

# STATE OF NEW YORK

3311--A

2021-2022 Regular Sessions

## IN SENATE

January 28, 2021

Introduced by Sen. GALLIVAN -- 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 excluding expenditures for school resource officers employed by a municipality and assigned to a school district from tax levy limitations

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

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

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

13 (iv) a capital tax levy[~~-~~]; and

14 (v) a tax levy necessary for expenditures to pay for a school resource  
15 officer that is currently employed by a municipality and assigned to the  
16 school district provided that the school district is in compliance with  
17 section thirteen hundred eighteen of the real property tax law.

18 § 2. Paragraph (a) of subdivision 6 of section 2023-a of the education  
19 law, as added by section 2 of part A of chapter 97 of the laws of 2011,  
20 is amended to read as follows:

21 (a) Notwithstanding any other provision of law to the contrary, in the  
22 event the trustee, trustees or board of education of a school district

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

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1 that is subject to the provisions of this section proposes a budget that  
2 will require a tax levy that exceeds the tax levy limit for the corre-  
3 sponding school year, not including any levy necessary to support the  
4 expenditures pursuant to subparagraphs (i) through [~~(iv)~~] (v) of para-  
5 graph i of subdivision two of this section, then such budget shall be  
6 approved if sixty percent of the votes cast thereon are in the affirma-  
7 tive.

8 § 3. Section 2 of the education law is amended by adding a new subdi-  
9 vision 25 to read as follows:

10 25. "School resource officer" shall be defined as a police officer or  
11 peace officer who serves in a role as security personnel for a school  
12 district.

13 § 4. This act shall take effect immediately.