A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to contracts for excellence and the apportionment of public moneys; to amend the education law, in relation to applications for waivers of certain duties by the education department; to amend the education law in relation to charter schools; to amend the education law, in relation to the statewide universal full-day pre-kindergarten program; to amend chapter 552 of the laws of 1995, amending the education law relating to contracts for the transportation of school children, in relation to the effectiveness thereof; to amend chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to reimbursements for the 2015-2016 school year; to amend chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to withholding a portion of employment preparation education aid and in relation to the effectiveness thereof; to amend the state finance law, in relation to the New York state teen health education fund; to amend chapter 169 of the laws of 1994, relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets, in relation to the effectiveness thereof; to amend chapter 82 of the laws of 1995, amending the education law and other laws relating to state aid to school districts and the appropriation of funds for the support of government, in relation to the effectiveness thereof; to amend chapter 147 of the laws of 2001, amending the education law relating to conditional appointment of school district, charter school or BOCES employees, in relation to the effectiveness thereof; to amend chapter 425 of the laws of 2002, amending the education law relating to the provision of supplemental educational services, attendance at a safe public school and the suspension of pupils who bring a firearm to or possess a firearm at a school, in relation to the effectiveness thereof; and to amend chapter

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.
101 of the laws of 2003, amending the education law relating to implement-
mentation of the No Child Left Behind Act of 2001, in relation to the
effectiveness thereof (Part A); to amend the education law, in relation to total foundation aid, in relation to establishment of
boards of cooperative educational services pending the creation of
intermediate districts, in relation to the state office for religious
and independent school establishment act, in relation to providing
that a school bond resolution vote shall take place in conjunction
with the school budget vote, in relation to transportation after four
p.m., in relation to apportionment of public monies to school
districts employing eight or more teachers, and in relation to founda-
tion aid; to amend the tax law, in relation to exempting school buses
from sales and compensating use taxes; to amend the education law, in
relation to eligible applicants for charter schools, in relation to partici-
ipation by a charter school in universal pre-kindergarten programs,
in relation to certification of teachers employed by high-
performing public charter schools; to amend the general municipal law,
in relation to limits upon real property tax levies by local govern-
ments; to amend the education law, in relation to contracts for trans-
portation of school children; to amend the education law, in relation
to tuition stabilization aid; to amend part A of chapter 97 of the
laws of 2011, amending the general municipal law and the education law
relating to establishing limits upon school district and local govern-
ment tax levies, in relation to the effectiveness thereof; to amend
chapter 121 of the laws of 1996 relating to authorizing the Roosevelt
union free school district to finance deficits by the issuance of
serial bonds, in relation to certain apportionments; ratifying and
legalizing certain acts and proceedings taken by school districts in
connection with transportation contracts and building projects; to
repeal certain provisions of the education law relating thereto; and
to repeal subdivision 17 of section 3602 of the education law relating
to eliminating the gap elimination adjustment (Part A-1); to amend the
education law, in relation to enacting "Erin Merryn's law" (Part A-2);
to amend the education law, in relation to school emergency response
plans (Part B); to amend the education law, in relation to the city of
New York assuming greater financial responsibility for the city
university of New York senior colleges (Part C); to amend the educa-
tion law, in relation to the NY-SUNY 2020 challenge grant program act;
to amend chapter 260 of the laws of 2011, amending the education law
and the New York state urban development corporation act relating to
establishing components of the NY-2020 challenge grant program, in
relation to the effectiveness thereof; and to repeal subdivision 5 of
section 359 and subdivision 17 of section 6206 of the education law
relating thereto (Part D); to amend the state finance law, in relation
to the creation of the SUNY Stony Brook Affiliation escrow fund (Part
E); intentionally omitted (Part F); to amend chapter 161 of the laws
of 2005 amending the education law relating to the New York state
licensed social worker loan forgiveness program, in relation to the
effectiveness thereof; to amend part V of chapter 57 of the laws of
2005 amending the education law relating to the New York state nursing
faculty loan forgiveness incentive program and the New York state
nursing faculty scholarship program, in relation to the effectiveness
thereof; to amend chapter 31 of the laws of 1985 amending the educa-
tion law relating to regents scholarships in certain professions; and
to amend the education law, in relation to forgiving loans upon the
death of the recipient (Part G); to amend the education law, the busi-
ness corporation law, the partnership law and the limited liability company law, in relation to certified public accountants (Part H); intentionally omitted (Part I); intentionally omitted (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend the family court act, in relation to findings that must be made at permanency hearings, and to amend the social services law, in relation to guardianship expenses, the reasonable and prudent parent standard and the criminal history of prospective foster and adoptive parents (Part M); intentionally omitted (Part N); to amend the social services law, in relation to increasing the standards of monthly need for aged, blind and disabled persons living in the community (Part O); to utilize reserves in the mortgage insurance fund for various housing purposes (Part P); to amend Part D of chapter 58 of the laws of 2011 amending the education law relating to capital facilities in support of the state university and community colleges, procurement and the state university health care facilities, in relation to the effectiveness thereof (Part Q); to amend the arts and cultural affairs law, in relation to grants by the council on the arts (Part R); to amend the education law, in relation to the State University of New York (SUNY) Orange BRIDGES program (Part S); to amend the education law, in relation to community colleges (Part T); to amend the education law, in relation to a standard financial aid award letter; and to repeal certain provisions of the banking law relating thereto (Part U); to amend the education law, in relation to the practices of psychology, social work and psychotherapy (Part V); to amend the education law, in relation to income as a determinant of amount of awards (Part W); to amend the limited liability company law, the business corporation law, the partnership law, the public health law and the education law, in relation to allowing doctors of chiropractic licensed under title VIII, article 132 of the education law to form limited liability companies (Part X); to amend the private housing finance law, in relation to the rural mobile home replacement program (Part Y); to amend the emergency housing rent control law, the emergency tenant protection act of nineteen seventy-four, and the administrative code of the city of New York, in relation to making technical corrections; and to repeal section 467-i of the real property tax law relating to real property tax abatement (Part Z); to amend the real property tax law, in relation to tax abatements for dwelling units occupied by certain persons residing in rent-controlled or rent regulated properties; and providing state aid to cities affected by such tax abatements (Part AA); to amend the education law, in relation to community colleges (Part BB); to amend the education law, in relation to requiring nonpublic institutions of higher education to report on tuition and fees for higher education, student aid, debt and job placement rates (Part CC); to amend the education law, in relation to the New York state science, technology, engineering and mathematics incentive program (Part DD); to amend the education law, in relation to providing loan forgiveness for agriculture educators (Part EE); to amend the social services law, in relation to creating the child care regulatory review task force (Part FF); to amend the administrative code of the city of New York and the public housing law, in relation to establishing the New York city housing authority repair certificate program (Part GG); to amend the public housing law and the New York city charter, in relation to authorizing the New York city council to oversee the activities of the New York city housing authority (Part HH); to amend the state finance law and the public housing law, in relation to
establishing the public housing revitalization fund (Part II); to amend the public housing law and the tax law, in relation to providing certain tax credits for construction or rehabilitation of middle-income housing (Part JJ); to amend the state finance law, in relation to establishing the community reinvestment program; and establishes the community reinvestment program fund council (Part KK); to amend the real property tax law, in relation to increasing the allowable maximum income of persons occupying rental units otherwise eligible for tax abatement in certain cases; and to amend part U of chapter 55 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by senior citizens, in relation to the effectiveness of certain provisions thereof (Part LL); to amend the education law, the state finance law, the civil practice law and rules and the tax law, in relation to establishing the New York state pre-paid tuition plan (Part MM); to amend the insurance law, in relation to reduction in rates of property/casualty insurance on residential property for insureds who complete an approved homeowner natural disaster preparedness, home safety and loss prevention course (Part NN); to amend the education law, in relation to tuition assistance program awards (Part OO); to amend the public housing law, in relation to veterans' eligibility for public housing (Part PP); to amend the public housing law, in relation to preferences and priorities for prospective public housing and section 8 tenants in the city of New York (Part QQ); to amend the real property tax law and the administrative code of the city of New York, in relation to increasing the average assessed value threshold (Part RR); to amend the administrative code of the city of New York, in relation to the location of supportive housing facilities and social services centers, and renewal of the lease or operation of such facility or center (Part SS); to amend the social services law, in relation to establishing the senior heating assistance program (Part TT); and to amend the labor law, in relation to exempting agricultural employers from paying for unemployment benefits for federally ineligible farm labor (Part UU)

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

1 Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2016-2017 state fiscal year. Each component is wholly contained within a Part identified as Parts A through UU. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. Paragraph e of subdivision 1 of section 211-d of the education law, as amended by section 1 of part A of chapter 56 of the laws of 2015, is amended to read as follows:
e. Notwithstanding paragraphs a and b of this subdivision, a school
district that submitted a contract for excellence for the two thousand
eight--two thousand nine school year shall submit a contract for excel-
ience for the two thousand nine--two thousand ten school year in
conformity with the requirements of subparagraph (vi) of paragraph a of
subdivision two of this section unless all schools in the district are
identified as in good standing and provided further that, a school
district that submitted a contract for excellence for the two thousand
nine--two thousand ten school year, unless all schools in the district
are identified as in good standing, shall submit a contract for excel-
ience for the two thousand eleven--two thousand twelve school year which
shall, notwithstanding the requirements of subparagraph (vi) of para-
grah a of subdivision two of this section, provide for the expenditure
of an amount which shall be not less than the product of the amount
approved by the commissioner in the contract for excellence for the two
thousand nine--two thousand ten school year, multiplied by the
district's gap elimination adjustment percentage and provided further
that, a school district that submitted a contract for excellence for the
two thousand eleven--two thousand twelve school year, unless all schools
in the district are identified as in good standing, shall submit a
contract for excellence for the two thousand twelve--two thousand thir-
teen school year which shall, notwithstanding the requirements of
subparagraph (vi) of paragraph a of subdivision two of this section,
provide for the expenditure of an amount which shall be not less than
the amount approved by the commissioner in the contract for excellence
for the two thousand eleven--two thousand twelve school year and
provided further that, a school district that submitted a contract for
excellence for the two thousand twelve--two thousand thirteen school
year, unless all schools in the district are identified as in good
standing, shall submit a contract for excellence for the two thousand
thirteen--two thousand fourteen school year which shall, notwithstanding
the requirements of subparagraph (vi) of paragraph a of subdivision two
of this section, provide for the expenditure of an amount which shall be
not less than the amount approved by the commissioner in the contract
for excellence for the two thousand twelve--two thousand thirteen school
year and provided further that, a school district [that submitted a
contract for excellence for the two thousand thirteen--two thousand
fourteen school year, unless all schools in the district are identified
as in good standing, shall submit a contract for excellence for the two
thousand fourteen--two thousand fifteen school year which shall,
notwithstanding the requirements of subparagraph (vi) of paragraph a of
subdivision two of this section, provide for the expenditure of an
amount which shall be not less than the amount approved by the commis-
sioner in the contract for excellence for the two thousand thirteen--two
thousand fourteen school year; and provided further that, a school
district that submitted a contract for excellence for the two thousand
fourteen--two thousand fifteen school year, unless all schools in the
district are identified as in good standing, shall submit a contract for
excellence for the two thousand fifteen--two thousand sixteen school
year which shall, notwithstanding the requirements of subparagraph (vi)
of paragraph a of subdivision two of this section, provide for the
expenditure of an amount which shall be not less than the amount
approved by the commissioner in the contract for excellence for the two
thousand fourteen--two thousand fifteen school year] WITH A POPULATION
OF ONE MILLION OR MORE THAT SUBMITTED A CONTRACT FOR EXCELLENCE FOR THE
TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR, UNLESS ALL
SCHOOLS IN THE DISTRICT ARE IDENTIFIED AS IN GOOD STANDING, SHALL SUBMIT
A CONTRACT FOR EXCELLENCE FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND
SEVENTEEN SCHOOL YEAR WHICH SHALL, NOTWITHSTANDING THE REQUIREMENTS OF
SUBPARAGRAPH (VI) OF PARAGRAPH A OF SUBDIVISION TWO OF THIS SECTION,
PROVIDE FOR THE EXPENDITURE OF AN AMOUNT WHICH SHALL BE NOT LESS THAN
THE AMOUNT APPROVED BY THE COMMISSIONER IN THE CONTRACT FOR EXCELLENCE
FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR. For
purposes of this paragraph, the "gap elimination adjustment percentage"
shall be calculated as the sum of one minus the quotient of the sum of
the school district's net gap elimination adjustment for two thousand
ten--two thousand eleven computed pursuant to chapter fifty-three of the
laws of two thousand ten, making appropriations for the support of
government, plus the school district's gap elimination adjustment for
two thousand eleven--two thousand twelve as computed pursuant to chapter
fifty-three of the laws of two thousand eleven, making appropriations
for the support of the local assistance budget, including support for
general support for public schools, divided by the total aid for adjust-
ment computed pursuant to chapter fifty-three of the laws of two thou-
sand eleven, making appropriations for the local assistance budget,
including support for general support for public schools. Provided,
further, that such amount shall be expended to support and maintain
allowable programs and activities approved in the two thousand nine--two
thousand ten school year or to support new or expanded allowable
programs and activities in the current year.

S 2. The closing paragraph of subdivision 5-a of section 3602 of the
education law, as amended by section 2 of part A of chapter 56 of the
laws of 2015, is amended to read as follows:

For the two thousand eight--two thousand nine school year, each school
district shall be entitled to an apportionment equal to the product of
fifteen percent and the additional apportionment computed pursuant to
this subdivision for the two thousand seven--two thousand eight school
year. For the two thousand nine--two thousand ten through two thousand
[fifteen] SIXTEEN--two thousand [sixteen] SEVENTEEN school years, each
school district shall be entitled to an apportionment equal to the
amount set forth for such school district as "SUPPLEMENTAL PUB EXCESS
COST" under the heading "2008-09 BASE YEAR AIDS" in the school aid
computer listing produced by the commissioner in support of the budget
for the two thousand nine--two thousand ten school year and entitled
"SA0910".

S 3. Subdivision 12 of section 3602 of the education law is amended by
adding a fourth undesignated paragraph to read as follows:

FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR, EACH
SCHOOL DISTRICT SHALL BE ENTITLED TO AN APPORTIONMENT EQUAL TO THE
AMOUNT SET FORTH FOR SUCH SCHOOL DISTRICT AS "ACADEMIC ENHANCEMENT"
UNDER THE HEADING "2015-16 ESTIMATED AIDS" IN THE SCHOOL AID COMPUTER
LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE BUDGET FOR THE
TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR AND ENTITLED
"SA151-6", AND SUCH APPORTIONMENT SHALL BE DEEMED TO SATISFY THE STATE
OBLIGATION TO PROVIDE AN APPORTIONMENT PURSUANT TO SUBDIVISION EIGHT OF
SECTION THIRTY--SIX HUNDRED FORTY--ONE OF THIS ARTICLE.

S 4. The opening paragraph of subdivision 16 of section 3602 of the
education law, as amended by section 4 of part A of chapter 56 of the
laws of 2015, is amended to read as follows:

Each school district shall be eligible to receive a high tax aid
apportionment in the two thousand eight--two thousand nine school year,
which shall equal the greater of (i) the sum of the tier 1 high tax aid
apportionment, the tier 2 high tax aid apportionment and the tier 3 high
tax aid apportionment or (ii) the product of the apportionment received
by the school district pursuant to this subdivision in the two thousand
seven--two thousand eight school year, multiplied by the due-minimum
factor, which shall equal, for districts with an alternate pupil wealth
ratio computed pursuant to paragraph b of subdivision three of this
section that is less than two, seventy percent (0.70), and for all other
districts, fifty percent (0.50). Each school district shall be eligible
to receive a high tax aid apportionment in the two thousand nine--two
thousand ten through two thousand twelve--two thousand thirteen school
years in the amount set forth for such school district as "HIGH TAX AID"
under the heading "2008-09 BASE YEAR AIDS" in the school aid computer
listing produced by the commissioner in support of the budget for the two
thousand nine--two thousand ten school year and entitled "SA0910".
Each school district shall be eligible to receive a high tax aid appor-
tionment in the two thousand thirteen--two thousand fourteen through
[two thousand fifteen--two thousand sixteen] TWO THOUSAND SIXTEEN--TWO
THOUSAND SEVENTEEN school years equal to the greater of (1) the amount
set forth for such school district as "HIGH TAX AID" under the heading
"2008-09 BASE YEAR AIDS" in the school aid computer listing produced by
the commissioner in support of the budget for the two thousand nine--two
thousand ten school year and entitled "SA0910" or (2) the amount set
forth for such school district as "HIGH TAX AID" under the heading
"2013-14 ESTIMATED AIDS" in the school aid computer listing produced by
the commissioner in support of the executive budget for the 2013-14
fiscal year and entitled "BT131-4".

S 5. The opening paragraph of subdivision 10 of section 3602-e of the
education law, as amended by section 5 of part A of chapter 56 of the
laws of 2015, is amended to read as follows:

Notwithstanding any provision of law to the contrary, for aid payable
in the two thousand eight--two thousand nine school year, the grant to
each eligible school district for universal prekindergarten aid shall be
computed pursuant to this subdivision, and for the two thousand nine--
two thousand ten and two thousand ten--two thousand eleven school years,
each school district shall be eligible for a maximum grant equal to the
amount computed for such school district for the base year in the elec-
tronic data file produced by the commissioner in support of the two
thousand nine--two thousand ten education, labor and family assistance
budget, provided, however, that in the case of a district implementing
programs for the first time or implementing expansion programs in the
two thousand eight--two thousand nine school year where such programs
operate for a minimum of ninety days in any one school year as provided
in section 151-1.4 of the regulations of the commissioner, for the two
thousand nine--two thousand ten and two thousand ten--two thousand elev-
en school years, such school district shall be eligible for a maximum
grant equal to the amount computed pursuant to paragraph a of subdivi-
sion nine of this section in the two thousand eight--two thousand nine
school year, and for the two thousand eleven--two thousand twelve school
year each school district shall be eligible for a maximum grant equal to
the amount set forth for such school district as "UNIVERSAL PREKINDER-
GARTEN" under the heading "2011-12 ESTIMATED AIDS" in the school aid
computer listing produced by the commissioner in support of the enacted
budget for the 2011-12 school year and entitled "SA11l-2", and for two
thousand twelve--two thousand thirteen through two thousand [fifteen]
SIXTEEN--two thousand [sixteen] SEVENTEEN school years each school
district shall be eligible for a maximum grant equal to the greater of
(i) the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the enacted budget for the 2011-12 school year and entitled "SA111-2", or (ii) the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner on May fifteenth, two thousand eleven pursuant to paragraph b of subdivision twenty-one of section three hundred five of this chapter, and provided further that the maximum grant shall not exceed the total actual grant expenditures incurred by the school district in the current school year as approved by the commissioner.

S 6. Intentionally omitted.

S 7. Intentionally omitted.

S 8. Intentionally omitted.

S 9. Intentionally omitted.

S 10. Intentionally omitted.

S 11. The opening paragraph and subparagraphs 1, 5, 6 and 7 of paragraph (e) of subdivision 3 of section 2853 of the education law, as added by section 5 of part BB of chapter 56 of the laws of 2014, are amended to read as follows:

In a city school district in a city having a population of one million or more inhabitants, charter schools that first commence instruction or that require additional space due to an expansion of grade level, pursuant to this article, approved by their charter entity for the two thousand fourteen--two thousand fifteen school year or thereafter and request co-location in a public school building shall be provided access to facilities pursuant to this paragraph for such charter schools that first commence instruction or that require additional space due to an expansion of grade level, pursuant to this article, approved by their charter entity [for those grades newly provided].

(1) Notwithstanding any other provision of law to the contrary, within the later of (i) five months after a charter school's written request for co-location and (ii) thirty days after the charter school's charter is approved by its charter entity, the city school district shall either: (A) offer at no cost to the charter school a co-location site in a public school building approved by the board of education as provided by law, or (B) offer the charter school space in a privately owned or other publicly owned facility at the expense of the city school district and at no cost to the charter school. The space must be reasonable, appropriate and comparable and in the community school district to be served by the charter school and otherwise in reasonable proximity, AND MUST BE SUFFICIENT TO ALLOW THE CHARTER SCHOOL'S ENTIRE PLANNED GRADE CONFIGURATION FOR ELEMENTARY, MIDDLE OR HIGH SCHOOL TO BE LOCATED WITHIN A SINGLE BUILDING.

(5) For a new charter school whose charter is granted or for an existing charter school whose expansion of grade level, pursuant to this article, is approved by their charter entity [before October first, two thousand sixteen], if the appeal results in a determination in favor of the charter school, the city school district shall pay the charter school an amount attributable to the grade level expansion or the formation of the new charter school that is equal to the lesser of:

(A) the actual TOTAL rental cost, INCLUDING BUT NOT LIMITED TO LEASE PAYMENTS, MAINTENANCE, COSTS OF CAPITAL IMPROVEMENTS, COSTS OF OCCUPANCY, SECURITY, INSURANCE AND REAL PROPERTY TAXES, of an alternative privately owned site selected by the charter school or
(B) [twenty] THIRTY percent of the product of the charter school's basic tuition for the current school year and (i) for a new charter school that first commences instruction on or after July first, two thousand fourteen, the charter school's current year enrollment; or (ii) for a charter school which expands its grade level, pursuant to this article, [before October first, two thousand sixteen,] the positive difference of the charter school's enrollment in the current school year minus the charter school's enrollment in the school year prior to the first year of the expansion, EXCLUDING ENROLLMENT IN ANY GRADES THAT WERE RELOCATED TO ACCOMMODATE WITHIN A SINGLE BUILDING THE FULL GRADE-LEVEL CONFIGURATION FOR THE NEW OR EXPANDED ELEMENTARY, MIDDLE, OR HIGH SCHOOL.

(6) [For a new charter school whose charter is granted or for an existing charter school whose expansion of grade level, pursuant to this article, is approved by their charter entity on or after October first, two thousand sixteen, if the appeal results in a determination in favor of the charter school, the city school district shall pay the charter school an amount attributable to the grade level expansion or the formation of the new charter school that is equal to the maximum cost allowance established by the commissioner for leases aidable under subdivision six of section thirty-six hundred two of this chapter.

(7) An arbitration in an appeal pursuant to this paragraph shall be conducted by a single arbitrator selected in accordance with this subparagraph from a list of arbitrators from the American arbitration association's panel of labor arbitrators, with relevant biographical information, submitted by such association to the commissioner pursuant to paragraph a of subdivision three of section three thousand twenty-a of this chapter. Upon request by the charter school, the commissioner shall forthwith send a copy of such list and biographical information simultaneously to the charter school and city school district. The parties shall, by mutual agreement, select an arbitrator from the list within fifteen days from receipt of the list, and if the parties fail to agree on an arbitrator within such fifteen day period or fail within such fifteen day period to notify the commissioner that an arbitrator has been selected, the commissioner shall appoint an arbitrator from the list to serve as the arbitrator. The arbitration shall be conducted in accordance with the American arbitration association's rules for labor arbitration, except that the arbitrator shall conduct a pre-hearing conference within ten to fifteen days of agreeing to serve and the arbitration shall be completed and a decision rendered within the time frames prescribed for hearings pursuant to section three thousand twenty-a of this chapter. The arbitrator's fee shall not exceed the rate established by the commissioner for hearings conducted pursuant to section three thousand twenty-a of this chapter, and the cost of such fee, the arbitrator's necessary travel and other reasonable expenses, and all other hearing expenses shall be borne equally by the parties to the arbitration.

S 11-a. Subdivision 6-g of section 3602 of the education law, as added by section 6 of part BB of chapter 56 of the laws of 2014, is amended to read as follows:

6-g. Charter schools facilities aid. a. The city school district of the city of New York, upon documenting that it has incurred total aggregate expenses of forty million dollars or more pursuant to [subparagraphs] SUBPARAGRAPH five [and six] of paragraph (e) of subdivision three of section twenty-eight hundred fifty-three of this chapter, shall be eligible for an apportionment pursuant to this subdivision for its
annual approved expenditures for the lease of space for charter schools incurred in the base year in accordance with paragraph (e) of subdivision three of section twenty-eight hundred fifty-three of this chapter.

b. The apportionment shall equal the product of (i) the sum of:

[(A)] for aid payable for expenses incurred pursuant to subparagraph five of paragraph (e) of subdivision three of section twenty-eight hundred fifty-three of this chapter where the charter school prevails on appeal, the annual approved expenses incurred by the city school district pursuant to such subparagraph five; and

(B) for aid payable for expenses incurred pursuant to subparagraph six of paragraph (e) of subdivision three of section twenty-eight hundred fifty-three of this chapter where the charter school prevails on appeal, the actual annual approved rental expenses incurred pursuant to such subparagraph six] multiplied by

(2) six-tenths.

c. For purposes of this subdivision, the approved expenses attributable to a lease by a charter school of a privately owned site shall be the lesser of the actual TOTAL rent, INCLUDING BUT NOT LIMITED TO LEASE PAYMENTS, MAINTENANCE, COSTS OF CAPITAL IMPROVEMENTS, COSTS OF OCCUPANCY, SECURITY, INSURANCE AND REAL PROPERTY TAXES, paid under the lease or the maximum cost allowance established by the commissioner for leases

aidable under subdivision six of this section.

d. Notwithstanding any provision of law to the contrary, amounts apportioned pursuant to this subdivision shall not be included in: (1) the allowable growth amount computed pursuant to paragraph dd of subdivision one of this section, (2) the preliminary growth amount computed pursuant to paragraph ff of subdivision one of this section, and (3) the allocable growth amount computed pursuant to paragraph gg of subdivision one of this section, and shall not be considered, and shall not be available for interchange with, general support for public schools.

S 12. Subdivision 1 of section 2856 of the education law, as amended by chapter 378 of the laws of 2007, paragraph (a) as amended and paragraph (d) as added by section 3 of part BB of chapter 56 of the laws of 2014, paragraph (c) as added by chapter 375 of the laws of 2007, is amended to read as follows:

1. (a) The enrollment of students attending charter schools shall be included in the enrollment, attendance, membership and, if applicable, count of students with disabilities of the school district in which the pupil resides. The charter school shall report all such data to the school districts of residence in a timely manner. Each school district shall report such enrollment, attendance and count of students with disabilities to the department. The school district of residence shall pay directly to the charter school for each student enrolled in the charter school who resides in the school district the charter school basic tuition, which shall be:

(i) for school years prior to the two thousand nine--two thousand ten school year and for school years following the two thousand sixteen--two thousand seventeen school year, an amount equal to one hundred percent of the amount calculated pursuant to paragraph f of subdivision one of section thirty-six hundred two of this chapter for the school district for the year prior to the base year increased by the percentage change in the state total approved operating expense calculated pursuant to paragraph t of subdivision one of section thirty-six hundred two of this chapter from two years prior to the base year to the base year;

(ii) for the two thousand nine--two thousand ten school year, the charter school basic tuition shall be the amount payable by such
district as charter school basic tuition for the two thousand eight--two thousand nine school year;

(iii) for the two thousand ten--two thousand eleven through two thousand thirteen--two thousand fourteen school years, the charter school basic tuition shall be the basic tuition computed for the two thousand ten--two thousand eleven school year pursuant to the provisions of subparagraph (i) of this paragraph;

(iv) for the two thousand fourteen--two thousand fifteen[,) AND two thousand fifteen--two thousand sixteen--two thousand seventeen school years, the charter school basic tuition shall be the sum of the lesser of the charter school basic tuition computed for the two thousand ten--two thousand eleven school year pursuant to the provisions of subparagraph (i) of this paragraph or the charter school basic tuition computed for the current year pursuant to the provisions of subparagraph (i) of this paragraph plus the supplemental basic tuition;

(V) FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR, THE CHARTER SCHOOL BASIC TUITION SHALL BE (A) FOR A SCHOOL DISTRICT LOCATED IN A CITY OF ONE MILLION OR MORE INHABITANTS, AN AMOUNT EQUAL TO ONE HUNDRED PERCENT OF THE AMOUNT CALCULATED PURSUANT TO PARAGRAPH F OF SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER FOR THE SCHOOL DISTRICT FOR THE YEAR PRIOR TO THE BASE YEAR INCREASED BY THE PERCENTAGE CHANGE IN THE STATE TOTAL APPROVED OPERATING EXPENSE CALCULATED PURSUANT TO PARAGRAPH T OF SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER FROM TWO YEARS PRIOR TO THE BASE YEAR TO THE BASE YEAR PLUS THE SUPPLEMENTAL BASIC TUITION OR (B) FOR ALL OTHER SCHOOL DISTRICTS, THE SUM OF THE LESSER OF THE CHARTER SCHOOL BASIC TUITION COMPUTED FOR THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN SCHOOL YEAR PURSUANT TO THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH OR THE CHARTER SCHOOL BASIC TUITION COMPUTED FOR THE CURRENT YEAR PURSUANT TO THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH PLUS THE SUPPLEMENTAL BASIC TUITION.

For the purposes of this subdivision, the "supplemental basic tuition" shall be (A) for a school district for which the charter school basic tuition computed for the current year is greater than or equal to the charter school basic tuition for the two thousand ten--two thousand eleven school year pursuant to the provisions of subparagraph (i) of this paragraph, (1) for the two thousand fourteen--two thousand fifteen school year two hundred and fifty dollars, and (2) for the two thousand fifteen--two thousand sixteen school year three hundred and fifty dollars, and (3) for the two thousand sixteen--two thousand seventeen school year five hundred dollars, and (B) for a school district for which the charter school basic tuition for the two thousand ten--two thousand eleven school year is greater than the charter school basic tuition for the current year pursuant to the provisions of subparagraph (i) of this paragraph, the positive difference of the charter school basic tuition for the two thousand ten--two thousand eleven school year minus the charter school basic tuition for the current year pursuant to the provisions of subparagraph (i) of this paragraph.

(b) The school district shall also pay directly to the charter school any federal or state aid attributable to a student with a disability attending charter school in proportion to the level of services for such student with a disability that the charter school provides directly or indirectly. Notwithstanding anything in this section to the contrary, amounts payable pursuant to this subdivision from state or local funds may be reduced pursuant to an agreement between the school and the char-
ter entity set forth in the charter. Payments made pursuant to this
subdivision shall be made by the school district in six substantially
equal installments each year beginning on the first business day of July
and every two months thereafter. Amounts payable under this subdivision
shall be determined by the commissioner. Amounts payable to a charter
school in its first year of operation shall be based on the projections
of initial-year enrollment set forth in the charter until actual enroll-
ment data is reported to the school district by the charter school. Such
projections shall be reconciled with the actual enrollment as actual
enrollment data is so reported and at the end of the school's first year
of operation and each subsequent year based on a final report of actual
enrollment by the charter school, and any necessary adjustments result-
ing from such final report shall be made to payments during the school's
following year of operation.

(c) Notwithstanding any other provision of this subdivision to the
contrary, payment of the federal aid attributable to a student with a
disability attending a charter school shall be made in accordance with
the requirements of section 8065-a of title twenty of the United States
code and sections 76.785-76.799 and 300.209 of title thirty-four of the
code of federal regulations.

