

# STATE OF NEW YORK

4243--A

2021-2022 Regular Sessions

## IN SENATE

February 3, 2021

Introduced by Sens. GAUGHRAN, KAMINSKY, COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing the Long Island power plant tax assessment challenge reserve fund

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

1 Section 1. The education law is amended by adding a new section 3654  
2 to read as follows:

3 § 3654. Long Island power plant tax assessment challenge reserve fund.  
4 1. Definitions. As used in this section:

5 (a) "Board of education" or "board" shall mean the board of education  
6 of the Northport-East Northport union free school district, the North  
7 Shore central school district, the Oceanside union free school district,  
8 or the Island Park union free school district.

9 (b) "Long Island power plant tax assessment challenge reserve fund"  
10 or "fund" shall mean the Long Island power plant tax assessment chal-  
11 lenge reserve fund established pursuant to this section; and

12 (c) "School district" or "district" shall mean the Northport-East  
13 Northport union free school district, the North Shore central school  
14 district, the Oceanside union free school district, or the Island Park  
15 union free school district.

16 2. The board of education is hereby authorized to establish a Long  
17 Island power plant tax assessment challenge reserve fund to reserve  
18 against, or lessen or prevent increases in the school district's real  
19 property tax levy and/or tax rate resulting from decreases in revenue or  
20 taxes or a significant shift in tax liability due to a tax certiorari  
21 settlement or judgment provided, however, that no such fund shall be  
22 established unless approved by a majority vote of the voters present and  
23 voting on a separate ballot proposition therefor at either a special

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

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1 district meeting which the board of education may call for such purpose  
2 or at the annual district meeting and election, to be noticed and  
3 conducted in either case in accordance with article forty-one of this  
4 chapter. Such separate proposition shall set forth the maximum allowable  
5 balance to be deposited and held in the Long Island power plant tax  
6 assessment challenge reserve fund. Moneys shall be paid into and with-  
7 drawn from the fund and the fund shall be administered as follows:

8 (a) The board of education is hereby authorized to receive payments  
9 into its Long Island power plant tax assessment challenge reserve fund  
10 from any available funds or sources of revenue, including any surplus  
11 from an existing reserve fund.

12 (b) Moneys may be withdrawn from the Long Island power plant tax  
13 assessment challenge reserve fund by resolution of the board for any  
14 fiscal year, to be expended for any lawful purpose, to lessen or  
15 prevent increases in the district's tax levy. Withdrawals from the fund  
16 shall be disclosed in a manner consistent with the required  
17 disclosures of similar reserve funds held by the district, including  
18 disclosures required by the property tax report card prepared by the  
19 district pursuant to the provisions of subdivision seven of  
20 section seventeen hundred sixteen of this chapter.

21 § 2. This act shall take effect immediately.