STATE OF NEW YORK

1534

2019-2020 Regular Sessions

IN SENATE

January 15, 2019

Introduced by Sens. KENNEDY, GALLIVAN -- 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 supplemental impact aid grants

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

Section 1. Section 3641 of the education law is amended by adding a new subdivision 17 to read as follows:

17. Supplemental impact aid grants. a. The purpose of this subdivision is to provide financial assistance to districts other than for city school districts of cities having populations of one hundred twenty-five thousand or more which have experienced a significant reduction in the taxable full value of the school district as a direct consequence of section four hundred forty-six of the real property tax law. Real property actually and exclusively used under section four hundred forty-six of the real property tax law shall remain exempt from taxation and exempt from special ad valorem levies and special assessments.

b. Prescribed payments. On or after the first business day of July of each school year, commencing July first, two thousand nineteen, school districts shall be fully reimbursed in an amount equal to one hundred percent of the exemption provided for by section four hundred forty-six of the real property tax law, if that reimbursement amount is over two-tenths of one percent of the district's overall state aid. No payment shall be made pursuant to this subdivision until such amount for each school district is certified by the commissioner of taxation and finance and transmitted to the commissioner. Such certification shall be made on or before June thirtieth so as to facilitate payments to be made pursuant to this section.

c. The commissioner of taxation and finance shall calculate an amount equal to one hundred percent of the exemption provided for by section four hundred forty-six of the real property tax law for each district. A

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

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district full reimbursement amount shall equal the product of the total exempted full value multiplied by the district homestead property tax rate per thousand for the base year.

d. A district is eligible for such a reimbursement if the quotient of the total aid for adjustment divided by one hundred percent of the exemption provided for by section four hundred forty-six of the real property tax law is greater than two-tenths of one percent. For a district designated as high need or average need pursuant to subparagraph two of paragraph c of subdivision six of this section for the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand seven--two thousand eight school year and entitled "SA0708", or in the case of a reorganized district that had a predecessor district that was so designated, such district shall be fully reimbursed. For other districts designated as low need pursuant to subparagraph two of paragraph c of subdivision six of this section for the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand seven--two thousand eight school year and entitled "SA0708", or in the case of a reorganized district that had a predecessor district that was so designated, and a combined wealth ratio of less than one and five-tenths (1.5), twenty-five percent.

For the purposes of such computation, "total aid for adjustment" shall mean the sum of the amounts set forth for each school district as "FOUNDATION AID", "UNIVERSAL PRE-KINDERGARTEN", "FULL DAY K CONVERSION", "BOCES & SPECIAL SERVICES", "HIGH COST EXCESS COST", "PRIVATE EXCESS COST", "HARDWARE & TECHNOLOGY", "SOFTWARE, LIBRARY, TEXTBOOK", "TRANSPORTATION INCL SUMMER", "OPERATING REORG INCENTIVE", "CHARTER SCHOOL TRANSITIONAL", "ACADEMIC ENHANCEMENT", "HIGH TAX AID" and "SUPPLEMENTAL PUB EXCESS COST" under the heading "2017-18 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand eighteen--two thousand nineteen school year;

e. No payment shall be made pursuant to this subdivision until such amount for each school district is certified by the commissioner of taxation and finance and transmitted to the commissioner. Such certification shall be made on or before June thirtieth so as to facilitate payments to be made pursuant to this section.

§ 2. This act shall take effect immediately.