(d) School districts shall be eligible for an annual apportionment
equal to the amount of the supplemental basic tuition paid to the char-
ter school in the base year for the expenses incurred in the two thou-
sand fourteen--two thousand fifteen[,] AND two thousand fifteen--two
thousand sixteen--two thousand seventeen] school years.

S 13. Subdivision 1 of section 2856 of the education law, as amended
by section 22 of part A of chapter 58 of the laws of 2011, paragraph (a)
as amended and paragraph (c) as added by section 4 of part BB of chapter
56 of the laws of 2014, is amended to read as follows:

1. (a) The enrollment of students attending charter schools shall be
included in the enrollment, attendance and, if applicable, count of
students with disabilities of the school district in which the pupil
resides. The charter school shall report all such data to the school
districts of residence in a timely manner. Each school district shall
report such enrollment, attendance and count of students with disabili-
ties to the department. The school district of residence shall pay
directly to the charter school for each student enrolled in the charter
school who resides in the school district the charter school basic
tuition which shall be:

(i) for school years prior to the two thousand nine--two thousand ten
school year and for school years following the two thousand sixteen--two
thousand seventeen school year, an amount equal to one hundred percent
of the amount calculated pursuant to paragraph f of subdivision one of
section thirty-six hundred two of this chapter for the school district
for the year prior to the base year increased by the percentage change
in the state total approved operating expense calculated pursuant to
paragraph t of subdivision one of section thirty-six hundred two of this
chapter from two years prior to the base year to the base year;

(ii) for the two thousand nine--two thousand ten school year, the
charter school basic tuition shall be the amount payable by such
district as charter school basic tuition for the two thousand eight--two
thousand nine school year;

(iii) for the two thousand ten--two thousand eleven through two thou-
sand thirteen--two thousand fourteen school years, the charter school
basic tuition shall be the basic tuition computed for the two thousand
ten--two thousand eleven school year pursuant to the provisions of subparagraph (i) of this paragraph;
(iv) for the two thousand fourteen--two thousand fifteen[,] AND two thousand fifteen--two thousand sixteen [and two thousand sixteen--two thousand seventeen] school years, the charter school basic tuition shall be the sum of the lesser of the charter school basic tuition computed for the two thousand ten--two thousand eleven school year pursuant to the provisions of subparagraph (i) of this paragraph or the charter school basic tuition computed for the current year pursuant to the provisions of subparagraph (i) of this paragraph plus the supplemental basic tuition[.];
(V) FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR, THE CHARTER SCHOOL BASIC TUITION SHALL BE (A) FOR A SCHOOL DISTRICT LOCATED IN A CITY OF ONE MILLION OR MORE INHABITANTS, AN AMOUNT EQUAL TO ONE HUNDRED PERCENT OF THE AMOUNT CALCULATED PURSUANT TO PARAGRAPH F OF SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER FOR THE SCHOOL DISTRICT FOR THE YEAR PRIOR TO THE BASE YEAR INCREASED BY THE PERCENTAGE CHANGE IN THE STATE TOTAL APPROVED OPERATING EXPENSE CALCULATED PURSUANT TO PARAGRAPH T OF SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER FROM TWO YEARS PRIOR TO THE BASE YEAR PLUS THE SUPPLEMENTAL BASIC TUITION OR (B) FOR ALL OTHER SCHOOL DISTRICTS, THE SUM OF THE LESSER OF THE CHARTER SCHOOL BASIC TUITION COMPUTED FOR THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN SCHOOL YEAR PURSUANT TO THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH OR THE CHARTER SCHOOL BASIC TUITION COMPUTED FOR THE CURRENT YEAR PURSUANT TO THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH PLUS THE SUPPLEMENTAL BASIC TUITION.

For the purposes of this subdivision, the "supplemental basic tuition" shall be (A) for a school district for which the charter school basic tuition computed for the current year is greater than or equal to the charter school basic tuition for the two thousand ten--two thousand eleven school year pursuant to the provisions of subparagraph (i) of this paragraph, (1) for the two thousand fourteen--two thousand fifteen school year two hundred and fifty dollars, and (2) for the two thousand fifteen--two thousand sixteen school year three hundred and fifty dollars, and (3) for the two thousand sixteen--two thousand seventeen school year five hundred dollars, and (B) for a school district for which the charter school basic tuition for the two thousand ten--two thousand eleven school year is greater than the charter school basic tuition for the current year pursuant to the provisions of subparagraph (i) of this paragraph, the positive difference of the charter school basic tuition for the two thousand ten--two thousand eleven school year minus the charter school basic tuition for the current year pursuant to the provisions of subparagraph (i) of this paragraph.

(b) The school district shall also pay directly to the charter school any federal or state aid attributable to a student with a disability attending charter school in proportion to the level of services for such student with a disability that the charter school provides directly or indirectly. Notwithstanding anything in this section to the contrary, amounts payable pursuant to this subdivision may be reduced pursuant to an agreement between the school and the charter entity set forth in the charter. Payments made pursuant to this subdivision shall be made by the school district in six substantially equal installments each year beginning on the first business day of July and every two months thereafter. Amounts payable under this subdivision shall be determined by the commissioner. Amounts payable to a charter school in its first year of
operation shall be based on the projections of initial-year enrollment set forth in the charter. Such projections shall be reconciled with the actual enrollment at the end of the school's first year of operation, and any necessary adjustments shall be made to payments during the school's second year of operation.

(c) School districts shall be eligible for an annual apportionment equal to the amount of the supplemental basic tuition paid to the charter school in the base year for the expenses incurred in the two thousand fourteen--two thousand fifteen[,] AND two thousand fifteen--two thousand sixteen[, and two thousand sixteen--two thousand seventeen] school years.

S 14. Clauses (i) and (ii) of subparagraph 1 of paragraph e of subdivision 1 of section 3602 of the education law, as amended by section 11 of part B of chapter 57 of the laws of 2007, are amended to read as follows:

(i) determine the number of pupils tested who scored below the statewide reference point as determined by the commissioner on each test administered pursuant to this subparagraph, plus pupils, other than pupils with disabilities and ENGLISH LANGUAGE LEARNER pupils [with limited English proficiency] as defined by the commissioner who are exempt from taking such tests, provided, however, that a district employing eight or more teachers in such years but not operating each grade may use the percentage computed pursuant to this paragraph for the district which in such years enrolled the greatest number of pupils in such grade from such district;

(ii) divide the sum of such numbers by the number of such pupils who took each of such tests, plus pupils, other than pupils with disabilities and ENGLISH LANGUAGE LEARNER pupils [with limited English proficiency] as defined by the commissioner who are exempt from taking such tests, provided, however, that a district which in any of the applicable school years did not maintain a home school or employed fewer than eight teachers, and which in the base year employed eight or more teachers, may use the scores in a later test as designated by the commissioner for the purposes of this paragraph;

S 15. Paragraph o of subdivision 1 of section 3602 of the education law, as amended by section 11 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

o. "[Limited English proficient] ENGLISH LANGUAGE LEARNER count" shall mean the number of pupils served in the base year in programs for pupils with limited English proficiency approved by the commissioner pursuant to the provisions of this chapter and in accordance with regulations adopted for such purpose.

S 16. Paragraph b of subdivision 2 of section 3602-d of the education law, as added by chapter 792 of the laws of 1990, is amended to read as follows:

(b) "Disadvantaged" shall mean individuals (other than handicapped individuals) who have economic or academic disadvantages and who require special services and assistance in order to enable them to succeed in work-prep programs. Such term includes individuals who are: members of economically disadvantaged families as set forth in regulations promulgated by the department pursuant to sections sixty-four hundred fifty-one and sixty-four hundred fifty-two of this chapter or as set forth in the Federal Job Training Partnership Act of nineteen hundred eighty-two (PL 97–300) (29 U.S.C.A. S 1501 et seq.); migrants; [individuals who have limited English proficiency] ENGLISH LANGUAGE LEARNERS; and individuals who are identified as potential dropouts from secondary school.
S. 17. Paragraph d of subdivision 4 of section 3602-f of the education law, as added by section 83-a of part L of chapter 405 of the laws of 1999, is amended to read as follows:

d. [Limited English proficient] ENGLISH LANGUAGE LEARNER pupil count as defined in paragraph o of subdivision one of section thirty-six hundred two of this article.

S 18. Section 3604 of the education law is amended by adding a new subdivision 13 to read as follows:

13. FOR PURPOSES OF THIS CHAPTER, "LIMITED ENGLISH PROFICIENT" AND "LIMITED ENGLISH PROFICIENCY" SHALL MEAN "ENGLISH LANGUAGE LEARNER".

S 19. Clause (B) of subparagraph 2 of paragraph b of subdivision 6 of section 3641 of the education law, as added by section 2 of part B of chapter 58 of the laws of 2011, is amended to read as follows:

(B) [students with limited English proficiency and] students who are English language learners;

S 20. The education law is amended by adding a new section 4403-a to read as follows:

S 4403-A. WAIVERS FROM CERTAIN DUTIES. 1. A LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES MAY SUBMIT AN APPLICATION FOR A WAIVER FROM ANY REQUIREMENT IMPOSED ON SUCH DISTRICT, SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES PURSUANT TO SECTION FORTY-FOUR HUNDRED TWO OR SECTION FORTY-FOUR HUNDRED THREE OF THIS ARTICLE, AND REGULATIONS PROMULGATED THEREUNDER, FOR A SPECIFIC SCHOOL YEAR. SUCH APPLICATION SHALL BE SUBMITTED AT LEAST SIXTY DAYS IN ADVANCE OF THE PROPOSED DATE ON WHICH THE WAIVER WOULD BE EFFECTIVE AND SHALL BE IN A FORM PRESCRIBED BY THE COMMISSIONER.

2. BEFORE SUBMITTING AN APPLICATION FOR A WAIVER, THE LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL PROVIDE NOTICE OF THE PROPOSED WAIVER TO THE PARENTS OR PERSONS IN PARENTAL RELATIONSHIP TO THE STUDENTS THAT WOULD BE IMPACTED BY THE WAIVER IF GRANTED. SUCH NOTICE SHALL BE IN A FORM AND MANNER THAT WILL ENSURE THAT SUCH PARENTS AND PERSONS IN PARENTAL RELATIONSHIP WILL BE AWARE OF ALL RELEVANT CHANGES THAT WOULD OCCUR UNDER THE WAIVER, AND SHALL INCLUDE INFORMATION ON THE FORM, MANNER AND DATE BY WHICH PARENTS MAY SUBMIT WRITTEN COMMENTS ON THE PROPOSED WAIVER. THE LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL, OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL PROVIDE AT LEAST SIXTY DAYS FOR SUCH PARENTS AND PERSONS IN PARENTAL RELATIONSHIP TO SUBMIT WRITTEN COMMENTS, AND SHALL INCLUDE IN THE WAIVER APPLICATION SUBMITTED TO THE COMMISSIONER PURSUANT TO SUBDIVISION ONE OF THIS SECTION ANY WRITTEN COMMENTS RECEIVED FROM SUCH PARENTS OR PERSONS IN PARENTAL RELATION TO SUCH STUDENTS.

3. THE COMMISSIONER MAY GRANT A WAIVER FROM ANY REQUIREMENT IMPOSED ON A LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES PURSUANT TO SECTION FORTY-FOUR HUNDRED TWO OR SECTION FORTY-FOUR HUNDRED THREE OF THIS ARTICLE, UPON A FINDING THAT SUCH WAIVER WILL ENABLE A LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO IMPLEMENT AN INNOVATIVE SPECIAL EDUCATION PROGRAM THAT IS CONSISTENT WITH APPLICABLE FEDERAL REQUIREMENTS, AND WOULD ENHANCE STUDENT ACHIEVEMENT AND/OR OPPORTUNITIES FOR PLACEMENT IN REGULAR CLASSES AND PROGRAMS. IN MAKING SUCH DETERMINATION, THE COMMISSIONER SHALL CONSIDER ANY COMMENTS RECEIVED BY THE LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES FROM PARENTS OR PERSONS IN PARENTAL RELATION TO THE STUDENTS THAT WOULD BE DIRECTLY AFFECTED BY THE WAIVER IF GRANTED.

4. ANY LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES GRANTED A WAIVER SHALL SUBMIT AN ANNUAL
REPORT TO THE COMMISSIONER REGARDING THE OPERATION AND EVALUATION OF THE PROGRAM NO LATER THAN THIRTY DAYS AFTER THE END OF EACH SCHOOL YEAR FOR WHICH A WAIVER IS GRANTED.

S 21. Intentionally omitted.

S 22. Intentionally omitted.

S 23. Subdivision 16 of section 3602-ee of the education law, as added by section 1 of part CC of chapter 56 of the laws of 2014, is amended to read as follows:

16. The authority of the department to administer the universal full-day pre-kindergarten program shall expire June thirtieth, two thousand [sixteen] SEVENTEEN; provided that the program shall continue and remain in full effect.

S 24. Paragraph b of subdivision 6-c of section 3602 of the education law, as added by chapter 1 of the laws of 2013, is amended to read as follows:

b. For projects approved by the commissioner authorized to receive additional building aid pursuant to this subdivision for the purchase of stationary metal detectors, security cameras, CARBON MONOXIDE DETECTORS or other security devices approved by the commissioner that increase the safety of students and school personnel, provided that for purposes of this paragraph such other security devices shall be limited to electronic security systems and hardened doors, and provided that for projects approved by the commissioner on or after the first day of July two thousand thirteen and before the first day of July [two thousand sixteen] TWO THOUSAND SEVENTEEN such additional aid shall equal the product of (i) the building aid ratio computed for use in the current year pursuant to paragraph c of subdivision six of this section plus ten percentage points, except that in no case shall this amount exceed one hundred percent, and (ii) the actual approved expenditures incurred in the base year pursuant to this subdivision, provided that the limitations on cost allowances prescribed by paragraph a of subdivision six of this section shall not apply, and provided further that any projects aided under this paragraph must be included in a district's school safety plan. The commissioner shall annually prescribe a special cost allowance for metal detectors, and security cameras, and the approved expenditures shall not exceed such cost allowance.

S 25. Section 2 of chapter 552 of the laws of 1995 amending the education law relating to contracts for the transportation of school children, as amended by chapter 116 of the laws of 2013, is amended to read as follows:

S 2. This act shall take effect on the first day of January next succeeding the date on which it shall have become a law and shall remain in full force and effect until January 1, [2017] 2020, when upon such date the provisions of this act shall be deemed repealed.

S 26. Paragraph b of subdivision 2 of section 3612 of the education law, as amended by section 8 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

b. Such grants shall be awarded to school districts, within the limits of funds appropriated therefor, through a competitive process that takes into consideration the magnitude of any shortage of teachers in the school district, the number of teachers employed in the school district who hold temporary licenses to teach in the public schools of the state, the number of provisionally certified teachers, the fiscal capacity and geographic sparsity of the district, the number of new teachers the school district intends to hire in the coming school year and the number of summer in the city student internships proposed by an eligible school
district, if applicable. Grants provided pursuant to this section shall be used only for the purposes enumerated in this section. Notwithstanding any other provision of law to the contrary, a city school district in a city having a population of one million or more inhabitants receiving a grant pursuant to this section may use no more than eighty percent of such grant funds for any recruitment, retention and certification costs associated with transitional certification of teacher candidates for the school years two thousand one--two thousand two through two thousand fifteen--two thousand sixteen] TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN.

S 27. Subdivision 6 of section 4402 of the education law, as amended by section 9 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

6. Notwithstanding any other law, rule or regulation to the contrary, the board of education of a city school district with a population of one hundred twenty-five thousand or more inhabitants shall be permitted to establish maximum class sizes for special classes for certain students with disabilities in accordance with the provisions of this subdivision. For the purpose of obtaining relief from any adverse fiscal impact from under-utilization of special education resources due to low student attendance in special education classes at the middle and secondary level as determined by the commissioner, such boards of education shall, during the school years nineteen hundred ninety-five--nineteen ninety-five through June thirty-first, two thousand [sixteen] SEVENTEEN of the [two thousand fifteen--two thousand sixteen] TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN school year, be authorized to increase class sizes in special classes containing students with disabilities whose age ranges are equivalent to those of students in middle and secondary schools as defined by the commissioner for purposes of this section by up to but not to exceed one and two tenths times the applicable maximum class size specified in regulations of the commissioner rounded up to the nearest whole number, provided that in a city school district having a population of one million or more, classes that have a maximum class size of fifteen may be increased by no more than one student and provided that the projected average class size shall not exceed the maximum specified in the applicable regulation, provided that such authorization shall terminate on June thirtieth, two thousand. Such authorization shall be granted upon filing of a notice by such a board of education with the commissioner stating the board's intention to increase such class sizes and a certification that the board will conduct a study of attendance problems at the secondary level and will implement a corrective action plan to increase the rate of attendance of students in such classes to at least the rate for students attending regular education classes in secondary schools of the district. Such corrective action plan shall be submitted for approval by the commissioner by a date during the school year in which such board increases class sizes as provided pursuant to this subdivision to be prescribed by the commissioner. Upon at least thirty days notice to the board of education, after conclusion of the school year in which such board increases class sizes as provided pursuant to this subdivision, the commissioner shall be authorized to terminate such authorization upon a finding that the board has failed to develop or implement an approved corrective action plan.

S 28. Subdivision b of section 2 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, as amended by section
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13 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

b. Reimbursement for programs approved in accordance with subdivision a of this section for the 2012--2013 school year shall not exceed 63.3 percent of the lesser of such approvable costs per contact hour or twelve dollars and thirty-five cents per contact hour, reimbursement for the 2013--2014 school year shall not exceed 62.3 percent of the lesser of such approvable costs per contact hour or twelve dollars and sixty-five cents per contact hour, reimbursement for the 2014--2015 school year shall not exceed 61.6 percent of the lesser of such approvable costs per contact hour or thirteen dollars per contact hour, reimbursement for the 2015--2016 school year shall not exceed 60.7 percent of the lesser of such approvable costs per contact hour or thirteen dollars and forty cents per contact hour, and reimbursement for the 2016--2017 school year shall not exceed 60.3 percent of the lesser of such approvable costs per contact hour or thirteen dollars ninety cents per contact hour, where a contact hour represents sixty minutes of instruction services provided to an eligible adult. Notwithstanding any other provision of law to the contrary, for the 2012--2013 school year such contact hours shall not exceed one million six hundred sixty-four thousand five hundred thirty-two (1,664,532) hours; whereas for the 2013--2014 school year such contact hours shall not exceed one million six hundred forty-nine thousand seven hundred forty-six (1,649,746) hours; whereas for the 2014--2015 school year such contact hours shall not exceed one million six hundred twenty-five thousand (1,625,000) hours; whereas for the 2015--2016 school year such contact hours shall not exceed one million five hundred ninety-nine thousand fifteen (1,599,015) hours; whereas for the 2016--2017 school year such contact hours shall not exceed one million five hundred ninety-one thousand fifteen hundred twelve ($1,551,312). Notwithstanding any other provision of law to the contrary, the apportionment calculated for the city school district of the city of New York pursuant to subdivision 11 of section 3602 of the education law shall be computed as if such contact hours provided by the consortium for worker education, not to exceed the contact hours set forth herein, were eligible for aid in accordance with the provisions of such subdivision 11 of section 3602 of the education law.

S 29. Section 4 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, is amended by adding a new subdivision u to read as follows:


S 30. Section 6 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, as amended by section 15 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

S 6. This act shall take effect July 1, 1992, and shall be deemed repealed on June 30, [2016] 2017.
Section 99-u of the state finance law, as added by section 2 of part GG of chapter 59 of the laws of 2013, subdivision 2-a as added by chapter 453 of the laws of 2015, is amended to read as follows:

1. There is hereby established in the joint custody of the commissioner of taxation and finance and the state comptroller a special account to be known as the "New York state teen health education fund".

2. Such fund shall consist of all revenues received by the department of taxation and finance, pursuant to the provisions of section six hundred thirty-c of the tax law and all other moneys appropriated there-to from any other fund or source pursuant to law. Nothing contained in this section shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

2-a. On or before the first day of February each year, the commissioner of health shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on health, chair of the assembly health committee, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

(i) the amount of money dispersed from the fund and the award process used for such disbursements;

(ii) recipients of awards from the fund;

(iii) the amount awarded to each;

(iv) the purposes for which such awards were granted; and

(v) a summary financial plan for such monies which shall include estimates of all receipts and all disbursements for the current and succeeding fiscal years, along with the actual results from the prior fiscal year.

3. The moneys in said account shall be retained by the fund and shall be released by the commissioner of taxation and finance only upon certificates signed by the commissioner of education or his or her designee and only for the purposes set forth in this section.

4. The moneys in such fund shall be expended for the purpose of supplementing educational programs in schools for health and awareness of issues facing teens today when it comes to their health. Eligible health programs are those with an established curriculum providing instruction on alcohol, tobacco and other drug abuse prevention, the causes and problems associated with teen obesity, and for awareness of the symptoms of teen endometriosis. The moneys of such fund shall be paid out on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education, or his or her designee, and only for the purposes set forth in this section.

5. On or before the first day of February of each year, the state comptroller shall certify to the governor, temporary president of the senate, speaker of the assembly, chair of senate finance committee, and
CHAIR OF ASSEMBLY WAYS AND MEANS COMMITTEE THE AMOUNT OF MONEY DEPOSITED
BY SOURCE IN THE NEW YORK STATE TEEN HEALTH EDUCATION FUND DURING THE
PRECEDING CALENDAR YEAR AS THE RESULT OF REVENUE DERIVED PURSUANT TO
SECTION SIX HUNDRED THIRTY-C OF THE TAX LAW AND FROM ALL OTHER SOURCES.

(II) ON OR BEFORE THE FIRST DAY OF FEBRUARY OF EACH YEAR, THE COMMIS-
SIONER OF EDUCATION SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY
PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF SENATE
FINANCE COMMITTEE, AND CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE.
SUCH REPORT SHALL INCLUDE HOW MONIES OF THE FUND WERE UTILIZED DURING
THE PRECEDING CALENDAR YEAR AND SHALL INCLUDE:

(A) THE AMOUNT OF MONEY DISBURSED FROM THE FUND;
(B) RECIPIENTS OF AWARDS FROM THE FUND;
(C) THE AMOUNT AWARDED TO EACH; AND
(D) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED.

S 32. Subdivision 1 of section 167 of chapter 169 of the laws of 1994,
relating to certain provisions related to the 1994-95 state operations,
aid to localities, capital projects and debt service budgets, as amended
by section 16 of part A of chapter 56 of the laws of 2015, is amended to
read as follows:

1. Sections one through seventy of this act shall be deemed to have
been in full force and effect as of April 1, 1994 provided, however,
that sections one, two, twenty-four, twenty-five and twenty-seven
through seventy of this act shall expire and be deemed repealed on March
31, 2000; provided, however, that section twenty of this act shall apply
only to hearings commenced prior to September 1, 1994, and provided
further that section twenty-six of this act shall expire and be deemed
repealed on March 31, 1997; and provided further that sections four
through fourteen, sixteen, and eighteen, nineteen and twenty-one through
twenty-one-a of this act shall expire and be deemed repealed on March
31, 1997; and provided further that sections three, fifteen, seventeen,
twenty, twenty-two and twenty-three of this act shall expire and be

S 33. Subdivisions 22 and 24 of section 140 of chapter 82 of the laws
of 1995, amending the education law and other laws relating to state aid
to school districts and the appropriation of funds for the support of
government, as amended by section 17 of part A of chapter 56 of the laws
of 2015, are amended to read as follows:

(22) sections one hundred twelve, one hundred thirteen, one hundred
fourteen, one hundred fifteen and one hundred sixteen of this act shall
take effect on July 1, 1995; provided, however, that section one hundred
thirteen of this act shall remain in full force and effect until July 1,
[2016] 2017 at which time it shall be deemed repealed;
(24) sections one hundred eighteen through one hundred thirty of this
act shall be deemed to have been in full force and effect on and after
July 1, 1995; provided further, however, that the amendments made pursu-
ant to section one hundred twenty-four of this act shall be deemed to be
repealed on and after July 1, [2016] 2017;

S 34. Section 12 of chapter 147 of the laws of 2001, amending the
education law relating to conditional appointment of school district,
charter school or BOCES employees, as amended by section 19 of part A of
chapter 56 of the laws of 2015, is amended to read as follows:

S 12. This act shall take effect on the same date as chapter 180 of
the laws of 2000 takes effect, and shall expire July 1, [2016] 2017 when
upon such date the provisions of this act shall be deemed repealed.
S 35. Section 4 of chapter 425 of the laws of 2002, amending the
education law relating to the provision of supplemental educational
services, attendance at a safe public school and the suspension of
pupils who bring a firearm to or possess a firearm at a school, as
amended by section 20 of part A of chapter 56 of the laws of 2015, is
amended to read as follows:

§ 4. This act shall take effect July 1, 2002 and shall expire and be

§ 36. Section 5 of chapter 101 of the laws of 2003, amending the
education law relating to the implementation of the No Child Left Behind
Act of 2001, as amended by section 21 of part A of chapter 56 of the
laws of 2015, is amended to read as follows:

§ 5. This act shall take effect immediately; provided that sections
one, two and three of this act shall expire and be deemed repealed on

§ 37. School bus driver training. In addition to apportionments other-
wise provided by section 3602 of the education law, for aid payable in
the 2016--2017 school year, the commissioner of education shall allocate
school bus driver training grants to school districts and boards of
cooperative educational services pursuant to sections 3650-a, 3650-b and
3650-c of the education law, or for contracts directly with not-for-pro-
fit educational organizations for the purposes of this section. Such
payments shall not exceed four hundred thousand dollars ($400,000) per
school year.

§ 38. Special apportionment for salary expenses. a. Notwithstanding
any other provision of law, upon application to the commissioner of
education, not sooner than the first day of the second full business
week of June 2017 and not later than the last day of the third full
business week of June 2017, a school district eligible for an apportion-
ment pursuant to section 3602 of the education law shall be eligible to
receive an apportionment pursuant to this section, for the school year
ending June 30, 2017, for salary expenses incurred between April 1 and
June 30, 2016 and such apportionment shall not exceed the sum of (i) the
deficit reduction assessment of 1990--1991 as determined by the commis-
sioner of education, pursuant to paragraph f of subdivision 1 of section
3602 of the education law, as in effect through June 30, 1993, plus (ii)
186 percent of such amount for a city school district in a city with a
population in excess of 1,000,000 inhabitants, plus (iii) 209 percent of
such amount for a city school district in a city with a population of
more than 195,000 inhabitants and less than 219,000 inhabitants accord-
ing to the latest federal census, plus (iv) the net gap elimination
adjustment for 2010--2011, as determined by the commissioner of educa-
tion pursuant to chapter 53 of the laws of 2010, plus (v) the gap elimi-
nation adjustment for 2011--2012 as determined by the commissioner of
education pursuant to subdivision 17 of section 3602 of the education
law, and provided further that such apportionment shall not exceed such
salary expenses. Such application shall be made by a school district,
after the board of education or trustees have adopted a resolution to do
so and in the case of a city school district in a city with a population
in excess of 125,000 inhabitants, with the approval of the mayor of such
city.

b. The claim for an apportionment to be paid to a school district
pursuant to subdivision a of this section shall be submitted to the
commissioner of education on a form prescribed for such purpose, and
shall be payable upon determination by such commissioner that the form
has been submitted as prescribed. Such approved amounts shall be payable
on the same day in September of the school year following the year in
which application was made as funds provided pursuant to subparagraph
(4) of paragraph b of subdivision 4 of section 92-c of the state finance law, on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law from moneys in the state lottery fund and from the general fund to the extent that the amount paid to a school district pursuant to this section exceeds the amount, if any, due such school district pursuant to subparagraph (2) of paragraph a of subdivision 1 of section 3609-a of the education law in the school year following the year in which application was made.

S 39. Special apportionment for public pension accruals. a. Notwithstanding any other provision of law, upon application to the commissioner of education, not later than June 30, 2017, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2017 and such apportionment shall not exceed the additional accruals required to be made by school districts in the 2004--2005 and 2005--2006 school years associated with changes for such public pension liabilities. The amount of such additional accrual shall be certified to the commissioner of education by the president of the board of education or the trustees or, in the case of a city school district in a city with a population in excess of 125,000 inhabitants, the mayor of such city. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

b. The claim for an apportionment to be paid to a school district pursuant to subdivision a of this section shall be submitted to the commissioner of education on a form prescribed for such purpose, and shall be payable upon determination by such commissioner that the form has been submitted as prescribed. Such approved amounts shall be payable on the same day in September of the school year following the year in which application was made as funds provided pursuant to subparagraph (4) of paragraph b of subdivision 4 of section 92-c of the state finance law, on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law from moneys in the state lottery fund and from the general fund to the extent that the amount paid to a school district pursuant to this section exceeds the amount, if any, due such school district pursuant to subparagraph (2) of paragraph a of subdivision 1 of
subsection 3609-a of the education law in the school year following the
year in which application was made.

c. Notwithstanding the provisions of section 3609-a of the education
law, an amount equal to the amount paid to a school district pursuant to
subdivisions a and b of this section shall first be deducted from the
following payments due the school district during the school year
following the year in which application was made pursuant to subpara-
graphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of
section 3609-a of the education law in the following order: the lottery
apportionment payable pursuant to subparagraph (2) of such paragraph
followed by the fixed fall payments payable pursuant to subparagraph (4)
of such paragraph and then followed by the district's payments to the
teachers' retirement system pursuant to subparagraph (1) of such para-
graph, and any remainder to be deducted from the individualized payments
due the district pursuant to paragraph b of such subdivision shall be
deducted on a chronological basis starting with the earliest payment due
the district.

§ 40. a. Notwithstanding any other law, rule or regulation to the
contrary, any moneys appropriated to the state education department may
be suballocated to other state departments or agencies, as needed, to
accomplish the intent of the specific appropriations contained therein.
b. Notwithstanding any other law, rule or regulation to the contrary,
moneys appropriated to the state education department from the general
fund/aid to localities, local assistance account-001, shall be for
payment of financial assistance, as scheduled, net of disallowances,
refunds, reimbursement and credits.
c. Notwithstanding any other law, rule or regulation to the contrary,
all moneys appropriated to the state education department for aid to
localities shall be available for payment of aid heretofore or hereafter
to accrue and may be suballocated to other departments and agencies to
accomplish the intent of the specific appropriations contained therein.
d. Notwithstanding any other law, rule or regulation to the contrary,
moneys appropriated to the state education department for general
support for public schools may be interchanged with any other item of
appropriation for general support for public schools within the general
fund local assistance account office of prekindergarten through grade
twelve education programs.

§ 41. Notwithstanding the provision of any law, rule, or regulation to
the contrary, the city school district of the city of Rochester, upon
the consent of the board of cooperative educational services of the
supervisory district serving its geographic region may purchase from
such board for the 2016--2017 school year, as a non-component school
district, services required by article 19 of the education law.

