

1166--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 8, 2015

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Introduced by M. of A. JAFFEE, SCHIMEL, CAHILL, DAVILA, ROBINSON, CROUCH, GOODELL, STECK, LINARES, GOTTFRIED, DUPREY, BLAKE, KEARNS, JEAN-PIERRE, ABINANTI, RIVERA, LIFTON, RUSSELL -- Multi-Sponsored by -- M. of A. BLANKENBUSH, BRENNAN, MAGEE, SIMON, SOLAGES -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to school district tax levies

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

1     Section 1. Subdivision 6 of section 2023-a of the education law, as  
2     added by section 2 of part A of chapter 97 of the laws of 2011, is  
3     amended to read as follows:  
4     6. (a) Notwithstanding any other provision of law to the contrary, in  
5     the event the trustee, trustees or board of education of a school  
6     district that is subject to the provisions of this section proposes a  
7     budget that will require a tax levy that exceeds the tax levy limit for  
8     the corresponding school year, not including any levy necessary to  
9     support the expenditures pursuant to subparagraphs (i) through (iv) of  
10    paragraph i of subdivision two of this section, then such budget shall  
11    be approved if [sixty percent] A MAJORITY of the votes cast thereon are  
12    in the affirmative.  
13    (b) Where the trustee, trustees or board of education proposes a budg-  
14    et subject to the requirements of paragraph (a) of this subdivision, the  
15    ballot for such budget shall include the following statement in substan-  
16    tially the same form: "Adoption of this budget requires a tax levy  
17    increase of                    which exceeds the statutory tax levy increase limit  
18    of                    for this school fiscal year and therefore exceeds the state tax

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

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1 cap and must be approved by [sixty percent] A MAJORITY of the qualified  
2 voters present and voting."

3 S 2. Subdivision 9 of section 2023-a of the education law, as added by  
4 section 2 of part A of chapter 97 of the laws of 2011, is amended to  
5 read as follows:

6 9. Nothing in this section shall preclude the trustee, trustees, or  
7 board of education of a school district, in their discretion, from  
8 submitting additional items of expenditures to the voters for approval  
9 as separate propositions or the voters from submitting propositions  
10 pursuant to sections two thousand eight and two thousand thirty-five of  
11 this part; provided however, except in the case of a proposition submit-  
12 ted for any expenditure contained within subparagraphs (i) through (iv)  
13 of paragraph i of subdivision two of this section, if any proposition,  
14 or propositions collectively that are subject to a vote on the same  
15 date, would require an expenditure of money that would require a tax  
16 levy and would result in the tax levy limit being exceeded for the  
17 corresponding school year then such proposition shall be approved if  
18 [sixty percent] A MAJORITY of the votes cast thereon are in the affirma-  
19 tive.

20 S 3. This act shall take effect immediately; provided, however, that  
21 the amendments to section 2023-a of the education law made by sections  
22 one and two of this act shall not affect the repeal of such section and  
23 shall expire and be deemed repealed therewith.