STATE OF NEW YORK

9078--A

IN ASSEMBLY

January 31, 2022

Introduced by M. of A. THIELE -- read once and referred 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 authorizing certain school districts to establish excess tuition reserve funds

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

Section 1. Section 3651 of the education law is amended by adding a new subdivision 1-c to read as follows:

1-c. Notwithstanding the provisions of subdivision one of this section, in any school district that contracts with another school district for the education of some of their students for general education or special education purposes, the board of education of such school district may establish a reserve for excess tuition payments caused by: (a) increases in number of tuition paying students from the previous fiscal year; or (b) increases in the amount of tuition payments charged per student from the previous fiscal year, in order to stabilize the school district property tax levy, without approval of the qualified voters of the school district. The amount of such reserve shall not exceed the average annual amount expended for such purposes over the three previous completed fiscal years. This subdivision shall only apply to school districts with an enrollment of fifteen hundred students or less where the total cost of tuition payments to other school districts is one million dollars or more.

§ 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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