§ 42. The amounts specified in this section shall be a set aside from
the state funds which each such district is receiving from the total
foundation aid: for the purpose of the development, maintenance or
expansion of magnet schools or magnet school programs for the 2016--2017
school year. To the city school district of the city of New York there
shall be paid forty-eight million one hundred seventy-five thousand
dollars ($48,175,000) including five hundred thousand dollars ($500,000)
for the Andrew Jackson High School; to the Buffalo city school district,
twenty-one million twenty-five thousand dollars ($21,025,000); to the
Rochester city school district, fifteen million dollars ($15,000,000);
to the Syracuse city school district, thirteen million dollars
($13,000,000); to the Yonkers city school district, forty-nine million
five hundred thousand dollars ($49,500,000); to the Newburgh city school
district, four million six hundred forty-five thousand dollars ($4,645,000); to the Poughkeepsie city school district, two million four hundred seventy-five thousand dollars ($2,475,000); to the Mount Vernon city school district, two million dollars ($2,000,000); to the New Rochelle city school district, one million four hundred ten thousand dollars ($1,410,000); to the Schenectady city school district, one million eight hundred thousand dollars ($1,800,000); to the Port Chester city school district, one million one hundred fifty thousand dollars ($1,150,000); to the White Plains city school district, nine hundred thousand dollars ($900,000); to the Niagara Falls city school district, six hundred thousand dollars ($600,000); to the Albany city school district, three million five hundred fifty thousand dollars ($3,550,000); to the Utica city school district, two million dollars ($2,000,000); to the Beacon city school district, five hundred sixty-six thousand dollars ($566,000); to the Middletown city school district, four hundred thousand dollars ($400,000); to the Freeport union free school district, four hundred thousand dollars ($400,000); to the Greenburgh central school district, three hundred thousand dollars ($300,000); to the Amsterdam city school district, eight hundred thousand dollars ($800,000); to the Peekskill city school district, two hundred thousand dollars ($200,000); and to the Hudson city school district, four hundred thousand dollars ($400,000). Notwithstanding the provisions of this section, a school district receiving a grant pursuant to this section may use such grant funds for: (i) any instructional or instructional support costs associated with the operation of a magnet school; or (ii) any instructional or instructional support costs associated with implementation of an alternative approach to reduction of racial isolation and/or enhancement of the instructional program and raising of standards in elementary and secondary schools of school districts having substantial concentrations of minority students. The commissioner of education shall not be authorized to withhold magnet grant funds from a school district that used such funds in accordance with this section, notwithstanding any inconsistency with a request for proposals issued by such commissioner. For the purpose of attendance improvement and dropout prevention for the 2016--2017 school year, for any city school district in a city having a population of more than one million, the set aside for attendance improvement and dropout prevention shall equal the amount set aside in the base year. For the 2016--2017 school year, it is further provided that any city school district in a city having a population of more than one million shall allocate at least one-third of any increase from base year levels in funds set aside pursuant to the requirements of this section to community-based organizations. Any increase required pursuant to this section to community-based organizations must be in addition to allocations provided to community-based organizations in the base year. For the purpose of teacher support for the 2016--2017 school year: to the city school district of the city of New York, sixty-two million seven hundred seven thousand dollars ($62,707,000); to the Buffalo city school district, one million seven hundred forty-one thousand dollars ($1,741,000); to the Rochester city school district, one million seventy-six thousand dollars ($1,076,000); to the Yonkers city school district, one million one hundred forty-seven thousand dollars ($1,147,000); and to the Syracuse city school district, eight hundred nine thousand dollars ($809,000). All funds made available to a school district pursuant to this section shall be distributed among teachers including prekindergarten teachers and teachers of adult vocational and academic subjects in accordance
with this section and shall be in addition to salaries heretofore or
hereafter negotiated or made available; provided, however, that all
funds distributed pursuant to this section for the current year shall be
deemed to incorporate all funds distributed pursuant to former subdivi-
sion 27 of section 3602 of the education law for prior years. In school
districts where the teachers are represented by certified or recognized
employee organizations, all salary increases funded pursuant to this
section shall be determined by separate collective negotiations
conducted pursuant to the provisions and procedures of article 14 of the
civil service law, notwithstanding the existence of a negotiated agree-
ment between a school district and a certified or recognized employee
organization. For the purpose of continuing contractual obligations of
conversion charter schools and their employees for the 2016-2017 school
year, to the city school district of the city of New York, fifteen
million dollars ($15,000,000).

S 43. Support of public libraries. The moneys appropriated for the
support of public libraries by a chapter of the laws of 2016 enacting
the aid to localities budget shall be apportioned for the 2016-2017
state fiscal year in accordance with the provisions of sections 271,
272, 273, 282, 284, and 285 of the education law as amended by the
provisions of this chapter and the provisions of this section, provided
that library construction aid pursuant to section 273-a of the education
law shall not be payable from the appropriations for the support of
public libraries and provided further that no library, library system or
program, as defined by the commissioner of education, shall receive less
total system or program aid than it received for the year 2001-2002
except as a result of a reduction adjustment necessary to conform to the
appropriations for support of public libraries. Notwithstanding any
other provision of law to the contrary the moneys appropriated for the
support of public libraries for the year 2016-2017 by a chapter of the
laws of 2016 enacting the education, labor and family assistance budget
shall fulfill the state’s obligation to provide such aid and, pursuant
to a plan developed by the commissioner of education and approved by the
director of the budget, the aid payable to libraries and library systems
pursuant to such appropriations shall be reduced proportionately to
assure that the total amount of aid payable does not exceed the total
appropriations for such purpose.

S 44. Severability. The provisions of this act shall be severable, and
if the application of any clause, sentence, paragraph, subdivision,
sec or part of this act to any person or circumstance shall be
adjudged by any court of competent jurisdiction to be invalid, such
judgment shall not necessarily affect, impair or invalidate the applica-
tion of any such clause, sentence, paragraph, subdivision, sec or part
of this act or remainder thereof, as the case may be, to any other
person or circumstance, but shall be confined in its operation to the
clause, sentence, paragraph, subdivision, sec or part thereof
directly involved in the controversy in which such judgment shall have
been rendered.

S 45. This act shall take effect immediately, and shall be deemed to
have been in full force and effect on and after April 1, 2016, provided,
however, that:
1. Sections one, twenty-six, twenty-seven, twenty-eight, twenty-nine,
thirty-seven, forty-one and forty-two of this act shall take effect July
1, 2016.
2. The amendments to subdivision 1 of section 2856 of the education
law made by section twelve of this act shall be subject to the expira-
tion and reversion of such subdivision pursuant to subdivision d of section 27 of chapter 378 of the laws of 2007, as amended, when upon such date the provisions of section thirteen of this act shall take effect.

3. The amendments to chapter 756 of the laws of 1992, amending the education law relating to funding a program for work force education conducted by a consortium for worker education in New York City made by sections twenty-eight and twenty-nine of this act shall not affect the repeal of such chapter and shall be deemed repealed therewith.

4. Section thirty-three of this act shall take effect immediately and shall be deemed to have been in full force and effect on and after the effective date of section 140 of chapter 82 of the laws of 1995.

PART A-1

Section 1. Subdivision 4 of section 3602 of the education law, as amended by section 5-a of part A of chapter 56 of the laws of 2015, is amended to read as follows:

4. Total foundation aid. In addition to any other apportionment pursuant to this chapter, a school district, other than a special act school district as defined in subdivision eight of section four thousand one of this chapter, shall be eligible for total foundation aid equal to the product of total aidable foundation pupil units multiplied by the district's selected foundation aid, which shall be the greater of five hundred dollars ($500) or foundation formula aid, provided, however that for the two thousand seven--two thousand eight through two thousand eight--two thousand nine school years, no school district shall receive total foundation aid in excess of the sum of the total foundation aid base for aid payable in the two thousand seven--two thousand eight school year computed pursuant to subparagraph (i) of paragraph j of subdivision one of this section, plus the phase-in foundation increase computed pursuant to paragraph b of this subdivision, and provided further that for the two thousand twelve--two thousand thirteen school year, no school district shall receive total foundation aid in excess of the sum of the total foundation aid base for aid payable in the two thousand eleven--two thousand twelve school year computed pursuant to SUBPARAGRAPH (II) OF paragraph j of subdivision one of this section, plus the phase-in foundation increase computed pursuant to paragraph b of this subdivision, and provided further that for the two thousand thirteen--two thousand fourteen school year and thereafter, no school district shall receive total foundation aid in excess of the sum of the total foundation aid base computed pursuant to SUBPARAGRAPH (II) OF paragraph j of subdivision one of this section, plus the phase-in foundation increase computed pursuant to paragraph b of this subdivision, AND PROVIDED, FURTHER, THAT FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR, NO SCHOOL DISTRICT SHALL RECEIVE TOTAL FOUNDATION AID IN EXCESS OF THE LESSER OF (1) THE SUM OF THE TOTAL FOUNDATION AID BASE COMPUTED PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH J OF SUBDIVISION ONE OF THIS SECTION, PLUS THE PERCENTAGE INCREASE COMPUTED PURSUANT TO PARAGRAPHS B-2 THROUGH T-3 OF THIS SUBDIVISION OR (2) TOTAL FOUNDATION AID, PROVIDED, HOWEVER, THAT FOR ANY DISTRICT IN WHICH THE TOTAL FOUNDATION AID BASE COMPUTED PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH J OF SUBDIVISION ONE OF THIS SECTION EXCEEDS TOTAL FOUNDATION AID, DESIGNATED AS HIGH NEED PURSUANT TO CLAUSE (C) OF SUBPARAGRAPH COF SUBDIVISION SIX OF THIS SECTION FOR THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE ENACTED
BUDGET FOR THE TWO THOUSAND SEVEN--TWO THOUSAND EIGHT SCHOOL YEAR AND
ENTITLED "SA0708" OTHER THAN A CITY SCHOOL DISTRICT OF THOSE CITIES
HAVING POPULATIONS IN EXCESS OF ONE HUNDRED TWENTY-FIVE THOUSAND, SUCH
TOTAL FOUNDATION AID SHALL BE THE TOTAL FOUNDATION AID BASE COMPUTED
PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH J OF SUBDIVISION ONE OF THIS
SECTION MULTIPLIED BY ONE AND FOUR-HUNDREDTHS (1.04) and provided
further that total foundation aid shall not be less than the product of
the total foundation aid base computed pursuant to paragraph j of subdi-
vision one of this section and the due-minimum percent which shall be,
for the two thousand twelve--two thousand thirteen school year, one
hundred and six-tenths percent (1.006) and for the two thousand thir-
teen--two thousand fourteen school year for city school districts of
those cities having populations in excess of one hundred twenty-five
thousand and less than one million inhabitants one hundred and one
and one hundred and seventy-six thousandths percent (1.01176), and for all
other districts one hundred and three-tenths percent (1.003), and for
the two thousand fourteen--two thousand fifteen school year one hundred
and eighty-five hundredths percent (1.0085), and for the two thousand
fifteen--two thousand sixteen school year, one hundred and thirty-seven
hundredths percent (1.0037), subject to allocation pursuant to the
provisions of subdivision eighteen of this section and any provisions of
a chapter of the laws of New York as described therein, nor more than
the product of such total foundation aid base and one hundred fifteen
percent, and provided further that for the two thousand nine--two thou-
sand ten through two thousand eleven--two thousand twelve school years,
each school district shall receive total foundation aid in an amount
equal to the amount apportioned to such school district for the two
thousand eight--two thousand nine school year pursuant to this subdivi-
sion. Total aidable foundation pupil units shall be calculated pursuant
to paragraph g of subdivision two of this section. For the purposes of
calculating aid pursuant to this subdivision, aid for the city school
district of the city of New York shall be calculated on a citywide
basis.

a. Foundation formula aid. Foundation formula aid shall equal the
remainder when the expected minimum local contribution is subtracted
from the product of the foundation amount, the regional cost index, and
the pupil need index, or: (foundation amount \times \text{regional cost index} \times \text{pupil need index}) - expected minimum local contribution.

(1) The foundation amount shall reflect the average per pupil cost of
general education instruction in successful school districts, as deter-
mined by a statistical analysis of the costs of special education and
general education in successful school districts, provided that the
foundation amount shall be adjusted annually to reflect the percentage
increase in the consumer price index as computed pursuant to section two
thousand twenty-two of this chapter, provided that for the two thousand
eight--two thousand nine school year, for the purpose of such adjust-
ment, the percentage increase in the consumer price index shall be
deemed to be two and nine-tenths percent (0.029), and provided further
that the foundation amount for the two thousand seven--two thousand
eight school year shall be five thousand two hundred fifty-eight
dollars, and provided further that for the two thousand seven--two thou-
sand eight through two thousand [fifteen] SIXTEEN--two thousand
[sixteen] SEVENTEEN school years, the foundation amount shall be further
adjusted by the phase-in foundation percent established pursuant to
paragraph b of this subdivision.
(2) The regional cost index shall reflect an analysis of labor market costs based on median salaries in professional occupations that require similar credentials to those of positions in the education field, but not including those occupations in the education field, provided that the regional cost indices for the two thousand seven--two thousand eight school year and thereafter shall be as follows:

<table>
<thead>
<tr>
<th>Labor Force Region</th>
<th>Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital District</td>
<td>1.124</td>
</tr>
<tr>
<td>Southern Tier</td>
<td>1.045</td>
</tr>
<tr>
<td>Western New York</td>
<td>1.091</td>
</tr>
<tr>
<td>Hudson Valley</td>
<td>1.314</td>
</tr>
<tr>
<td>Long Island/NYC</td>
<td>1.425</td>
</tr>
<tr>
<td>Finger Lakes</td>
<td>1.141</td>
</tr>
<tr>
<td>Central New York</td>
<td>1.103</td>
</tr>
<tr>
<td>Mohawk Valley</td>
<td>1.000</td>
</tr>
<tr>
<td>North Country</td>
<td>1.000</td>
</tr>
</tbody>
</table>

(3) The pupil need index shall equal the sum of one plus the extraordinary needs percent, provided, however, that the pupil need index shall not be less than one nor more than two. The extraordinary needs percent shall be calculated pursuant to paragraph w of subdivision one of this section.

(4) The expected minimum local contribution shall equal the lesser of (i) the product of (A) the quotient arrived at when the selected actual valuation is divided by total wealth foundation pupil units, multiplied by (B) the product of the local tax factor, multiplied by the income wealth index, or (ii) the product of (A) the product of the foundation amount, the regional cost index, and the pupil need index, multiplied by (B) the positive difference, if any, of one minus the state sharing ratio for total foundation aid. The local tax factor shall be established by May first of each year by determining the product, computed to four decimal places without rounding, of ninety percent multiplied by the quotient of the sum of the statewide average tax rate as computed by the commissioner for the current year in accordance with the provisions of paragraph e of subdivision one of section thirty-six hundred nine-e of this part plus the statewide average tax rate computed by the commissioner for the base year in accordance with such provisions plus the statewide average tax rate computed by the commissioner for the year prior to the base year in accordance with such provisions, divided by three, provided however that for the two thousand seven--two thousand eight school year, such local tax factor shall be sixteen thousandths (0.016), and provided further that for the two thousand eight--two thousand nine school year, such local tax factor shall be one hundred fifty-four ten thousandths (0.0154). The income wealth index shall be calculated pursuant to paragraph d of subdivision three of this section, provided, however, that for the purposes of computing the expected minimum local contribution the income wealth index shall not be less than sixty-five percent (0.65) and shall not be more than two hundred percent (2.0) and provided however that such income wealth index shall not be more than ninety-five percent (0.95) for the two thousand eight--two thousand nine school year, and provided further that such income wealth index shall not be less than zero for the two thousand thirteen--two thousand fourteen school year. The selected actual valuation shall be calculated pursuant to paragraph c of subdivision one of this section. Total wealth foundation pupil units shall be calculated pursuant to paragraph h of subdivision two of this section.
b. Phase-in foundation increase. (1) The phase-in foundation increase shall equal the product of the phase-in foundation increase factor multiplied by the positive difference, if any, of (i) the product of the total aidable foundation pupil units multiplied by the district's selected foundation aid less (ii) the total foundation aid base computed pursuant to paragraph j of subdivision one of this section.

(2) (i) Phase-in foundation percent. The phase-in foundation percent shall equal one hundred thirteen and fourteen one hundredths percent (1.1314) for the two thousand eleven--two thousand twelve school year, one hundred ten and thirty-eight hundredths percent (1.1038) for the two thousand twelve--two thousand thirteen school year, one hundred seven and sixty-eight hundredths percent (1.0768) for the two thousand thirteen--two thousand fourteen school year, one hundred five and six hundredths percent (1.0506) for the two thousand fourteen--two thousand fifteen school year, and one hundred two and five tenths percent (1.0250) for the two thousand fifteen--two thousand sixteen school year.

(ii) Phase-in foundation increase factor. For the two thousand eleven--two thousand twelve school year, the phase-in foundation increase factor shall equal thirty-seven and one-half percent (0.375) and the phase-in due minimum percent shall equal nineteen and forty-one hundredths percent (0.1941), for the two thousand twelve--two thousand thirteen school year the phase-in foundation increase factor shall equal one and seven-tenths percent (0.017), for the two thousand thirteen--two thousand fourteen school year the phase-in foundation increase factor shall equal (1) for a city school district in a city having a population of one million or more, five and twenty-three hundredths percent (0.0523) or (2) for all other school districts zero percent, for the two thousand fourteen--two thousand fifteen school year the phase-in foundation increase factor shall equal (1) for a city school district of a city having a population of one million or more, four and thirty-two hundredths percent (0.0432) or (2) for a school district other than a city school district having a population of one million or more for which (A) the quotient of the positive difference of the foundation formula aid minus the foundation aid base computed pursuant to paragraph j of subdivision one of this section divided by the foundation formula aid is greater than twenty-two percent (0.22) and (B) a combined wealth ratio less than thirty-five hundredths (0.35), seven percent (0.07) or (3) for any other district designated as high need pursuant to clause (c) of subparagraph two of paragraph c of subdivision six of this section for the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand seven--two thousand eight school year and entitled "SA0708", four percent (0.04); or (4) for a city school
district in a city having a population of one hundred twenty-five thousand or more but less than one million, fourteen percent (0.14); or (5) for school districts that were designated as small city school districts or central school districts whose boundaries include a portion of a small city for the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand fourteen--two thousand fifteen school year and entitled "SA1415", four and seven hundred fifty-one thousandths percent (0.04751); or (6) for all other districts one percent (0.01), and for the two thousand [sixteen--two thousand seventeen] SEVENTEEN--TWO THOUSAND EIGHTEEN school year and thereafter the commissioner shall annually determine the phase-in foundation increase factor subject to allocation pursuant to the provisions of subdivision eighteen of this section and any provisions of a chapter of the laws of New York as described therein.

b-1. Notwithstanding any other provision of law to the contrary, for the two thousand seven--two thousand eight school year and thereafter, the additional amount payable to each school district pursuant to this subdivision in the current year as total foundation aid, after deducting the total foundation aid base, shall be deemed a state grant in aid identified by the commissioner for general use for purposes of section seventeen hundred eighteen of this chapter.

B-2. 1. PERCENTAGE INCREASE. FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR, THE PERCENTAGE INCREASE SHALL EQUAL THE GREATER OF (A) THE TOTAL FOUNDATION AID BASE COMPUTED PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH J OF SUBDIVISION ONE OF THIS SECTION MULTIPLIED BY THE PERCENTAGE INCREASE FACTOR OR (B) THE DIFFERENCE OF (1) THE SUM OF THE AMOUNTS SET FORTH FOR EACH SCHOOL DISTRICT AS "2016-17 FOUNDATION AID" PLUS "2016-17 COMMUNITY SCHOOLS AID" IN THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE EXECUTIVE BUDGET REQUEST FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR AND ENTITLED "BT161-7" LESS (2) THE AMOUNTS SET FORTH FOR EACH SCHOOL DISTRICT AS "2015-16 FOUNDATION AID" IN SUCH COMPUTER LISTING.

2. FOR PURPOSES OF THIS PARAGRAPH, "HIGH NEED URBAN/SUBURBAN," "HIGH NEED RURAL," "AVERAGE NEED," AND "LOW NEED" SHALL MEAN SUCH DESIGNATIONS PURSUANT TO CLAUSE (C) OF SUBPARAGRAPH TWO OF PARAGRAPH C OF SUBDIVISION SIX OF THIS SECTION FOR THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE ENACTED BUDGET FOR THE TWO THOUSAND SEVEN--TWO THOUSAND EIGHT SCHOOL YEAR AND ENTITLED "SA0708".

3. THE PERCENTAGE INCREASE FACTOR SHALL BE: (A) FOR A SCHOOL DISTRICT IN A CITY WITH A POPULATION GREATER THAN ONE MILLION, SIX THOUSAND EIGHT HUNDRED EIGHTY-FIVE HUNDRED THOUSANDTHS (0.06885); (B) FOR A SCHOOL DISTRICT IN A CITY WITH A POPULATION GREATER THAN ONE MILLION, BUT LESS THAN ONE MILLION, SIX HUNDREDTHS (0.06); (C) FOR A SCHOOL DISTRICT IN A CITY WITH A POPULATION GREATER THAN ONE HUNDRED TWENTY-FIVE THOUSAND BUT LESS THAN ONE HUNDRED FIFTY THOUSAND, SEVEN HUNDREDTHS (0.07); (D) FOR A SCHOOL DISTRICT IN A CITY WITH A POPULATION GREATER THAN ONE HUNDRED FIFTY THOUSAND BUT LESS THAN TWO HUNDRED THOUSAND, FOUR HUNDREDTHS (0.04); (E) FOR ANY DISTRICT DESIGNATED AS HIGH NEED URBAN/SUBURBAN, FIVE HUNDREDTHS (0.05); (F) FOR ANY DISTRICT DESIGNATED AS HIGH NEED RURAL, SEVEN HUNDRED TWENTY-NINE TEN THOUSANDTHS (0.0729); (G) FOR ANY AVERAGE NEED DISTRICT WITH A COMBINED WEALTH RATIO LESS THAN SEVEN-TENTHS (0.7), SIXTY-SEVEN THOUSANDTHS (0.067); (H) FOR ANY AVERAGE NEED DISTRICT WITH A COMBINED WEALTH RATIO GREATER THAN SEVEN-TENTHS (0.7) BUT LESS THAN ONE (1.0), TWO HUNDREDTHS (0.02); (I) FOR ANY AVERAGE NEED DISTRICT WITH A COMBINED WEALTH RATIO GREATER THAN...
ONE (1.0), ONE HUNDREDTH (0.01); (J) FOR ANY LOW NEED DISTRICT, FIVE
THOUSANDTHS (0.005); (K) FOR SCHOOL DISTRICTS THAT WERE DESIGNATED AS
SMALL CITY SCHOOL DISTRICTS OR CENTRAL SCHOOL DISTRICTS WHOSE BOUNDARIES
INCLUDE A PORTION OF A SMALL CITY FOR THE SCHOOL AID COMPUTER LISTING
PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE ENACTED BUDGET FOR THE
TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN SCHOOL YEAR AND ENTITLED
"SA1415" AND HAVE A COMBINED WEALTH RATIO OF LESS THAN ONE AND ONE-HALF
(1.5), THE SUM OF FORTY-TWO THOUSANDTHS (0.042) PLUS ANY OTHER PERCENT-
AGE INCREASE FACTOR FOR WHICH THE DISTRICT IS ELIGIBLE.

B-3. NOTWITHSTANDING ANY PROVISION OF THIS SECTION OF LAW TO THE
CONTRARY, DISTRICTS IN WHICH THE TOTAL FOUNDATION AID BASE MULTIPLIED BY
ONE AND FIFTEEN HUNDREDTHS (1.15) IS LESS THAN THE SUM OF (1) THE POSI-
TIVE VALUE OF THE AMOUNTS SET FORTH FOR EACH SCHOOL DISTRICT AS "2015-16
GAP ELIMINATION ADJUSTMENT" IN THE SCHOOL AID COMPUTER LISTING PRODUCED
BY THE COMMISSIONER IN SUPPORT OF THE ENACTED BUDGET FOR THE TWO THOU-
SAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR AND ENTITLED "SA151-6"
AND (2) THE TOTAL FOUNDATION AID COMPUTED PURSUANT TO THIS PARAGRAPH,
SHALL BE ELIGIBLE FOR A FOUNDATION ALLOCATION EQUAL TO THE POSITIVE
DIFFERENCE, IF ANY, OF (A) ONE AND FIFTEEN HUNDREDTHS (1.15) MULTIPLIED
BY THE FOUNDATION AID BASE COMPUTED PURSUANT TO SUBPARAGRAPH (II) OF
PARAGRAPH J OF SUBDIVISION ONE OF THIS SECTION LESS (B) THE POSITIVE
VALUE OF THE AMOUNTS SET FORTH FOR EACH SCHOOL DISTRICT AS "2015-16 GAP
ELIMINATION ADJUSTMENT" IN THE SCHOOL AID COMPUTER LISTING PRODUCED BY
THE COMMISSIONER IN SUPPORT OF THE ENACTED BUDGET FOR THE TWO THOUSAND
FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR AND ENTITLED "SA151-6".

c. Public excess cost aid setaside. Each school district shall set
aside from its total foundation aid computed for the current year pursu-
ant to this subdivision an amount equal to the product of: (i) the
difference between the amount the school district was eligible to
receive in the two thousand six--two thousand seven school year pursuant
to or in lieu of paragraph six of subdivision nineteen of this section
as such paragraph existed on June thirtieth, two thousand seven, minus
the amount such district was eligible to receive pursuant to or in lieu
of paragraph five of subdivision nineteen of this section as such para-
graph existed on June thirtieth, two thousand seven, in such school
year, and (ii) the sum of one and the percentage increase in the consum-
er price index for the current year over such consumer price index for
the two thousand six--two thousand seven school year, as computed pursu-
ant to section two thousand twenty-two of this chapter. Notwithstanding
any other provision of law to the contrary, the public excess cost aid
setaside shall be paid pursuant to section thirty-six hundred nine-b of
this part.

d. For the two thousand fourteen--two thousand fifteen [and two thou-
sand fifteen--two thousand sixteen] THROUGH TWO THOUSAND SIXTEEN--TWO
THOUSAND SEVENTEEN school years a city school district of a city having
a population of one million or more may use amounts apportioned pursuant
to this subdivision for afterschool programs.

S 1-a. Subdivision 17 of section 3602 of the education law is
REPEALED.

S 2. Paragraph b of subdivision 5 of section 1950 of the education
law, as amended by section 80-a of part A of chapter 58 of the laws of
2011, is amended to read as follows:

b. The cost of services herein referred to shall be the amount allo-
cated to each component school district by the board of cooperative
educational services to defray expenses of such board, except that that
part of the salary paid any teacher, supervisor or other employee of the
board of cooperative educational services which is in excess of thirty thousand dollars shall not be such an approved expense, and except also that administrative and clerical expenses shall not exceed ten percent of the total expenses for purposes of this computation. PROVIDED HOWEVER, THAT FOR TEACHERS PROVIDING INSTRUCTION IN CAREER AND TECHNICAL EDUCATION TO SCHOOL AGE STUDENTS THE SALARY, TO BE CONSIDERED AS AN APPROVED EXPENSE, SHALL NOT EXCEED THIRTY-FOUR THOUSAND DOLLARS IN THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR; THIRTY-EIGHT THOUSAND DOLLARS FOR THE TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN SCHOOL YEAR; FORTY-TWO THOUSAND DOLLARS FOR THE TWO THOUSAND EIGHTEEN--TWO THOUSAND NINETEEN SCHOOL YEAR; FORTY-SIX THOUSAND DOLLARS FOR THE TWO THOUSAND NINETEEN--TWO THOUSAND TWENTY SCHOOL YEAR; AND FIFTY THOUSAND DOLLARS FOR THE TWO THOUSAND TWENTY--TWO THOUSAND TWENTY-ONE SCHOOL YEAR, AND THEREAFTER. Any gifts, donations or interest earned by the board of cooperative educational services or on behalf of the board of cooperative educational services by the dormitory authority or any other source shall not be deducted in determining the cost of services allocated to each component school district. Any payments made to a component school district by the board of cooperative educational services pursuant to subdivision eleven of section six-p of the general municipal law attributable to an approved cost of service computed pursuant to this subdivision shall be deducted from the cost of services allocated to such component school district. The expense of transportation provided by the board of cooperative educational services pursuant to paragraph q of subdivision four of this section shall be eligible for aid apportioned pursuant to subdivision seven of section thirty-six hundred two of this chapter and no board of cooperative educational services transportation expense shall be an approved cost of services for the computation of aid under this subdivision. Transportation expense pursuant to paragraph q of subdivision four of this section shall be included in the computation of the ten percent limitation on administrative and clerical expenses.

S 3. The education law is amended by adding a new article 12-B to read as follows:

ARTICLE 12-B

STATE OFFICE FOR RELIGIOUS AND INDEPENDENT SCHOOLS

SECTION 571. SHORT TITLE.

572. STATE OFFICE FOR RELIGIOUS AND INDEPENDENT SCHOOLS.

573. RULES AND REGULATIONS.

S 571. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "STATE OFFICE FOR RELIGIOUS AND INDEPENDENT SCHOOLS ESTABLISHMENT ACT".

S 572. STATE OFFICE FOR RELIGIOUS AND INDEPENDENT SCHOOLS. 1. THE STATE OFFICE FOR RELIGIOUS AND INDEPENDENT SCHOOLS IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT TO PROVIDE AND COORDINATE SERVICES AND ADMINISTER STATE AND FEDERAL PROGRAMS AND APPROPRIATIONS AS MAY BE IDENTIFIED BY THE COMMISSIONER INTENDED FOR THE BENEFIT OF STUDENTS AND PERSONNEL IN RELIGIOUS AND INDEPENDENT SCHOOLS AND TO DISSEMINATE INFORMATION AND CARRY OUT OTHER ACTIVITIES INTENDED FOR THE BENEFIT OF STUDENTS AND PERSONNEL IN RELIGIOUS AND INDEPENDENT SCHOOLS.

2. THE DEPARTMENT, ON BEHALF OF THE OFFICE, SHALL HAVE THE AUTHORITY TO ACCEPT AND RECEIVE ANY GRANTS, AWARDS, APPROPRIATIONS OR OTHER FUNDS AS MAY BE MADE AVAILABLE TO CARRY OUT THE FUNCTIONS OF THE OFFICE. ALL SUCH FUNDS RECEIVED BY OR OTHERWISE MADE AVAILABLE TO THE DEPARTMENT SHALL BE HELD IN A DISTINCT ACCOUNT OR ACCOUNTS ADMINISTERED BY THE DEPARTMENT TO CARRY OUT THE FUNCTIONS OF THE OFFICE.
3. THE COMMISSIONER SHALL UTILIZE A PORTION OF STATE AND/OR FEDERAL FUNDS APPROPRIATED SOLELY FOR THE BENEFIT OF RELIGIOUS AND INDEPENDENT SCHOOLS FOR PERSONNEL SERVICES NECESSARY TO CARRY OUT THE FUNCTIONS OF THE OFFICE.

S 573. RULES AND REGULATIONS. THE COMMISSIONER MAY PROMULGATE ANY RULES OR REGULATIONS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ARTICLE.

S 4. Clause (c) of subparagraph 5 of paragraph e of subdivision 6 of section 3602 of the education law is REPEALED and clause (d) of subparagraph 5 of paragraph e of subdivision 6 is relettered clause (c).

