STATE OF NEW YORK

4526

2019-2020 Regular Sessions

IN ASSEMBLY

February 4, 2019

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

AN ACT to amend the education law, in relation to limiting the contingency budget of a school district

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

Section 1. Paragraph a of subdivision 4 of section 2023 of the education law, as amended by section 3 of part A of chapter 97 of the laws of 2011, is amended to read as follows:

a. The contingency budget shall not result in **the lesser of (i)** a tax levy greater than the tax levied for the prior school year**; or (ii) the dollar amount of the lowest, proposed, defeated budget for the applicable school year. For the purposes of this paragraph, the same types of expenditures excluded from the calculation of total spending for the proposed budget shall be excluded when calculating the total spending in the contingency budget**.

§ 2. Paragraph a of subdivision 4 of section 2023 of the education law, as amended by section 24 of part A of chapter 436 of the laws of 1997, is amended to read as follows:

a. The contingency budget shall not result in a percentage increase in total spending over the district's total spending under the school district budget for the prior school year that exceeds the lesser of: (i) the result obtained when one hundred twenty percent is multiplied by the percentage increase in the consumer price index, with the result rounded to two decimal places; [~~or~~] (ii) four percent**; or (iii) the dollar amount of the lowest, proposed, defeated budget for the applicable school year. For the purposes of this paragraph, the same types of expenditures excluded from the calculation of total spending for the proposed budget shall be excluded when calculating the total spending in the contingency budget**.

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

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§ 3. This act shall take effect on the first of May next succeeding the date on which it shall have become a law; provided that the amendments to section 2023 of the education law, made by section one of this act, shall not affect the expiration of such section and shall expire therewith, when upon such date the provisions of section two of this act shall take effect.