STATE OF NEW YORK

10468

IN ASSEMBLY

March 6, 2026

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

AN ACT to amend the education law, in relation to clarifying what buildings constitute an existing public school building for purposes of the location of charter schools

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

Section 1. Paragraph (a) of subdivision 3 of section 2853 of the education law, as amended by chapter 101 of the laws of 2010, is amended to read as follows:

(a) A charter school may be located in part of an existing public school building, in space provided on a private work site, in a public building or in any other suitable location. Provided, however, before a charter school may be located in part of an existing public school building, the charter entity shall provide notice to the parents or guardians of the students then enrolled in the existing school building and shall hold a public hearing for purposes of discussing the location of the charter school. A charter school may own, lease or rent its space. **For purposes of this subdivision, an existing public school building means a building that is currently occupied or is unoccupied but designated for potential public school use.**

§2. This act shall take effect immediately.

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

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