

STATE OF NEW YORK

6388

2021-2022 Regular Sessions

IN SENATE

April 26, 2021

Introduced by Sen. PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend chapter 54 of the laws of 2021 enacting the capital projects budget, in relation to making technical corrections thereto

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

1 Section 1. Section 1 of chapter 54 of the laws of 2021, enacting the
2 capital projects budget, is amended by repealing the items hereinbelow
3 set forth in brackets and by adding to such section the other items
4 underscored in this section.

5 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

6 STATE AND MUNICIPAL FACILITIES PROGRAM

7 CAPITAL PROJECTS 2021-22

8 STATE AND MUNICIPAL FACILITIES PROGRAM (CCP)

9 Capital Projects Funds - Other
10 Capital Projects Fund - 30000
11 State and Municipal Facilities Purpose

12 For payment of the capital costs of
13 construction, improvement, rehabilitation
14 or reconstruction of facilities owned by
15 eligible entities; the acquisition of
16 capital facilities and assets by eligible
17 entities, including fixed capital assets;
18 the acquisition by eligible entities of

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

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1 equipment and other capital assets,
2 including vehicles, in support of health,
3 safety, technology, or innovation; the
4 acquisition by an eligible entity of capi-
5 tal assets with a useful life of not less
6 than ten years purchased for the sole
7 purpose of preserving and protecting
8 infrastructure that is owned, controlled
9 or appurtenant to an eligible entity,
10 including but not limited to heavy duty
11 road maintenance and construction vehi-
12 cles, pavers, snow plows, street sweepers
13 and heavy duty fire, emergency response
14 and law enforcement vehicles; economic
15 development projects sponsored by the
16 state or municipal corporations, as
17 defined in section 2 of the general munic-
18 ipal law, that will create or retain jobs
19 in New York state as certified by the
20 commissioner of the department of economic
21 development; or environmental projects
22 sponsored by the state or municipal corpo-
23 rations as defined in section 2 of the
24 general municipal law. Eligible entities
25 shall consist of the state; municipal
26 corporations as defined in section 2 of
27 the general municipal law; sanitation
28 districts; special districts as defined in
29 subdivision 16 of section 102 of the real
30 property tax law; water and sewer
31 districts; the Metropolitan Transportation
32 Authority or any other public benefit
33 corporation established pursuant to titles
34 11, 11-A, 11-B, 11-C, or 11-D of the
35 public authorities law; a public benefit
36 corporation as defined in section 4 of
37 chapter 1016 of the laws of 1969; a
38 college or university established pursuant
39 to section 352 of the education law,
40 section 6203 of the education law or
41 section 6302 of the education law; an
42 independent not-for-profit institution of
43 higher education as defined in subdivision
44 2 of section 6401 of the education law;
45 public school districts; public housing
46 authorities; public libraries and library
47 systems chartered by the regents of the
48 state of New York or established by an act
49 of the legislature; public park conservan-
50 cies or not-for-profit corporations organ-
51 ized for the purpose of investing in parks
52 owned by the state or municipal corpo-
53 rations, as defined in section 2 of the
54 general municipal law; not-for-profit fire
55 districts, fire commissions, fire compa-
56 nies, fire departments, volunteer rescue

1 and ambulance squads; special act school
2 districts, schools for the blind and deaf
3 and other students with disabilities
4 subject to article 85 of the education
5 law, and private schools for students with
6 disabilities authorized pursuant to chap-
7 ter 853 of the laws of 1976; ~~and~~ any
8 other not-for-profit corporation or other
9 not-for-profit entity; and any facilities
10 that host veterans organizations, includ-
11 ing but not limited to Veterans of Foreign
12 Wars posts, American Legion facilities, or
13 any other physical facility in which
14 members of a bonafide veterans organiza-
15 tion lease, own or otherwise utilize such
16 facility.

17 Costs may include, but shall not be limited
18 to engineering services, construction,
19 project management, right-of-way acquisi-
20 tion, and work appurtenant and ancillary
21 thereto. No funds from this appropriation
22 may be used as a required match or be
23 considered a local share to other state
24 programs or to leverage state aid or
25 grants including but not limited to the
26 apportionment of aid under the education
27 law. Notwithstanding any provision of law
28 to the contrary, funds appropriated herein
29 may be subject to the approval of the
30 director of the budget, be (i) inter-
31 changed, (ii) transferred from this appro-
32 priation to any other appropriation or any
33 state department, agency or public benefit
34 corporation, or (iii) suballocated to any
35 other state department, agency or public
36 benefit corporation, to achieve this
37 purpose (SM0121SM) (80001) 385,000,000

38 § 2. This act shall take effect immediately and shall be deemed to
39 have been in full force and effect on and after April 1, 2021.