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informed...



LAMB & BARNOSKY, LLP
ATTORNEYS AT LAW

MEMORANDUM

TO: OUR SCHOOL DISTRICT CLIENTS

FROM: LAMB & BARNOSKY, LLP

RE: SUPER TUESDAY 2012

DATE: JANUARY 6, 2012

We are writing to share with you the following Budget Vote and School Board Election timeline that highlights the important dates in 2012.

MARCH 2012

- **March 1:** Deadline for submission to the State Comptroller, the Commissioner of Education and the Commissioner of Taxation and Finance of the District's **Tax Levy Limit** for the upcoming school year, together with the information necessary for its calculation
- **March 27-31:** Permissible dates for the **first publication** of the four legal notices [must publish four times during the seven weeks before the Vote, with the first publication occurring at least 45 days before the Vote]

APRIL 2012

- **April 16:** Deadline for submission of **Nominating Petitions** for School Board Candidates by 5:00 p.m. in the Office of the District Clerk [30 days before Vote] [April 25 for Small City School District – 20 days before Vote]

- April 16: Deadline to receive **Voter Propositions** [at least 30 days before the Vote]* (actual 30th day is Sunday, April 15 but NYS law provides that next regular business day should be used)**
- April 20: Last day for **Budget Adoption** (see below – based on the last day to submit the Property Tax Report Card)
- April 23** : Last day for submission to SED of the **Property Tax Report Card** - the Property Tax Report Card must be submitted to SED by the close of business the day after the Board adopts the Budget and the Property Tax Report Card, but no later than April 23 [24 days before the Vote]

MAY 2012

- May 1-8: Permissible dates for the **Public Hearing on the Budget** [7-14 days before the Vote]
- May 1-15: Dates during which copies of the **Budget must be made available** to Residents upon request [during the 14 days before the Vote and on the day of the Vote]
- May 1-10: Permissible Dates for last day of **Voter Registration** by District's Board of Registration [not more than 14 days nor less than 5 days before the Vote] [May 1 for Small City School Districts – not less than 2 weeks before the Vote]
- May 8: Deadline to receive **Absentee Ballot Application** if the ballot is to **be mailed** to the Voter [seven days before Vote] (see below – if ballot is to be issued in person to the Voter)
- May 9: Deadline to **mail Budget Notice** to all qualified Voters [any time after the Budget Hearing but no later than six days before the Vote]
- May 14: Deadline to receive **Absentee Ballot Application** if the ballot is to be issued **in person** to the Voter
- May 15: **Budget Vote and School Board Election**

If you have any questions regarding this area of law, need assistance in calculating specific dates or would like us to review your voting policies and/or procedures, please contact us.

THIS MEMORANDUM IS MEANT TO ASSIST IN THE GENERAL UNDERSTANDING OF THE CURRENT LAW. IT IS NOT TO BE REGARDED AS LEGAL ADVICE. THOSE WITH PARTICULAR QUESTIONS SHOULD SEEK THE ADVICE OF COUNSEL.

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* Notwithstanding the 30 day deadline, the Board may adopt a rule requiring other propositions to be submitted a "reasonable time" before the first publication of the legal notice so the proposition can be included in the published notice. The Commissioner found reasonable up to 90 days in advance of the vote.

**The New York State General Construction Law provides that, when a legal deadline falls on a Saturday, Sunday or public holiday, the deadline will be extended to the next succeeding business day.