

4988

2015-2016 Regular Sessions

I N A S S E M B L Y

February 10, 2015

Introduced by M. of A. NOLAN -- read once and referred to the Committee
on Education

AN ACT to amend the state finance law, in relation to establishing the
special education short-term revolving loan fund, and in relation to
authorizing the state comptroller to provide special education short-
term revolving loans to certain special act school districts or
approved special education providers

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

1 Section 1. The state finance law is amended by adding a new section
2 99-w to read as follows:
3 S 99-W. SPECIAL EDUCATION SHORT-TERM REVOLVING LOAN FUND. 1. THERE IS
4 HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMPTROLLER AND THE
5 COMMISSIONER OF TAXATION AND FINANCE A FUND TO BE KNOWN AS THE SPECIAL
6 EDUCATION SHORT-TERM REVOLVING LOAN FUND. SUCH FUND SHALL CONSIST OF
7 MONEYS MADE AVAILABLE PURSUANT TO APPROPRIATION AND ANY OTHER SOURCES IN
8 ORDER TO PROVIDE SUPPORT FOR PROMPT CONTRACTING WITH AND PAYMENT OF
9 NOT-FOR-PROFIT ORGANIZATIONS.
10 2. MONEYS OF THE FUND MAY BE EXPENDED PURSUANT TO SECTION ONE HUNDRED
11 SEVENTY-NINE-FF OF THIS CHAPTER. MONEYS SHALL BE PAID OUT OF THE FUND ON
12 THE AUDIT AND WARRANT OF THE STATE COMPTROLLER PURSUANT TO SUCH SECTION.
13 S 2. The state finance law is amended by adding a new section 179-ff
14 to read as follows:
15 S 179-FF. SPECIAL EDUCATION SHORT-TERM REVOLVING LOANS. 1. THE COMP-
16 TROLLER IS AUTHORIZED TO PROVIDE LOANS FROM THE SPECIAL EDUCATION
17 SHORT-TERM REVOLVING LOAN FUND ESTABLISHED BY SECTION NINETY-NINE-W OF
18 THIS CHAPTER TO ANY SPECIAL ACT SCHOOL DISTRICT OR APPROVED SPECIAL
19 EDUCATION PROVIDER SEEKING SHORT-TERM FINANCING FOR OPERATIONS, PENDING
20 TUITION PAYMENTS AS AUTHORIZED UNDER SECTION FORTY-FOUR HUNDRED FIVE OF
21 THE EDUCATION LAW. THE COMPTROLLER MAY PROVIDE SUCH A LOAN TO A SPECIAL
22 ACT SCHOOL DISTRICT OR APPROVED SPECIAL EDUCATION PROVIDER UPON RECEIPT

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

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1 OF A WRITTEN AGREEMENT BETWEEN THE SCHOOL DISTRICT OR PROVIDER AND THE
2 STATE EDUCATION DEPARTMENT OUTLINING THE NEED FOR SUCH LOAN AND THE
3 ANTICIPATED TUITION PAYMENT OR TUITION RECONCILIATION THAT WILL PROVIDE
4 REASONABLE ASSURANCES OF REPAYMENT THAT IS SATISFACTORY TO THE COMP-
5 TROLLER. SUCH LOAN SHALL NOT BEAR INTEREST AND REPAYMENT OF SUCH LOAN
6 MAY BE MADE UPON RECEIPT OF TUITION PAYMENTS AND RECONCILIATIONS, PURSU-
7 ANT TO THE WRITTEN AGREEMENT.

8 2. THE COMPTROLLER SHALL PROMULGATE RULES AND REGULATIONS WITHIN NINE-
9 TY DAYS OF THE EFFECTIVE DATE OF THIS SECTION FOR THE OPERATION OF THE
10 SPECIAL EDUCATION SHORT-TERM REVOLVING LOAN FUND WHICH SHALL INCLUDE,
11 BUT NOT BE LIMITED TO, THE CRITERIA TO BE USED IN DETERMINING SCHOOLS
12 AND SCHOOL DISTRICTS ELIGIBLE FOR ASSISTANCE; A PROCEDURE AND ANY NECES-
13 SARY INFORMATION THAT SCHOOLS AND SCHOOL DISTRICTS NEED TO SUBMIT APPLI-
14 CATIONS FOR A LOAN FROM THIS FUND; A SCHEDULE FOR REVIEWING SUCH APPLI-
15 CATIONS, NOT TO EXCEED THIRTY DAYS, AND NOTIFICATION TO AN APPLICANT OF
16 APPROVAL OR DISAPPROVAL OF SUCH APPLICATION FOR INTERIM FUNDING; AND ANY
17 OTHER REQUIREMENTS DEEMED NECESSARY BY THE COMPTROLLER.

18 S 3. This act shall take effect immediately.