

8352

2015-2016 Regular Sessions

I N   A S S E M B L Y

August 5, 2015

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Introduced by M. of A. ORTIZ -- read once and referred to the Committee  
on Housing

AN ACT to amend the private housing finance law, in relation to creating  
a housing trust fund for individuals with limited resources

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     section 45-d to read as follows:  
3     S 45-D. HOUSING TRUST FUND FOR INDIVIDUALS WITH LIMITED RESOURCES. 1.  
4     THERE IS HEREBY CREATED WITHIN THE AGENCY A HOUSING TRUST FUND FOR INDI-  
5     VIDUALS WITH LIMITED RESOURCES.  
6     2. THE TRUST FUND SHALL BE MANAGED BY A BOARD OF TRUSTEES. THE TRUS-  
7     TEES SHALL INCLUDE: A REPRESENTATIVE OF THE GOVERNOR, WHO SHALL BE THE  
8     CHAIRPERSON OF THE BOARD; A MEMBER CHOSEN BY THE NEW YORK BANKERS ASSO-  
9     CIATION; A MEMBER CHOSEN BY THE MORTGAGE BANKERS ASSOCIATION OF NEW  
10    YORK; AND THREE MEMBERS OF THE TARGET COMMUNITY, WHO SHALL BE CHOSEN BY  
11    THE OTHER TRUSTEES THROUGH MAJORITY VOTE. TRUSTEES SHALL NOT BE PAID FOR  
12    THEIR SERVICE TO THE TRUST, BUT SHALL BE REIMBURSED FOR ANY ACTUAL,  
13    NECESSARY EXPENSES.  
14    3. THE BOARD SHALL HAVE THE POWER TO:  
15    (A) ENTER INTO AGREEMENTS ON BEHALF OF THE TRUST;  
16    (B) ISSUE DEBT AND OTHER SECURITIES IN ACCORDANCE WITH THE PROVISIONS  
17    OF THIS SECTION;  
18    (C) INVEST THE MONEYS OF THE FUNDS;  
19    (D) OPEN BANK ACCOUNTS AND INVESTMENT ACCOUNTS;  
20    (E) BORROW MONEY;  
21    (F) RECEIVE GIFTS AND DONATIONS;  
22    (G) HOLD AND MANAGE ASSETS, INCLUDING REAL ESTATE AND OTHER ITEMS OF  
23    VALUE;  
24    (H) HIRE ADMINISTRATIVE PERSONNEL AND INDEPENDENT CONTRACTORS, AS  
25    NEEDED, AND TO SET THEIR COMPENSATION; AND

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

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1 (I) SUE AND BE SUED.

2 4. THE TRUST SHALL BE FUNDED BY THE FOLLOWING SOURCES:

3 (A) INVESTMENTS BY FINANCIAL INSTITUTIONS;

4 (B) CAPITAL MARKET TRANSACTIONS;

5 (C) STATE AND PHILANTHROPIC FUNDING PROGRAMS;

6 (D) GRANTS, GIFTS, AND DONATIONS FROM PRIVATE INSTITUTIONS AND CITI-  
7 ZENS; AND

8 (E) OTHER CORPORATE AND INDIVIDUAL INVESTORS.

9 5. (A) THE TRUSTEES SHALL ISSUE TAX EXEMPT NOTES TO CITIZENS AND  
10 FINANCIAL INSTITUTIONS IN NEW YORK STATE. THE NET PROCEEDS OF SUCH OBLI-  
11 GATIONS SHALL BE USED TO PURCHASE INVESTMENTS IN THE CAPITAL MARKET.

12 (B) THE TRUSTEES SHALL ISSUE TAX EXEMPT BONDS TO CITIZENS AND FINAN-  
13 CIAL INSTITUTIONS IN NEW YORK STATE. THE NET PROCEEDS OF SUCH BONDS  
14 SHALL BE INVESTED IN GRADE RATED CORPORATE OBLIGATIONS.

15 6. THE TRUSTEES SHALL ENSURE THAT ALL MEASURES ARE TAKEN TO COMPLY  
16 WITH FEDERAL REGULATIONS UNDER THE NATIONAL HOUSING TRUST FUND, SO THAT  
17 THE FUND MAY BE ELIGIBLE FOR MATCHING FUNDS FROM THE FEDERAL GOVERNMENT.

18 7. THE TRUSTEES SHALL ESTABLISH THE CRITERIA TO DETERMINE WHO IS  
19 ELIGIBLE TO RECEIVE FUNDING FROM THE TRUST, THE AMOUNT OF FUNDING EACH  
20 APPLICANT MAY RECEIVE, AND THE TYPE OF ASSISTANCE EACH APPLICANT MAY  
21 RECEIVE, SUCH AS A GRANT, LOAN, OR INTEREST-FREE MORTGAGE.

22 8. ALL ASSETS AND INCOME OF THE FUND SHALL BE EXEMPT FROM STATE TAXA-  
23 TION.

24 S 2. This act shall take effect on the one hundred eightieth day after  
25 it shall have become a law.