to which this article applies shall hold a
2 budget hearing not less than seven nor more than fourteen days prior to
3 the annual meeting and election or special district meeting at which a
4 school budget vote will occur, and shall prepare and present to the
5 voters at such budget hearing a proposed school district budget for the
6 ensuing school year.

7 1-A. ANY BOND RESOLUTION VOTED UPON PURSUANT TO SUBDIVISION ONE OF
8 THIS SECTION MAY ONLY BE RESUBMITTED TO THE VOTERS OF THE SCHOOL
9 DISTRICT ONE TIME SUBSEQUENT TO SUCH VOTE.

10 S 2. The section heading and subdivision 1 of section 2022 of the
11 education law, the section heading as amended by section 23 of part A of
12 chapter 436 of the laws of 1997 and subdivision 1 as amended by section
13 8 of part C of chapter 58 of the laws of 1998, are amended and a new
14 subdivision 1-a is added to read as follows:

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

45 1-A. ANY BOND RESOLUTION VOTED UPON PURSUANT TO SUBDIVISION ONE OF
46 THIS SECTION MAY ONLY BE RESUBMITTED TO THE VOTERS OF THE SCHOOL
47 DISTRICT ONE TIME SUBSEQUENT TO SUCH VOTE.

48 S 3. This act shall take effect on the first of January next succeed-
49 ing the date on which it shall have become a law; provided that the
50 amendments to section 2022 of the education law made by section one of
51 this act shall be subject to the expiration and reversion of such
52 section pursuant to section 13 of part A of chapter 97 of the laws of
53 2011, as amended, when upon such date the provisions of section two of
54 this act shall take effect.