S 5. Subdivision 2 of section 2116-b of the education law, as amended by section 4 of part A of chapter 57 of the laws of 2013, is amended to read as follows:

2. School districts of less than eight teachers, school districts with actual general fund expenditures totaling less than five million dollars in the previous school year, or school districts with actual enrollment of less than [one] FIVE thousand [five hundred] students in the previous school year shall be exempt from this requirement. Any school district claiming such exemption shall annually certify to the commissioner that such school district meets the requirements set forth in this subdivision.

S 6. The section heading and subdivision 1 of section 2022 of the education law, as amended by section 7 of part A of chapter 97 of the laws of 2011, are amended and a new subdivision 1-a is added to read as follows:

Vote on school district budgets, ON BOND RESOLUTIONS and on the election of school district trustees and board of education members. 1. Notwithstanding any law, rule or regulation to the contrary, the election of trustees or members of the board of education, [and] the vote upon the appropriation of the necessary funds to meet the estimated expenditures, AND THE VOTE UPON A BOND RESOLUTION, EXCEPT WHERE THE BOARD SHALL BY UNANIMOUS VOTE DECLARE THAT AN EMERGENCY EXISTS AND THE COMMISSIONER DETERMINES THAT THE BEST INTERESTS OF THE DISTRICT REQUIRE THAT THE VOTE ON THE BOND RESOLUTION BE HELD ON A DIFFERENT DATE, in any common school district, union free school district, central school district or central high school district shall be held at the annual meeting and election on the third Tuesday in May, provided, however, that such election shall be held on the second Tuesday in May if the commissioner at the request of a local school board certifies no later than March first that such election would conflict with religious observances. The sole trustee, board of trustees or board of education of every common, union free, central or central high school district and every city school district to which this article applies shall hold a budget hearing not less than seven nor more than fourteen days prior to the annual meeting and election or special district meeting at which a school budget vote will occur, and shall prepare and present to the voters at such budget hearing a proposed school district budget for the ensuing school year.

1-A. ANY BOND RESOLUTION VOTED UPON PURSUANT TO SUBDIVISION ONE OF THIS SECTION MAY ONLY BE RESUBMITTED TO THE VOTERS OF THE SCHOOL DISTRICT ONE TIME SUBSEQUENT TO SUCH VOTE.

S 7. The section heading and subdivision 1 of section 2022 of the education law, the section heading as amended by section 23 of part A of chapter 436 of the laws of 1997 and subdivision 1 as amended by section 8 of part C of chapter 58 of the laws of 1998, are amended and a new subdivision 1-a is added to read as follows:
Vote on school district budgets, ON BOND RESOLUTIONS and on the
election of school district trustees and board of education members. 1. 
Notwithstanding any law, rule or regulation to the contrary, the 
election of trustees or members of the board of education, [and] the 
vote upon the appropriation of the necessary funds to meet the estimated 
expenditures, AND THE VOTE UPON A BOND RESOLUTION, EXCEPT WHERE THE 
BOARD SHALL BY UNANIMOUS VOTE DECLARE THAT AN EMERGENCY EXISTS AND THE 
COMMISSIONER DETERMINES THAT THE BEST INTERESTS OF THE DISTRICT REQUIRE 
THAT THE VOTE ON THE BOND RESOLUTION BE HELD ON A DIFFERENT DATE, in any 
common school district, union free school district, central school 
district or central high school district shall be held at the annual 
meeting and election on the third Tuesday in May, provided, however, 
that such election shall be held on the second Tuesday in May if the 
commissioner at the request of a local school board certifies no later 
than March first that such election would conflict with religious obser-
vances. When such election or vote is taken by recording the ayes and 
ooes of the qualified voters attending, a majority of the qualified 
voters present and voting, by a hand or voice vote, may determine to 
take up the question of voting the necessary funds to meet the estimated 
expenditures for a specific item separately, and the qualified voters 
present and voting may increase the amount of any estimated expenditures 
or reduce the same, except for teachers' salaries, and the ordinary 
contingent expenses of the schools. The sole trustee, board of trustees 
or board of education of every common, union free, central or central 
high school district and every city school district to which this arti-
cle applies shall hold a budget hearing not less than seven nor more 
than fourteen days prior to the annual meeting and election or special 
district meeting at which a school budget vote will occur, and shall 
prepare and present to the voters at such budget hearing a proposed 
school district budget for the ensuing school year.

1-A. ANY BOND RESOLUTION VOTED UPON PURSUANT TO SUBDIVISION ONE OF 
THIS SECTION MAY ONLY BE RESUBMITTED TO THE VOTERS OF THE SCHOOL 
DISTRICT ONE TIME SUBSEQUENT TO SUCH VOTE.

S 8. Subdivision 4 of section 3627 of the education law, as amended by 
section 1 of part C of chapter 60 of the laws of 2015, is amended to 
read as follows:

4. Notwithstanding any other provision of law to the contrary, any 
expenditures for transportation provided pursuant to this section in the 
two thousand thirteen--two thousand fourteen [and two thousand four-
teen--two thousand fifteen] school year and thereafter and otherwise 
eligible for transportation aid pursuant to subdivision seven of section 
thirty-six hundred two of this article shall be considered approved 
transportation expenses eligible for transportation aid, provided 
further that for the two thousand thirteen--two thousand fourteen school 
year such aid shall be limited to eight million one hundred thousand 
dollars and for the two thousand fourteen--two thousand fifteen school 
year and thereafter such aid shall be limited to [twelve] THE SUM OF 
SEVENTEEN million [six] ONE hundred thousand dollars PLUS THE BASE 
AMOUNT. FOR PURPOSES OF THIS SUBDIVISION, THE "BASE AMOUNT" MEANS THE 
AMOUNT OF TRANSPORTATION AID PAID TO THE SCHOOL DISTRICT FOR EXPENDI-
TURES INCURRED IN THE TWO THOUSAND TWELVE--TWO THOUSAND THIRTEEN SCHOOL 
YEAR FOR TRANSPORTATION THAT WOULD HAVE BEEN ELIGIBLE FOR AID PURSUANT 
TO THIS SECTION HAD THIS SECTION BEEN IN EFFECT IN SUCH SCHOOL YEAR, 
EXCEPT THAT SUBDIVISION SIX SHALL BE DEEMED NOT TO HAVE BEEN IN EFFECT. 
And provided further that [such expenditures eligible for aid under this 
section shall supplement not supplant local expenditures for such trans-
importation in the two thousand twelve--two thousand thirteen school year]
THE SCHOOL DISTRICT SHALL CONTINUE TO ANNUALLY EXPEND FOR THE TRANSPOR-
TATION DESCRIBED IN SUBDIVISION ONE OF THIS SECTION AT LEAST THE EXPEND-
ITURES USED FOR THE BASED AMOUNT.
S 9. Section 3602 of the education law is amended by adding a new
subdivision 6-h to read as follows:
6-H. BUILDING AID FOR SCHOOLS AUTHORIZED PURSUANT TO ARTICLE FIFTY-SIX
OF THIS CHAPTER. A. SCHOOLS AUTHORIZED PURSUANT TO ARTICLE FIFTY-SIX OF
THIS CHAPTER SHALL BE ELIGIBLE FOR BUILDING AID TO THE SAME EXTENT AS
SCHOOL DISTRICTS IN A PROCESS PRESCRIBED BY THE COMMISSIONER, PROVIDED,
THAT (1) AID APPORTIONMENTS FOR SUCH SCHOOLS SHALL BE CALCULATED BASED
ON THE ACTUAL AMORTIZATION AND ACTUAL INTEREST RATE, (2) THE BUILDING
AID RATIO USED SHALL BE THE RATIO FOR THE SCHOOL DISTRICT IN WHICH THE
SCHOOL IS LOCATED, AND THE CHARTER SCHOOL SHALL BE RESPONSIBLE FOR
PAYMENT OF THE LOCAL SHARE OF ANY AIDABLE BUILDING EXPENSES, AND (3) AID
ON EXPENDITURES FOR LEASE PAYMENTS SHALL BE APPORTIONED ONLY IF THE
LEASE HAS BEEN APPROVED BY THE SCHOOL'S BOARD OF TRUSTEES, THE AUTHORIZ-
ING ENTITY, AND THE COMMISSIONER.
B. THE COMMISSIONER SHALL BE AUTHORIZED TO GRANT SPECIFIC WAIVERS FROM
BUILDING AID PROGRAM REQUIREMENTS TO SCHOOLS AUTHORIZED PURSUANT TO
ARTICLE FIFTY-SIX OF THIS CHAPTER UPON A SHOWING THAT COMPLIANCE WITH
SUCH REQUIREMENTS WOULD CREATE AN UNDUE ECONOMIC HARDSHIP OR THAT SOME
OTHER GOOD CAUSE EXISTS THAT MAKES COMPLIANCE EXTREMELY IMPRACTICAL.
C. SCHOOL DISTRICTS THAT COLLECT PAYMENTS FROM A SCHOOL AUTHORIZED
PURSUANT TO ARTICLE FIFTY-SIX OF THIS CHAPTER UNDER A LEASE OR ANY OTHER
ARRANGEMENT FOR THE USE OF DISTRICT-OWNED FACILITIES SHALL HAVE ITS
BUILDING AID APPORTIONMENT REDUCED BY AN AMOUNT EQUAL TO THE SCHOOL'S
PAYMENTS TO THE DISTRICT PROVIDED, HOWEVER, NOTHING IN THIS SUBDIVISION
SHALL BE CONSTRUED TO AUTHORIZE A REDUCTION IN BUILDING AID ATTRIBUTABLE
TO BUILDING PROJECTS SUBJECT TO THE PROVISIONS OF SUBDIVISION FOUR OF
SECTION TWENTY-SEVEN HUNDRED NINETY-NINE-TT OF THE PUBLIC AUTHORITIES
LAW.
D. IN THE EVENT THAT A SCHOOL IS NO LONGER AUTHORIZED PURSUANT TO
ARTICLE FIFTY-SIX OF THIS CHAPTER, BUILDING AID PAYMENTS SHALL CEASE
IMMEDIATELY.
E. A CHARTER SCHOOL AUTHORIZED UNDER THIS ARTICLE SHALL NOT BE ENTI-
TURED TO RECEIVE BOTH BUILDING AID UNDER THIS SUBDIVISION AND UNDER
SUBDIVISION THREE OF SECTION TWENTY-EIGHT FIFTY-THREE OF THIS CHAPTER.
S 10. Subdivision (a) of section 1115 of the tax law is amended by
adding a new paragraph 44 to read as follows:
(44) SCHOOL BUSES AS SUCH TERM IS DEFINED IN SECTION ONE HUNDRED
FORTY-TWO OF THE VEHICLE AND TRAFFIC LAW, AND PARTS, EQUIPMENT, LUBRI-
CANTS AND FUEL PURCHASED AND USED IN THEIR OPERATION.
S 11. Section 2851 of the education law is amended by adding a new
subdivision 5 to read as follows:
5. NOTWITHSTANDING ANY PROVISION OF LAW, RULE OR REGULATION TO THE
CONTRARY, A CHARTER SCHOOL APPROVED BY A CHARTER ENTITY LISTED IN SUBDI-
VISION THREE OF THIS SECTION MAY APPLY AT ANY TIME TO ANOTHER CHARTER
ENTITY DEFINED IN PARAGRAPH (A), (B) OR (C) OF SUBDIVISION THREE OF THIS
SECTION TO REQUEST SUCH OTHER CHARTER ENTITY TO OVERSEE AND SUPERVISE
SUCH CHARTER SCHOOL. ALL OBLIGATIONS OF THE PREVIOUS CHARTER ENTITY TO
OVERSEE AND SUPERVISE A CHARTER SCHOOL SHALL TERMINATE UPON SUCH CHARTER
SCHOOL ENTERING INTO A CHARTER AGREEMENT, AS DEFINED IN SUBDIVISION FIVE
OF SECTION TWENTY-EIGHT HUNDRED FIFTY-TWO OF THIS ARTICLE, WITH ANOTHER
CHARTER ENTITY, AND THE PREVIOUS CHARTER ENTITY SHALL PROVIDE IN A TIME-
LY FASHION INFORMATION RELEVANT TO THE CHARTER AS REQUESTED BY SUCH
OTHER CHARTER ENTITY.

S 12. Subdivision 12 of section 3602-ee of the education law, as added
by section 1 of part CC of chapter 56 of the laws of 2014, is amended to
read as follows:

12. Notwithstanding paragraph (a) of subdivision one of section twen-
ty-eight hundred fifty-four of this chapter and paragraph (c) of subdi-
vision two of section twenty-eight hundred fifty-four of this chapter,
charter schools shall be eligible to participate in universal full-day
pre-kindergarten programs under this section, provided that all such
monitoring, programmatic review and operational requirements under this
section shall be the responsibility of the charter entity and shall be
consistent with the requirements under article fifty-six of this
chapter; WHEREFORE, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, PARTIC-
IPATION BY A CHARTER SCHOOL IN UNIVERSAL PRE-KINDERGARTEN PROGRAMS MAY
 NOT BE CONDITIONED UPON THE CHARTER SCHOOL AGREING TO CONTRACTUAL TERMS
OR CONDITIONS IMPOSED BY A NON-CHARTER ENTITY. The provisions of para-
graph (b) of subdivision two of section twenty-eight hundred fifty-four of
this chapter shall apply to the admission of pre-kindergarten
students, except parents of pre-kindergarten children may submit appli-
cations for the two thousand fourteen--two thousand fifteen school year
by a date to be determined by the charter school upon selection to
participate in the universal full-day pre-kindergarten program. The
limitations on the employment of uncertified teachers under paragraph
(a-1) of subdivision three of section twenty-eight hundred fifty-four of
this chapter shall apply to all teachers from pre-kindergarten through
grade twelve.

S 13. Paragraph (a-1) of subdivision 3 of section 2854 of the educa-
tion law, as amended by section 1 of subpart A of part B of chapter 20
of the laws of 2015, is amended to read as follows:

(a-1) The board of trustees of a charter school shall employ and
contract with necessary teachers, administrators and other school
personnel. Such teachers shall be certified in accordance with the
requirements applicable to other public schools; provided, however, that
TEACHERS EMPLOYED BY A HIGH-PERFORMING PUBLIC CHARTER SCHOOL WITH A
RIGOROUS TEACHER TRAINING PROGRAM WILL HAVE THREE YEARS FROM THEIR
EMPLOYMENT START DATE BEFORE THEY MUST SATISFY CERTIFICATION REQUIRE-
MENTS; AND, a charter school may employ as teachers (i) uncertified
teachers with at least three years of elementary, middle or secondary
classroom teaching experience; (ii) tenured or tenure track college
faculty; (iii) individuals with two years of satisfactory experience
through the Teach for America program; and (iv) individuals who possess
exceptional business, professional, artistic, athletic, or military
experience, provided, however, that such teachers described in clauses
(i), (ii), (iii), and (iv) of this paragraph shall not in total comprise
more than the sum of: (A) thirty per centum of the teaching staff of a
charter school, or five teachers, whichever is less; plus (B) five
teachers of mathematics, science, computer science, technology, or
career and technical education; plus (C) five additional teachers. A
teacher certified or otherwise approved by the commissioner shall not be
included in the numerical limits established by the preceding sentence.

S 14. Subdivisions 1 and 2 of section 3-c of the general municipal
law, as added by section 1 of part A of chapter 97 of the laws of 2011,
are amended to read as follows:

1. Unless otherwise provided by law, the amount of real property
taxes that may be levied by or on behalf of any local government[, other
than the city of New York and the counties contained therein, shall not exceed the tax levy limit established pursuant to this section.

2. When used in this section:
   (a) "Allowable levy growth factor" shall be the lesser of: (i) one and two one-hundredths; or (ii) the sum of one plus the inflation factor; provided, however, that in no case shall the levy growth factor be less than one.
   (b) "Available carryover" means the amount by which the tax levy for the prior fiscal year was below the tax levy limit for such fiscal year, if any, but no more than an amount that equals one and one-half percent of the tax levy limit for such fiscal year.
   (c) "Coming fiscal year" means the fiscal year of the local government for which a tax levy limit shall be determined pursuant to this section.
   (d) "Inflation factor" means the quotient of: (i) the average of the national consumer price indexes determined by the United States department of labor for the twelve-month period ending six months prior to the start of the coming fiscal year minus the average of the national consumer price indexes determined by the United States department of labor for the twelve-month period ending six months prior to the start of the prior fiscal year, divided by: (ii) the average of the national consumer price indexes determined by the United States department of labor for the twelve-month period ending six months prior to the start of the prior fiscal year, with the result expressed as a decimal to four places.
   (e) "Local government" means a county, city, town, village, fire district, or special district including but not limited to a district created pursuant to article twelve or twelve-A, or governed by article thirteen of the town law, or created pursuant to article five-A, five-B or five-D of the county law, chapter five hundred sixteen of the laws of nineteen hundred twenty-eight, or chapter two hundred seventy-three of the laws of nineteen hundred thirty-nine, and shall include town improvements provided pursuant to articles three-A and twelve-C of the town law [but shall not include the city of New York or the counties contained therein].
   (f) "Prior fiscal year" means the fiscal year of the local government immediately preceding the coming fiscal year.
   (g) "Tax levy limit" means the amount of taxes authorized to be levied by or on behalf of a local government pursuant to this section, provided, however, that the tax levy limit shall not include the following:
      (i) a tax levy necessary for expenditures resulting from court orders or judgments against the local government arising out of tort actions for any amount that exceeds five percent of the total tax levied in the prior fiscal year;
      (ii) in years in which the system average actuarial contribution rate of the New York state and local employees' retirement system, as defined by paragraph ten of subdivision a of section nineteen-a of the retirement and social security law, increases by more than two percentage points from the previous year, a tax levy necessary for expenditures for the coming fiscal year for local government employer contributions to the New York state and local employees' retirement system caused by growth in the system average actuarial contribution rate minus two percentage points;
      (iii) in years in which the system average actuarial contribution rate of the New York state and local police and fire retirement system, as defined by paragraph eleven of subdivision a of section three hundred
nineteen-a of the retirement and social security law, increases by more
than two percentage points from the previous year, a tax levy necessary
for expenditures for the coming fiscal year for local government employ-
er contributions to the New York state and local police and fire retire-
ment system caused by growth in the system average actuarial contrib-
ution rate minus two percentage points;

(iv) in years in which the normal contribution rate of the New York
state teachers' retirement system, as defined by paragraph a of subdivi-
sion two of section five hundred seventeen of the education law,
increases by more than two percentage points from the previous year, a
tax levy necessary for expenditures for the coming fiscal year for local
government employer contributions to the New York state teachers' 
retirement system caused by growth in the normal contribution rate minus
two percentage points[.];

(V) IN YEARS IN WHICH THE AVERAGE ACTUARIAL CONTRIBUTION RATE OF THE
NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM, AS DEFINED BY SUBDIVISION
ONE OF SECTION 13-101 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW
YORK, INCREASES BY MORE THAN TWO PERCENTAGE POINTS FROM THE PREVIOUS
YEAR, A TAX LEVY NECESSARY FOR EXPENDITURES FOR THE COMING FISCAL YEAR
FOR LOCAL GOVERNMENT EMPLOYER CONTRIBUTIONS TO THE NEW YORK CITY EMPLOY-
EES' RETIREMENT SYSTEM CAUSED BY A GROWTH IN THE NORMAL CONTRIBUTION
RATE MINUS TWO PERCENTAGE POINTS.

(h) "Tax" or "taxes" shall include (i) a charge imposed upon real
property by or on behalf of a county, city, town, village or school
district for municipal or school district purposes, and (ii) special ad
valorem levies and special assessments as defined in subdivisions four-
ten and fifteen of section one hundred two of the real property tax
law.

S 14-a. Section 13 of part A of chapter 97 of the laws of 2011, amend-
ing the general municipal law and the education law relating to estab-
lishing limits upon school district and local government tax levies, as
amended by section 18 of part A of chapter 20 of the laws of 2015, is
amended to read as follows:

S 13. This act shall take effect immediately; provided, however, that
sections two through eleven of this act shall take effect July 1, 2011
and shall first apply to school district budgets and the budget adoption
process for the 2012-13 school year; and shall continue to apply to
school district budgets and the budget adoption process for any school
year beginning in any calendar year during which this act is in effect;
provided further, that if section 26 of part A of chapter 58 of the laws
of 2011 shall not have taken effect on or before such date then section
ten of this act shall take effect on the same date and in the same
manner as such chapter of the laws of 2011, takes effect; provided
further, that section one of this act shall first apply to the levy of
taxes by local governments for the fiscal year that begins in 2012 and
shall continue to apply to the levy of taxes by local governments for
any fiscal year beginning in any calendar year during which this act is
in effect[; provided, further, that this act shall remain in full force
and effect at a minimum until and including June 15, 2020 and shall
remain in effect thereafter only so long as the public emergency requir-
ing the regulation and control of residential rents and evictions and
all such laws providing for such regulation and control continue as
provided in subdivision 3 of section 1 of the local emergency rent
control act, sections 26-501, 26-502 and 26-520 of the administrative
code of the city of New York, section 17 of chapter 576 of the laws of
1974 and subdivision 2 of section 1 of chapter 274 of the laws of 1946
constituting the emergency housing rent control law, and section 10 of chapter 555 of the laws of 1982, amending the general business law and the administrative code of the city of New York relating to conversions of residential property to cooperative or condominium ownership in the city of New York as such laws are continued by chapter 93 of the laws of 2011 and as such sections are amended from time to time.

S 15. Paragraphs a and c of subdivision 14 of section 305 of the education law, paragraph a as amended by chapter 273 of the laws of 1999 and paragraph c as amended by chapter 15 of the laws of 2005, are amended to read as follows:

da. All contracts for the transportation of school children, all contracts to maintain school buses owned or leased by a school district that are used for the transportation of school children, all contracts for mobile instructional units, and all contracts to provide, maintain and operate cafeteria or restaurant service by a private food service management company shall be subject to the approval of the commissioner, who may disapprove a proposed contract if, in his OR HER opinion, the best interests of the district will be promoted thereby. Except as provided in paragraph e of this subdivision, all such contracts involving an annual expenditure in excess of the amount specified for purchase contracts in the bidding requirements of the general municipal law shall be awarded to the lowest responsible bidder, which responsibility shall be determined by the board of education or the trustee of a district, with power hereby vested in the commissioner to reject any or all bids if, in his OR HER opinion, the best interests of the district will be promoted thereby and, upon such rejection of all bids, the commissioner shall order the board of education or trustee of the district to seek, obtain and consider new proposals. All proposals for such transportation, maintenance, mobile instructional units, or cafeteria and restaurant service shall be in such form as the commissioner may prescribe. Advertisement for bids shall be published in a newspaper or newspapers designated by the board of education or trustee of the district having general circulation within the district for such purpose. Such advertisement shall contain a statement of the time when and place where all bids received pursuant to such advertisement will be publicly opened and read either by the school authorities or by a person or persons designated by them. All bids received shall be publicly opened and read at the time and place so specified. At least five days shall elapse between the first publication of such advertisement and the date so specified for the opening and reading of bids. The requirement for competitive bidding shall not apply to an award of a contract for the transportation of pupils or a contract for mobile instructional units, if such award is based on an evaluation of proposals in response to a request for proposals pursuant to paragraph e of this subdivision. The requirement for competitive bidding shall not apply to annual, biennial, or triennial extensions of a contract nor shall the requirement for competitive bidding apply to quadrennial or quinquennial year extensions of a contract involving transportation of pupils, maintenance of school buses or mobile instructional units secured either through competitive bidding or through evaluation of proposals in response to a request for proposals pursuant to paragraph e of this subdivision, when such extensions (1) are made by the board of education or the trustee of a district, under rules and regulations prescribed by the commissioner, [and,] (2) do not extend the original contract period beyond five years from the date cafeteria and restaurant service commenced thereunder and (3) in the case of contracts for the transportation of pupils, for the
maintenance of school buses or for mobile instructional units, that such
corrections may be extended, except that power is hereby vested in the
commissioner, in addition to his OR HER existing statutory authority to
approve or disapprove transportation or maintenance contracts, (i) to
reject any extension of a contract beyond the initial term thereof if he
OR SHE finds that amount to be paid by the district to the contractor in
any year of such proposed extension fails to reflect any decrease in the
regional consumer price index for the N.Y., N.Y.-Northeastern, N.J.
area, based upon the index for all urban consumers (CPI-U) during the
preceding twelve month period, OR FOR ALL CONTRACTS FOR SCHOOL BUSES
USED FOR THE TRANSPORTATION OF SCHOOL CHILDREN, MAINTENANCE, AND ALL
CONTRACTS FOR MOBILE INSTRUCTIONAL UNITS, IF THE AMOUNT TO BE PAID BY
THE DISTRICT TO THE CONTRACTOR IN ANY YEAR OF SUCH PROPOSED EXTENSION
FAILS TO REFLECT ANY PERCENTAGE DECREASE IN THE EMPLOYMENT COST INDEX
(ECI) TOTAL COMPENSATION FOR PRIVATE INDUSTRY WORKERS IN THE NORTHEAST
REGION (NOT SEASONALLY ADJUSTED) FOR THE FOURTH QUARTER OF THE PRECEDING
YEAR; and (ii) to reject any extension of a contract after ten years
from the date transportation or maintenance service commenced there-
under, or mobile instructional units were first provided, if in his OR
HER opinion, the best interests of the district will be promoted
thereby; AND (III) TO REJECT ANY EXTENSION OF A CONTRACT FOR TRANSPORTA-
TION, OR NEW CONTRACT, IF HE OR SHE FINDS THAT THE AMOUNT TO BE PAID BY
THE DISTRICT TO THE CONTRACTOR IN ANY YEAR OF SUCH PROPOSED CONTRACT
FAILS TO REFLECT THE SAVINGS REALIZED FROM THE SALES TAX EXEMPTION ON
SCHOOL BUSES, PARTS, EQUIPMENT, LUBRICANTS AND FUEL USED FOR SCHOOL
PURPOSES PURSUANT TO PARAGRAPH FORTY-FOUR OF SUBDIVISION (A) OF SECTION
ELEVEN HUNDRED FIFTEEN OF THE TAX LAW. Upon such rejection of any
proposed extension, the commissioner may order the board of education or
trustee of the district to seek, obtain and consider bids pursuant to
the provisions of this section. The board of education or the trustee of
a school district electing to extend a contract as provided herein, may,
in its discretion, increase the amount to be paid in each year of the
contract extension by an amount not to exceed the regional consumer
price index increase for the N.Y., N.Y.-Northeastern, N.J. area, based
upon the index for all urban consumers (CPI-U), during the preceding
twelve month period, OR FOR ALL CONTRACTS FOR SCHOOL BUSES USED FOR THE
TRANSPORTATION OF SCHOOL CHILDREN, MAINTENANCE, AND ALL CONTRACTS FOR
MOBILE INSTRUCTIONAL UNITS, BY AN AMOUNT NOT TO EXCEED THE PERCENTAGE
INCREASE IN THE EMPLOYMENT COST INDEX (ECI) TOTAL COMPENSATION FOR
PRIVATE INDUSTRY WORKERS IN THE NORTHEAST REGION (NOT SEASONALLY
ADJUSTED) FOR THE FOURTH QUARTER OF THE PRECEDING YEAR, provided it has
been satisfactorily established by the contractor that there has been at
least an equivalent increase in the amount of his OR HER cost of opera-
tion, during the period of the contract.

(c) Each board of education, or the trustees, of a school district
which elected or elects to extend one or more pupil transportation
contracts may extend a contract in an amount which is in excess of the
maximum increase allowed by use of the [CPI] ECI referenced in paragraph
a of this subdivision. Such excess amount shall not be greater than the
sum of the following: (i) the sum of the actual cost of qualifying crim-
inal history and driver licensing testing fees attributable to special
requirements for drivers of school buses pursuant to articles nineteen
and nineteen–A of the vehicle and traffic law plus the actual cost of
any diagnostic tests and physical performance tests that are deemed to
be necessary by an examining physician or the chief school officer to
determine whether an applicant to drive a school bus under the terms of
the contract has the physical and mental ability to operate a school
transportation conveyance and to satisfactorily perform the other
responsibilities of a school bus driver pursuant to regulations of the
commissioner; (ii) in a school district located in a city with at least
one million inhabitants, the actual cost of clean air technology filters
and Global Positioning System (GPS) technology; (iii) in a school
district located in a city with at least one million inhabitants, with
respects only to any extension beginning in fiscal year two thousand
cost of providing school
bus attendants including the actual cost of criminal history record
checks for school bus attendant applicants and training and instruction
for school bus attendants pursuant to section twelve hundred twenty-
ine--two thousand six, the sum of the actual cost of providing school
districts, with
respect only to any extension beginning in fiscal year two thousand
five--two thousand five. Such costs shall be approved by the
commissioner upon documentation provided by the school district and
contractor as required by the commissioner.

S 16. The education law is amended by adding a new section 2046 to
read as follows:

S 2046. TUITION STABILIZATION AID. 1. PROVISION OF EDUCATIONAL
PROGRAMS. ANY ELIGIBLE SCHOOL DISTRICT THAT OPERATES A PUBLIC SECONDARY
SCHOOL AND ENTERS INTO A CONTRACT FOR THE PROVISION OF PROVIDING EDUCATIONAL
PROGRAMS AND SERVICES TO PUBLIC NON-RESIDENT SECONDARY PUPILS WHERE SUCH PUBLIC NON-RESIDENT SECONDARY PUPILS RESIDE IN A SCHOOL DISTRICT THAT DOES NOT OPERATE A PUBLIC SECONDARY SCHOOL SHALL BE ELIGIBLE FOR AN APPORTIONMENT UNDER THIS SECTION.

2. ELIGIBILITY. ANY RECEIVING OR EDUCATING SCHOOL DISTRICT SHALL BE
CONSIDERED ELIGIBLE FOR AN APPORTIONMENT UNDER THIS SECTION PROVIDED (A) THE SENDING OR NON-RESIDENT SCHOOL DISTRICT AND THE RECEIVING OR EDUCATING SCHOOL DISTRICT SHALL BOTH BE PUBLIC SCHOOL DISTRICTS LOCATED IN SUFFOLK COUNTY, AND (B) THE SENDING OR NON-RESIDENT SCHOOL DISTRICT AND THE RECEIVING OR EDUCATING SCHOOL DISTRICT SHALL NOT INCLUDE SCHOOLS AUTHORIZED UNDER TITLE SIX OF THIS CHAPTER AND CHAPTER FIVE HUNDRED SIXTY-SIX OF THE LAWS OF NINETEEN SIXTY-SEVEN, AS AMENDED, AND (C) THE SENDING OR NON-RESIDENT SCHOOL DISTRICT SHALL NOT OPERATE A SECONDARY SCHOOL PROVIDING EDUCATIONAL PROGRAMS AND SERVICES TO PUPILS DURING THE TERM OF THE CONTRACT PURSUANT TO SUBDIVISION THREE OF THIS SECTION.

