STATE OF NEW YORK

7197--A

IN SENATE

(Prefiled)

January 3, 2018

Introduced by Sen. MARCHIONE -- 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

AN ACT to amend the education law, in relation to authorizing the commissioner of education to extend the filing period for certain school district transportation contracts

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

Section 1. Subdivision 2 of section 3625 of the education law, as amended by chapter 474 of the laws of 1996, is amended to read as follows:

2. **a.** Filing of transportation contracts. Every transportation contract shall be filed with the department within one hundred twenty days of the commencement of service under such contract**, subject to the provisions of paragraph b of this subdivision**. No transportation expense shall be allowed for a period greater than one hundred twenty days prior to the filing of any contract for the transportation of pupils with the education department. No contract shall be considered filed unless it bears an original signature of the superintendent of a school district or the designee of the superintendent and the sole trustee or president of the board of education of the school district. The final approval of any such contract by the commissioner shall not, however, obligate the state to allow transportation expense in an amount greater than the amount that would be allowed under the provisions of this part. The state, acting through the department of audit and control, may examine any and all accounts of the contractor in connection with a contract for the transportation of pupils, and every such contract shall contain the following provision: "The contractor hereby consents to an audit of any and all financial records relating to this contract by the department of audit and control."

b. Notwithstanding the provisions of paragraph a of this subdivision, the commissioner may consider extenuating circumstances which resulted

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

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in a contract or contracts not being filed within the one hundred twenty day filing period and may, in his or her discretion, extend the period for filing of such contract or contracts.

§ 2. This act shall take effect immediately.