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 collectively exceeding the tax levy limit

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

Section 1. Subdivision 9 of section 2023-a of the education law, as added by section 2 of part A of chapter 97 of the laws of 2011, is amended to read as follows:

9. Nothing in this section shall preclude the trustee, trustees, or board of education of a school district, in their discretion, from submitting additional items of expenditures to the voters for approval as separate propositions or the voters from submitting propositions pursuant to sections two thousand eight and two thousand thirty-five of this part; provided however, except in the case of a proposition submitted for any expenditure contained within subparagraphs (i) through (iv) of paragraph i of subdivision two of this section, if any proposition, or propositions collectively that are subject to a vote on the same date, would require an expenditure of money that would require a tax levy and would result in the tax levy limit being exceeded for the corresponding school year then such proposition shall be approved if sixty percent of the votes cast thereon are in the affirmative. **In the event that the trustee, trustees, or board of education of a school district or the voters submit additional items of expenditure for approval as a separate proposition or propositions and such separate proposition or propositions collectively with the budget exceed the tax levy limit, the budget shall be approved if a majority of the votes cast thereon are in the affirmative and if the budget, without the separate 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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§ 2. This act shall take effect immediately; provided that the amendments to section 2023-a of the education law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.