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:

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

c. "Technology equipment", for the purposes of this article, shall mean **(1)** equipment with a useful life used in conjunction with or in support of educational programs including but not limited to video, solar energy, robotic, satellite, laser and such other equipment as the commissioner shall approve **or, (2) security and safety hardware technology** provided that expenses for the purchase or lease of such equipment shall not be eligible for aid under any other provisions of this chapter.

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

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

2. A software program, for the purposes of this article shall mean (a) a computer program which a pupil is required to use as a learning aid in a particular class in the school the pupil legally attends, or (b) for expenses incurred after July first, two thousand nine, any content-based 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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state standards which are accessed or delivered through the internet based on a subscription model. Such electronic format materials may include a variety of media assets and learning tools, including video, audio, images, teacher guides, and student access capabilities as such terms are defined in the regulations of the commissioner. For expenses incurred on or after July first, two thousand eleven, a software program shall also mean **security and safety software technology including** items of expenditure that are eligible for an apportionment pursuant to sections seven hundred one, seven hundred eleven and/or seven hundred fifty-three of this title, where such items are designated by the school district as eligible for aid pursuant to this section, provided, however, that if aided pursuant to this section, such expenses shall not be aidable pursuant to any other section of law.

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

6-c. a. Building aid for metal detectors, **security hardware and software safety technology** and safety devices for electrically operated partitions, room dividers and doors. In addition to the apportionments payable to a school district pursuant to subdivision six of this section, the commissioner is hereby authorized to apportion to any school district additional building aid pursuant to this subdivision for its approved expenditures in the base year for the purchase of stationary metal detectors, security cameras, **security hardware and software safety technology and** safety devices for electrically operated partitions and room dividers required pursuant to section four hundred nine-f of this chapter, or other security devices approved by the commissioner that increase the safety of students and school personnel, provided, however, that funds apportioned to school districts pursuant to this section shall not supplant funds for existing district expenditures or for existing contractual obligations of the district for stationary metal detectors, security cameras, **security hardware and software safety technology and** partition and room divider safety devices, or security devices. Portable or hand held metal detectors shall not be eligible for aid pursuant to this subdivision. Such additional aid shall equal the product of the building aid ratio computed for use in the current year pursuant to paragraph c of subdivision six of this section and the actual approved expenditures incurred in the base year pursuant to this subdivision, provided that the limitations on cost allowances prescribed by paragraph a of subdivision six of this section shall not apply. The commissioner shall annually prescribe a special cost allowance for metal detectors, and security cameras, and the approved expenditures shall not exceed such cost allowance. The commissioner shall annually prescribe a special cost allowance for partition and room divider safety devices, and the approved expenditures shall not exceed such cost allowance.

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

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

§ 4. This act shall take effect immediately.