

# STATE OF NEW YORK

10499

## IN ASSEMBLY

March 6, 2026

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

AN ACT to amend the education law, in relation to establishing reserve funds for costs relating to special education

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

1 Section 1. Subdivision 3-a of section 3651 of the education law, as  
2 added by chapter 588 of the laws of 1988, is amended and a new subdivi-  
3 sion 1-c is added to read as follows:

4 1-c. Notwithstanding subdivision one of this section, any school  
5 district may establish a reserve fund for payment of unanticipated costs  
6 related to providing special education to students with disabilities,  
7 provided that the amount in such fund shall not exceed four percent of  
8 the district's current school year budget. Special education and  
9 students with disabilities shall have the same meaning as in subdivision  
10 one of section four thousand four hundred one of this chapter. Such  
11 reserve fund shall be established only by a majority vote of the quali-  
12 fied voters of the district.

13 3-a. Notwithstanding the provisions of subdivision three of this  
14 section, any school district which establishes a reserve fund in accord-  
15 ance with subdivision one-a or one-c of this section may make expendi-  
16 tures from such fund for the purposes specified in such subdivision  
17 without authorization of the voters.

18 § 2. This act shall take effect on the first of July next succeeding  
19 the date on which it shall have become a law.

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

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