STATE OF NEW YORK

2254

2023-2024 Regular Sessions

IN ASSEMBLY

January 25, 2023

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

AN ACT to amend the education law, in relation to school districts evaluating capital improvement projects for such school district in the state

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

Section 1. Paragraphs (e) and (f) of subdivision 2 of section 409-d of the education law, as added by section 1 of part B of chapter 56 of the laws of 1998, are amended to read as follows:

(e) establish a process for monitoring all school buildings; [~~and~~]

(f) **require each school district to evaluate the capital needs of such school district for:**

(i) the presence and/or emission of greenhouse gases or other toxins impacts and for compliance with the New York state climate leadership and community protection act and final climate action plan pursuant to article seventy-five of the environmental conservation law;

(ii) upgrading heating, ventilation or air conditioning to be more energy efficient, including, but not limited to upgrading to an active solar heating system or geothermal heat pump system. For purposes of this section, "active solar heating" means a heating system that uses solar energy to heat a fluid, either liquid or air, and then uses such solar heated fluid to directly heat an interior space or stores it for later use;

(iii) installing solar panels or other sources of alternative energy;

(iv) improving broadband accessibility and reliability;

(v) upgrading technology so that it is more resistant to security risks;

(vi) structural improvements, including, but not limited to windows, roofs, foundations and walls;

(vii) purchasing hybrid or electric school buses; and

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

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(viii) upgrading plumbing and electrical systems; and

(g) provide for waivers of the requirements of this section and/or section four hundred nine-e of this article for districts whose school building safety inspection procedures in existence on the effective date of this section are in substantial compliance with such requirements.

§ 2. This act shall take effect immediately.