

STATE OF NEW YORK

4963--A

Cal. No. 1016

2021-2022 Regular Sessions

IN SENATE

February 19, 2021

Introduced by Sen. REICHLIN-MELNICK -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT relating to validating certain acts by the Pearl River union free school district relating to final building cost reports required to be filed with the state education department

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

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 all acts done and proceedings heretofore had and taken, or caused to be
3 had or taken, by the Pearl River union free school district and by any
4 of its officers or agents relating to or in connection with final build-
5 ing cost reports required to be filed with the state education depart-
6 ment for approved building projects completed prior to December 31,
7 2017, including, but not limited to contracts 0002-008, 0002-009, 0003-
8 010, 0009-014, 0009-015, 0010-007, 0010-008, 0011-012, 0011-014, and all
9 acts incidental thereto are hereby legalized, validated, ratified and
10 confirmed, notwithstanding any failure to comply with the time require-
11 ments for the approval and filing provisions of the education law or any
12 other provision of law, rule or regulation, relating to any omissions,
13 error, defect, irregularity or illegality in such proceedings had and
14 taken.

15 § 2. Notwithstanding section 24-a of part A of chapter 57 of the laws
16 of 2013, and consistent with section one of this act, the commissioner
17 of education shall not recover from the Pearl River union free school
18 district any penalty arising from the late filing of a final cost report
19 pursuant to section 31 of part A of chapter 57 of the laws of 2012,
20 provided that any amounts already so recovered shall be deemed a payment

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

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1 of moneys due for prior years pursuant to paragraph c of subdivision 5
2 of section 3604 of the education law and shall be paid to the Pearl
3 River union free school district pursuant to such provision, provided
4 that such school district:

5 (a) submitted the late or missing final building cost report to the
6 commissioner of education;

7 (b) such cost report is approved by the commissioner of education;

8 (c) all state funds expended by the school district, as documented in
9 such cost report, were properly expended for such building project in
10 accordance with the terms and conditions for such project as approved by
11 the commissioner of education; and

12 (d) the failure to submit such report in a timely manner was an inad-
13 vertent administrative or ministerial oversight by the school district,
14 and there is no evidence of any fraudulent or other improper intent by
15 such district.

16 § 3. This act shall take effect immediately.