

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education law sections 101, 207, 305 and 5001

Subdivision (c) of section 126.14 of the regulations of the Commissioner of Education is amended, effective March 22, 2016, as follows:

(c) Pursuant to section 5001(9) of the Education Law, any annual assessment fees submitted by the schools to the department after the due date shall be subject to an interest penalty. The commissioner shall calculate the amount of the interest penalty as follows:

(1) [For payments received] For each due date, payments made within [the first] 30 days [after the] following such due date [the interest penalty] shall be [the product of the amount due multiplied by one twelfth of the sum of one plus the prevailing prime rate of interest on the due date as determined by the commissioner] subject to an interest penalty of one percent above the prevailing prime rate.

[(2) For payments received more than 30 days after the due date the interest penalty shall be compounded daily for each day the payment is late at a rate of interest equal to the sum of one plus the prevailing prime rate of interest on the due date as determined by the commissioner.]

[(3)] (2) Interest penalties not paid within 15 days of notification of the amount of the penalty [shall] may be increased in accordance with the method used by the commissioner to compute the interest penalty in the first instance.