STATE OF NEW YORK

S. 5173 A. 5805

2021-2022 Regular Sessions

SENATE - ASSEMBLY

February 25, 2021

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

IN ASSEMBLY -- Introduced by M. of A. THIELE -- Multi-Sponsored by -- M. of A. MONTESANO -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to certain tuition payments by school districts for general education and special students residing in such school districts

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

Section 1. Subparagraphs (iii) and (iv) of paragraph i of subdivision 2 of section 2023-a of the education law, as added by section 2 of part A of chapter 97 of the laws of 2011, are amended and a new paragraph (v) is added to read as follows:

(iii) in years in which the normal contribution rate of the New York state teachers' retirement system, as defined by paragraph a of subdivision two of section five hundred seventeen of this chapter, increases by more than two percentage points from the previous year, a tax levy necessary for expenditures for the coming fiscal year for school district employer contributions to the New York state teachers' retirement system caused by growth in the normal contribution rate minus two percentage points; [~~and~~]

(iv) a capital tax levy[~~.~~]**; and**

(v) a tax levy necessary for expenditures for the coming fiscal school year for a school district which makes payments to one or more school districts to pay for tuition for general education and special students residing in such school district.

§ 2. This act shall take effect immediately and shall first apply to school district budgets and the budget adoption process for the 2021-2022 school year; and shall continue to apply to school district budgets and the budget adoption process for any school year beginning in any calendar year during which this act is in effect.

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

LBD05714-01-1