STATE OF NEW YORK

6201

2023-2024 Regular Sessions

IN ASSEMBLY

April 3, 2023

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

AN ACT to amend the education law, in relation to reimbursement of school districts for expenditures resulting from certain civil action settlements or jury awards

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

Section 1. Subparagraphs (iii) and (iv) of paragraph i of subdivision 2 of section 2023-a of the education law, as added by section 2 of part A of chapter 97 of the laws of 2011, are amended to read as follows:

(iii) in years in which the normal contribution rate of the New York state teachers' retirement system, as defined by paragraph a of subdivision two of section five hundred seventeen of this chapter, increases by more than two percentage points from the previous year, a tax levy necessary for expenditures for the coming fiscal year for school district employer contributions to the New York state teachers' retirement system caused by growth in the normal contribution rate minus two percentage points; [~~and~~]

(iv) a capital tax levy**; and**

(v) a tax levy necessary for expenditures resulting from civil action settlements or jury awards made pursuant to section two hundred fourteen-g of the civil practice law and rules for any amount that exceeds five percent of the total tax levied in the prior school year.

§ 2. The education law is amended by adding a new section 3615 to read as follows:

§ 3615. Reimbursement to school districts for civil action settlements or jury awards. 1. Notwithstanding any provision of law to the contrary, subject to available appropriation, the commissioner shall reimburse school districts for expenditures made to pay for civil settlements or jury awards related to section two hundred fourteen-g of the civil prac-

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

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tice law and rules. Such payments to school districts shall only be made when:

a. it can be demonstrated that no insurance policy for the covered period can be located, or such settlement or jury award exceeds the policy limit of the established insurance policy;

b. there was a monetary judgment issued or settlement agreement with regard to such settlement or jury award; and

c. it can be demonstrated that the settlement or jury award would put a substantial financial burden on the school district.

2. Each school district shall report to the commissioner annually, by a date to be established by the commissioner, the amount of expenditures made by the district that are directly related to settlements or jury awards made pursuant to section two hundred fourteen-g of the civil practice law and rules.

3. The commissioner shall report to the governor and the legislature, by August first of each year, on the administration and funding of the reimbursement program.

§ 3. This act shall take effect immediately.