



## Timeline—2023 Annual Budget Vote & School Board Election

Date	Action Required
February 15	Commissioner of Taxation and Finance shall calculate the tax base growth factor for school districts and notify those with a positive quantity change factor so they can include such information in their calculation of the tax levy limit for the coming school year.
March 1	School districts must submit any information necessary for the calculation of the tax levy limit to the State Comptroller, and the Commissioners of Education and Taxation and Finance.
March 28 – April 1	Districts must publish first of four legal notices of the budget vote and board election, (i.e. 4 times during the 7 weeks (49 days) preceding the date of the election, the first notice being published not later than 45 days before the election). (The 45 <sup>th</sup> day before the election falls on Saturday, April 1st. If newspaper(s) of general circulation will publish the first legal notice on Sat. April 1st this complies with the deadline. However, better practice probably would be to publish on or before Friday March 31, 2023, but not before Tues. March 28th -- the 49 <sup>th</sup> day before the election). Publication on Monday, April 3, 2023 probably also is permissible pursuant to Gen. Constr. Law §25-a <sup>1</sup> ).
April 17	<p>1. School board candidate nominating petitions due in the office of the district clerk by 5:00 p.m. 30 days before election. (Except in small cities) (30<sup>th</sup> day before election falls on Sunday, April 16th; therefore, Gen. Constr. Law controls and petitions are due on Monday, April 17th).</p> <p>2. Voter submitted petitions (for propositions other than those required to be included in the notice of annual meeting) must be submitted 30 days before the vote. (30<sup>th</sup> day before election falls on Sunday, April 16th; therefore, Gen. Constr. Law controls and petitions are due on Monday, April 17th).</p>
April 18	Districts, other than small cities, must determine the names of all candidates duly nominated and the propositions and referenda to be voted for on the ballot three days prior to the distribution of military ballots, which occurs no later than 25 days prior to the vote in districts other than small cities. <sup>2</sup>

<sup>1</sup> Pursuant to New York State General Construction Law section 25-a(1), when a legal deadline falls “on a Saturday, Sunday or a public holiday, such act may be done on the next succeeding business day and if the period ends at a specified hour, such act may be done at or before the same hour of such next succeeding business day.”

<sup>2</sup> This means that board of education must finalize their budget 28 days before the vote which is four days earlier than the deadline for reporting property tax report card information.

April 21	Districts, other than small cities, must distribute military ballots no later than 25 days before the vote.
April 24	Districts must transmit “property tax report card” to SED by the end of the next business day following its approval by the school board, but not later than the 24th day before the budget vote. (The 24th day before the Budget Vote falls on Saturday, April 22nd. Therefore, best practice would be to transmit the real property tax report card to SED by Friday, April 21, 2023. However, if a particular school board does not meet until April 21, 2023 to approve the property tax report card, then pursuant to the General Construction Law, the report card could be transmitted on Monday, April 24, 2022).
April 26	School board candidate nominating petitions due in small city school districts in office of district clerk by 5:00 p.m. (20 days before election).
April 25- May 2	Districts must complete budget 7 days before the public hearing <sup>3</sup> .
May 1	Small cities must determine the names of all candidates duly nominated and the propositions and referenda to be voted for on the ballot three days prior to the distribution of military ballots, which occurs 14 days prior to the vote in small cities. Seventeen days before the vote falls on Saturday April 29th, thus under General Construction Law the content of the military ballots may be determined on Monday, May 1st.
May 2	1. Last possible day for voter registration by school district board of registration in small city school districts (2 weeks before vote).  2. Small city districts must distribute military ballots no later than 14 days before the vote.
May 2-9	Board must hold a public hearing on the budget (7-14 days before vote).
May 2-16	Copies of the budget must be available to the residents upon request (during the 14 days before the vote and on day of vote).
May 2-11	Last possible day for voter registration by school district boards of registration (14-5 days before vote) (except in small city school districts -- see above).
May 10	Deadline for mailing “budget notice” (6 days before vote).
May 16	Annual Budget Vote and School Board Election

*Education Law §2022(7) requires a school district to post on its website the final annual budget and any multi-year financial plan adopted by the board of education.*

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<sup>3</sup> By necessity the board of education must approve the budget in order to set the ballot as required to send out the military ballots and prior to adopting the property tax report card. However, the board retains the ability to make adjustments to budgetary expenditures as long as it does not change the overall budget amount.

## Timeline—2023 Budget Revote

Date	Action Required
May 30- June 6	Budget must be completed at least seven days prior to the budget hearing at which it is to be presented.
June 6	Deadline for publication of the first of two required legal notices prior to budget re-vote.
June 13	Publication of second and final legal notice prior to budget re-vote.
June 6-13	Public hearing to present the budget 7-14 days prior to the re-vote
June 6-20	Copies of the budget, together with attachments required by law, must be made available, upon request, to district residents during the fourteen days immediately preceding the re-vote (as well as at the public hearing on the re-vote, and on the day of the re-vote). Moreover, if changes have been made to the budget that was defeated by the voters on the first vote, copies of the budget disseminated prior to a re-vote must incorporate such changes.
June 13- 19 <sup>4</sup>	Last possible day for voter registration by school district boards of registration (7-2 days before re-vote).
June 14	Deadline for mailing “budget notice” (6 days before re-vote).
June 20	UNIFORM BUDGET RE-VOTE DATE No district is compelled to hold a budget re-vote, but if it does, it must be held on the third Tuesday in June, unless the Commissioner of Education, at the request of the school district, certifies no later than March 1st that such vote would conflict with religious observances, in which case the revote must be held (if at all) on the second Tuesday in June.

*Note: A military voter who receives a military ballot for the annual meeting and election will automatically receive a military ballot if a budget revote is scheduled. School districts should consult with their attorneys regarding the deadlines for sending out military ballots for a revote.*

*Education Law §2022(7) requires a school district to post on its website the final annual budget and any multi-year financial plan adopted by the board of education.*

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<sup>4</sup> The law provides that the board of registration shall meet not more than seven days or less than two days preceding the election. Because the election is conducted on a Tuesday the last possible day for registration falls on a Sunday. School boards should consult with their school attorney as to whether the period of registration should be extended to the Monday immediately preceding the Tuesday vote pursuant to General Construction Law section 25-a.