

# STATE OF NEW YORK

4437

2023-2024 Regular Sessions

## IN SENATE

February 8, 2023

Introduced by Sen. FERNANDEZ -- 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 the apportionment of moneys for capital outlays and debt service for school building purposes

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

1 Section 1. This act shall be known and may be cited as the "rebuild  
2 our schools act".

3 § 2. Subparagraph 2 of paragraph c of subdivision 6 of section 3602 of  
4 the education law is amended by adding a new clause (d) to read as  
5 follows:

6 (d) For aid payable in the school years two thousand twenty-three--two  
7 thousand twenty-four and thereafter for school building projects to  
8 remedy capacity shortages of high-need school districts, as defined  
9 pursuant to regulations of the commissioner in clause (c) of this  
10 subparagraph and are located in a county with a population of more than  
11 nine hundred forty thousand and less than one million inhabitants  
12 according to the two thousand ten federal census, as approved by the  
13 voters of such school district or by such board of education of a city  
14 school district in a city with more than one hundred twenty-five thou-  
15 sand inhabitants, on or after July first, two thousand twenty-one, may  
16 compute aid under the provisions of this subdivision using the high-need  
17 secondary supplemental building aid ratio, which shall be the lesser of:  
18 (A) the product, computed to three decimals without rounding, of the  
19 greater of the building aid ratios computed pursuant to subclauses (i),  
20 (ii) and (iii) of clause (b) of this subparagraph multiplied by ten  
21 percent; or (B) the positive remainder of ninety-eight one-hundredths  
22 less the greater of the building aid ratios computed pursuant to  
23 subclauses (i), (ii) and (iii) of clause (b) of this subparagraph.  
24 School building projects eligible for aid pursuant to this clause shall

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

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- 1 include projects to address capacity shortages of at least ten percent
- 2 of the calculated capacity of the district or at least ten percent of
- 3 the calculated capacity of elementary or secondary schools of the
- 4 district, as determined by the commissioner.
- 5 § 3. This act shall take effect immediately.