3. CONTRACTS. CONTRACTS FOR THE PROVISION OF EDUCATIONAL PROGRAMS AND SERVICES FOR SUCH NON-RESIDENT SECONDARY PUPILS SHALL BE IN ACCORDANCE WITH SECTIONS TWO THOUSAND FORTY, TWO THOUSAND FORTY-ONE, AND TWO THOUSAND FORTY-TWO OF THIS PART.

4. NON-RESIDENT TUITION RATES. NON-RESIDENT TUITION RATES STIPULATED IN SUCH CONTRACTS SHALL BE EQUAL TO THE DIFFERENCE OF (A) THE NON-RESIDENT TUITION RATE FOR THE RECEIVING OR EDUCATING SCHOOL DISTRICT CALCULATED BY THE COMMISSIONER PURSUANT TO 8 NYCRR 174.2, MINUS (B) A DISCOUNT AGREED TO BY THE PARTIES AND SPECIFIED IN A CONTRACT IN ACCORDANCE WITH SUBDIVISION THREE OF THIS SECTION, PROVIDED THAT FUTURE ANNUAL GROWTH IN SUCH DISCOUNTED NON-RESIDENT TUITION RATES SHALL NOT EXCEED ONE HUNDRED THREE PERCENT (1.03) OF THE PRIOR YEAR DISCOUNTED NON-RESIDENT TUITION RATES.

5. STATE AID. THE COMMISSIONER IS AUTHORIZED TO PROVIDE AN APPORTIONMENT TO A RECEIVING OR EDUCATING SCHOOL DISTRICT EQUAL TO THE LESSER OF (A) THE PRODUCT OF (I) TWO-TENTHS (.20), AND (II) THE AMOUNT OF THE DISCOUNT SPECIFIED PURSUANT TO SUBDIVISIONS THREE AND FOUR OF THIS
SECTION, AND (III) THE SUM OF ALL FULL-TIME EQUIVALENT ENROLLMENT OF
SUCH NON-RESIDENT SECONDARY PUPILS RECEIVING EDUCATIONAL PROGRAMS AND
SERVICES IN AN ELIGIBLE SCHOOL DISTRICT, OR (B) TWO HUNDRED FIFTY THOU-
SAND DOLLARS.

6. CLAIMS. THE CLAIM FOR AN APPORTIONMENT TO BE PAID TO A RECEIVING OR
EDUCATING SCHOOL DISTRICT UNDER THIS SECTION SHALL BE SUBMITTED TO THE
COMMISSIONER ON A FORM PRESCRIBED FOR SUCH PURPOSE, AND SHALL BE PAYABLE
NO LATER THAN DECEMBER FIRST OF THE YEAR FOLLOWING THE YEAR IN WHICH
EDUCATIONAL PROGRAMS AND SERVICES WERE PROVIDED TO SUCH NON-RESIDENT
SECONDARY PUPILS.

S 17. Subdivision a of section 5 of chapter 121 of the laws of 1996,
relating to authorizing the Roosevelt union free school district to
finance deficits by the issuance of serial bonds, as amended by section
26-b of part A of chapter 56 of the laws of 2015, is amended to read as
follows:

a. Notwithstanding any other provisions of law, upon application to
the commissioner of education submitted not sooner than April first and
not later than June thirtieth of the applicable school year, the Roose-
velt union free school district shall be eligible to receive an appor-
tionment pursuant to this chapter for salary expenses, including related
benefits, incurred between April first and June thirtieth of such school
year. Such apportionment shall not exceed: for the 1996-97 school year
through the [2015-16] 2016-17 school year, four million dollars
($4,000,000); for the [2016-17] 2017-18 school year, three million
dollars ($3,000,000); for the [2017-18] 2018-19 school year, two million
dollars ($2,000,000); for the [2018-19] 2019-20 school year, one million
dollars ($1,000,000); and for the [2019-20] 2020-21 school year, zero
dollars. Such annual application shall be made after the board of
education has adopted a resolution to do so with the approval of the
commissioner of education.

S 18. (a) All the acts done and proceedings heretofore had and taken
or caused to be had and taken by a school district and by all officers,
employees or agents of each such school district relating to or in
connection with transportation contracts (1) identified by the state
education department as having been filed or executed late prior to June
30, 2016, and (2) for which an aid adjustment or recovery has not been
initiated by the state education department as of the effective date of
this act are hereby legalized, validated, ratified and confirmed,
notwithstanding any failure to comply with the contract filing
provisions of the education law, other than those filing provisions
defined in paragraph a of subdivision 5 of section 3604 of the education
law, in relation to any omission, error, defect, irregularity or ille-
gality in such proceeding had and taken.

(b) The education department is hereby directed to consider the afore-
mentioned contracts for transportation aid as valid and proper obli-
gations of such school district.

S 19. a. Notwithstanding any other provision of law to the contrary,
the actions or omissions of any school district which failed to submit a
final building project cost report by June 30 of the school year follow-
ing June 30 of the school year in which the certificate of substantial
completion of the project is issued by the architect or engineer, or six
months after issuance of such certificate, whichever is later, are here-
by ratified and validated, provided the following conditions have been
met: (i) that such building project was eligible for aid in a year for
which the commissioner of education is required to prepare an estimate
of apportionments due and owing pursuant to paragraph c of subdivision
1 21 of section 305 of the education law, and (ii) (A) that the school
district was notified in writing by the state education department after
March 1, 2015 but before July 1, 2016 that such final building cost
reports were late, or (B) such building project was eligible for an
installation recovery pursuant to sections 25-a, 25-b, 25-c, 25-d, and
25-e of part A of chapter 56 of the laws of 2015 or section 9-a of part
A of chapter 56 of the laws of 2014 or section 24-a or part A of chapter
57 of the laws of 2013; provided, however, that notwithstanding any
other provision of law to the contrary, the state education department
shall not refund any monies for which recovery of excess payments has
already been made pursuant to paragraph c of subdivision 5 of section
3604 of the education law and this act.

b. The education department is hereby directed to adjust the approved
costs of the aforementioned projects for the 2016-2017 school year and
thereafter to reflect the ratification and validation provided in this
act and to consider such adjusted approved costs as valid and proper
obligations of such school districts.

§ 20. This act shall take effect immediately; provided, however, that
a. the amendments made to paragraph b-1 of subdivision 4 of section
3602 of the education law by section one of this act shall not affect
the expiration of such paragraph and shall be deemed to expire there-
with;
b. any rules and regulations necessary for the implementation of
section three of this act shall be promulgated and take effect one
hundred eighty days after such effective date;
c. amendments to section 2022 of the education law made by section six
of this act shall be subject to the expiration and reversion of such
section pursuant to section 13 of part A of chapter 97 of the laws of
2011, as amended, when upon such date the provisions of section seven of
this act shall take effect;
d. the provisions of section eight of this act increasing the limita-
tion on aid from $12.6 million to $17.1 million shall apply to aid
distributed to school districts beginning in the 2015-2016 school year;
e. the provisions of section ten of this act shall take effect on the
first day of a quarterly sales tax period, as set forth in subdivision
(b) of section 1136 of the tax law, next succeeding April 1, 2016;
f. the provisions of section twelve of this act shall be deemed to
have been in full force and effect on and after March 31, 2014;
g. the provisions of section fourteen of this act shall first apply to
the levy of taxes by local governments for the fiscal year commencing in
2017; and
h. section sixteen of this act shall take effect July 1, 2016.

PART A-2

§ 1. Short title. This act shall be known and may be cited as
"Erin Merryn's law".
§ 2. Legislative findings and intent. The legislature finds and
declares that child sexual abuse, estimated to affect up to one in four
girls and up to one in six boys, poses a grave threat to the health and
safety of young people, and its damaging effects can last a lifetime.

The legislature also finds and declares that child sexual exploita-
tion, including the use of children in pornography and prostitution, and
child abduction pose a similar threat to the health and safety of young
people, and put child victims at grave risk of death or severe bodily
harm.
The legislature also finds and declares that the incidence of child sexual abuse, child sexual exploitation and child abduction can be reduced by raising awareness among young children of common dangers and warning signs, empowering children to better protect themselves from sexual predators, and teaching children how to obtain any necessary assistance or services.

It is hereby declared to be the public policy and in the public interest of this state to establish a comprehensive program to provide an age-appropriate course of instruction in the prevention of child abduction, child sexual exploitation and child sexual abuse.

Section 305 of the education law is amended by adding a new subdivision 55 to read as follows:

55. A. THE COMMISSIONER SHALL MAKE RECOMMENDATIONS TO THE REGENTS RELATING TO INSTRUCTION TO PREVENT CHILD SEXUAL EXPLOITATION AND CHILD ABUSE IN GRADES KINDERGARTEN THROUGH EIGHT.

B. PRIOR TO MAKING THE RECOMMENDATIONS TO THE REGENTS, THE COMMISSIONER SHALL:

(I) SEEK THE RECOMMENDATIONS OF TEACHERS, SCHOOL ADMINISTRATORS, TEACHER EDUCATORS AND OTHERS WITH EDUCATIONAL EXPERTISE IN THE PROPOSED CURRICULUM;

(II) SEEK COMMENT FROM PARENTS, STUDENTS AND OTHER INTERESTED PARTIES;

(III) CONSIDER THE AMOUNT OF INSTRUCTIONAL TIME SUCH CURRICULUM WILL REQUIRE AND WHETHER SUCH TIME WOULD DETRACT FROM OTHER MANDATED COURSES OF STUDY;

(IV) CONSIDER THE FISCAL IMPACT, IF ANY, ON THE STATE AND SCHOOL DISTRICTS; AND

(V) CONSIDER ANY ADDITIONAL FACTORS THE COMMISSIONER DEEMS RELEVANT.

C. NO LATER THAN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION, THE COMMISSIONER SHALL PROVIDE A RECOMMENDATION TO THE REGENTS TO EITHER ADOPT AND PROMULGATE APPROPRIATE RULES AND REGULATIONS IMPLEMENTING SUCH CURRICULUM OR REJECT THE IMPLEMENTATION OF SUCH CURRICULUM. UPON RECEIVING A RECOMMENDATION FROM THE COMMISSIONER, PURSUANT TO THIS SUBDIVISION, THE REGENTS SHALL VOTE TO EITHER ACCEPT OR REJECT THE COMMISSIONER'S RECOMMENDATION NO LATER THAN SIXTY DAYS AFTER RECEIVING SUCH RECOMMENDATION.

D. IF THE REGENTS ADOPT SUCH CURRICULUM, THE CURRICULUM REQUIREMENT SHALL TAKE EFFECT NO LATER THAN THE NEXT SCHOOL YEAR AFTER SUCH CURRICULUM HAS BEEN ADOPTED.


S 4. This act shall take effect immediately.

PART B

Section 1. Section 2801-a of the education law, as added by chapter 181 of the laws of 2000, subdivision 1 as amended by chapter 380 of the laws of 2001, is amended to read as follows:

S 2801-a. School safety plans. 1. The board of education or trustees, as defined in section two of this chapter, of every school district within the state, however created, and every board of cooperative educational services and county vocational education and extension board and the chancellor of the city school district of the city of New York shall
adopt and amend a comprehensive district-wide school safety plan and
building-level [school safety] EMERGENCY RESPONSE plans regarding crisis
intervention, emergency response and management, provided that in the
city school district of the city of New York, such plans shall be
adopted by the chancellor of the city school district. Such plans shall be
developed by a district-wide school safety team and a building-level
school safety team established pursuant to subdivision four of this
section and shall be in a form developed by the commissioner in consul-
tation with the division of criminal justice services, the superinten-
dent of the state police and any other appropriate state agencies. A
school district having only one school building, shall develop a single
building-level school safety plan, which shall also fulfill all require-
ments for development of a district-wide plan.

2. Such comprehensive district-wide safety plan shall be developed by
the district-wide school safety team and shall include at a minimum:
a. policies and procedures for responding to implied or direct threats
of violence by students, teachers, other school personnel as well as
visitors to the school;
b. policies and procedures for responding to acts of violence by
students, teachers, other school personnel as well as visitors to the
school, including consideration of zero-tolerance policies for school
violence;
B-1. POLICIES AND PROCEDURES FOR RESPONDING TO A STUDENT WHERE IT IS
REASONABLE TO BELIEVE THAT THE STUDENT IS AT RISK OF HARMING HIMSELF OR
HERSELF AS MANIFESTED BY A THREAT OF SUICIDE OR OTHER CONDUCT DEMON-
STRATING THAT THE STUDENT IS A DANGER TO HIMSELF OR HERSELF;
c. appropriate prevention and intervention strategies such as:
(i) collaborative arrangements with state and local law enforcement
officials, designed to ensure that school safety officers and other
security personnel are adequately trained, including being trained to
de-escalate potentially violent situations, and are effectively and
fairly recruited;
(ii) non-violent conflict resolution training programs;
(iii) peer mediation programs and youth courts; and
(iv) extended day and other school safety programs;
d. policies and procedures for contacting appropriate law enforcement
officials in the event of a violent incident;
e. policies and procedures for contacting parents, guardians or
persons in parental relation to the students of the district in the
event of a violent incident;
E-1. POLICIES AND PROCEDURES FOR CONTACTING PARENTS, GUARDIANS OR
PERSONS IN PARENTAL RELATION TO A STUDENT OF THE DISTRICT WHERE IT IS
REASONABLE TO BELIEVE THAT THE STUDENT IS AT RISK OF HARMING HIMSELF OR
HERSELF AS MANIFESTED BY A THREAT OF SUICIDE OR OTHER CONDUCT DEMON-
STRATING THAT THE STUDENT IS A DANGER TO HIMSELF OR HERSELF;
f. policies and procedures relating to school building security,
including where appropriate the use of school safety officers and/or
security devices or procedures;
g. policies and procedures for the dissemination of informative mate-
rials regarding the early detection of potentially violent behaviors,
including but not limited to the identification of family, community and
environmental factors, to teachers, administrators, school personnel,
persons in parental relation to students of the district, students and
other persons deemed appropriate to receive such information;
h. policies and procedures for annual school safety training for staff
and students;
i. protocols for responding to bomb threats, hostage-taking, intrusions and kidnappings;

j. strategies for improving communication among students and between students and staff and reporting of potentially violent incidents, such as the establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or designating a mentor for students concerned with bullying or violence and establishing anonymous reporting mechanisms for school violence; [and]

k. a description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity; AND


3. A school emergency response plan, developed by the building-level school safety team defined in subdivision four of this section, shall be kept confidential, including but not limited to the floor plans, blueprints, schematics or other maps of the school interior, school grounds and road maps of the immediate surrounding area, and shall not be disclosed except to authorized department or school staff, and law enforcement officers, and shall include the following elements:

a. policies and procedures for [the safe evacuation of students, teachers, other school personnel as well as visitors to the school in the event of a serious violent incident or other emergency, which shall include evacuation routes and shelter sites and procedures for addressing medical needs, transportation and emergency notification to persons in parental relation to a student. For purposes of this subdivision, "serious violent incident" means an incident of violent criminal conduct that is, or appears to be, life threatening and warrants the evacuation of students and/or staff, as defined in regulations of the commissioner developed in conjunction with the division of criminal justice services] RESPONSE TO EMERGENCY SITUATIONS, SUCH AS THOSE REQUIRING EVACUATION, SHELTERING, AND LOCK-DOWN. THESE POLICIES SHALL INCLUDE, AT A MINIMUM, EVACUATION ROUTES, SHELTER SITES, AND PROCEDURES FOR ADDRESSING MEDICAL NEEDS, TRANSPORTATION AND EMERGENCY NOTIFICATION OF PARENTS AND GUARDIANS;

b. designation of an emergency response team comprised of school personnel, [local] law enforcement officials, FIRE OFFICIALS and representatives from local regional and/or state emergency response agencies, other appropriate incident response teams, and a post-incident response team that includes appropriate school personnel, medical personnel, mental health counselors and others who can assist the school community in coping with the aftermath of a violent incident;

c. [procedures for assuring that crisis response and law enforcement officials have access to] floor plans, blueprints, schematics or other maps of the school interior, school grounds and road maps of the immediate surrounding area;

d. establishment of internal and external communication systems in emergencies;

e. definition of the chain of command in a manner consistent with the national interagency incident management system/incident command system;
f. coordination of the school safety plan with the state-wide plan for
disaster mental health services to assure that the school has access to
federal, state and local mental health resources in the event of a
violent incident;
g. procedures for review and the conduct of drills and other exercises
to test components of the emergency response plan; and
h. policies and procedures for securing and restricting access to the
crime scene in order to preserve evidence in cases of violent crimes on
school property.

4. Each district-wide school safety team shall be appointed by the
board of education, or the chancellor in the case of the city school
district of the city of New York, and shall include but not be limited
to representatives of the school board, [student,] teacher, administra-
tor, and parent organizations, school safety personnel, and other school
personnel. Each building-level school safety team shall be appointed by
the building principal, in accordance with regulations or guidelines
prescribed by the board of education, chancellor or other governing
body. Such building-level teams shall include but not be limited to
representatives of teacher, administrator, and parent organizations,
school safety personnel and other school personnel, community members,
[local] law enforcement officials, [local ambulance] FIRE OFFICIALS or
other emergency response agencies, and any other representatives the
board of education, chancellor or other governing body deems appropri-
ate.

5. [Each safety plan shall be reviewed by the appropriate school safe-
ty team on at least an annual basis, and updated as needed] THE
DISTRICT-WIDE SAFETY PLAN AND BUILDING-LEVEL EMERGENCY RESPONSE PLANS
SHALL BE REVIEWED BY THE APPROPRIATE TEAM ON AT LEAST AN ANNUAL BASIS
AND UPDATED AS NEEDED.

6. Each board of education, chancellor or other governing body shall
make each district-wide [and building-level school] safety plan avail-
able for public comment at least thirty days prior to its adoption[, provided that only a summary of each building-level emergency response
plan shall be made available for public comment]. Such district-wide
[and building-level] plans may be adopted by the school board only after
at least one public hearing that provides for the participation of
school personnel, parents, students and any other interested parties.
Each district shall file a copy of its district-wide [comprehensive]
safety plan with the commissioner and all amendments to such plan shall
be filed with the commissioner no later than thirty days after their
adoption.

[A] 7. EACH BOARD OF EDUCATION, CHANCELLOR OR OTHER GOVERNING BODY OR
OFFICER SHALL ENSURE A copy of each building-level [safety] EMERGENCY
RESPONSE plan and any amendments thereto, shall be filed with the appro-
priate local law enforcement agency and with the state police within
thirty days of its adoption. Building-level emergency response plans
shall be confidential and shall not be subject to disclosure under arti-
cle six of the public officers law or any other provision of law. If the
board of education, chancellor or other governing body or chancellor
fails to file such plan as required by this section, the commissioner
may, in an amount determined by the commissioner, withhold public money
from the district until the district is in compliance.

[7. The commissioner may grant a waiver of the requirements of this
section to any school district or board of cooperative educational
services for a period of up to two years from the date of enactment upon
a finding by the commissioner that such district had adopted a compre-
The commissioner shall annually report to the governor and the legislature on the implementation and compliance with the provisions of this section.

9. Whenever it shall have been demonstrated to the satisfaction of the commissioner that a school district has failed to adopt a code of conduct which fully satisfies the requirements of section twenty-eight hundred one of this article, or a [school safety plan] DISTRICT-WIDE SAFETY PLAN OR BUILDING-LEVEL EMERGENCY RESPONSE PLANS which satisfies the requirements of this section, or to faithfully and completely implement [either or both] ALL THREE, the commissioner may, on thirty days notice to the district, withhold from the district monies to be paid to such district for the current school year pursuant to section thirty-six hundred nine-a of this chapter, exclusive of monies to be paid in respect of obligations to the retirement systems for school and district staff and pursuant to collective bargaining agreements, or the commissioner may direct the district to expend up to such amount upon the development and implementation of a code of conduct and a school district safety plan as required by such sections. Prior to such withholding or redirection, the commissioner shall provide the district an opportunity to present evidence of extenuating circumstances; when combined with evidence that the district shall promptly comply within short time frames that shall be established by the commissioner as part of an agreement between the district and the commissioner, the commissioner may temporarily stay the withholding or redirection of funds pending implementation of such agreement. If the district promptly and fully complies with the agreement and is in full compliance with this section and section twenty-eight hundred one of this article, the commissioner shall abate the withholding in its entirety. Any failure to meet the obligations of the compliance agreement by the district within the time frames established shall be considered a willful violation of a commissioner's order by the members of the district board for purposes of subdivision one of section three hundred six of the education law. Notwithstanding any other law, rule or regulation, such transfer shall take effect upon filing of a notice thereof with the director of the budget and the chairs of the senate finance and assembly ways and means committees.

S 2. The section heading and subdivisions 1 and 1-a of section 807 of the education law, the section heading as amended by chapter 765 of the laws of 1964, subdivision 1 as amended by chapter 143 of the laws of 1985 and subdivision 1-a as added by chapter 9 of the laws of 1991, are amended to read as follows:

Fire AND EMERGENCY drills. 1. It shall be the duty of the principal or other person in charge of every public or private school or educational institution within the state, other than colleges or universities, to instruct and train the pupils by means of drills, so that they may in a sudden emergency be able to [leave the school building] RESPOND APPROPRIATELY in the shortest possible time and without confusion or panic. Such drills [or rapid dismissals] shall be held at least twelve times in each school year, eight of which required drills shall be held between September first and December [first] THIRTY-FIRST of each such year. [At least one-third of all such required drills shall be through use of the fire escapes on buildings where fire escapes are provided. In the course of at least one such drill, pupils shall be instructed in the procedure to be followed in the event that a fire occurs during lunch
1 period, provided however, that such additional instruction may be waived
where a drill is held during the regular school lunch period. At least
four] EIGHT OF ALL SUCH DRILLS SHALL BE EVACUATION DRILLS, FOUR OF WHICH
SHALL BE THROUGH USE OF THE FIRE ESCAPES ON BUILDINGS WHERE FIRE ESCAPES
ARE PROVIDED OR THROUGH THE USE OF IDENTIFIED SECONDARY MEANS OF EGRESS.
FOUR OF ALL SUCH REQUIRED DRILLS SHALL BE LOCK-DOWN DRILLS. DRILLS
SHALL BE CONDUCTED AT DIFFERENT TIMES OF THE SCHOOL DAY. FOUR additional
drills shall be held in each school year during the hours after sunset
and before sunrise in school buildings in which students are provided
with sleeping accommodations. At least two additional drills shall be
held during summer school in buildings where summer school is conducted,
and one of such drills shall be held during the first week of summer
school.

1-a. In the case of after-school programs, events or performances
which are conducted within a school building and which include persons
who do not regularly attend classes in such school building, the princi-
pal or other person in charge of the building shall require the teacher
or person in charge of such after-school program, event or performance
to notify persons in attendance at the beginning of each such program,
event or performance, of the procedures to be followed in the event of
an emergency so that they may be able to [leave the building] RESPOND in
a timely, orderly manner.

S 3. Subdivision 7 of section 3604 of the education law, as amended by
section 31 of part B of chapter 57 of the laws of 2007, is amended to
read as follows:

7. No district shall be entitled to any portion of such school moneys
on such apportionment unless the report of the trustees or board of
education for the preceding school year shall show that the public
schools were actually in session in the district and taught by a quali-
fied teacher or by successive qualified teachers or by qualified teach-
ers for not less than one hundred eighty days. The moneys payable to a
school district pursuant to section thirty-six hundred nine-a of this
chapter in the current year shall be reduced by one one-hundred eight-
ieth of the district's total foundation aid for each day less than one
hundred eighty days that the schools of the district were actually in
session, except that the commissioner may disregard such reduction, up
to five days, in the apportionment of public money, if he finds that the
schools of the district were not in session for one hundred eighty days
because of extraordinarily adverse weather conditions, impairment of
heating facilities, insufficiency of water supply, shortage of fuel,
lack of electricity, natural gas leakage, unacceptable levels of chemi-
cal substances, A CREDIBLE THREAT TO STUDENT SAFETY AS REASONABLY DETER-
MINED BY A LEAD SCHOOL OFFICIAL or the destruction of a school building
either in whole or in part, and if, further, the commissioner finds that
such district cannot make up such days of instruction by using for the
secondary grades all scheduled vacation days which occur prior to the
first scheduled regents examination day in June, and for the elementary
grades all scheduled vacation days which occur prior to the last sched-
uled regents examination day in June. For the purposes of this subdivi-
sion, "scheduled vacation days" shall mean days on which the schools of
the district are not in session and for which no prohibition exists in
subdivision eight of this section for them to be in session.

S 4. This act shall take effect July 1, 2016.
Section 1. Subparagraphs a and b of paragraph 2 of subdivision A of section 6221 of the education law, as added by chapter 305 of the laws of 1979, is amended to read as follows:

a. Notwithstanding any other provision of law, the city of New York shall appropriate in its expense budget and pay to the account of the senior colleges of the city university of New York as operating aid amounts in accordance with the following schedule:

(i) For the twelve-month period commencing July first, nineteen hundred seventy-nine, an amount equal to the lesser of fifty-eight million, three hundred ninety-three thousand dollars ($58,393,000) or twenty-five per centum of the net operating expenses of such senior college programs and services, as certified by the comptroller of the state of New York to be properly chargeable to such twelve-month period;

(ii) For the twelve-month period commencing July first, nineteen hundred eighty, an amount equal to eighty per centum of the amount specified in (i) of subparagraph a of this paragraph.

(iii) For the twelve-month period commencing July first, nineteen hundred eighty-one, an amount equal to forty per centum of the amount specified in (i) of subparagraph a of this paragraph.

[b.] (IV) For the [twelve-month] period commencing July first, nineteen hundred eighty-two and [thereafter] ENDING JUNE THIRTIETH, TWO THOUSAND SIXTEEN, the city of New York shall not be required to make any appropriation in support of the net operating expenses of the programs and services of the senior colleges of the city university.

(V) FOR THE TWELVE-MONTH PERIOD COMMENCING JULY FIRST, TWO THOUSAND SIXTEEN AND FOR EACH TWELVE MONTH PERIOD THEREAFTER, AN AMOUNT EQUAL TO THIRTY PER CENTUM OF THE NET OPERATING EXPENSES OF THE APPROVED PROGRAMS AND SERVICES OF THE SENIOR COLLEGES, PLUS AN ADDITIONAL AMOUNT EQUAL TO THIRTY PER CENTUM OF THE CITY UNIVERSITY SENIOR COLLEGE DEBT SERVICE AND CAPITAL CONSTRUCTION ADMINISTRATIVE EXPENSE FOR THE TWELVE-MONTH PERIOD FIRST BEGINNING APRIL FIRST, TWO THOUSAND FOURTEEN AND FOR EACH TWELVE-MONTH PERIOD THEREAFTER AS CERTIFIED BY THE DIRECTOR OF THE BUDGET TO BE PROPERLY CHARGEABLE TO SUCH TWELVE-MONTH PERIOD.

S 2. Subparagraph c of paragraph 2 of subdivision A of section 6221 of the education law is relettered subparagraph b.

S 3. Subparagraph d of paragraph 2 of subdivision A of section 6221 of the education law is relettered subparagraph c.

S 4. Subparagraph e of paragraph 2 of subdivision A of section 6221 of the education law, as added by chapter 815 of the laws of 1980 and the opening paragraph and item (iii) as amended by chapter 87 of the laws of 2002, is amended to read as follows:

[e.] D. In addition to the amounts specified in subparagraph a of this paragraph [and notwithstanding the provisions of subparagraph b of this paragraph], the city of New York shall appropriate in its expense budget and pay to the account of the senior colleges of the city university of New York as the city's share of operating aid for the college of Staten Island and New York city college of technology amounts in accordance with the following schedule:

(i) For the twelve month period commencing July first, nineteen hundred eighty, an amount that shall equal four million, one hundred thousand dollars ($4,100,000).

(ii) For the twelve month period commencing July first, nineteen hundred eighty-one, an amount equal to one-half of the amount specified in clause (i) of this subparagraph.

(iii) For the [twelve month] period commencing July first, nineteen hundred eighty-two, and [thereafter] ENDING JUNE THIRTIETH, TWO THOUSAND
SIXTEEN the city of New York shall not be required to make any appropri-
ation for operating aid for the college of Staten Island and New York city college of technology.

S 5. Paragraph 4 of subdivision A of section 6221 of the education law, as added by chapter 305 of the law of 1979, is amended to read as follows:

4. [Commencing] NOTWITHSTANDING THE PROVISION OF ANY LAW, RULE OR REGULATION TO THE CONTRARY, (A) COMMENCING with the twelve-month period beginning July first, nineteen hundred eighty-two and [thereafter] ENDING JUNE THIRTIETH, TWO THOUSAND SIXTEEN, the state shall reimburse to the city of New York one hundred per centum of the net operating expenses of the approved programs and services of the senior colleges[.]; AND

(B) COMMENCING WITH THE TWELVE-MONTH PERIOD BEGINNING JULY FIRST, TWO THOUSAND SIXTEEN AND FOR EACH TWELVE-MONTH PERIOD THEREAFTER, the state shall reimburse to the city of New York SEVENTY PER CENTUM OF THE NET OPERATING EXPENSES OF THE APPROVED PROGRAMS AND SERVICES OF THE SENIOR COLLEGES LESS AN ADDITIONAL AMOUNT EQUAL TO THIRTY PER CENTUM OF THE CITY UNIVERSITY SENIOR COLLEGE DEBT SERVICE AND CAPITAL CONSTRUCTION ADMINISTRATIVE EXPENSE FOR THE TWELVE-MONTH PERIOD FIRST BEGINNING APRIL FIRST, TWO THOUSAND FOURTEEN AND FOR EACH TWELVE MONTH PERIOD THEREAFTER AS CERTIFIED BY THE DIRECTOR OF THE BUDGET TO BE PROPERLY CHARGEABLE TO SUCH TWELVE-MONTH PERIOD.

S 6. Subdivision D of section 6221 of the education law, as added by chapter 815 of the laws of 1980 and as relettered by chapter 585 of the laws of 1988, is amended to read as follows:

D. College of Staten Island. Notwithstanding the designation of the college of Staten Island as a senior college:

(i) the city of New York shall annually appropriate in its expense budget and pay to the city university of New York, as operating aid in support of the programs and services of the college of Staten Island, an amount for each full-time equivalent student in the associate degree program of the college equal to the amount the city of New York is appropriating and paying for each full-time equivalent student in the community colleges;

(ii) and the state of New York shall annually appropriate and pay to the city university of New York an amount equal to [the net operating] ITS SHARE OF expenses of the college of Staten Island less the amount payable by the city of New York pursuant to this [subdivision] SECTION. Such state of New York payment shall be made in four installments on or before April twenty-fifth, June twenty-fifth, October twenty-fifth and January twenty-fifth. The amount to be paid by the city of New York pursuant to this subdivision shall be determined by the state director of the budget, based upon information submitted by the mayor in such form and content and at such time as may be [required] REQUIRED by the state director of the budget.

