STATE OF NEW YORK

S. 3930 A. 3926

2017-2018 Regular Sessions

SENATE - ASSEMBLY

January 30, 2017

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

IN ASSEMBLY -- Introduced by M. of A. FAHY, McDONALD -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to altering the date of the elections of Albany city school district board members

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 2502 of the education law, as amended by chapter 698 of the laws of 1989, is amended to read as follows:

2. Each board of education shall consist of five, seven or nine members, to be known as members of the board of education. In the city of Albany, such board shall consist of seven members; and in the city of Rensselaer, such board shall consist of five members; subject, however, to any increase or decrease of the number of members of such board as provided pursuant to the provisions of paragraph a of subdivision four of this section. Members of such board shall be elected by the qualified voters at large of the school district at annual school elections, under the provisions of article fifty-three of this chapter [~~except in the city school district of the city of Albany~~]; provided, however, each board of education may upon its own motion, and shall upon a written petition, subscribed by not less than five hundred qualified voters of the district, cause to be submitted at the annual school election a proposition to consider each vacancy upon the board of education a separate specific office requiring a separate petition to nominate a candidate to each separate office in accordance with the provisions of article fifty-three of this chapter.

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

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§ 2. Paragraphs b and p of subdivision 9 of section 2502 of the education law, as added by chapter 65 of the laws of 1972, are amended to read as follows:

b. The members of the board of education shall be elected at large throughout the city by the qualified voters at [~~a general election~~] **an annual school election taking place at the time specified under the provisions of article fifty-three of this chapter**.

p. The election of members of the board of education of the school district of the city of Albany shall take place at [~~general elections held in such city~~] **an annual school election held in such city at the time specified under the provisions of article fifty-three of this chapter**. Such election shall be conducted by the board of elections of the county of Albany [~~in the same manner as other elections are conducted by it~~] **at the expense of such board of elections in the same manner as other elections are conducted by it**. The results of such elections, after canvassing, shall be certified and reported by the board of elections to the board of education of such city. The clerk or other appropriate officer of the board of education shall within twenty-four hours after receipt of such certification by the board of elections serve a written notice either personally or by mail upon each person declared to be elected as a member of the board of education informing him of his election and the length of his term.

§ 3. Subdivision 1 of section 2602 of the education law, as amended by chapter 171 of the laws of 1996, is amended to read as follows:

1. Except as otherwise provided in this chapter, including the provisions of this article, an annual school election shall be held on the same day as the annual budget vote pursuant to the provisions of article forty-one of this chapter in each city school district[~~, except that the city school district of the city of Albany shall conduct its annual election separately on the day specified in subdivision nine of section twenty-five hundred two of this chapter~~].

§ 4. This act shall take effect immediately and shall apply to any vacancies on the Albany city school district board occurring after 2017.