

STATE OF NEW YORK

2082

2017-2018 Regular Sessions

IN ASSEMBLY

January 17, 2017

Introduced by M. of A. THIELE, MURRAY, GARBARINO, RA, LUPINACCI, RAIA --
read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the effect of failed
propositions on voter approval for remaining propositions not collec-
tively exceeding the tax levy limit

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

1 Section 1. Subdivision 9 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 9. Nothing in this section shall preclude the trustee, trustees, or
5 board of education of a school district, in their discretion, from
6 submitting additional items of expenditures to the voters for approval
7 as separate propositions or the voters from submitting propositions
8 pursuant to sections two thousand eight and two thousand thirty-five of
9 this part; provided however, except in the case of a proposition submit-
10 ted for any expenditure contained within subparagraphs (i) through (iv)
11 of paragraph i of subdivision two of this section, if any proposition,
12 or propositions collectively that are subject to a vote on the same
13 date, would require an expenditure of money that would require a tax
14 levy and would result in the tax levy limit being exceeded for the
15 corresponding school year then such proposition shall be approved if
16 sixty percent of the votes cast thereon are in the affirmative. In the
17 event that the trustee, trustees, or board of education of a school
18 district or the voters submit additional items of expenditure for
19 approval as a separate proposition or propositions and such separate
20 proposition or propositions collectively with the budget exceed the tax
21 levy limit, the budget shall be approved if a majority of the votes cast
22 thereon are in the affirmative and if the budget, without the separate
23 proposition or propositions, does not exceed the tax levy limit.

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

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1 § 2. This act shall take effect immediately; provided that the amend-
2 ments to section 2023-a of the education law made by section one of this
3 act shall not affect the repeal of such section and shall be deemed
4 repealed therewith.