

9953

I N   A S S E M B L Y

June 3, 2014

---

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Wright) --  
read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the private housing finance law, in relation to disabled  
veteran access to home for heroes contracts

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The private housing finance law is amended by adding a new  
2     article 28 to read as follows:

3                                     ARTICLE XXVIII

4                     NEW YORK ACCESS TO HOME FOR HEROES PROGRAM

5     SECTION 1240. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE.

6             1241. DEFINITIONS.

7             1242. ACCESS TO HOME FOR HEROES CONTRACTS.

8     S 1240. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE. THE LEGISLATURE  
9     HEREBY FINDS AND DECLARES THAT MANY DISABLED VETERANS IN NEW YORK STATE  
10    FACE A SIGNIFICANT IMPEDIMENT TO ACCESSIBLE AND AFFORDABLE HOUSING AS A  
11    RESULT OF SERVICE RELATED INJURIES, AGE OR HEALTH RELATED DISABILITIES.  
12    THESE MEN AND WOMEN HAVE SERVED OUR COUNTRY AND STATE WITH HONOR AND  
13    DISTINCTION AND DESERVE TO ACHIEVE MAXIMUM INDEPENDENCE, SOCIAL INTER-  
14    ACTION AND COMMUNITY INTEGRATION. PROVIDING FINANCIAL ASSISTANCE WITH  
15    THE COST OF ADAPTING THE DWELLING UNITS OF OUR DISABLED VETERANS, IS  
16    FUNDAMENTAL TO PROVIDING FOR THE PROMISE OF LIVING SAFELY, COMFORTABLY  
17    AND PRODUCTIVELY IN THE MOST INTEGRATED SETTING OF THEIR CHOICE.

18    S 1241. DEFINITIONS. AS USED IN THIS ARTICLE:

19    1. "CORPORATION" SHALL MEAN THE HOUSING TRUST FUND CORPORATION ESTAB-  
20    LISHED IN SECTION FORTY-FIVE-A OF THIS CHAPTER.

21    2. "ELIGIBLE APPLICANT" SHALL MEAN A CITY, TOWN, VILLAGE OR  
22    NOT-FOR-PROFIT CORPORATION IN EXISTENCE FOR A PERIOD OF ONE OR MORE  
23    YEARS PRIOR TO APPLICATION, WHICH IS, OR WILL BE AT THE TIME OF AWARD,  
24    INCORPORATED UNDER THE NOT-FOR-PROFIT CORPORATION LAW AND HAS SUBSTAN-  
25    TIAL EXPERIENCE IN ADAPTING OR RETROFITTING HOMES FOR PERSONS WITH DISA-  
26    BILITIES.

27    3. "VETERAN" SHALL MEAN A RESIDENT OF THIS STATE, WHO HAS SERVED ON  
28    ACTIVE DUTY IN THE UNITED STATES ARMY, NAVY, AIR FORCE, MARINE CORPS,

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

LBD15406-01-4

1 COAST GUARD, AND/OR THE ARMY NATIONAL GUARD, AIR NATIONAL GUARD, NEW  
2 YORK GUARD AND/OR THE NEW YORK NAVAL MILITIA, WHO HAS BEEN RELEASED FROM  
3 SUCH SERVICE BY HONORABLE DISCHARGE OR GENERAL DISCHARGE.

4 4. "DISABLED VETERAN" SHALL MEAN A VETERAN WHO IS CERTIFIED BY THE  
5 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR THE DEPARTMENT OF  
6 DEFENSE AS ENTITLED TO RECEIVE DISABILITY PAYMENTS UPON THE CERTIF-  
7 ICATION OF SUCH DEPARTMENT FOR A DISABILITY INCURRED BY HIM OR HER IN  
8 TIME OF WAR.

9 5. "ACCESS TO HOME FOR HEROES PROGRAMS" OR "PROGRAMS" SHALL MEAN A  
10 SERIES OF ACTIVITIES BY AN ELIGIBLE APPLICANT TO ADMINISTER FUNDS TO  
11 PROVIDE GRANTS TO HOMEOWNERS AND RENTERS AND TO OVERSEE THE ADAPTATION  
12 OR RETROFITTING OF ELIGIBLE PROPERTIES.