S 7. Subdivision E of section 6221 of the education law, as added by chapter 170 of the laws of 1994, paragraph (i) as amended by section 2 and paragraph (ii) as renumbered by section 3 of part HH of chapter 57 of the laws of 2009, is amended to read as follows:

E. Medgar Evers college. Notwithstanding the designation of Medgar Evers college as a senior college:

(i) in addition to the amounts specified in subparagraph e of paragraph two of subdivision A of this section, the city of New York shall annually appropriate in its expense budget and pay to the city university of New York as operating aid in support of the programs and services,
an amount for each full-time equivalent student in the associate degree program of the college equal to the amount the city of New York is appropriating and paying for each full-time equivalent student in the community colleges; and

(ii) the state of New York shall annually appropriate and pay to the city of New York on behalf of the city university of New York an amount equal to [the net operating] ITS SHARE OF expenses of Medgar Evers college less the amount payable by the city of New York pursuant to this [subdivision] SECTION. Such state of New York payment shall be made in four installments on or before April twenty-fifth, June twenty-fifth, October twenty-fifth and February twenty-fifth. The amount to be paid by the city of New York pursuant to this subdivision shall be determined by the state director of the budget, based upon information submitted by the mayor in such form and content and at such time as may be required by the state director of the budget.

S 8. This act shall take effect immediately.

PART D

Section 1. Subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law, as amended by chapter 260 of the laws of 2011, the opening paragraph as amended by chapter 437 of the laws of 2015 and clause (ii) as amended by section 1 of part P of chapter 57 of the laws of 2012, is amended to read as follows:

(4) The trustees shall not impose a differential tuition charge based upon need or income. Except as hereinafter provided, all students enrolled in programs leading to like degrees at state-operated institutions of the state university shall be charged a uniform rate of tuition except for differential tuition rates based on state residency. Provided, however, that the trustees may authorize the presidents of the colleges of technology and the colleges of agriculture and technology to set differing rates of tuition for each of the colleges for students enrolled in degree-granting programs leading to an associate degree and non-degree granting programs so long as such tuition rate does not exceed the tuition rate charged to students who are enrolled in like degree programs or degree-granting undergraduate programs leading to a baccalaureate degree at other state-operated institutions of the state university of New York. Notwithstanding any other provision of this subparagraph, the trustees may authorize the setting of a separate category of tuition rate, that shall be greater than the tuition rate for resident students and less than the tuition rate for non-resident students, only for students enrolled in distance learning courses who are not residents of the state. Except as otherwise authorized in this subparagraph, the trustees shall not adopt changes affecting tuition charges prior to the enactment of the annual budget, provided however that:

(i) Commencing with the two thousand eleven--two thousand twelve academic year and ending in the two thousand fifteen--two thousand sixteen academic year the state university of New York board of trustees shall be empowered to increase the resident undergraduate rate of tuition by not more than three hundred dollars over the resident undergraduate rate of tuition adopted by the board of trustees in the prior academic year, provided however that if the annual resident undergraduate rate of tuition would exceed five thousand dollars, then a tuition credit for each eligible student, as determined and calculated by the New York state higher education services corporation pursuant to section
six hundred eighty-nine-a of this title, shall be applied toward the
 tuition charged for each semester, quarter or term of study. Tuition for
each semester, quarter or term of study shall not be due for any student
eligible to receive such tuition credit until the tuition credit is
calculated and applied against the tuition charged for the corresponding
semester, quarter or term.

(ii) [On or before November thirtieth, two thousand eleven, the trus-
tees shall approve and submit to the chairs of the assembly ways and
means committee and the senate finance committee and to the director of
the budget a master tuition plan setting forth the tuition rates that
the trustees propose for resident undergraduate students for the five
year period commencing with the two thousand eleven--two thousand twelve
academic year and ending in the two thousand fifteen--two thousand
sixteen academic year, and shall submit any proposed amendments to such
plan by November thirtieth of each subsequent year thereafter through
November thirtieth, two thousand fifteen, and provided further, that
with the approval of the board of trustees, each university center may
increase non-resident undergraduate tuition rates each year by not more
than ten percent over the tuition rates of the prior academic year for a
five year period commencing with the semester following the semester in
which the governor and the chancellor of the state university of New
York approve the NY-SUNY 2020 proposal for such university center.]}
COMMENCING WITH THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN ACADEM-
IC YEAR AND ENDING IN THE TWO THOUSAND TWENTY--TWO THOUSAND TWENTY-ONE
ACADEMIC YEAR IF THE ANNUAL RESIDENT UNDERGRADUATE RATE OF TUITION WOULD
EXCEED FIVE THOUSAND DOLLARS, THEN A TUITION CREDIT FOR EACH ELIGIBLE
STUDENT, AS DETERMINED AND CALCULATED BY THE NEW YORK STATE HIGHER
EDUCATION SERVICES CORPORATION PURSUANT TO SECTION SIX HUNDRED
EIGHTY-NINE-A OF THIS TITLE, SHALL BE APPLIED TOWARD THE TUITION CHARGED
FOR EACH SEMESTER, QUARTER OR TERM OF STUDY. TUITION FOR EACH SEMESTER,
QUARTER OR TERM OF STUDY SHALL NOT BE DUE FOR ANY STUDENT ELIGIBLE TO
RECEIVE SUCH TUITION CREDIT UNTIL THE TUITION CREDIT IS CALCULATED AND
APPLIED AGAINST THE TUITION CHARGED FOR THE CORRESPONDING SEMESTER,
QUARTER OR TERM.

(iii) The state shall appropriate annually and make available general
fund operating support, including fringe benefits, for the state univer-
sity in an amount not less than the amount appropriated and made avail-
able to the state university in state fiscal year two thousand eleven--
two thousand twelve. Beginning in state fiscal year two thousand
[sixteen] SIXTEEN--two thousand [thirteen] SEVENTEEN and thereafter, the
state shall appropriate and make available general fund operating
support[,] including fringe benefits[,] for the state university AND THE
STATE UNIVERSITY HEALTH SCIENCE CENTERS in an amount not less than the
[amount] AMOUNTS SEPARATELY appropriated and made available in the prior
state fiscal year; provided, however, THE STATE SHALL APPROPRIATE AND
MAKE AVAILABLE GENERAL FUND OPERATING SUPPORT TO COVER ALL MANDATORY
COSTS OF THE STATE UNIVERSITY AND THE STATE UNIVERSITY HEALTH SCIENCE
CENTERS, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, COLLECTIVE BARGAIN-
ing costs including salary increments, fringe benefits, and other
NON-PERSONAL SERVICE COSTS SUCH AS UTILITY COSTS, BUILDING RENTALS AND
OTHER INFLATIONARY EXPENSES INCURRED BY THE STATE UNIVERSITY AND THE
STATE UNIVERSITY HEALTH SCIENCE CENTERS. PROVIDED FURTHER, HOWEVER, that
if the governor declares a fiscal emergency, and communicates such emer-
gency to the temporary president of the senate and speaker of the assem-
}bly, state support for operating expenses at the state university and
city university may be reduced in a manner proportionate to one another, and the aforementioned provisions shall not apply.

(iv) [For the state university fiscal years commencing two thousand eleven--two thousand twelve and ending two thousand fifteen--two thousand sixteen, each university center may set aside a portion of its tuition revenues derived from tuition increases to provide increased financial aid for New York state resident undergraduate students whose net taxable income is eighty thousand dollars or more subject to the approval of a NY-SUNY 2020 proposal by the governor and the chancellor of the state university of New York. Nothing in this paragraph shall be construed as to authorize that students whose net taxable income is eighty thousand dollars or more are eligible for tuition assistance program awards pursuant to section six hundred sixty-seven of this chapter.]

BEGINNING IN STATE FISCAL YEAR TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN, THE STATE SHALL APPROPRIATE FUNDS FOR THE CREATION OF THE STATE UNIVERSITY OF NEW YORK INVESTMENT FUND. FUNDS APPROPRIATED SHALL BE USED FOR FUNDING THE TUITION CREDIT PURSUANT TO CLAUSE (II) OF THIS SUBPARAGRAPH FOR EXPENSES RELATED TO STUDENT SERVICES, FACULTY AND INSTRUCTION, AND MAY BE USED TO GRANT SCHOLARSHIPS AT THE FOUR UNIVERSITY CENTERS TO THOSE STUDENTS WHOSE FAMILY'S NET TAXABLE INCOME IS ABOVE ONE HUNDRED THOUSAND DOLLARS A YEAR. THE INVESTMENT FUND MAY ALSO BE USED PURSUANT TO THE DISCRETION OF THE CHANCELLOR TO COVER ANY OTHER UNIVERSITY EXPENSES DEEMED NECESSARY. PROVIDED FURTHER, THE STATE UNIVERSITY BOARD OF TRUSTEES SHALL ANNUALLY REPORT ON HOW THE INVESTMENT FUND WAS INVESTED IN FACULTY, INSTRUCTION AND STUDENT FINANCIAL ASSISTANCE OR STUDENT SERVICES AND ALSO HOW IT WAS USED TO FUND MANDATORY COSTS NOT COVERED BY THE STATE, IF ANY.

S 2. Paragraph (a) of subdivision 7 of section 6206 of the education law, as amended by chapter 260 of the laws of 2011 and the opening paragraph as amended by chapter 437 of the laws of 2015, is amended to read as follows:

(a) The board of trustees shall establish positions, departments, divisions and faculties; appoint and in accordance with the provisions of law fix salaries of instructional and non-instructional employees therein; establish and conduct courses and curricula; prescribe conditions of student admission, attendance and discharge; and shall have the power to determine in its discretion whether tuition shall be charged and to regulate tuition charges, and other instructional and non-instructional fees and other fees and charges at the educational units of the city university. The trustees shall review any proposed community college tuition increase and the justification for such increase. The justification provided by the community college for such increase shall include a detailed analysis of ongoing operating costs, capital, debt service expenditures, and all revenues. The trustees shall not impose a differential tuition charge based upon need or income. All students enrolled in programs leading to like degrees at the senior colleges shall be charged a uniform rate of tuition, except for differential tuition rates based on state residency. Notwithstanding any other provision of this paragraph, the trustees may authorize the setting of a separate category of tuition rate, that shall be greater than the tuition rate for resident students and less than the tuition rate for non-resident students, only for students enrolled in distance learning courses who are not residents of the state; provided, however, that:

(i) Commencing with the two thousand eleven--two thousand twelve academic year and ending in the two thousand fifteen--two thousand sixteen academic year, the city university of New York board of trustees
shall be empowered to increase the resident undergraduate rate of tuition by not more than three hundred dollars over the resident undergraduate rate of tuition adopted by the board of trustees in the prior academic year, provided however that if the annual resident undergraduate rate of tuition would exceed five thousand dollars, then a tuition credit for each eligible student, as determined and calculated by the New York state higher education services corporation pursuant to section six hundred eighty-nine-a of this chapter, shall be applied toward the tuition charged for each semester, quarter or term of study. Tuition for each semester, quarter or term of study shall not be due for any student eligible to receive such tuition credit until the tuition credit is calculated and applied against the tuition charged for the corresponding semester, quarter or term.

(ii) [On or before November thirtieth, two thousand eleven, the trustees shall approve and submit to the chairs of the assembly ways and means committee and the senate finance committee and to the director of the budget a master tuition plan setting forth the tuition rates that the trustees propose for resident undergraduate students for the five year period commencing with the two thousand eleven--two thousand twelve academic year and ending in the two thousand fifteen--two thousand sixteen academic year, and shall submit any proposed amendments to such plan by November thirtieth of each subsequent year thereafter through November thirtieth, two thousand fifteen.] Commencing with the two thousand sixteen--two thousand seventeen academic year and ending in the two thousand twenty--two thousand twenty-one academic year if the annual resident undergraduate rate of tuition would exceed five thousand dollars, then a tuition credit for each eligible student, as determined and calculated by the New York state higher education services corporation pursuant to section six hundred eighty-nine-a of this title, shall be applied toward the tuition charged for each semester, quarter or term of study. Tuition for each semester, quarter or term of study shall not be due for any student eligible to receive such tuition credit until the tuition credit is calculated and applied against the tuition charged for the corresponding semester, quarter or term.

(iii) The state shall appropriate annually and make available state support for operating expenses, including fringe benefits, for the city university in an amount not less than the amount appropriated and made available to the city university in state fiscal year two thousand eleven--two thousand twelve. Beginning in state fiscal year two thousand twelve--two thousand thirteen and [thereafter] ending in state fiscal year two thousand fifteen--two thousand sixteen, the state shall appropriate and make available state support for operating expenses, including fringe benefits, for the city university in an amount not less than the amount appropriated and made available in the prior state fiscal year; provided, however, that if the governor declares a fiscal emergency, and communicates such emergency to the temporary president of the senate and speaker of the assembly, state support for operating expenses of the state university and city university may be reduced in a manner proportionate to one another, and the aforementioned provisions shall not apply.

(iv) Beginning in academic fiscal year two thousand sixteen--two thousand seventeen and thereafter, the state and city of New York shall appropriate annually and make available its representative share of support for expenses pursuant to section six thousand two hundred twenty--one of this title, which shall include, but not be limited to, fringe benefits, and other non-personal service costs such as utility costs,
BUILDING RENTALS AND OTHER INFLATIONARY EXPENSES INCURRED BY THE CITY UNIVERSITY IN AN AMOUNT NOT LESS THAN THE AMOUNT APPROPRIATED AND MADE AVAILABLE FOR EXPENSES IN THE PRIOR ACADEMIC FISCAL YEAR; PROVIDED, HOWEVER, THAT IF THE GOVERNOR DECLARES A FISCAL EMERGENCY, AND COMMUNICATES SUCH EMERGENCY TO THE TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY, STATE SUPPORT FOR OPERATING EXPENSES OF THE STATE UNIVERSITY AND CITY UNIVERSITY MAY BE REDUCED IN A MANNER PROPORTIONATE TO ONE ANOTHER, AND THE AForeMentionED PROVISIONS SHALL NOT APPLY. (V) BEGINNING IN STATE FISCAL YEAR TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN, THE STATE SHALL APPROPRIATE FUNDS FOR THE CREATION OF THE CITY UNIVERSITY OF NEW YORK INVESTMENT FUND. FUNDS APPROPRIATED SHALL BE USED FOR FUNDING THE TUITION CREDIT PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH FOR EXPENSES RELATED TO STUDENT SERVICES, FACULTY AND INSTRUCTION, AND MAY BE USED TO GRANT SCHOLARSHIPS AT THE FOUR UNIVERSITY CENTERS TO THOSE STUDENTS WHOSE FAMILY'S NET TAXABLE INCOME IS ABOVE EIGHTY THOUSAND DOLLARS A YEAR. THE INVESTMENT FUND MAY ALSO BE USED PURSUANT TO THE DISCRETION OF THE CHANCELLOR TO COVER ANY OTHER UNIVERSITY EXPENSES DEEMED NECESSARY. PROVIDED FURTHER, THE CITY UNIVERSITY BOARD OF TRUSTEES SHALL ANNUALLY REPORT ON HOW THE INVESTMENT FUND WAS INVESTED IN FACULTY, INSTRUCTION AND STUDENT FINANCIAL ASSISTANCE OR STUDENT SERVICES AND ALSO HOW IT WAS USED TO FUND MANDATORY COSTS NOT COVERED BY THE STATE, IF ANY.

S 3. Subdivision 5 of section 359 of the education law is REPEALED.
S 4. Subdivision 17 of section 6206 of the education law is REPEALED.
S 5. Section 16 of chapter 260 of the laws of 2011 amending the education law and the New York state urban development corporation act relating to establishing components of the NY-SUNY 2020 challenge grant program, as amended by section 65-a of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

S 16. This act shall take effect July 1, 2011; provided that sections one, two, three, four, five, six, eight, nine, ten, eleven, twelve[, AND thirteen[, fourteen and fifteen] of this act shall expire [5] 10 years after such effective date when upon such date the provisions of this act shall be deemed repealed.

S 6. This at shall take effect immediately; provided that the amendments to subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law made by section one of this act and the amendments to paragraph (a) of subdivision 7 of section 6206 of the education law made by section two of this act shall not affect the expiration of such provisions and shall be deemed to expire therewith; provided further, that if chapter 437 of the laws of 2015 shall not have taken effect by such effective date, then the amendments to the opening paragraph of subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law made by section one of this act and the amendments to the opening paragraph of paragraph (a) of subdivision 7 of section 6206 of the education law made by section two of this act shall take effect on the same day and in the same manner as sections 1 and 3 of chapter 437 of the laws of 2015, takes effect.

PART E

Section 1. The state finance law is amended by adding a new section 99-y to read as follows:
S 99-Y. SUNY STONY BROOK AFFILIATION ESCROW FUND. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE, REGULATION, OR PRACTICE TO THE CONTRARY, THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMPTROLLER
AND THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK (SUNY) ONE OR
MORE TRUST AND AGENCY FUNDS, TO BE KNOWN AS THE "SUNY STONY BROOK AFFILIATION ESCROW FUND" WHICH SHALL BE AVAILABLE WITHOUT FISCAL YEAR LIMITATION.

2. EACH SUNY STONY BROOK AFFILIATION ESCROW FUND SHALL CONSIST OF (I) ALL MONIES GENERATED THROUGH THE ACTIVITIES OF STONY BROOK AT EACH HOSPITAL WITH WHICH IT ENTERS INTO AN AFFILIATION, INCLUDING BUT NOT LIMITED TO PATIENT REVENUE, FEDERAL REIMBURSEMENT, AND OTHER ASSOCIATED REVENUE SOURCES, AND (II) PAYMENTS MADE BY STONY BROOK UNIVERSITY HOSPITAL TO SUCH HOSPITAL OR ITS AFFILIATES IN ACCORDANCE WITH AGREEMENTS APPROVED PURSUANT TO OTHER APPLICABLE STATUTES.

3. MONIES OF EACH SUNY STONY BROOK AFFILIATION ESCROW FUND SHALL BE EXPENDED CONSISTENT WITH THE PURPOSES OF SUCH AFFILIATION.

S 2. This act shall take effect immediately.

PART F

Intentionally Omitted

PART G

Section 1. Subdivision (a) of section 50 of chapter 161 of the laws of 2005 amending the education law relating to the New York state licensed social worker loan forgiveness program, as amended by section 1 of part M of chapter 58 of the laws of 2011, is amended to read as follows:

(a) section two of this act shall expire and be deemed repealed June 30, [2016] 2021; and provided, further that the amendment to paragraph b of subdivision 1 of section 679-c and the amendment to paragraph 2 of subdivision a of section 679-d of the education law made by sections three and four of this act shall not affect the repeal of such sections and shall be deemed repealed therewith;

S 2. Section 3 of part V of chapter 57 of the laws of 2005 amending the education law relating to the New York state nursing faculty loan forgiveness incentive program and the New York state nursing faculty scholarship program, as amended by section 1 of part L of chapter 58 of the laws of 2011, is amended to read as follows:

S 3. This act shall take effect on the same date and in the same manner as Part H of this chapter; provided that section two of this act shall take effect on the same date and in the same manner as Part I of this chapter; and provided further that this act shall expire and be deemed repealed on June 30, [2016] 2021.

S 3. Section 17 of chapter 31 of the laws of 1985 amending the education law relating to regents scholarships in certain professions, as amended by section 1 of part K of chapter 58 of the laws of 2011, is amended to read as follows:

S 17. This act shall take effect immediately; provided, however, that the scholarship and loan forgiveness programs established pursuant to the provisions of this act shall terminate upon the granting of such awards for the 2008-2009 school year provided, however, that the regents physician loan forgiveness program established pursuant to this act shall not terminate until the granting of such awards for the 2015-16 2020-21 school year, provided that the final disbursement of any multi-year awards granted in such school year shall be paid.

S 4. Paragraph a of subdivision 5 of section 679-c of the education law, as amended by section 1 of part E3 of chapter 57 of the laws of 2007, is amended to read as follows:
a. The corporation shall convert to a student loan the full amount of the award given pursuant to this section, plus interest, according to a schedule to be determined by the corporation if: (1) three years after the completion of the degree program it is found that an applicant did not begin to provide nursing faculty or clinical nurse faculty services; (2) if such applicant does not provide nursing faculty or clinical nursing faculty services for four years within seven years of the completion of the master's degree program in nursing or doctoral degree; or (3) the student fails to receive a master's degree in nursing or doctoral degree that will qualify them as nursing faculty or adjunct clinical faculty within the three years of receiving the award. THE TERMS AND CONDITIONS OF THIS SUBDIVISION SHALL BE DEFERRED FOR ANY INTERRUPTION IN GRADUATE OR DOCTORAL STUDY OR EMPLOYMENT AS ESTABLISHED BY THE RULES AND REGULATIONS OF THE CORPORATION. ANY OBLIGATION TO COMPLY WITH SUCH PROVISIONS AS OUTLINED IN THIS SECTION SHALL BE CANCELLED UPON THE DEATH OF THE RECIPIENT. NOTWITHSTANDING ANY PROVISIONS OF THIS SUBDIVISION TO THE CONTRARY, THE CORPORATION IS AUTHORIZED TO PROMULGATE RULES AND REGULATIONS TO PROVIDE FOR THE WAIVER OR SUSPENSION OF ANY FINANCIAL OBLIGATION WHICH WOULD INVOLVE EXTREME HARDSHIP.

S 5. Subdivision 5 of section 669-d of the education law, as amended by section 1 of part H1 of section 109 of the laws of 2006, is amended to read as follows:

5. The corporation shall convert to a student loan the full amount of the award given pursuant to this section, plus interest, according to a schedule to be determined by the corporation if: (a) two years after the completion of the degree program and receipt of initial certification it is found that a recipient is not teaching in the field of math or science in a school located within New York state providing secondary education recognized by the board of regents or the university of the state of New York; or (b) a recipient has not taught in the field of math or science in a school located within New York state providing secondary education recognized by the board of regents or the university of the state of New York for five of the seven years after the completion of the degree program and receipt of initial certification; or (c) a recipient fails to complete their degree program or changes majors to an undergraduate degree program other than in science or math; or (d) a recipient fails to receive or maintain their teaching certificate or license in New York state; or (e) a recipient fails to respond to requests by the corporation for the status of his or her academic or professional progress. THE TERMS AND CONDITIONS OF THIS SUBDIVISION SHALL BE DEFERRED FOR ANY INTERRUPTION IN UNDERGRADUATE OR GRADUATE STUDY OR EMPLOYMENT AS ESTABLISHED BY THE RULES AND REGULATIONS OF THE CORPORATION. ANY OBLIGATION TO COMPLY WITH SUCH PROVISIONS AS OUTLINED IN THIS SECTION SHALL BE CANCELLED UPON THE DEATH OF THE RECIPIENT. NOTWITHSTANDING ANY PROVISIONS OF THIS SUBDIVISION TO THE CONTRARY, THE CORPORATION IS AUTHORIZED TO PROMULGATE RULES AND REGULATIONS TO PROVIDE FOR THE WAIVER OR SUSPENSION OF ANY FINANCIAL OBLIGATION WHICH WOULD INVOLVE EXTREME HARDSHIP.

S 6. This act shall take effect immediately; provided that the amendments to paragraph a of subdivision 5 of section 679-c of the education law made by section four of this act shall not affect the repeal of such section and shall be deemed repealed therewith.
Section 1. Section 7408 of the education law is amended by adding a new subdivision 6 to read as follows:

6. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY FIRM ESTABLISHED TO LAWFULLY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTANCY PURSUANT TO ARTICLE FIFTEEN OF THE BUSINESS CORPORATION LAW, ARTICLES ONE AND EIGHT-B OF THE PARTNERSHIP LAW, OR ARTICLES TWELVE AND THIRTEEN OF THE LIMITED LIABILITY COMPANY LAW SHALL BE DEEMED ELIGIBLE TO REGISTER PURSUANT TO THIS SECTION.

S 2. Section 1503 of the business corporation law is amended by adding a new paragraph (h) to read as follows:

(H) ANY FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS A PROFESSIONAL SERVICE CORPORATION FORMED TO LAWFULLY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED UNDER ARTICLE ONE HUNDRED FORTY-NINE OF THE EDUCATION LAW SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL SHAREHOLDERS OF A PROFESSIONAL SERVICE CORPORATION WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION SEVENTY-FOUR HUNDRED FOUR OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER SECTION SEVENTY-FOUR HUNDRED FIVE OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE PROVISIONS OF THIS PARAGRAPH, A FIRM INCORPORATED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTIFIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS". EACH NON-LICENSEE OWNER OF A FIRM THAT IS INCORPORATED UNDER THIS SECTION SHALL BE A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE FIRM OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM. SUCH A FIRM SHALL HAVE ATTACHED TO ITS CERTIFICATE OF INCORPORATION A CERTIFICATE OR CERTIFICATES DEMONSTRATING THE FIRM'S COMPLIANCE WITH THIS PARAGRAPH, IN LIEU OF THE CERTIFICATE OR CERTIFICATES REQUIRED BY SUBPARAGRAPH (II) OF PARAGRAPH (B) OF THIS SECTION.

S 3. Section 1507 of the business corporation law is amended by adding a new paragraph (c) to read as follows:

(C) ANY FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS A PROFESSIONAL SERVICE CORPORATION PURSUANT TO PARAGRAPH (H) OF SECTION 1503 OF THIS ARTICLE MAY ISSUE SHARES TO INDIVIDUALS WHO ARE AUTHORIZED BY LAW TO PRACTICE IN THIS STATE A PROFESSION WHICH SUCH CORPORATION IS AUTHORIZED TO PRACTICE AND WHO ARE OR HAVE BEEN ENGAGED IN THE PRACTICE OF SUCH PROFESSION IN SUCH CORPORATION OR A PREDECESSOR ENTITY, OR WHO WILL ENGAGE IN THE PRACTICE OF SUCH PROFESSION IN SUCH CORPORATION WITHIN THIRTY DAYS OF THE DATE SUCH SHARES ARE ISSUED AND MAY ALSO ISSUE SHARES TO EMPLOYEES OF THE CORPORATION NOT LICENSED AS CERTIFIED PUBLIC ACCOUNTANTS, PROVIDED THAT:

(I) AT LEAST FIFTY-ONE PERCENT OF THE OUTSTANDING SHARES OF STOCK OF THE CORPORATION ARE OWNED BY CERTIFIED PUBLIC ACCOUNTANTS,

(II) AT LEAST FIFTY-ONE PERCENT OF THE DIRECTORS ARE CERTIFIED PUBLIC ACCOUNTANTS,

(III) AT LEAST FIFTY-ONE PERCENT OF THE OFFICERS ARE CERTIFIED PUBLIC ACCOUNTANTS,
IV. THE PRESIDENT, THE CHAIRPERSON OF THE BOARD OF DIRECTORS AND THE CHIEF EXECUTIVE OFFICER OR OFFICERS ARE CERTIFIED PUBLIC ACCOUNTANTS. NO SHAREHOLDER OF A FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS A PROFESSIONAL SERVICE CORPORATION PURSUANT TO PARAGRAPH (H) OF SECTION 1503 OF THIS ARTICLE SHALL ENTER INTO A VOTING TRUST AGREEMENT, PROXY OR ANY OTHER TYPE OF AGREEMENT VESTING IN ANOTHER PERSON, OTHER THAN ANOTHER SHAREHOLDER OF THE SAME CORPORATION, THE AUTHORITY TO EXERCISE VOTING POWER OF ANY OR ALL OF HIS OR HER SHARES. ALL SHARES ISSUED, AGREEMENTS MADE OR PROXIES GRANTED IN VIOLATION OF THIS SECTION SHALL BE VOID.

S 4. Section 1508 of the business corporation law is amended by adding a new paragraph (c) to read as follows:

(C) THE DIRECTORS AND OFFICERS OF ANY FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS A PROFESSIONAL SERVICE CORPORATION PURSUANT TO PARAGRAPH (H) OF SECTION 1503 OF THIS ARTICLE MAY INCLUDE INDIVIDUALS WHO ARE NOT LICENSED TO PRACTICE PUBLIC ACCOUNTANCY, PROVIDED HOWEVER THAT AT LEAST FIFTY-ONE PERCENT OF THE DIRECTORS, AT LEAST FIFTY-ONE PERCENT OF THE OFFICERS AND THE PRESIDENT, THE CHAIRPERSON OF THE BOARD OF DIRECTORS AND THE CHIEF EXECUTIVE OFFICER OR OFFICERS ARE AUTHORIZED BY LAW TO PRACTICE IN THIS STATE A PROFESSION WHICH SUCH CORPORATION IS AUTHORIZED TO PRACTICE, AND ARE EITHER SHAREHOLDERS OF SUCH CORPORATION OR ENGAGED IN THE PRACTICE OF THEIR PROFESSIONS IN SUCH CORPORATION.

S 5. Section 1509 of the business corporation law, as amended by chapter 550 of the laws of 2011, is amended to read as follows:

S 1509. Disqualification of shareholders, directors, officers and employees.

If any shareholder, director, officer or employee of a professional service corporation, including a design professional service corporation, OR ANY FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS A PROFESSIONAL SERVICE CORPORATION PURSUANT TO PARAGRAPH (H) OF SECTION 1503 OF THIS ARTICLE, who has been rendering professional service to the public becomes legally disqualified to practice his profession within this state, he shall sever all employment with, and financial interests (other than interests as a creditor) in, such corporation forthwith or as otherwise provided in section 1510 of this article. All provisions of law regulating the rendering of professional services by a person elected or appointed to a public office shall be applicable to a shareholder, director, officer and employee of such corporation in the same manner and to the same extent as if fully set forth herein. Such legal disqualification to practice his profession within this state shall be deemed to constitute an irrevocable offer by the disqualified shareholder to sell his shares to the corporation, pursuant to the provisions of section 1510 of this article or of the certificate of incorporation, by-laws or agreement among the corporation and all shareholders, whichever is applicable. Compliance with the terms of such offer shall be specifically enforceable in the courts of this state. A professional service corporation's failure to enforce compliance with this provision shall constitute a ground for forfeiture of its certificate of incorporation and its dissolution.

S 6. Paragraph (a) of section 1511 of the business corporation law, as amended by chapter 550 of the laws of 2011, is amended and a new paragraph (c) is added to read as follows:

(a) No shareholder of a professional service corporation [or], INCLUDING a design professional service corporation, OR ANY FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS A PROFESSIONAL SERVICE
CORPORATION PURSUANT TO PARAGRAPH (H) OF SECTION 1503 OF THIS ARTICLE, may sell or transfer his shares in such corporation except to another individual who is eligible to have shares issued to him by such corporation or except in trust to another individual who would be eligible to receive shares if he were employed by the corporation. Nothing herein contained shall be construed to prohibit the transfer of shares by operation of law or by court decree. No transferee of shares by operation of law or court decree may vote the shares for any purpose whatsoever except with respect to corporate action under sections 909 and 1001 of this chapter. The restriction in the preceding sentence shall not apply, however, where such transferee would be eligible to have shares issued to him if he were an employee of the corporation and, if there are other shareholders, a majority of such other shareholders shall fail to redeem the shares so transferred, pursuant to section 1510 of this article, within sixty days of receiving written notice of such transfer. Any sale or transfer, except by operation of law or court decree or except for a corporation having only one shareholder, may be made only after the same shall have been approved by the board of directors, or at a shareholders' meeting specially called for such purpose by such proportion, not less than a majority, of the outstanding shares as may be provided in the certificate of incorporation or in the by-laws of such professional service corporation. At such shareholders' meeting the shares held by the shareholder proposing to sell or transfer his shares may not be voted or counted for any purpose, unless all shareholders consent that such shares be voted or counted. The certificate of incorporation or the by-laws of the professional service corporation, or the professional service corporation and the shareholders by private agreement, may provide, in lieu of or in addition to the foregoing provisions, for the alienation of shares and may require the redemption or purchase of such shares by such corporation at prices and in a manner specifically set forth therein. The existence of the restrictions on the sale or transfer of shares, as contained in this article and, if applicable, in the certificate of incorporation, by-laws, stock purchase or stock redemption agreement, shall be noted conspicuously on the face or back of every certificate for shares issued by a professional service corporation. Any sale or transfer in violation of such restrictions shall be void.

