

# STATE OF NEW YORK

8530

## IN SENATE

June 8, 2020

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT relating to validating certain acts by the Pearl River union free school district relating to final building cost reports required to be filed with the state education department

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
2 all acts done and proceedings heretofore had and taken, or caused to be  
3 had or taken, by the Pearl River union free school district and by any  
4 of its officers or agents relating to or in connection with final build-  
5 ing cost reports required to be filed with the state education depart-  
6 ment for approved building projects completed prior to December 31,  
7 2017, and all acts incidental thereto are hereby legalized, validated,  
8 ratified and confirmed, notwithstanding any failure to comply with the  
9 time requirements for the approval and filing provisions of the educa-  
10 tion law or any other provision of law, rule or regulation, relating to  
11 any omissions, error, defect, irregularity or illegality in such  
12 proceedings had and taken.

13 § 2. Notwithstanding section 24-a of part A of chapter 57 of the laws  
14 of 2013, and consistent with section one of this act, the commissioner  
15 of education shall not recover from the Pearl River union free school  
16 district any penalty arising from the late filing of a final cost report  
17 pursuant to section 31 of part A of chapter 57 of the laws of 2012,  
18 provided that any amounts already so recovered shall be deemed a payment  
19 of moneys due for prior years pursuant to paragraph c of subdivision 5  
20 of section 3604 of the education law and shall be paid to the Pearl  
21 River union free school district pursuant to such provision, provided  
22 that such school district:

23 (a) submitted the late or missing final building cost report to the  
24 commissioner of education;

25 (b) such cost report is approved by the commissioner of education;

26 (c) all state funds expended by the school district, as documented in  
27 such cost report, were properly expended for such building project in

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

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1 accordance with the terms and conditions for such project as approved by  
2 the commissioner of education; and

3 (d) the failure to submit such report in a timely manner was an inad-  
4 vertent administrative or ministerial oversight by the school district,  
5 and there is no evidence of any fraudulent or other improper intent by  
6 such district.

7 § 3. This act shall take effect immediately.