

# STATE OF NEW YORK

---

5371

2019-2020 Regular Sessions

## IN ASSEMBLY

February 11, 2019

---

Introduced by M. of A. FITZPATRICK, MONTESANO, GIGLIO -- Multi-Sponsored  
by -- M. of A. MANKTELOW -- read once and referred to the Committee on  
Education

AN ACT to amend the education law, in relation to school district state  
aid eligibility

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

1 Section 1. Section 3604 of the education law is amended by adding a  
2 new subdivision 8-a to read as follows:

3 8-a. No school district shall be eligible to receive the full appor-  
4 tionment of state aid to which it is entitled under other provisions of  
5 this chapter if evidence is found by the state comptroller when an audit  
6 is conducted and such audit finds that a district has inappropriate  
7 excess of their unexpended surplus funds and such school district did  
8 not reduce the school tax levy in a proportion equal to the excess of  
9 four percent of the current year school budget as required under section  
10 thirteen hundred eighteen of the real property tax law, commencing with  
11 the two thousand eighteen-two thousand nineteen school year. The commis-  
12 sioner shall withhold from the full apportionment of such state aid an  
13 amount equal to the excess of four percent in such unexpended surplus  
14 funds of the current year school budget.

15 § 2. This act shall take effect immediately.

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

LBD05719-01-9