(C) A FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS A PROFESSIONAL SERVICE CORPORATION PURSUANT TO PARAGRAPH (H) OF SECTION 1503 OF THIS ARTICLE, SHALL PURCHASE OR REDEEM THE SHARES OF A NON-LICENSED PROFESSIONAL SHAREHOLDER IN THE CASE OF HIS OR HER TERMINATION OF EMPLOYMENT WITHIN THIRTY DAYS AFTER SUCH TERMINATION. A FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS A PROFESSIONAL SERVICE CORPORATION PURSUANT TO PARAGRAPH (H) OF SECTION 1503 OF THIS ARTICLE, SHALL NOT BE REQUIRED TO PURCHASE OR REDEEM THE SHARES OF A TERMINATED NON-LICENSED PROFESSIONAL SHAREHOLDER IF SUCH SHARES, WITHIN THIRTY DAYS AFTER SUCH TERMINATION, ARE SOLD OR TRANSFERRED TO ANOTHER EMPLOYEE OF THE CORPORATION PURSUANT TO THIS ARTICLE.

S 7. Paragraph (a) of section 1512 of the business corporation law, as amended by chapter 550 of the laws of 2011, is amended to read as follows:

(a) Notwithstanding any other provision of law, the name of a professional service corporation, including a design professional service corporation AND ANY FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS A PROFESSIONAL SERVICE CORPORATION PURSUANT TO PARAGRAPH (H) OF SECTION 1503 OF THIS ARTICLE, may contain any word which, at the time
of incorporation, could be used in the name of a partnership practicing
a profession which the corporation is authorized to practice, and may
not contain any word which could not be used by such a partnership.
Provided, however, the name of a professional service corporation may
not contain the name of a deceased person unless
(1) such person's name was part of the corporate name at the time of
such person's death; or
(2) such person's name was part of the name of an existing partnership
and at least two-thirds of such partnership's partners become sharehold-
ers of the corporation.

S 8. Section 1514 of the business corporation law is amended by adding
a new paragraph (c) to read as follows:
(C) EACH FIRM ESTABLISHED FOR THE BUSINESS PURPOSE OF INCORPORATING AS
A PROFESSIONAL SERVICE CORPORATION PURSUANT TO PARAGRAPH (H) OF SECTION
1503 OF THIS ARTICLE SHALL, AT LEAST ONCE EVERY THREE YEARS ON OR BEFORE
THE DATE PRESCRIBED BY THE LICENSING AUTHORITY, FURNISH A STATEMENT TO
THE LICENSING AUTHORITY LISTING THE NAMES AND RESIDENCE ADDRESSES OF
EACH SHAREHOLDER, DIRECTOR AND OFFICER OF SUCH CORPORATION AND CERTIFY
AS THE DATE OF CERTIFICATION AND AT ALL TIMES OVER THE ENTIRE THREE YEAR
PERIOD THAT:
(I) AT LEAST FIFTY-ONE PERCENT OF THE OUTSTANDING SHARES OF STOCK OF
THE CORPORATION ARE AND WERE OWNED BY CERTIFIED PUBLIC ACCOUNTANTS,
(II) AT LEAST FIFTY-ONE PERCENT OF THE DIRECTORS ARE AND WERE CERTI-
FIED PUBLIC ACCOUNTANTS,
(III) AT LEAST FIFTY-ONE PERCENT OF THE OFFICERS ARE AND WERE CERTI-
FIED PUBLIC ACCOUNTANTS,
(IV) THE PRESIDENT, THE CHAIRPERSON OF THE BOARD OF DIRECTORS AND THE
CHIEF EXECUTIVE OFFICER OR OFFICERS ARE AND WERE CERTIFIED PUBLIC
ACCOUNTANTS.
THE STATEMENT SHALL BE SIGNED BY THE PRESIDENT OR ANY CERTIFIED PUBLIC
ACCOUNTANT VICE-PRESIDENT AND ATTESTED TO BY THE SECRETARY OR ANY
ASSISTANT SECRETARY OF THE CORPORATION.

S 9. Paragraph (d) of section 1525 of the business corporation law, as
added by chapter 505 of the laws of 1983, is amended to read as follows:
(d) "Foreign professional service corporation" means a professional
service corporation, whether or not denominated as such, organized under
the laws of a jurisdiction other than this state, all of the sharehold-
ers, directors and officers of which are authorized and licensed to
practice the profession for which such corporation is licensed to do
business; except that all shareholders, directors and officers of a
foreign professional service corporation which provides health services
in this state shall be licensed in this state. NOTWITHSTANDING ANY OTHER
PROVISION OF LAW A FOREIGN PROFESSIONAL SERVICE CORPORATION FORMED TO
LAWFULLY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE
IS DEFINED UNDER ARTICLE ONE HUNDRED FORTY-NINE OF THE EDUCATION LAW, OR
EQUIVALENT STATE LAW, SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE MAJOR-
ITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS,
INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE
FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC
ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL SHAREHOLDERS OF A FOREIGN
PROFESSIONAL SERVICE CORPORATION WHOSE PRINCIPAL PLACE OF BUSINESS IS IN
THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC ACCOUNTANCY IN
THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION SEVENTY-FOUR
HUNDRED FOUR OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED
UNDER SECTION SEVENTY-FOUR HUNDRED FIVE OF THE EDUCATION LAW. ALTHOUGH
FIRMS MAY INCLUDE NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST
COMPLY WITH RULES PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTIFIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH NON-LICENSEE OWNER OF A FIRM THAT IS OPERATING UNDER THIS SECTION SHALL BE A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE FIRM OR ITS AFFILIATED ENTITIES, PROVIDED EACH BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.

S 10. Subdivision (q) of section 121-1500 of the partnership law, as amended by chapter 554 of the laws of 2013, is amended to read as follows:

(q) Each partner of a registered limited liability partnership formed to provide medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in this state and each partner of a registered limited liability partnership formed to provide dental services in this state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. Each partner of a registered limited liability partnership formed to provide veterinary services in this state must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. EACH PARTNER OF A REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE PUBLIC ACCOUNTANCY SERVICES, WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE AND WHO PROVIDES PUBLIC ACCOUNTANCY SERVICES, MUST BE LICENSED PURSUANT TO ARTICLE 149 OF THE EDUCATION LAW TO PRACTICE PUBLIC ACCOUNTANCY IN THIS STATE. Each partner of a registered limited liability partnership formed to provide professional engineering, land surveying, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. Each partner of a registered limited liability partnership formed to provide licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice clinical social work in this state. Each partner of a registered limited liability partnership formed to provide creative arts therapy services in this state must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. Each partner of a registered limited liability partnership formed to provide marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a registered limited liability partnership formed to provide mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a registered limited liability partnership formed to provide psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a registered limited liability partnership formed to provide applied behavior analysis service in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A LIMITED LIABILITY PARTNERSHIP FORMED TO LAWFULLY ENGAGE IN THE PRACTICE OF
PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED UNDER ARTICLE 149 OF THE EDUCATION LAW, SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL PARTNERS OF A LIMITED LIABILITY PARTNERSHIP WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION 7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER SECTION 7405 OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTIFIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH NON-LICENSEE OWNER OF A FIRM THAT IS INCORPORATED UNDER THIS SECTION SHALL BE (1) A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE FIRM OR ITS AFFILIATED ENTITIES, OR (2) AN ENTITY, INCLUDING, BUT NOT LIMITED TO, A PARTNERSHIP OR PROFESSIONAL CORPORATION, PROVIDED EACH BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.

S 11. Subdivision (q) of section 121-1500 of the partnership law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(q) Each partner of a registered limited liability partnership formed to provide medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in this state and each partner of a registered limited liability partnership formed to provide dental services in this state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. Each partner of a registered limited liability partnership formed to provide veterinary services in this state must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. EACH PARTNER OF A REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE PUBLIC ACCOUNTANCY SERVICES, WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE AND WHO PROVIDES PUBLIC ACCOUNTANCY SERVICES, MUST BE LICENSED PURSUANT TO ARTICLE 149 OF THE EDUCATION LAW TO PRACTICE PUBLIC ACCOUNTANCY IN THIS STATE. Each partner of a registered limited liability partnership formed to provide professional engineering, land surveying, geological services, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. Each partner of a registered limited liability partnership formed to provide licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice clinical social work in this state. Each partner of a registered limited liability partnership formed to provide creative arts therapy services in this state must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. Each partner of a registered limited liability partnership formed to provide marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to prac-
tice marriage and family therapy in this state. Each partner of a registered limited liability partnership formed to provide mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a registered limited liability partnership formed to provide psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a registered limited liability partnership formed to provide applied behavior analysis service in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A LIMITED LIABILITY PARTNERSHIP FORMED TO LAWFULLY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED UNDER ARTICLE 149 OF THE EDUCATION LAW, SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL PARTNERS OF A LIMITED LIABILITY PARTNERSHIP WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION 7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER SECTION 7405 OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTIFIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH NON-LICENSEE OWNER OF A FIRM THAT IS INCORPORATED UNDER THIS SECTION SHALL BE (1) A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE FIRM OR ITS AFFILIATED ENTITIES, OR (2) AN ENTITY, INCLUDING, BUT NOT LIMITED TO, A PARTNERSHIP OR PROFESSIONAL CORPORATION, PROVIDED EACH BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.

S 12. Subdivision (q) of section 121-1502 of the partnership law, as amended by chapter 554 of the laws of 2013, is amended to read as follows:

(q) Each partner of a foreign limited liability partnership which provides medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in the state and each partner of a foreign limited liability partnership which provides dental services in the state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. Each partner of a foreign limited liability partnership which provides veterinary service in the state shall be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. Each partner of a foreign limited liability partnership which provides professional engineering, land surveying, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions. EACH PARTNER OF A FOREIGN REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE PUBLIC ACCOUNTANCY SERVICES, WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE AND WHO PROVIDES PUBLIC ACCOUNTANCY SERVICES, MUST BE LICENSED OR CERTIFIED PURSUANT TO ARTICLE 167 OF THE EDUCATION LAW TO PRACTICE APPLIED BEHAVIOR ANALYSIS IN THIS STATE. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A LIMITED LIABILITY PARTNERSHIP FORMED TO LAWFULLY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED UNDER ARTICLE 149 OF THE EDUCATION LAW, SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL PARTNERS OF A LIMITED LIABILITY PARTNERSHIP WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION 7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER SECTION 7405 OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTIFIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH NON-LICENSEE OWNER OF A FIRM THAT IS INCORPORATED UNDER THIS SECTION SHALL BE (1) A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE FIRM OR ITS AFFILIATED ENTITIES, OR (2) AN ENTITY, INCLUDING, BUT NOT LIMITED TO, A PARTNERSHIP OR PROFESSIONAL CORPORATION, PROVIDED EACH BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.
TANCY SERVICES, MUST BE LICENSED PURSUANT TO ARTICLE 149 OF THE EDUCATION LAW TO PRACTICE PUBLIC ACCOUNTANCY IN THIS STATE. Each partner of a foreign limited liability partnership which provides licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. Each partner of a foreign limited liability partnership which provides creative arts therapy services in this state must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. Each partner of a foreign limited liability partnership which provides marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a foreign limited liability partnership which provides mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a foreign limited liability partnership which provides psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a foreign limited liability partnership which provides applied behavior analysis services in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A FOREIGN LIMITED LIABILITY PARTNERSHIP FORMED TO LAWFULLY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED UNDER ARTICLE 149 OF THE EDUCATION LAW, SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL PARTNERS OF A FOREIGN LIMITED LIABILITY PARTNERSHIP WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION 7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER SECTION 7405 OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTIFIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH NON-LICENSEE OWNER OF A FIRM THAT IS INCORPORATED UNDER THIS SECTION SHALL BE (1) A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE FIRM OR ITS AFFILIATED ENTITIES, OR (2) AN ENTITY, INCLUDING, BUT NOT LIMITED TO, A PARTNERSHIP OR PROFESSIONAL CORPORATION, PROVIDED EACH BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.

S 13. Subdivision (q) of section 121-1502 of the partnership law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(q) Each partner of a foreign limited liability partnership which provides medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in the state and each partner of a foreign limited liability partnership which provides
1. Dental services in the state must be licensed pursuant to article 133 of
2. the education law to practice dentistry in this state. Each partner of a
3. foreign limited liability partnership which provides veterinary service
4. in the state shall be licensed pursuant to article 135 of the education
5. law to practice veterinary medicine in this state. Each partner of a
6. foreign limited liability partnership which provides professional engi-
7. neering, land surveying, geological services, architectural and/or land-
8. scape architectural services in this state must be licensed pursuant to
9. article 145, article 147 and/or article 148 of the education law to
10. practice one or more of such professions. EACH PARTNER OF A FOREIGN
11. REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE PUBLIC
12. ACCOUNTANCY SERVICES, WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE
13. AND WHO PROVIDES PUBLIC ACCOUNTANCY SERVICES, MUST BE LICENSED PURSUANT
14. TO ARTICLE 149 OF THE EDUCATION LAW TO PRACTICE PUBLIC ACCOUNTANCY IN
15. THIS STATE. Each partner of a foreign limited liability partnership
16. which provides licensed clinical social work services in this state must
17. be licensed pursuant to article 154 of the education law to practice
18. licensed clinical social work in this state. Each partner of a foreign
19. limited liability partnership which provides creative arts therapy
20. services in this state must be licensed pursuant to article 163 of the
21. education law to practice creative arts therapy in this state. Each
22. partner of a foreign limited liability partnership which provides
23. marriage and family therapy services in this state must be licensed
24. pursuant to article 163 of the education law to practice marriage and
25. family therapy in this state. Each partner of a foreign limited liability
26. partnership which provides mental health counseling services in this
27. state must be licensed pursuant to article 163 of the education law to
28. practice mental health counseling in this state. Each partner of a
29. foreign limited liability partnership which provides psychoanalysis
30. services in this state must be licensed pursuant to article 163 of the
31. education law to practice psychoanalysis in this state. Each partner of
32. a foreign limited liability partnership which provides applied behavior
33. analysis services in this state must be licensed or certified pursuant
34. to article 167 of the education law to practice applied behavior analy-
35. sis in this state. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A
36. FOREIGN LIMITED LIABILITY PARTNERSHIP FORMED TO LAWFULLY ENGAGE IN THE
37. PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED
38. UNDER ARTICLE 149 OF THE EDUCATION LAW, SHALL BE REQUIRED TO SHOW (1)
39. THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINAN-
40. CIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING
41. RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO
42. PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL PARTNERS OF
43. A FOREIGN LIMITED LIABILITY PARTNERSHIP WHOSE PRINCIPAL PLACE OF BUSI-
44. NESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC
45. ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENCE ISSUED UNDER SECTION
46. 7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER
47. SECTION 7405 OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE NON-LICEN-
48. SEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED
49. BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM
50. REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE
51. FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTI-
52. FIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH
53. NON-LICENSEE OWNER OF A FIRM THAT IS INCORPORATED UNDER THIS SECTION
54. SHALL BE (1) A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS
55. OF THE FIRM OR ITS AFFILIATED ENTITIES, OR (2) AN ENTITY, INCLUDING, BUT
56. NOT LIMITED TO, A PARTNERSHIP OR PROFESSIONAL CORPORATION, PROVIDED EACH
S. 6406--B

1 BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL
2 PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM
3 OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY
4 PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.

S 14. Subdivision (h) of section 121-101 of the partnership law, as added by chapter 950 of the laws of 1990, is amended to read as follows:

(h) "Limited partnership" and "domestic limited partnership" mean, unless the context otherwise requires, a partnership (i) formed by two or more persons pursuant to this article or which complies with subdivision (a) of section 121-1202 of this article and (ii) having one or more general partners and one or more limited partners. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A LIMITED PARTNERSHIP OR DOMESTIC LIMITED PARTNERSHIP FORMED TO LAWFULLY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED UNDER ARTICLE 149 OF THE EDUCATION LAW SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL PARTNERS OF A LIMITED PARTNERSHIP OR DOMESTIC LIMITED PARTNERSHIP, WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION 7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER SECTION 7405 OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTIFIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH NON-LICENSEE OWNER OF A FIRM THAT IS REGISTERED UNDER THIS SECTION SHALL BE (1) A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE FIRM OR ITS AFFILIATED ENTITIES, OR (2) AN ENTITY, INCLUDING, BUT NOT LIMITED TO, A PARTNERSHIP OR PROFESSIONAL CORPORATION, PROVIDED EACH BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.

S 15. Subdivision (b) of section 1207 of the limited liability company law, as amended by chapter 554 of the laws of 2013, is amended to read as follows:

(b) With respect to a professional service limited liability company formed to provide medical services as such services are defined in article 131 of the education law, each member of such limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. With respect to a professional service limited liability company formed to provide dental services as such services are defined in article 133 of the education law, each member of such limited liability company must be licensed pursuant to article 133 of the education law to practice dentistry in this state. With respect to a professional service limited liability company formed to provide veterinary services as such services are defined in article 135 of the education law, each member of such limited liability company must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. With respect to a professional service
limited liability company formed to provide professional engineering, 
land surveying, architectural and/or landscape architectural services as 
such services are defined in article 145, article 147 and article 148 of 
the education law, each member of such limited liability company must be 
licensed pursuant to article 145, article 147 and/or article 148 of the 
education law to practice one or more of such professions in this state. 
WITH RESPECT TO A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED 
TO PROVIDE PUBLIC ACCOUNTANCY SERVICES AS SUCH SERVICES ARE DEFINED IN 
ARTICLE 149 OF THE EDUCATION LAW EACH MEMBER OF SUCH LIMITED LIABILITY 
COMPANY WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE AND WHO 
PROVIDES PUBLIC ACCOUNTANCY SERVICES, MUST BE LICENSED PURSUANT TO ARTI-
CLE 149 OF THE EDUCATION LAW TO PRACTICE PUBLIC ACCOUNTANCY IN THIS 
STATE. With respect to a professional service limited liability company 
formed to provide licensed clinical social work services as such 
services are defined in article 154 of the education law, each member of 
such limited liability company shall be licensed pursuant to article 154 
of the education law to practice licensed clinical social work in this 
state. With respect to a professional service limited liability company 
formed to provide creative arts therapy services as such services are 
defined in article 163 of the education law, each member of such limited 
liability company must be licensed pursuant to article 163 of the educa-
tion law to practice creative arts therapy in this state. With respect 
to a professional service limited liability company formed to provide 
marrige and family therapy services as such services are defined in 
article 163 of the education law, each member of such limited liability 
company must be licensed pursuant to article 163 of the education law to 
practice marriage and family therapy in this state. With respect to a 
professional service limited liability company formed to provide mental 
health counseling services as such services are defined in article 163 
of the education law, each member of such limited liability company must 
be licensed pursuant to article 163 of the education law to practice 
mental health counseling in this state. With respect to a professional 
limited liability company formed to provide psychoanalysis 
services as such services are defined in article 163 of the education 
law, each member of such limited liability company must be licensed 
pursuant to article 163 of the education law to practice psychoanalysis 
in this state. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A PROFES-
SIONAL SERVICE LIMITED LIABILITY COMPANY FORMED TO LAWFULLY ENGAGE IN 
THE PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY 
DEFINED UNDER ARTICLE 149 OF THE EDUCATION LAW SHALL BE REQUIRED TO SHOW 
(1) THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF 
FINANCIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING 
RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO 
PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL MEMBERS OF A 
LIMITED PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY, WHOSE PRINCIPAL 
PLACE OF BUSINESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE 
OF PUBLIC ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER 
SECTION 7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED 
UNDER SECTION 7405 OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE 
NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES 
PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGO-
Section 6406--B

Section 6406--B provides certain requirements for firms registered under this section. A firm registered under this section may not have non-licensee owners if the firm's name includes the words "Certified Public Accountant," or "Certified Public Accountants," or the abbreviations "CPA" or "CPAs." Each non-licensee owner of a firm that is registered under this section shall be (1) a natural person who actively participates in the business of the firm or its affiliated entities, or (2) an entity, including, but not limited to, a partnership or professional corporation, provided each beneficial owner of an equity interest in such entity is a natural person who actively participates in the business conducted by the firm or its affiliated entities. For purposes of this subdivision, "actively participate" means to provide services to clients or to otherwise individually take part in the day-to-day business or management of the firm.

Section 16. Subdivision (b) of section 1207 of the limited liability company law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(b) With respect to a professional service limited liability company formed to provide medical services as such services are defined in article 131 of the education law, each member of such limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. With respect to a professional service limited liability company formed to provide dental services as such services are defined in article 133 of the education law, each member of such limited liability company must be licensed pursuant to article 133 of the education law to practice dentistry in this state. With respect to a professional service limited liability company formed to provide veterinary services as such services are defined in article 135 of the education law, each member of such limited liability company must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. With respect to a professional service limited liability company formed to provide professional engineering, land surveying, architectural, landscape architectural and/or geological services as such services are defined in article 145, article 147 and article 148 of the education law, each member of such limited liability company must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. WITH RESPECT TO A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED TO PROVIDE PUBLIC ACCOUNTANCY SERVICES AS SUCH SERVICES ARE DEFINED IN ARTICLE 149 OF THE EDUCATION LAW EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE AND WHO PROVIDES PUBLIC ACCOUNTANCY SERVICES, MUST BE LICENSED PURSUANT TO ARTICLE 149 OF THE EDUCATION LAW TO PRACTICE PUBLIC ACCOUNTANCY IN THIS STATE. With respect to a professional service limited liability company formed to provide licensed clinical social work services as such services are defined in article 154 of the education law, each member of such limited liability company shall be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. With respect to a professional service limited liability company formed to provide creative arts therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a professional service limited liability company formed to provide marriage and family therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice marriage and family therapy.
pursuant to article 163 of the education law to practice marriage and
family therapy in this state. With respect to a professional service
limited liability company formed to provide mental health counseling
services as such services are defined in article 163 of the education
law, each member of such limited liability company must be licensed
pursuant to article 163 of the education law to practice mental health
counseling in this state. With respect to a professional service limited
liability company formed to provide psychoanalysis services as such
services are defined in article 163 of the education law, each member of
such limited liability company must be licensed pursuant to article 163
of the education law to practice psychoanalysis in this state. With
respect to a professional service limited liability company formed to
provide applied behavior analysis services as such services are defined
in article 167 of the education law, each member of such limited liabil-
ity company must be licensed or certified pursuant to article 167 of the
education law to practice applied behavior analysis in this state.

NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A PROFESSIONAL SERVICE
LIMITED LIABILITY COMPANY FORMED TO LAWFULLY ENGAGE IN THE PRACTICE OF
PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED UNDER ARTI-
CLE 149 OF THE EDUCATION LAW SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE
MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS,
INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE
FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC
ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL MEMBERS OF A LIMITED PROFES-
SIONAL SERVICE LIMITED LIABILITY COMPANY, WHOSE PRINCIPAL PLACE OF BUSI-
NESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC
ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION
7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER
SECTION 7405 OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE NON-LICENSEE
OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED
BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM
REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE
FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTI-
FIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH
NON-LICENSEE OWNER OF A FIRM THAT IS REGISTERED UNDER THIS SECTION SHALL
BE (1) A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE
FIRM OR ITS AFFILIATED ENTITIES, OR (2) AN ENTITY, INCLUDING, BUT NOT
LIMITED TO, A PARTNERSHIP OR PROFESSIONAL CORPORATION, PROVIDED EACH
BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL
PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM
OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY
PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVI-
DUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.

S 17. Subdivision (a) of section 1301 of the limited liability company
law, as amended by chapter 554 of the laws of 2013, is amended to read
as follows:

(a) "Foreign professional service limited liability company" means a
professional service limited liability company, whether or not denomi-
nated as such, organized under the laws of a jurisdiction other than
this state, (i) each of whose members and managers, if any, is a profes-
sional authorized by law to render a professional service within this
state and who is or has been engaged in the practice of such profession
in such professional service limited liability company or a predecessor
entity, or will engage in the practice of such profession in the profes-
sional service limited liability company within thirty days of the date
such professional becomes a member, or each of whose members and manag-
ers, if any, is a professional at least one of such members is authorized by law to render a professional service within this state and who is or has been engaged in the practice of such profession in such professional service limited liability company or a predecessor entity, or will engage in the practice of such profession in the professional service limited liability company within thirty days of the date such professional becomes a member, or (ii) authorized by, or holding a license, certificate, registration or permit issued by the licensing authority pursuant to, the education law to render a professional service within this state; except that all members and managers, if any, of a foreign professional service limited liability company that provides health services in this state shall be licensed in this state. With respect to a foreign professional service limited liability company which provides veterinary services as such services are defined in article 135 of the education law, each member of such foreign professional service limited liability company shall be licensed pursuant to article 135 of the education law to practice veterinary medicine. With respect to a foreign professional service limited liability company which provides medical services as such services are defined in article 131 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. With respect to a foreign professional service limited liability company which provides dental services as such services are defined in article 133 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 133 of the education law to practice dentistry in this state. With respect to a foreign professional service limited liability company which provides professional engineering, land surveying, architectural and/or landscape architectural services as such services are defined in article 145, article 147 and article 148 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. WITH RESPECT TO A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY WHICH PROVIDES PUBLIC ACCOUNTANCY SERVICES AS SUCH SERVICES ARE DEFINED IN ARTICLE 149 OF THE EDUCATION LAW, EACH MEMBER OF SUCH FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE AND WHO PROVIDES PUBLIC ACCOUNTANCY SERVICES, SHALL BE LICENSED PURSUANT TO ARTICLE 149 OF THE EDUCATION LAW TO PRACTICE PUBLIC ACCOUNTANCY IN THIS STATE. With respect to a foreign professional service limited liability company which provides licensed clinical social work services as such services are defined in article 154 of the education law, each member of such foreign professional service limited liability company shall be licensed pursuant to article 154 of the education law to practice clinical social work in this state. With respect to a foreign professional service limited liability company which provides creative arts therapy services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a foreign professional service limited liability company which provides marriage and family therapy services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to prac-
tice marriage and family therapy in this state. With respect to a foreign professional service limited liability company which provides mental health counseling services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a foreign professional service limited liability company which provides psychoanalysis services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. With respect to a foreign professional service limited liability company which provides applied behavior analysis services as such services are defined in article 167 of the education law, each member of such foreign professional service limited liability company must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED TO LAWFULLY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED UNDER ARTICLE 149 OF THE EDUCATION LAW SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL MEMBERS OF A FOREIGN LIMITED PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY, WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION 7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER SECTION 7405 OF THE EDUCATION LAW. ALTHOUGH FIRMS MAY INCLUDE NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTIFIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH NON-LICENSEE OWNER OF A FIRM THAT IS REGISTERED UNDER THIS SECTION SHALL BE (1) A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE FIRM OR ITS AFFILIATED ENTITIES, OR (2) AN ENTITY, INCLUDING, BUT NOT LIMITED TO, A PARTNERSHIP OR PROFESSIONAL CORPORATION, PROVIDED EACH BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.

S 18. Subdivision (a) of section 1301 of the limited liability company law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(a) "Foreign professional service limited liability company" means a professional service limited liability company, whether or not denominated as such, organized under the laws of a jurisdiction other than this state, (i) each of whose members and managers, if any, is a professional authorized by law to render a professional service within this state and who is or has been engaged in the practice of such profession in such professional service limited liability company or a predecessor entity, or will engage in the practice of such profession in the professional service limited liability company within thirty days of the date
such professional becomes a member, or each of whose members and manag-
ers, if any, is a professional at least one of such members is author-
ized by law to render a professional service within this state and who
is or has been engaged in the practice of such profession in such
professional service limited liability company or a predecessor entity,
or will engage in the practice of such profession in the professional
service limited liability company within thirty days of the date such
professional becomes a member, or (ii) authorized by, or holding a
license, certificate, registration or permit issued by the licensing
authority pursuant to, the education law to render a professional
service within this state; except that all members and managers, if any,
of a foreign professional service limited liability company that
provides health services in this state shall be licensed in this state.
With respect to a foreign professional service limited liability company
which provides veterinary services as such services are defined in arti-
cle 135 of the education law, each member of such foreign professional
service limited liability company shall be licensed pursuant to article
135 of the education law to practice veterinary medicine. With respect
to a foreign professional service limited liability company which
provides medical services as such services are defined in article 131 of
the education law, each member of such foreign professional service
limited liability company must be licensed pursuant to article 131 of
the education law to practice medicine in this state. With respect to a
foreign professional service limited liability company which provides
dental services as such services are defined in article 133 of the educa-
tion law, each member of such foreign professional service limited
liability company must be licensed pursuant to article 133 of the educa-
tion law to practice dentistry in this state. With respect to a foreign
professional service limited liability company which provides profes-
sional engineering, land surveying, geologic, architectural and/or land-
scape architectural services as such services are defined in article
145, article 147 and article 148 of the education law, each member of
such foreign professional service limited liability company must be
licensed pursuant to article 145, article 147 and/or article 148 of the
education law to practice one or more of such professions in this state.
WITH RESPECT TO A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY
WHICH PROVIDES PUBLIC ACCOUNTANCY SERVICES AS SUCH SERVICES ARE DEFINED
IN ARTICLE 149 OF THE EDUCATION LAW, EACH MEMBER OF SUCH FOREIGN PROFES-
SIONAL SERVICE LIMITED LIABILITY COMPANY WHOSE PRINCIPAL PLACE OF BUSI-
NESS IS IN THIS STATE AND WHO PROVIDES PUBLIC ACCOUNTANCY SERVICES,
SHALL BE LICENSED PURSUANT TO ARTICLE 149 OF THE EDUCATION LAW TO PRACT-
ICE PUBLIC ACCOUNTANCY IN THIS STATE. With respect to a foreign profes-
sional service limited liability company which provides licensed clin-
ical social work services as such services are defined in article 154 of
the education law, each member of such foreign professional service
limited liability company shall be licensed pursuant to article 154 of
the education law to practice clinical social work in this state. With
respect to a foreign professional service limited liability company
which provides creative arts therapy services as such services are
defined in article 163 of the education law, each member of such foreign
professional service limited liability company must be licensed pursuant
to article 163 of the education law to practice creative arts therapy in
this state. With respect to a foreign professional service limited
liability company which provides marriage and family therapy services as
such services are defined in article 163 of the education law, each
member of such foreign professional service limited liability company
must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. With respect to a foreign professional service limited liability company which provides mental health counseling services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a foreign professional service limited liability company which provides psychoanalysis services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. With respect to a foreign professional service limited liability company which provides applied behavior analysis services as such services are defined in article 167 of the education law, each member of such foreign professional service limited liability company must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED TO LAWFULLY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTANCY, AS SUCH PRACTICE IS RESPECTIVELY DEFINED UNDER ARTICLE 149 OF THE EDUCATION LAW SHALL BE REQUIRED TO SHOW (1) THAT A SIMPLE MAJORITY OF THE OWNERSHIP OF THE FIRM, IN TERMS OF FINANCIAL INTERESTS, INCLUDING OWNERSHIP-BASED COMPENSATION, AND VOTING RIGHTS HELD BY THE FIRM'S OWNERS, BELONGS TO INDIVIDUALS LICENSED TO PRACTICE PUBLIC ACCOUNTANCY IN SOME STATE, AND (2) THAT ALL MEMBERS OF A FOREIGN LIMITED PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY, WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THIS STATE, AND WHO ARE ENGAGED IN THE PRACTICE OF PUBLIC ACCOUNTANCY IN THIS STATE, HOLD A VALID LICENSE ISSUED UNDER SECTION 7404 OF THE EDUCATION LAW OR ARE PUBLIC ACCOUNTANTS LICENSED UNDER SECTION 7405 OF THE EDUCATION LAW, ALTHOUGH FIRMS MAY INCLUDE NON-LICENSEE OWNERS, THE FIRM AND ITS OWNERS MUST COMPLY WITH RULES PROMULGATED BY THE STATE BOARD OF REGENTS. NOTWITHSTANDING THE FOREGOING, A FIRM REGISTERED UNDER THIS SECTION MAY NOT HAVE NON-LICENSEE OWNERS IF THE FIRM'S NAME INCLUDES THE WORDS "CERTIFIED PUBLIC ACCOUNTANT," OR "CERTIFIED PUBLIC ACCOUNTANTS," OR THE ABBREVIATIONS "CPA" OR "CPAS." EACH NON-LICENSEE OWNER OF A FIRM THAT IS REGISTERED UNDER THIS SECTION SHALL BE (1) A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS OF THE FIRM OR ITS AFFILIATED ENTITIES, OR (2) AN ENTITY, INCLUDING, BUT NOT LIMITED TO, A PARTNERSHIP OR PROFESSIONAL CORPORATION, PROVIDED EACH BENEFICIAL OWNER OF AN EQUITY INTEREST IN SUCH ENTITY IS A NATURAL PERSON WHO ACTIVELY PARTICIPATES IN THE BUSINESS CONDUCTED BY THE FIRM OR ITS AFFILIATED ENTITIES. FOR PURPOSES OF THIS SUBDIVISION, "ACTIVELY PARTICIPATE" MEANS TO PROVIDE SERVICES TO CLIENTS OR TO OTHERWISE INDIVIDUALLY TAKE PART IN THE DAY-TO-DAY BUSINESS OR MANAGEMENT OF THE FIRM.

