

# STATE OF NEW YORK

S. 7432--A

A. 9040--A

## SENATE - ASSEMBLY

January 18, 2018

IN SENATE -- Introduced by Sen. BRESLIN -- 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. FAHY, McDONALD -- 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 the elections of members to the board of education of the city school district of the city of Albany; and to repeal subdivision 9 of section 2502 of the education law relating thereto

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

1 Section 1. Subdivision 9 of section 2502 of the education law is  
2 REPEALED.

3 § 2. Section 2601 of the education law, as amended by chapter 171 of  
4 the laws of 1996, is amended to read as follows:

5 § 2601. Application of article. This article shall apply to each city  
6 school district of a city which has less than one hundred twenty-five  
7 thousand inhabitants, according to the latest federal census, except as  
8 otherwise provided in section twenty-six hundred one-a of this chapter  
9 and except as otherwise provided by subdivision [~~nine-or~~] nine-a of  
10 section twenty-five hundred two of this chapter.

11 § 3. Subdivision 2 of section 2601-a of the education law, as amended  
12 by section 9 of part A of chapter 97 of the laws of 2011, is amended to  
13 read as follows:

14 2. The board of education shall conduct all annual and special school  
15 district meetings for the purpose of adopting a school district budget  
16 in the same manner as a union free school district in accordance with  
17 the provisions of article forty-one of this title, except as otherwise  
18 provided by this section. The annual meeting and election of each such  
19 city school district shall be held on the third Tuesday of May in each

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

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1 year, provided, however that such annual meeting and election shall be  
2 held on the second Tuesday in May if the commissioner at the request of  
3 a local school board certifies no later than March first that such  
4 election would conflict with religious observances, and any school budg-  
5 et revote shall be held on the date and in the same manner specified in  
6 subdivision three of section two thousand seven of this title. The  
7 provisions of this article, and where applicable [~~subdivisions nine and~~  
8 subdivision nine-a of section twenty-five hundred two of this title,  
9 governing the qualification and registration of voters, and procedures  
10 for the nomination and election of members of the board of education  
11 shall continue to apply, and shall govern the qualification and regis-  
12 tration of voters and voting procedures with respect to the adoption of  
13 a school district budget.

14 § 4. Subdivision 2 of section 2601-a of the education law, as amended  
15 by section 6 of part M of chapter 57 of the laws of 2005, is amended to  
16 read as follows:

17 2. The board of education shall conduct all annual and special school  
18 district meetings for the purpose of adopting a school district budget  
19 in the same manner as a union free school district in accordance with  
20 the provisions of article forty-one of this title, except as otherwise  
21 provided by this section. The annual meeting and election of each such  
22 city school district shall be held on the third Tuesday of May in each  
23 year, provided, however that such annual meeting and election shall be  
24 held on the second Tuesday in May if the commissioner at the request of  
25 a local school board certifies no later than March first that such  
26 election would conflict with religious observances, and any school budg-  
27 et revote shall be held on the date and in the same manner specified in  
28 subdivision three of section two thousand seven of this title. The  
29 provisions of this article, and where applicable [~~subdivisions nine and~~  
30 subdivision nine-a of section twenty-five hundred two of this title,  
31 governing the qualification and registration of voters, and procedures  
32 for the nomination and election of members of the board of education  
33 shall continue to apply, and shall govern the qualification and regis-  
34 tration of voters and voting procedures with respect to the adoption of  
35 a school district budget.

36 § 5. This act shall take effect immediately; provided, however, the  
37 amendments to subdivision 2 of section 2601-a of the education law made  
38 by section three of this act shall be subject to the expiration and  
39 reversion of such section pursuant to section 13 of part A of chapter 97  
40 of the laws of 2011, as amended, when upon such date the provisions of  
41 section four of this act shall take effect.