STATE OF NEW YORK

3411

2021-2022 Regular Sessions

IN ASSEMBLY

January 26, 2021

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to prior year claims due to school districts

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

Section 1. Paragraph c of subdivision 5 of section 3604 of the education law, as added by chapter 82 of the laws of 1995, is amended to read as follows:

c. Payment of moneys due for prior years. **(i)** State aid payments due for prior years in accordance with the provisions of this subdivision shall be paid within the limit of the appropriation designated therefor provided, however, that each eligible claim shall be payable in the order that it has been approved for payment by the commissioner, but in no case shall a single claim draw down more than forty percent of the appropriation so designated for a single year, and provided further that no claim shall be set aside for insufficiency of funds to make a complete payment, but shall be eligible for a partial payment in one year and shall retain its priority date status for appropriations designated for such purposes in future years.

(ii) Notwithstanding subparagraph (i) of this paragraph, all funds obtained as the result of any settlement with the office of the attorney general shall be applied to payment of money due to school districts for prior years after the distribution of funds necessary to fulfill the obligations of the office of the attorney general, but before any remaining funds shall be apportioned to the general fund.

§ 2. This act shall take effect immediately.

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

LBD00389-01-1