STATE OF NEW YORK

3773

2019-2020 Regular Sessions

IN SENATE

February 14, 2019

Introduced by Sen. O'MARA -- 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 the filing of transportation contracts

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

Section 1. Subdivision 2 of section 3625 of the education law, as amended by chapter 474 of the laws of 1996, is amended to read as follows:

2. Filing of transportation contracts. Every transportation contract shall be filed with the department within one hundred twenty days of the commencement of service under such contract. **The department shall send written notice to districts thirty days prior to the expiration of a transportation contract the department has on file when a district does not have a new contract on file. The written notice shall provide that the district shall have the contract filed with the department within one hundred twenty days and shall provide information regarding the penalty if the contract is filed after such deadline.** No transportation expense shall be allowed for a period greater than one hundred twenty days prior to the filing of any contract for the transportation of pupils with the education department. **However, the commissioner may allow for the expense of any contract for the transportation of pupils with the education department filed after one hundred twenty days for good cause. The district shall submit a notice of late filing and reason of cause in writing to the department. The commissioner shall respond in writing within ten days of receiving the notice of late filing with a determination of good cause.** No contract shall be considered filed unless it bears an original signature of the superintendent of a school district or the designee of the superintendent and the sole trustee or president of the board of education of the school district. The final approval of any such contract by the commissioner shall not, however,

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

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obligate the state to allow transportation expense in an amount greater than the amount that would be allowed under the provisions of this part. The state, acting through the department of audit and control, may examine any and all accounts of the contractor in connection with a contract for the transportation of pupils, and every such contract shall contain the following provision: "The contractor hereby consents to an audit of any and all financial records relating to this contract by the department of audit and control."

§ 2. This act shall take effect immediately.