

# STATE OF NEW YORK

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3039

2019-2020 Regular Sessions

## IN ASSEMBLY

January 28, 2019

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Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Education

AN ACT relating to legalizing, validating, ratifying and confirming certain actions or omissions relating to certain capital projects in school districts

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

1     Section 1. 1. Notwithstanding any other provision of law to the  
2     contrary, where the education department denies or has denied building  
3     aid for a school district capital project or has recovered overpayments  
4     of such aid relating thereto, the actions or omissions of all officers,  
5     employees or agents of an eligible school district relating to or in  
6     connection with such capital projects for the 2004--2005 school year  
7     through the 2018--2019 school year and for contracts and contract exten-  
8     sions entered into prior to the 2018--2019 school year for which  
9     expenses were incurred in the 2004--2005 school year or thereafter, and,  
10    where a district can demonstrate to the satisfaction of the commissioner  
11    of education that such actions or omissions involve only inadvertent and  
12    minor clerical or technical errors, all acts incidental thereto are  
13    hereby legalized, validated, ratified and confirmed, notwithstanding any  
14    failure to comply with the filing provisions of the education law, the  
15    general municipal law or any other law, rule or regulation other than  
16    those filing provisions defined in paragraph a of subdivision 5 of  
17    section 3604 of the education law, in relation to any omission, error,  
18    defect, irregularity or illegality in such proceeding had and taken.

19    2. The education department is hereby directed to consider the  
20    contracts legalized, ratified, validated and confirmed pursuant to  
21    subdivision one of this section for building aid as a valid and proper  
22    obligation of the school district for aid payable for expenses incurred  
23    in the 2004--2005 school year and thereafter; provided that such school  
24    district submits to the education department the applicable contract

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

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1 number or numbers, school year and upon request, a copy of the contract,  
2 on or before December 31, 2019 and the contract is approved by the  
3 commissioner of education, and provided further that any amount due and  
4 payable for school years prior to the 2018--2019 school year as a result  
5 of this act shall be paid pursuant to the provisions of paragraph c of  
6 subdivision 5 of section 3604 of the education law.

7 § 2. This act shall take effect immediately.