

1604

2015-2016 Regular Sessions

I N S E N A T E

January 13, 2015

Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Education

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

24 S 2. This act shall take effect on the one hundred twentieth day after
25 it shall have become a law; provided, however, that effective immediate-

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

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1 ly, the addition, amendment and/or repeal of any rule or regulation
2 necessary for the implementation of this act on its effective date is
3 authorized and directed to be made and completed on or before such
4 effective date.