STATE OF NEW YORK

2071

2017-2018 Regular Sessions

IN ASSEMBLY

January 17, 2017

Introduced by M. of A. RA, GRAF, MONTESANO, RAIA, DiPIETRO, WALTER, GOODELL, FINCH, McDONOUGH, GARBARINO, MALLIOTAKIS, GIGLIO, McLAUGHLIN, McKEVITT, SALADINO, MURRAY, FRIEND -- Multi-Sponsored by -- M. of A. BARCLAY, BLANKENBUSH, CROUCH, HAWLEY, LOPEZ, PALMESANO -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to legislative approval of all policy adopted by the board of regents that would have a cumulative impact of over one million dollars statewide

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

Section 1. Section 207 of the education law is amended to read as follows:

§ 207. Legislative power. Subject and in conformity to the constitution and laws of the state, the regents shall exercise legislative functions concerning the educational system of the state, determine its educational policies, and, except, as to the judicial functions of the commissioner of education, establish rules for carrying into effect the laws and policies of the state, relating to education, and the functions, powers, duties and trusts conferred or charged upon the university and the education department. But no enactment of the regents shall modify in any degree the freedom of the governing body of any seminary for the training of priests or clergymen to determine and regulate the entire course of religious, doctrinal or theological instruction to be given in such institution. No rule by which more than a majority vote shall be required for any specified action by the regents shall be amended, suspended or repealed by a smaller vote than that required for action thereunder. Rules or regulations, or amendments or repeals thereof, adopted or prescribed by the commissioner [~~of education~~] as provided by law shall not be effective unless and until approved by the regents, except where authority is conferred by the regents upon the commissioner [~~of education~~] to adopt, prescribe, amend or repeal such

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

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rules or regulations. **Prior to the adoption of a resolution or any alteration of amendment to the rules and regulations prescribed by the regents that may require a cumulative impact of over one million dollars statewide, in the fiscal year of such adoption or any future fiscal year, a fiscal note shall be required which shall state the amount in dollars that shall be required to fulfill the provisions of such resolution or alteration or amendment to such rules and regulations. Such fiscal note shall be attached to and/or be part of any resolution by the regents amending or altering the rules and regulations. For the purposes of the provision of this section, such fiscal note shall be approved by the commissioner, secured from the division of budget and subject to approval by the legislature.**

§ 2. This act shall take effect immediately.