

STATE OF NEW YORK

4992

2023-2024 Regular Sessions

IN SENATE

February 21, 2023

Introduced by Sen. OBERACKER -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to providing for security hardware and software safety technology

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

1 Section 1. Paragraph c of subdivision 2 of section 753 of the educa-
2 tion law, as added by section 7-a of part B of chapter 57 of the laws of
3 2007, is amended to read as follows:

4 c. "Technology equipment", for the purposes of this article, shall
5 mean (1) equipment with a useful life used in conjunction with or in
6 support of educational programs including but not limited to video,
7 solar energy, robotic, satellite, laser and such other equipment as the
8 commissioner shall approve or, (2) security and safety hardware technol-
9 ogy provided that expenses for the purchase or lease of such equipment
10 shall not be eligible for aid under any other provisions of this chap-
11 ter.

12 § 2. Subdivisions 1 and 2 of section 751 of the education law, subdivi-
13 sion 1 as added by chapter 53 of the laws of 1984 and subdivision 2 as
14 amended by section 3 of part A-1 of chapter 58 of the laws of 2011, are
15 amended to read as follows:

16 1. In the several cities and school districts of the state, boards of
17 education, trustees or such body or officers as perform the functions of
18 such boards, shall designate software programs to be used in conjunction
19 with computers of the school district or in conjunction with security
20 and safety technology platforms.

21 2. A software program, for the purposes of this article shall mean (a)
22 a computer program which a pupil is required to use as a learning aid in
23 a particular class in the school the pupil legally attends, or (b) for
24 expenses incurred after July first, two thousand nine, any content-based
25 instructional materials in an electronic format that are aligned with

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

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1 state standards which are accessed or delivered through the internet
2 based on a subscription model. Such electronic format materials may
3 include a variety of media assets and learning tools, including video,
4 audio, images, teacher guides, and student access capabilities as such
5 terms are defined in the regulations of the commissioner. For expenses
6 incurred on or after July first, two thousand eleven, a software program
7 shall also mean security and safety software technology including items
8 of expenditure that are eligible for an apportionment pursuant to
9 sections seven hundred one, seven hundred eleven and/or seven hundred
10 fifty-three of this title, where such items are designated by the school
11 district as eligible for aid pursuant to this section, provided, howev-
12 er, that if aided pursuant to this section, such expenses shall not be
13 aidable pursuant to any other section of law.

14 § 3. Subdivision 6-c of section 3602 of the education law, as amended
15 by chapter 1 of the laws of 2013, paragraph b as amended by section 11
16 of part CCC of chapter 59 of the laws of 2018, is amended to read as
17 follows:

18 6-c. a. Building aid for metal detectors, security hardware and soft-
19 ware safety technology and safety devices for electrically operated
20 partitions, room dividers and doors. In addition to the apportionments
21 payable to a school district pursuant to subdivision six of this
22 section, the commissioner is hereby authorized to apportion to any
23 school district additional building aid pursuant to this subdivision for
24 its approved expenditures in the base year for the purchase of station-
25 ary metal detectors, security cameras, security hardware and software
26 safety technology and safety devices for electrically operated parti-
27 tions and room dividers required pursuant to section four hundred nine-f
28 of this chapter, or other security devices approved by the commissioner
29 that increase the safety of students and school personnel, provided,
30 however, that funds apportioned to school districts pursuant to this
31 section shall not supplant funds for existing district expenditures or
32 for existing contractual obligations of the district for stationary
33 metal detectors, security cameras, security hardware and software safety
34 technology and partition and room divider safety devices, or security
35 devices. Portable or hand held metal detectors shall not be eligible
36 for aid pursuant to this subdivision. Such additional aid shall equal
37 the product of the building aid ratio computed for use in the current
38 year pursuant to paragraph c of subdivision six of this section and the
39 actual approved expenditures incurred in the base year pursuant to this
40 subdivision, provided that the limitations on cost allowances prescribed
41 by paragraph a of subdivision six of this section shall not apply. The
42 commissioner shall annually prescribe a special cost allowance for metal
43 detectors, and security cameras, and the approved expenditures shall not
44 exceed such cost allowance. The commissioner shall annually prescribe a
45 special cost allowance for partition and room divider safety devices,
46 and the approved expenditures shall not exceed such cost allowance.

47 b. For projects approved by the commissioner authorized to receive
48 additional building aid pursuant to this subdivision for the purchase of
49 stationary metal detectors, security cameras or other security devices
50 approved by the commissioner that increase the safety of students and
51 school personnel, provided that for purposes of this paragraph such
52 other security devices shall be limited to electronic security systems
53 and hardened doors, and provided that for projects approved by the
54 commissioner on or after the first day of July two thousand thirteen and
55 ~~[before the first day of July two thousand twenty-three]~~ every year
56 thereafter such additional aid shall equal the product of (i) the build-

1 ing aid ratio computed for use in the current year pursuant to paragraph
2 c of subdivision six of this section plus ten percentage points, except
3 that in no case shall this amount exceed one hundred percent, and (ii)
4 the actual approved expenditures incurred in the base year pursuant to
5 this subdivision, provided that the limitations on cost allowances
6 prescribed by paragraph a of subdivision six of this section shall not
7 apply, and provided further that any projects aided under this paragraph
8 must be included in a district's school safety plan. The commissioner
9 shall annually prescribe a special cost allowance for metal detectors,
10 and security cameras, and the approved expenditures shall not exceed
11 such cost allowance.
12 § 4. This act shall take effect immediately.