

STATE OF NEW YORK

9487--A

IN ASSEMBLY

March 7, 2022

Introduced by M. of A. JEAN-PIERRE, BURDICK -- read once and referred to the Committee on Libraries and Education Technology -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to state aid eligibility for library construction; and to amend chapter 120 of the laws of 2020, amending the education law, relating to state aid for library construction, in relation to the effectiveness thereof

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

1 Section 1. Subdivision 1 of section 273-a of the education law, as
2 amended by section 1 of chapter 563 of the laws of 2021, is amended to
3 read as follows:

4 1. State aid shall be provided for up to fifty percent of the total
5 project approved costs, excluding feasibility studies, plans or similar
6 activities, for projects for the installation and infrastructure of
7 broadband services, and for the acquisition of vacant land and the
8 acquisition, construction, renovation or rehabilitation, including
9 leasehold improvements, of buildings of public libraries and library
10 systems chartered by the regents of the state of New York or established
11 by act of the legislature subject to the limitations provided in subdi-
12 vision six of this section and upon approval by the commissioner, except
13 that state aid may be provided for up to seventy-five percent of the
14 total project approved costs for buildings of public libraries that are
15 located in an economically disadvantaged community and that state aid
16 may be provided for up to ninety percent of the total project approved
17 costs for buildings of public libraries that are located in an econom-
18 ically distressed community. Provided however that the state liability
19 for aid paid pursuant to this section shall be limited to funds appro-
20 priated for such purpose. Aid shall be provided on approved expenses
21 incurred during the period commencing July first and ending June thirti-
22 eth for up to [~~four~~] six years, or until the project is completed,
23 whichever occurs first. Provided, however, that public libraries that
24 received aid for projects pursuant to this section commencing July

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

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1 first, two thousand seventeen through July first, two thousand nineteen
2 and are unable to complete such projects due to the state disaster emer-
3 gency declared pursuant to executive order number two hundred two of two
4 thousand twenty, as amended, shall be provided an additional twelve
5 months from the statutory project end date to complete such projects.
6 Fifty percent of such aid shall be payable to each system or library
7 upon approval of the application by the department. Forty percent of
8 such aid shall be payable in the next state fiscal year. The remaining
9 ten percent shall be payable upon project completion.

10 § 2. Subdivision 1 of section 273-a of the education law, as amended
11 by section 2 of chapter 563 of the laws of 2021, is amended to read as
12 follows:

13 1. State aid shall be provided for up to fifty percent of the total
14 project approved costs, excluding feasibility studies, plans or similar
15 activities, for projects for the installation and infrastructure of
16 broadband services, and for the acquisition of vacant land and the
17 acquisition, construction, renovation or rehabilitation, including
18 leasehold improvements, of buildings of public libraries and library
19 systems chartered by the regents of the state of New York or established
20 by act of the legislature subject to the limitations provided in subdi-
21 vision six of this section and upon approval by the commissioner, except
22 that state aid may be provided for up to seventy-five percent of the
23 total project approved costs for buildings of public libraries that are
24 located in an economically disadvantaged community and that state aid
25 may be provided for up to ninety percent of the total project approved
26 costs for buildings of public libraries that are located in an econom-
27 ically distressed community. Provided however that the state liability
28 for aid paid pursuant to this section shall be limited to funds appro-
29 priated for such purpose. Aid shall be provided on approved expenses
30 incurred during the period commencing July first and ending June thirti-
31 eth for up to [~~four~~] **six** years, or until the project is completed,
32 whichever occurs first. Fifty percent of such aid shall be payable to
33 each system or library upon approval of the application by the depart-
34 ment. Forty percent of such aid shall be payable in the next state
35 fiscal year. The remaining ten percent shall be payable upon project
36 completion.

37 § 3. Subdivision 1 of section 273-a of the education law, as amended
38 by chapter 480 of the laws of 2015, is amended to read as follows:

39 1. State aid shall be provided for up to fifty percent of the total
40 project approved costs, excluding feasibility studies, plans or similar
41 activities, for projects for the installation and infrastructure of
42 broadband services, and for the acquisition, construction, renovation or
43 rehabilitation, including leasehold improvements, of buildings of public
44 libraries and library systems chartered by the regents of the state of
45 New York or established by act of the legislature subject to the limita-
46 tions provided in subdivision four of this section and upon approval by
47 the commissioner. Provided however that the state liability for aid
48 paid pursuant to this section shall be limited to funds appropriated for
49 such purpose. Aid shall be provided on approved expenses incurred during
50 the period commencing July first and ending June thirtieth for up to
51 [~~three~~] **six** years, or until the project is completed, whichever occurs
52 first. Fifty percent of such aid shall be payable to each system or
53 library upon approval of the application. Forty percent of such aid
54 shall be payable in the next state fiscal year. The remaining ten
55 percent shall be payable upon project completion.

1 § 4. Section 2 of chapter 120 of the laws of 2020, amending the educa-
2 tion law, relating to state aid for library construction, is amended to
3 read as follows:

4 § 2. This act shall take effect immediately and shall expire and be
5 deemed repealed July 1, [~~2023~~] ~~2024~~; provided, however, that the amend-
6 ments to subdivision 1 of section 273-a of the education law made by
7 section one of this act shall not affect the expiration of such section
8 and shall be deemed to expire therewith.

9 § 5. This act shall take effect immediately; provided, that the amend-
10 ments to subdivision 1 of section 273-a of the education law made by
11 section one of this act shall be subject to the expiration and reversion
12 of such subdivision pursuant to section 2 of chapter 120 of the laws of
13 2020, as amended, when upon such date the provisions of section two of
14 this act shall take effect; and provided, further that the amendments to
15 subdivision 1 of section 273-a of the education law made by section two
16 of this act shall be subject to the expiration and reversion of such
17 section pursuant to section 2 of chapter 498 of the laws of 2011, when
18 upon such date the provisions of section three of this act shall take
19 effect.