

# STATE OF NEW YORK

10653

## IN ASSEMBLY

August 12, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Simon) --  
read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to school districts evaluating capital improvement projects for such school district in the state

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

1 Section 1. Paragraphs (e) and (f) of subdivision 2 of section 409-d of  
2 the education law, as added by section 1 of part B of chapter 56 of the  
3 laws of 1998, are amended to read as follows:

4 (e) establish a process for monitoring all school buildings; [~~and~~]

5 (f) require each school district to evaluate the capital needs of such  
6 school district for:

7 (i) the presence and/or emission of greenhouse gases or other toxins  
8 impacts and for compliance with the New York state climate leadership  
9 and community protection act and final climate action plan pursuant to  
10 article seventy-five of the environmental conservation law;

11 (ii) upgrading heating, ventilation or air conditioning to be more  
12 energy efficient, including, but not limited to upgrading to an active  
13 solar heating system or geothermal heat pump system. For purposes of  
14 this section, "active solar heating" means a heating system that uses  
15 solar energy to heat a fluid, either liquid or air, and then uses such  
16 solar heated fluid to directly heat an interior space or stores it for  
17 later use;

18 (iii) installing solar panels or other sources of alternative energy;

19 (iv) improving broadband accessibility and reliability;

20 (v) upgrading technology so that it is more resistant to security  
21 risks;

22 (vi) structural improvements, including, but not limited to windows,  
23 roofs, foundations and walls;

24 (vii) purchasing hybrid or electric school buses; and

25 (viii) upgrading plumbing and electrical systems; and

26 (g) provide for waivers of the requirements of this section and/or  
27 section four hundred nine-e of this article for districts whose school  
28 building safety inspection procedures in existence on the effective date  
29 of this section are in substantial compliance with such requirements.

30 § 2. This act shall take effect immediately.

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

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