STATE OF NEW YORK

9067

IN ASSEMBLY

February 6, 2024

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

AN ACT to amend the education law, in relation to creating a transportation subsidy to increase access to water safety instruction

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

Section 1. The education law is amended by adding a new section 3641-c to read as follows:

§ 3641-c. After school transportation subsidy for private instruction in water safety. 1. The department shall make available, and eligible public schools in the state shall provide, an optional subsidy to fund transportation for students to attend a qualified swimming and water safety instruction course at a qualified private facility. The qualifications of such course and facility shall be defined by the commissioner, in consultation with the department of health, in regulations.

2. Students attending a public school within the state shall be eligible to enroll into the transportation subsidy provided that:

(a) within a city of one million or more, there are no more than ten qualified facilities providing a qualified course within a radius of two-and-one-half miles of such public school; or

(b) outside a city of one million or more, there are no more than ten qualified facilities providing a qualified course within a radius of five miles of such public school.

3. All students in grades kindergarten through twelve at an eligible public school may opt into the transportation subsidy upon displaying proof of such student's enrollment in an eligible instruction program at an eligible facility.

4. The department shall promulgate regulations to determine:

(a) which forms of transportation may be funded by such subsidy on a local basis, including but not limited to school buses or public transit;

(b) on what basis separate transportation for a parent may be eligible for the subsidy; and

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

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(c) in what form subsidy allotments are to be distributed to enrolled students.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.