13 6. "ELIGIBLE PROPERTY" SHALL MEAN A HOUSING UNIT THAT IS THE PRIMARY  
14 RESIDENCE OF A DISABLED VETERAN OR VETERAN WITH A PHYSICAL DISABILITY  
15 AND A TOTAL HOUSEHOLD INCOME THAT DOES NOT EXCEED ONE HUNDRED AND TWENTY  
16 PERCENT OF AREA MEDIAN INCOME. A PROPERTY SHALL NOT BE CONSIDERED AN  
17 ELIGIBLE PROPERTY IF THE OWNER OF THE PROPERTY IS OTHERWISE OBLIGATED BY  
18 FEDERAL, STATE OR LOCAL LAW TO PROVIDE THE IMPROVEMENTS FUNDED UNDER  
19 THIS ARTICLE.

20 S 1242. ACCESS TO HOME FOR HEROES CONTRACTS. 1. WITHIN THE LIMIT OF  
21 FUNDS AVAILABLE IN THE ACCESS TO HOME FOR HEROES PROGRAM, THE CORPO-  
22 RATION IS HEREBY AUTHORIZED TO ENTER INTO CONTRACTS WITH ELIGIBLE APPLI-  
23 CANTS TO PROVIDE FINANCIAL ASSISTANCE FOR THE ACTUAL COSTS OF AN ACCESS  
24 TO HOME FOR HEROES PROGRAM. THE FINANCIAL ASSISTANCE SHALL BE IN THE  
25 FORM OF GRANTS. NO MORE THAN FIFTY PERCENT OF THE TOTAL AMOUNT AWARDED  
26 PURSUANT TO THIS ARTICLE IN ANY FISCAL YEAR SHALL BE ALLOCATED TO ACCESS  
27 TO HOME PROGRAMS LOCATED WITHIN ANY SINGLE MUNICIPALITY. THE CORPORATION  
28 SHALL MAKE A CONCERTED EFFORT TO PROVIDE GEOGRAPHIC DISTRIBUTION IN THE  
29 AWARDING OF PROGRAM FUNDS TO AFFORD MAXIMUM STATEWIDE IMPACT FOR DISA-  
30 BLED VETERANS.

31 2. THE TOTAL PAYMENT PURSUANT TO ANY ONE CONTRACT SHALL NOT EXCEED  
32 FIVE HUNDRED THOUSAND DOLLARS AND THE CONTRACT SHALL PROVIDE FOR  
33 COMPLETION OF THE PROGRAM WITHIN A REASONABLE PERIOD, AS SPECIFIED THER-  
34 EIN, WHICH SHALL NOT IN ANY EVENT EXCEED THREE YEARS FROM ITS COMMENCE-  
35 MENT. UPON REQUEST, THE CORPORATION MAY EXTEND THE TERM OF THE CONTRACT  
36 FOR UP TO TWO ADDITIONAL ONE YEAR PERIODS FOR GOOD CAUSE SHOWN BY THE  
37 ELIGIBLE APPLICANT.

38 3. THE CORPORATION MAY AUTHORIZE THE ELIGIBLE APPLICANT TO SPEND UP TO  
39 SEVEN AND ONE-HALF PERCENT OF THE CONTRACT AMOUNT FOR APPROVED ADMINIS-  
40 TRATIVE COSTS ASSOCIATED WITH ADMINISTERING THE PROGRAM.

41 4. THE CORPORATION SHALL REQUIRE THAT, IN ORDER TO RECEIVE FUNDS  
42 PURSUANT TO THIS ARTICLE, THE ELIGIBLE APPLICANT SHALL SUBMIT A PLAN  
43 WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, PROGRAM FEASIBILITY, IMPACT  
44 ON THE COMMUNITY, BUDGET FOR EXPENDITURE OF PROGRAM FUNDS, A SCHEDULE  
45 FOR COMPLETION OF THE PROGRAM, AFFIRMATIVE ACTION AND MINORITY BUSINESS  
46 PARTICIPATION.

47 S 2. This act shall take effect immediately.