STATE OF NEW YORK

1390

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. PAULIN, BUTTENSCHON, CRUZ, GUNTHER, JACOBSON, DARLING, SAYEGH, STIRPE, ZEBROWSKI, DeSTEFANO, McDONOUGH, TAGUE, STECK, JEAN-PIERRE, DURSO -- Multi-Sponsored by -- M. of A. BARCLAY, EPSTEIN, MANKTELOW, MIKULIN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the location of the annual school district elections

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

Section 1. Section 2002 of the education law, as amended by chapter 801 of the laws of 1953, subdivision 1 as amended by section 5 of part C of chapter 58 of the laws of 1998, is amended to read as follows:

§ 2002. Time and place of annual meeting. 1. The annual meeting and election of each school district shall be held on the third Tuesday of May in each year, provided, however that such annual meeting and election shall be held on the second Tuesday in May if the commissioner at the request of a local school board certifies no later than March first that such election would conflict with religious observances. Unless the hour and place thereof shall have been fixed by a vote of a previous district meeting, the same shall be held in the schoolhouse*, or any building owned or leased by the district,* at seven-thirty [~~o'clock in the evening~~] *p.m.* in the case of a school district that is not divided into election districts and conducts its election or vote by recording the ayes or noes of the qualified voters attending, or, in the case of all other districts, during at least six consecutive hours after six a.m., two of which hours shall be after six p.m. as determined by resolution of the trustees or board of education, provided, however, that the trustees or board of education of any school district that conducted its annual meeting at seven-thirty p.m. in nineteen hundred ninety-seven may conduct its annual election and budget vote at such time in nineteen hundred ninety-eight. If a district possesses more than

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

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one schoolhouse **or building, or leases more than one building**, it shall be held in the one usually employed for that purpose, unless the trustees or board of education designate another, provided that if the school district is divided into election districts such annual meeting and election shall be held at such place in each election district as the board of education may designate. If the district possesses no schoolhouse **or building, or does not lease a building**, or if the schoolhouse **or building** shall not be accessible or adequate, then the annual meeting and election shall be held at such place as the trustees or board of education, or the clerk, shall designate in the notice.

2. The use of any building owned or leased by a school district, as described in subdivision one of this section, shall comply with the accessibility provisions set out in subdivisions one-a and one-b of section 4-104 of the election law.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.