

STATE OF NEW YORK

1388

2019-2020 Regular Sessions

IN SENATE

January 14, 2019

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

AN ACT to amend chapter 57 of the laws of 2012 enacting into law major components of legislation necessary to implement the education, labor and family assistance budget, in relation to legalizing, validating, ratifying and confirming certain actions or omissions relating to certain transportation contracts

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

1 Section 1. Subdivisions 1 and 2 of section 16-a of part A of chapter
2 57 of the laws of 2012, enacting into law major components of legis-
3 lation necessary to implement the education, labor and family assistance
4 budget, are amended to read as follows:
5 1. Notwithstanding any other provision of law to the contrary, where
6 the education department denies or has denied transportation aid for a
7 school district transportation contract or has recovered overpayments of
8 such aid relating thereto, the actions or omissions of all officers,
9 employees or agents of an eligible school district relating to or in
10 connection with transportation contracts for the 2004-05 school year
11 through the [~~2011-12~~] 2017-18 school year and for contracts and contract
12 extensions entered into prior to the [~~2004-05~~] 2017-18 school year for
13 which expenses were incurred in the 2004-05 school year or thereafter,
14 and, where a district can demonstrate to the satisfaction of the commis-
15 sioner of education that such actions or omissions involve only inad-
16 vertent and minor clerical or technical errors, all acts incidental
17 thereto are hereby legalized, validated, ratified and confirmed,
18 notwithstanding any failure to comply with the filing provisions of the
19 education law, the general municipal law or any other law, rule or regu-
20 lation other than those filing provisions defined in paragraph a of
21 subdivision 5 of section 3604 of the education law, in relation to any

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

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1 omission, error, defect, irregularity or illegality in such proceeding
2 had and taken.

3 2. The education department is hereby directed to consider the
4 contracts legalized, ratified, validated and confirmed pursuant to
5 subdivision 1 of this section for transportation aid as a valid and
6 proper obligation of the school district for aid payable for expense
7 incurred in the 2004-05 school year and thereafter; provided that such
8 school district submits to the education department the applicable
9 contract number or numbers, school year and upon request, a copy of the
10 contract, on or before December 31, [~~2012~~] 2018 and the contract is
11 approved by the commissioner of education, and provided further that any
12 amount due and payable for school years prior to the [~~2012-13~~] 2017-18
13 school year as a result of this act shall be paid pursuant to the
14 provisions of paragraph c of subdivision 5 of section 3604 of the educa-
15 tion law.

16 § 2. This act shall take effect immediately.