STATE OF NEW YORK

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1062

2017-2018 Regular Sessions

IN SENATE

January 6, 2017
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Introduced by Sens. CARLUCCI, ADDABBO -- read twice and ordered printed,
    and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to certain tuition and
    reconciliation rates; and to amend the state finance law, in relation
    to the special education provider revolving loan fund

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

1   Section 1. Subdivision 4 of section 4405 of the education law is
2   amended by adding two new paragraphs k and l to read as follows:
3   k. The tuition rates established for special act school districts,
4   approved private schools for students of school age, and approved
5   providers of services pursuant to section forty-four hundred ten of this
6   article for the two thousand seventeen--eighteen tuition rate year and
7   all subsequent years thereafter shall equal the product of the tuition
8   rate for the base year and personal income growth index as defined by
9   paragraph bb of subdivision one of section thirty-six hundred two of
10 this chapter.
11   l. All reconciliation rates filed after July first, two thousand
12 seventeen in accordance with section 200.9 of the department's rules and
13 regulations shall be acted upon by the director of the budget within one
14 hundred twenty days of submission to the department. Such rates shall be
15 deemed approved by the director of the budget in the event that no final
16 action is taken by the director of the budget within one hundred twenty
17 days from the submission of the reconciliation rate to the department.
18   § 2. The state finance law is amended by adding a new section 97-rrrr
19 to read as follows:
20   § 97-rrrr. Special education provider revolving loan fund.   1.   There
21 is hereby established   in the joint custody of the comptroller and the
22 commissioner of taxation and finance a fund to be known as the special
23 education provider revolving loan fund. Such fund shall consist of
24 moneys made available pursuant to appropriation and any other sources in

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

                                                    LBD01807-01-7

1 order to provide support special act school districts, state education
2 department approved private schools for special education students of
3 school age, and approved providers of services pursuant to section
4 forty-four hundred ten of the education law. Moneys shall be paid out
5 of the fund on the audit and warrant of the state comptroller pursuant
6 to such section.
7   2. The comptroller may provide such a loan to a special act school
8 district or approved special education provider defined in subdivision
9 one of this section upon receipt of a written agreement between the
10 school district or provider and the state education department outlining
11 the need for such loan and the anticipated tuition payment or tuition
12 reconciliation that will provide reasonable assurances of repayment that
13 is satisfactory to the comptroller. Such loan shall not bear interest
14 and repayment of such loan may be made upon receipt of tuition payments
15 and reconciliations, pursuant to the written agreement.
16 3. The state comptroller shall promulgate rules and regulations within
17 ninety days of the effective date of this section for the operation of
18 the special education provider revolving loan fund which shall include,
19 but not be limited to, the criteria to be used in determining how an
20 eligible special education provider may receive assistance; a procedure
21 and any necessary information that a special education provider needs to
22 submit for a loan from the special education provider revolving loan
23 fund; a schedule for reviewing such applications, not to exceed thirty
24 days, and notification to an applicant of approval or disapproval of
25 such application for a loan, and any other requirements deemed necessary
26 by the state comptroller.
27   § 3. This act shall take effect immediately.