STATE OF NEW YORK

1742

2019-2020 Regular Sessions

IN SENATE

January 16, 2019

Introduced by Sen. JACOBS -- 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 apportionment for certain school districts for lower allowable transportation expenses

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

Section 1. Subdivision 7 of section 3602 of the education law is amended by adding a new paragraph f to read as follows:

f. In addition to any other apportionment under this subdivision, for the two thousand twenty-one--two thousand twenty-two school year and thereafter, a school district other than a city school district in a city having a population of one million or more inhabitants shall be eligible for an incentive apportionment where such district can demonstrate to the commissioner cost savings and efficiencies that results in a lower allowable transportation expense for the base year compared to the year prior to the base year; provided, however, that such school district meets the requirements set forth in subparagraph three of this paragraph.

(1) The amount of such incentive apportionment under this paragraph shall be equal to the product of:

(i) the positive difference in such district's allowable transportation expense for the year prior to the base year minus such district's allowable transportation expense for the base year; and

(ii) ten percent.

(2) The commissioner shall be authorized to approve a claim for an incentive apportionment under this paragraph provided a school district claiming an incentive apportionment shall have implemented an approved transportation efficiency plan and documented such cost savings and efficiencies in accordance with guidelines established by the commissioner. If the total statewide incentive apportionment claimed under this paragraph exceeds three million dollars ($3,000,000), individual

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

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school district incentive apportionments shall be prorated to ensure that the total statewide incentive apportionment does not exceed three million dollars ($3,000,000), provided that such prorated apportionment computed and payable as of September one of the school year immediately following the school year for which such aid is claimed shall be deemed final and not subject to change.

(3) To be eligible for the incentive apportionment under this paragraph:

(i) such district must be an independent school district that is subject to the provisions of section two thousand twenty-three-a of this chapter and that has adopted a budget that does not exceed the tax levy limit prescribed by that section. The school district must certify its compliance with such tax levy limit in the manner prescribed by subdivision two of section two thousand twenty-three-b of this chapter;

(ii) such district must be a dependent school district that is subject to the provisions of section three-c of the general municipal law and that has adopted a budget that does not exceed the tax levy limit prescribed by that section. The city must certify its compliance with such tax levy limit in the manner prescribed by subdivision two of section three-d of the general municipal law; and

(iii) such district must have a transportation efficiency plan approved by the commissioner.

§ 2. This act shall take effect immediately.