

STATE OF NEW YORK

7385

2025-2026 Regular Sessions

IN ASSEMBLY

March 25, 2025

Introduced by M. of A. BRONSON, CLARK, MEEKS, LUNSFORD -- read once and referred to the Committee on Education

AN ACT to amend chapter 416 of the laws of 2007, establishing the city of Rochester and the board of education of the city school district of the city of Rochester school facilities modernization program act, in relation to granting further authority to the RJSCB to modernize educational facilities in the city of Rochester

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

1 Section 1. Sections 4 and 5 of chapter 416 of the laws of 2007, estab-
2 lishing the city of Rochester and the board of education of the city
3 school district of the city of Rochester school facilities modernization
4 program act, as amended by chapter 614 of the laws of 2021, is amended
5 to read as follows:

6 § 4. Project authorization. No more than: (a) 13 projects, up to a
7 total cost of three hundred twenty-five million dollars in phase one,
8 and (b) 26 projects, up to a total cost of four hundred thirty-five
9 million dollars in phase two, and (c) 12 projects, up to a total cost of
10 [~~four hundred seventy-five million dollars~~ six hundred million dollars
11 in phase three shall be authorized and undertaken pursuant to this act,
12 unless otherwise authorized by law.

13 § 5. Comprehensive school facilities modernization plan. The super-
14 intendent shall submit to the RJSCB a comprehensive draft plan recom-
15 mending and outlining the projects for phase two and phase three it
16 proposes to be undertaken pursuant to this act. The RJSCB shall consider
17 the plan in developing a comprehensive school facilities modernization
18 plan recommending and outlining the projects it proposes to be poten-
19 tially undertaken pursuant to this act. Such plan shall include: (a) an
20 estimate of total costs to be financed, proposed financing plan,
21 proposed method of financing, terms and conditions of the financing,
22 estimated financing costs, and, if city general obligation bonds or

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

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1 notes are not proposed as the method of financing, a comparison of
2 financing costs between such bonds or notes and the proposed method of
3 financing. Payment of debt service on bonds, notes or other obligations
4 issued to secure financing of not more than \$325,000,000 in phase one,
5 \$435,000,000 in phase two, and [~~\$475,000,000~~] \$600,000,000 in phase
6 three for projects undertaken pursuant to this act shall not be consid-
7 ered when determining the "city amount" required pursuant to subpara-
8 graph (ii) of paragraph a of subdivision 5-b of section 2576 of the
9 education law; provided, however, that this provision shall not other-
10 wise affect the determination of said "city amount" with respect to
11 funding unrelated to projects undertaken pursuant to this act. The plan
12 should also address what specific options would be used to ensure that
13 sufficient resources exist to cover the local share of any such project
14 cost on an annual basis; (b) information concerning the potential
15 persons to be involved in the financing and such person's role and
16 responsibilities; (c) estimates on the design, reconstruction and reha-
17 bilitation costs by project, any administrative costs for potential
18 projects, and an outline of the timeframe expected for completion of
19 each potential project; (d) a detailed description of the request for
20 proposals process and an outline of the criteria to be used for
21 selection of the program manager, the independent compliance officer and
22 all contractors; provided that the RJSCB may extend the contracts of the
23 providers of professional services for phase one or two upon the
24 adoption of findings that doing so would be in the public interest; the
25 contracts of the program manager and the independent compliance officer
26 for phase two will be rebid and the contracts of the program manager and
27 the independent compliance officer for phase three will be rebid, and
28 provided further that the program manager and the independent compliance
29 officer and any new or different providers of professional services
30 shall be engaged in compliance with the provisions of section eight of
31 this act; (e) any proposed amendments to the city school district's
32 five-year capital facilities plan submitted in accordance with subdivi-
33 sion 6 of section 3602 of the education law and the regulations of the
34 commissioner; and (f) a diversity plan to develop diversity goals,
35 including appropriate community input and public discussion, and develop
36 strategies that would create and coordinate any efforts to ensure a more
37 diverse workforce for the projects. The diversity plan should address
38 accountability for attainment of the diversity goals, what forms of
39 monitoring would be used, and how such information would be publicly
40 communicated.

41 Prior to the development of the comprehensive school facilities
42 modernization plan, the RJSCB and district shall hold as many public
43 hearings as may be necessary to ensure sufficient public input and allow
44 for significant public discussion on school building needs in such city,
45 with at least one hearing to be held in each neighborhood potentially
46 impacted by a proposed project.

47 All projects proposed in the comprehensive school facilities modern-
48 ization plan shall be included by the city school district as a special
49 section of the district's five-year capital facilities plan that is
50 required pursuant to subdivision 6 of section 3602 of the education law
51 and the regulations of the commissioner.

52 The RJSCB shall submit the components of such comprehensive plan
53 outlined in subdivision (a) of this section to the comptroller, along
54 with any other information requested by the comptroller, for [~~his or~~
55 ~~her~~] such comptroller's review and approval.

1 § 2. Subdivision (c) of section 21 of chapter 416 of the laws of 2007,
2 establishing the city of Rochester and the board of education of the
3 city school district of the city of Rochester school facilities modern-
4 ization program act, as added by chapter 614 of the laws of 2021, is
5 amended to read as follows:

6 (c) On or before June 30, [~~2031~~ 2033], or upon completion of the 12
7 projects authorized in phase three pursuant to this act, whichever shall
8 first occur, the RJSCB shall issue a report to the city, the city school
9 district, the governor, the commissioner, the comptroller, the temporary
10 president of the senate, the speaker of the assembly, the minority lead-
11 er of the senate, the minority leader of the assembly, the state board
12 of regents, and the chairs and ranking minority members of the New York
13 state senate and assembly committees on education, the finance committee
14 of the New York state senate, and the ways and means committee of the
15 New York state assembly. Such report shall identify the fiscal and peda-
16 gogical results of the projects undertaken pursuant to this act, along
17 with recommendations for its continuance, amendments, or discontinuance.

18 § 3. This act shall take effect immediately and shall apply to all
19 contracts entered into, renewed, modified or amended on or after such
20 effective date.