S. 19. This act shall take effect immediately; provided that sections eleven, thirteen, sixteen, and eighteen of this act shall take effect on the same date as sections 26, 27, 22 and 23, respectively, of chapter 475 of the laws of 2014 take effect.

PART I

Intentionally Omitted

PART J
Section 1. Clause (G) of subparagraph (vii) of paragraph 2 of subdivision (d) of section 1089 of the family court act, as added by section 27 of part A of chapter 3 of the laws of 2005, is amended to read as follows:

(G) where a child has or will before the next permanency hearing reach the age of fourteen, (I) the services and assistance necessary to assist the child in learning independent living skills TO ASSIST THE CHILD TO MAKE THE TRANSITION FROM FOSTER CARE TO SUCCESSFUL ADULTHOOD; AND (II) A. THAT THE PERMANENCY PLAN DEVELOPED FOR THE CHILD IN FOSTER CARE WHO HAS ATTAINED THE AGE OF FOURTEEN, AND ANY REVISION OR ADDITION TO THE PLAN, SHALL BE DEVELOPED IN CONSULTATION WITH THE CHILD AND, AT THE OPTION OF THE CHILD, WITH UP TO TWO MEMBERS OF THE CHILD'S PERMANENCY PLANNING TEAM WHO ARE SELECTED BY THE CHILD AND WHO ARE NOT A FOSTER PARENT OF, OR THE CASE WORKER, CASE PLANNER OR CASE MANAGER FOR, THE CHILD EXCEPT THAT THE LOCAL COMMISSIONER OF SOCIAL SERVICES WITH CUSTODY OF THE CHILD MAY REJECT AN INDIVIDUAL SO SELECTED BY THE CHILD IF SUCH LOCAL COMMISSIONER HAS GOOD CAUSE TO BELIEVE THAT THE INDIVIDUAL WOULD NOT ACT IN THE BEST INTERESTS OF THE CHILD, AND B. THAT ONE INDIVIDUAL SO SELECTED BY THE CHILD MAY BE DESIGNATED TO BE THE CHILD'S ADVISOR AND, AS NECESSARY, ADVOCATE, WITH RESPECT TO THE APPLICATION OF THE REASONABLE AND PRUDENT PARENT STANDARD TO THE CHILD; and

S 2. Paragraph (b) of subdivision 7 of section 355.5 of the family court act, as amended by section 17 of part L of chapter 56 of the laws of 2015, is amended to read as follows:

(b) in the case of a respondent who has attained the age of fourteen, (I) the services needed, if any, to assist the respondent to make the transition from foster care to [independent living] SUCCESSFUL ADULTHOOD; AND (II)(A) THAT THE PERMANENCY PLAN DEVELOPED FOR THE RESPONDENT, AND ANY REVISION OR ADDITION TO THE PLAN, SHALL BE DEVELOPED IN CONSULTATION WITH THE RESPONDENT AND, AT THE OPTION OF THE RESPONDENT, WITH UP TO TWO MEMBERS OF THE RESPONDENT'S PERMANENCY PLANNING TEAM WHO ARE SELECTED BY THE RESPONDENT AND WHO ARE NOT A FOSTER PARENT OF, OR CASE WORKER, CASE PLANNER OR CASE MANAGER FOR, THE CHILD, EXCEPT THAT THE LOCAL COMMISSIONER OF SOCIAL SERVICES WITH CUSTODY OF THE RESPONDENT OR THE COMMISSIONER OF THE OFFICE OF CHILDREN AND FAMILY SERVICES IF SUCH OFFICE HAS CUSTODY OF THE RESPONDENT MAY REJECT AN INDIVIDUAL SELECTED BY THE RESPONDENT IF SUCH COMMISSIONER HAS GOOD CAUSE TO BELIEVE THAT THE INDIVIDUAL WOULD NOT ACT IN THE BEST INTERESTS OF THE RESPONDENT, AND (B) THAT ONE INDIVIDUAL SO SELECTED BY THE RESPONDENT MAY BE DESIGNATED TO BE THE RESPONDENT'S ADVISOR AND, AS NECESSARY, ADVOCATE, WITH RESPECT TO THE APPLICATION OF THE REASONABLE AND PRUDENT PARENT STANDARD;
S. 3. Paragraph (ii) of subdivision (d) of section 756-a of the family court act, as amended by section 22 of part L of chapter 56 of the laws of 2015, is amended to read as follows:

(ii) in the case of a child who has attained the age of fourteen, (A) the services needed, if any, to assist the child to make the transition from foster care to [independent living] SUCCESSFUL ADULTHOOD; AND (B)(1) THAT THE PERMANENCY PLAN DEVELOPED FOR THE CHILD, AND ANY REVISION OR ADDITION TO THE PLAN SHALL BE DEVELOPED IN CONSULTATION WITH THE CHILD AND, AT THE OPTION OF THE CHILD, WITH UP TO TWO ADDITIONAL MEMBERS OF THE CHILD’S PERMANENCY PLANNING TEAM WHO ARE SELECTED BY THE CHILD AND WHO ARE NOT A FOSTER PARENT OF, OR CASE WORKER, CASE PLANNER OR CASE MANAGER FOR, THE CHILD, EXCEPT THAT THE LOCAL COMMISSIONER OF SOCIAL SERVICES WITH CUSTODY OF THE CHILD MAY REJECT AN INDIVIDUAL SO SELECTED BY THE CHILD IF SUCH COMMISSIONER HAS GOOD CAUSE TO BELIEVE THAT THE INDIVIDUAL WOULD NOT ACT IN THE BEST INTERESTS OF THE CHILD, AND (2) THAT ONE INDIVIDUAL SO SELECTED BY THE CHILD MAY BE DESIGNATED TO BE THE CHILD'S ADVISOR AND, AS NECESSARY, ADVOCATE WITH RESPECT TO THE APPLICATION OF THE REASONABLE AND PRUDENT PARENT STANDARD;

S 4. Subdivisions 1 and 2 of section 458-c of the social services law, as added by section 4 of part F of chapter 58 of the laws of 2010, are amended to read as follows:

1. A social services official shall make payments for non-recurring guardianship expenses incurred by or on behalf of the relatives OR SUCCESSOR GUARDIANS who have been approved by the social services official to receive kinship guardianship assistance payments, when such expenses are incurred in connection with assuming the guardianship of a foster child OR A FORMER FOSTER CHILD IN REGARD TO SUCCESSOR GUARDIANS. The agreement for the payment of non-recurring guardianship expenses must be reflected in the written agreement set forth in subdivision four of section four hundred fifty-eight-b of this title. In accordance with subdivision two of this section, the payments shall be made by the social services official either to the relative OR SUCCESSOR guardian or guardians directly or to an attorney on behalf of the relative OR SUCCESSOR guardian or guardians, AS APPLICABLE, for the allowable amount of non-recurring guardianship expenses incurred in connection with obtaining such guardianship.

2. The amount of the payment made pursuant to this section shall not exceed two thousand dollars for each foster child for whom the relatives, OR EACH FORMER FOSTER CHILD FOR WHOM THE SUCCESSOR GUARDIANS, seek guardianship or permanent guardianship and shall be available only for those expenses that are determined to be eligible for reimbursement by the social services official in accordance with the regulations of the office of children and family services.

S 5. The social services law is amended by adding a new section 383-a to read as follows:

S 383-A. IMMUNITY FROM LIABILITY FOR APPLICATION OF THE REASONABLE AND PRUDENT PARENT STANDARD. 1. TO FACILITATE A NORMAL CHILDHOOD EXPERIENCE, CAREGIVERS SHALL BE ENCOURAGED TO ALLOW FOSTER CHILDREN TO PARTICIPATE IN EXTRACURRICULAR, ENRICHMENT, CULTURAL, OR SOCIAL ACTIVITIES. TO PROMOTE THIS GOAL, CAREGIVERS CAN PERMIT FOSTER CHILDREN TO ENGAGE IN SUCH ACTIVITIES WITHOUT LIABILITY IF THEY EXERCISE THE REASONABLE AND PRUDENT PARENT STANDARD. HOWEVER, FOSTER CHILDREN SHALL CONTINUE TO BE ABLE TO SEEK COMPENSATION WHEN THEY HAVE BEEN INJURED AS A RESULT OF ANY PERSON'S NEGLIGENCE WHEN THEY ARE ENGAGED IN SUCH ACTIVITIES.

2. DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:
(A) "CAREGIVER" SHALL MEAN A FOSTER PARENT, THE EMPLOYEE OF A CHILD CARE FACILITY OPERATED BY A VOLUNTARY AUTHORIZED AGENCY THAT IS DESIGNATED TO APPLY THE REASONABLE AND PRUDENT PARENT STANDARD, OR A LOCAL DEPARTMENT OF SOCIAL SERVICES OR A VOLUNTARY AUTHORIZED AGENCY THAT IS RESPONSIBLE FOR THE CARE OF A FOSTER CHILD AT THE RELEVANT TIME WHEN SUCH CAREGIVER IS APPLYING THE REASONABLE AND PRUDENT PARENT STANDARD.

(B) "CHILD" SHALL MEAN A CHILD WHO IS IN FOSTER CARE OR WHO WAS IN FOSTER CARE AT THE RELEVANT TIME.

(C) "CHILD CARE FACILITY" SHALL MEAN AN INSTITUTION, GROUP RESIDENCE, GROUP HOME, AGENCY OPERATED BOARDING HOME, OR SUPERVISED INDEPENDENT LIVING PROGRAM.

(D) "REASONABLE AND PRUDENT PARENT STANDARD" SHALL MEAN, IN ACCORDANCE WITH 42 U.S.C. 675 AS AMENDED BY P.L. 113-183, THE STANDARD CHARACTERIZED BY CAREFUL AND SENSIBLE PARENTAL DECISIONS THAT MAINTAIN THE HEALTH, SAFETY, AND BEST INTERESTS OF A CHILD WHILE AT THE SAME TIME ENCOURAGING THE EMOTIONAL AND DEVELOPMENTAL GROWTH OF THE CHILD THAT A CAREGIVER SHALL USE WHEN DETERMINING WHETHER TO ALLOW A CHILD IN FOSTER CARE TO PARTICIPATE IN EXTRACURRICULAR, ENRICHMENT, CULTURAL OR SOCIAL ACTIVITIES.

3. A CAREGIVER SHALL NOT BE LIABLE FOR INJURIES TO THE CHILD THAT OCCUR AS A RESULT OF ACTING IN ACCORDANCE WITH THE REASONABLE AND PRUDENT PARENT STANDARD AS DEFINED IN PARAGRAPH (D) OF SUBDIVISION TWO OF THIS SECTION. NOTHING IN THIS SECTION SHALL PROVIDE IMMUNITY FROM LIABILITY FOR A CAREGIVER'S OWN NEGLIGENT ACTION OR INACTION.

4. IN DETERMINING WHETHER THE REASONABLE AND PRUDENT PARENT STANDARD WAS APPLIED BY A CAREGIVER IN RELATION TO A PARTICULAR CHILD, ANY GUIDANCE ISSUED BY THE OFFICE OF CHILDREN AND FAMILY SERVICES OR THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES IN ACCORDANCE WITH 42 U.S.C. 675 AS AMENDED BY P.L. 113-183, MAY BE CONSIDERED.

S 6. The opening paragraph of paragraph (e) of subdivision 2 of section 378-a of the social services law, as amended by section 10 of part L of chapter 56 of the laws of 2015, is amended to read as follows:

[After] EXCEPT AS SET FORTH IN PARAGRAPH (M) OF THIS SECTION, AFTER REVIEWING ANY CRIMINAL HISTORY RECORD INFORMATION PROVIDED BY THE DIVISION OF CRIMINAL JUSTICE SERVICES, THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL PROMPTLY NOTIFY THE AUTHORIZED AGENCY OR OTHER STATE AGENCY THAT:

S 7. Subdivision 2 of section 378-a of the social services law is amended by adding a new paragraph (m) to read as follows:

(M) (1) THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL NOT RELEASE THE CONTENT OF THE RESULTS OF THE NATIONWIDE CRIMINAL HISTORY RECORD CHECK CONDUCTED BY THE FEDERAL BUREAU OF INVESTIGATION IN ACCORDANCE WITH THIS SUBDIVISION TO AN AUTHORIZED AGENCY, AS DEFINED IN PARAGRAPHS (A) OR (C) OF SUBDIVISION TEN OF SECTION THREE HUNDRED SEVENTY-ONE OF THIS TITLE.

(2) FOR ANY APPLICATION MADE TO SUCH AN AUTHORIZED AGENCY UNDER THIS SUBDIVISION, THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL:

(A) REVIEW AND EVALUATE THE RESULTS OF THE NATIONWIDE CRIMINAL HISTORY RECORD CHECK OF THE PROSPECTIVE FOSTER PARENT, PROSPECTIVE ADOPTIVE PARENT AND ANY OTHER PERSON OVER THE AGE OF EIGHTEEN WHO RESIDES IN THE HOME OF SUCH APPLICANT IN ACCORDANCE WITH THE STANDARDS SET FORTH IN PARAGRAPH (E) OF THIS SUBDIVISION RELATING TO MANDATORY DISQUALIFYING CONVICTIONS, HOLD IN ABEYANCE CHARGES OR CONVICTIONS, AND DISCRETIONARY CHARGES AND CONVICTIONS;

(B) BASED ON THE RESULTS OF THE NATIONWIDE CRIMINAL HISTORY RECORD CHECK, INFORM SUCH AUTHORIZED AGENCY THAT THE APPLICATION FOR CERTIF—
ICATION OR APPROVAL EITHER: (I) MUST BE DENIED; (II) MUST BE HELD IN ABYE-
ANCE PENDING SUBSEQUENT NOTIFICATION FROM THE OFFICE OF CHILDREN AND
FAMILY SERVICES; OR (III) THAT THE OFFICE OF CHILDREN AND FAMILY
SERVICES HAS NO OBJECTION, SOLELY BASED ON THE NATIONWIDE CRIMINAL
HISTORY RECORD CHECK, FOR THE AUTHORIZED AGENCY TO PROCEED WITH A DETER-
MINATION ON SUCH APPLICATION BASED ON THE STANDARDS FOR CERTIFICATION OR
APPROVAL OF A PROSPECTIVE FOSTER PARENT OR PROSPECTIVE ADOPTIVE PARENT,
AS SET FORTH IN THE REGULATIONS OF THE OFFICE OF CHILDREN AND FAMILY
SERVICES.

(3) WHERE THE OFFICE OF CHILDREN AND FAMILY SERVICES DIRECTS THE
AUTHORIZED AGENCY TO DENY THE APPLICATION OF A PROSPECTIVE FOSTER PARENT
OR A PROSPECTIVE ADOPTIVE PARENT IN ACCORDANCE WITH THIS PARAGRAPH, THE
OFFICE OF CHILDREN AND FAMILY SERVICES SHALL ALSO NOTIFY THE PROSPECTIVE
FOSTER PARENT, PROSPECTIVE ADOPTIVE PARENT OR OTHER PERSON OVER THE AGE
OF EIGHTEEN WHO RESIDED IN THE HOME OF THE APPLICANT WHOSE CRIMINAL
HISTORY WAS THE BASIS FOR THE DENIAL.

(4) THIS PARAGRAPH DOES NOT APPLY TO NATIONWIDE CRIMINAL HISTORY
RECORD CHECKS CONDUCTED BY THE FEDERAL BUREAU OF INVESTIGATION ON BEHALF
OF STATE AGENCIES OR AUTHORIZED AGENCIES, AS DEFINED IN PARAGRAPH (B) OF
SUBDIVISION TEN OF SECTION THREE HUNDRED SEVENTY-ONE OF THIS TITLE, OR
TO THE RESULTS OF STATEWIDE CRIMINAL HISTORY RECORD CHECKS CONDUCTED BY
THE DIVISION OF CRIMINAL JUSTICE SERVICES.

S 8. Severability. If any clause, sentence, paragraph, subdivision,
section or part contained in any part of this act shall be adjudged by
any court of competent jurisdiction to be invalid, such judgement shall
not affect, impair, or invalidate the remainder thereof, but shall be
confined in its operation to the clause, sentence, paragraph, subdivi-
sion, section or part contained in any part thereof directly involved in
the controversy in which such judgment shall have been rendered. It is
hereby declared to be the intent of the legislature that this act would
have been enacted even if such invalid provisions had not been included
herein.

S 9. This act shall take effect immediately, provided however that
sections six and seven of this act shall take effect on the ninetieth
day after it shall have become a law.
(d) for the period commencing January first, two thousand [sixteen] SEVENTEEN, the monthly personal needs allowance shall be an amount equal to the sum of the amounts set forth in subparagraphs one and two of this paragraph:

(1) the amounts specified in paragraphs (a), (b) and (c) of this subdivision; and

(2) the amount in subparagraph one of this paragraph, multiplied by the percentage of any federal supplemental security income cost of living adjustment which becomes effective on or after January first, two thousand [sixteen] SEVENTEEN, but prior to June thirtieth, two thousand [sixteen] SEVENTEEN, rounded to the nearest whole dollar.

§ 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of section 209 of the social services law, as amended by section 2 of part I of chapter 56 of the laws of 2015, are amended to read as follows:

(a) On and after January first, two thousand [fifteen] SIXTEEN, for an eligible individual living alone, $820.00; and for an eligible couple living alone, $1204.00.

(b) On and after January first, two thousand [fifteen] SIXTEEN, for an eligible individual living with others with or without in-kind income, $756.00; and for an eligible couple living with others with or without in-kind income, $1146.00.

(c) On and after January first, two thousand [fifteen] SIXTEEN, (i) for an eligible individual receiving family care, $999.48 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving family care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, $961.48; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(d) On and after January first, two thousand [fifteen] SIXTEEN, (i) for an eligible individual receiving residential care, $1168.00 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving residential care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, $1138.00; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(e) [(i) On and after] (1) FROM January first, two thousand [fifteen] SIXTEEN TO MARCH THIRTY-FIRST, TWO THOUSAND SIXTEEN, for an eligible individual receiving enhanced residential care, $1427.00; and [(ii)] (2) for an eligible couple receiving enhanced residential care, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, $1138.00; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(II) (1) FROM APRIL FIRST, TWO THOUSAND SIXTEEN TO MARCH THIRTY-FIRST, TWO THOUSAND SEVENTEEN, FOR AN ELIGIBLE INDIVIDUAL RECEIVING ENHANCED RESIDENTIAL CARE, $1502; AND (2) FOR AN ELIGIBLE COUPLE RECEIVING ENHANCED RESIDENTIAL CARE, TWO TIMES THE AMOUNT SET FORTH IN CLAUSE ONE OF THIS SUBPARAGRAPH.

(III) (1) FROM APRIL FIRST, TWO THOUSAND SEVENTEEN TO MARCH THIRTY-FIRST, TWO THOUSAND EIGHTEEN, FOR AN ELIGIBLE INDIVIDUAL RECEIV-
ING ENHANCED RESIDENTIAL CARE, $1577; AND (2) FOR AN ELIGIBLE COUPLE RECEIVING ENHANCED RESIDENTIAL CARE, TWO TIMES THE AMOUNT SET FORTH IN CLAUSE ONE OF THIS SUBPARAGRAPH.

(IV) (1) FROM APRIL FIRST, TWO THOUSAND EIGHTEEN AND THEREAFTER, FOR AN ELIGIBLE INDIVIDUAL RECEIVING ENHANCED RESIDENTIAL CARE, $1652; AND (2) FOR AN ELIGIBLE COUPLE RECEIVING ENHANCED RESIDENTIAL CARE, TWO TIMES THE AMOUNT SET FORTH IN CLAUSE ONE OF THIS SUBPARAGRAPH.

(f) The amounts set forth in paragraphs (a) through (e) of this subdivision shall be increased to reflect any increases in federal supplemental security income benefits for individuals or couples which become effective on or after January first, two thousand sixteen SEVENTEEN but prior to June thirtieth, two thousand [sixteen] SEVENTEEN.

S 3. This act shall take effect December 31, 2016; provided, however that the amendments to paragraph (e) of subdivision 2 of section 209 of the social services law, made by section two of this act, shall take effect April 1, 2016.

PART P

Section 1. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural rental assistance program, a sum not to exceed twenty-two million two hundred ninety-two thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural rental assistance program contracts authorized by this section, a total sum not to exceed twenty-two million two hundred ninety-two thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than June 30, 2016. Notwithstanding any other provision of law, such funds may be used by the corporation in support of contracts scheduled to expire in the fiscal year ending March 31, 2017 for as many as 10 additional years; in support of contracts for new eligible projects for a period not to exceed 5 years; and in support of contracts which reach their 25 year maximum in and/or prior to the fiscal year ending March 31, 2017 for an additional one year period.

S 2. Notwithstanding any other provision of law, the housing finance agency may provide, for costs associated with the rehabilitation of Mitchell Lama housing projects, a sum not to exceed forty-two million dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing finance
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agency, for the purposes of reimbursing any costs associated with Mitchell Lama housing projects authorized by this section, a total sum not to exceed forty-two million dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 3. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the neighborhood preservation program, a sum not to exceed eight million four hundred seventy-nine thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with neighborhood preservation program contracts authorized by this section, a total sum not to exceed eight million four hundred seventy-nine thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than June 30, 2016.

S 4. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural preservation program, a sum not to exceed three million five hundred thirty-nine thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural preservation program contracts authorized by this section, a total sum not to exceed three million five hundred thirty-nine thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law.
of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than June 30, 2016.

S 5. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural and urban community investment fund program created pursuant to article XXVII of the private housing finance law, a sum not to exceed thirty-five million two hundred fifty thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural and urban community investment fund program contracts authorized by this section, a total sum not to exceed thirty-five million two hundred fifty thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 6. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for the purposes of carrying out the provisions of the low income housing trust fund program created pursuant to article XVIII of the private housing finance law, a sum not to exceed ten million dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of carrying out the provisions of the low income housing trust fund program created pursuant to article XVIII of the private housing finance law authorized by this section, a total sum not to exceed ten million dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance
account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 7. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the homes for working families program for deposit in the housing trust fund created pursuant to section 59-a of the private housing finance law and subject to the provisions of article XVIII of the private housing finance law, a sum not to exceed twelve million seven hundred fifty thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with homes for working families program contracts authorized by this section, a total sum not to exceed twelve million seven hundred fifty thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 8. Notwithstanding any other provision of law, the homeless housing and assistance corporation may provide, for purposes of the New York state supportive housing program, the solutions to end homelessness program or the operational support for AIDS housing program, or to qualified grantees under those programs, in accordance with the requirements of those programs, a sum not to exceed fifteen million six hundred ninety thousand dollars for the fiscal year ending March 31, 2017. The homeless housing and assistance corporation may enter into an agreement with the office of temporary and disability assistance to administer such sum in accordance with the requirements of the programs. Notwithstanding any other provision of law, and subject to the approval of the director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the homeless housing and assistance corporation, a total sum not to exceed fifteen million six hundred ninety thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the
mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 9. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for the purposes of the rural mobile home replacement program, a sum not to exceed five million dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of carrying out the provisions of the low income housing trust fund program created pursuant to article XVIII of the private housing finance law authorized by this section, a total sum not to exceed five million dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 10. This act shall take effect immediately.

PART Q

Section 1. Section 4 of subpart A of part D of chapter 58 of the laws of the 2011 amending the education law relating to capital facilities in support of the state university and community colleges, is amended to read as follows:

S 4. This act shall take effect immediately and shall expire and be deemed repealed June 30, [2016] 2021.

S 2. Section 4 of subpart B of part D of chapter 58 of the laws of 2011 amending the education law relating to procurement in support of the state and city universities, is amended to read as follows:

S 4. This act shall take effect immediately and shall expire and be deemed repealed June 30, [2016] 2021.

S 3. Section 3 of subpart C of part D of chapter 58 of the laws of 2011 amending the education law relating to state university health care facilities, is amended to read as follows:

S 3. This act shall take effect immediately, and shall expire and be deemed repealed June 30, [2016] 2021.

S 4. This act shall take effect immediately.

PART R

Section 1. Section 3.11 of the arts and cultural affairs law is amended to read as follows:

S 3.11. Grants by council; consideration to certain applicants. 1. In issuing grants to applicants for council funds [in the area of the performing arts] the council may give consideration to the applicant's demonstration of an ability to enhance the state's capacity to attract
tourists as evidenced by showing that significant numbers of persons in such audiences are or will be attracted to the applicant's geographical area by reason of such applicant's program and evidence of advertising and publicity designed and planned in such a manner as to reach potential audiences from outside the applicant's geographical area.

2. REGIONS OF THE STATE. THERE ARE HEREBY CREATED AND ESTABLISHED TEN REGIONS WITHIN WHICH THE COUNCIL SHALL APPROVE GRANTS. THE TEN REGIONS SHALL CONSIST OF THE SEVERAL COUNTIES AS FOLLOWS:

(A) REGION ONE, WHICH SHALL CONSIST OF THE COUNTIES OF ALBANY, COLUMBIA, GREENE, RENSSELAER, SARATOGA, SCHENECTADY, WARREN, AND WASHINGTON;

(B) REGION TWO, WHICH SHALL CONSIST OF THE COUNTIES OF FULTON, HERKIMER, MONTGOMERY, ONEIDA, OTSEGO, AND SCHOHARIE;

(C) REGION THREE, WHICH SHALL CONSIST OF THE COUNTIES OF CAYUGA, CORTLAND, MADISON, ONONDAGA, AND OSWEGO;

(D) REGION FOUR, WHICH SHALL CONSIST OF THE COUNTIES OF GENESEE, LIVINGSTON, MONROE, ONANDA, ORLEANS, SENECA, WAYNE, WYOMING, AND YATES;

(E) REGION FIVE, WHICH SHALL CONSIST OF THE COUNTIES OF ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, AND NIAGARA;

(F) REGION SIX, WHICH SHALL CONSIST OF THE COUNTIES OF CLINTON, ESSEX, FRANKLIN, HAMILTON, JEFFERSON, LEWIS, AND ST. LAWRENCE;

(G) REGION SEVEN, WHICH SHALL CONSIST OF THE COUNTIES OF DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER, AND WESTCHESTER;

(H) REGION EIGHT, WHICH SHALL CONSIST OF THE COUNTIES OF BROOME, CHEMUNG, CHENANGO, DELAWARE, SCHUYLER, STEuben, TIOGA, AND TOMPKINS;

(I) REGION NINE, WHICH SHALL CONSIST OF THE COUNTIES OF NASSAU AND SUFFOLK;

(J) REGION TEN, WHICH SHALL CONSIST OF THE COUNTIES OF BRONX, KINGS, NEW YORK, QUEENS, AND RICHMOND.

3. THE AMOUNTS AVAILABLE FOR DISTRIBUTION AS GENERAL FUND LOCAL ASSISTANCE, SUBJECT TO THE APPROPRIATION AVAILABLE, SHALL BE APPORTIONED SUCH THAT NO REGION AS DEFINED IN SUBDIVISION TWO OF THIS SECTION, (A) SHALL BE APPORTIONED LESS IN GENERAL FUND LOCAL ASSISTANCE THAN THE AMOUNT IT WAS AWARDED IN THE PRIOR YEAR, AND (B) AMOUNTS AVAILABLE FOR DISTRIBUTION AS GENERAL FUND LOCAL ASSISTANCE ABOVE THE AMOUNT APPORTIONED IN THE PRIOR YEAR SHALL BE APPORTIONED SUCH THAT EACH REGION SHALL RECEIVE AN AMOUNT EQUAL TO THE QUOTIENT OF SUCH REGION'S POPULATION DIVIDED BY THE TOTAL POPULATION OF NEW YORK STATE ACCORDING TO THE MOST RECENT DECENNIAL CENSUS POPULATION FIGURES FOR NEW YORK STATE.

S 2. This act shall take effect immediately.

PART S

Section 1. Section 6303 of the education law is amended by adding a new subdivision 6 to read as follows:

6. NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY, FOR PURPOSES OF THE STATE UNIVERSITY OF NEW YORK (SUNY) ORANGE BRIDGES PROGRAM, ORANGE COUNTY COMMUNITY COLLEGE SHALL NOT BE CONSIDERED AN INDEPENDENT CONTRACTOR FOR THE PURPOSES OF PROVIDING SERVICES TO SCHOOL DISTRICTS WHOSE STUDENTS HAVE DUEL ENROLLMENT WITH SUCH BRIDGES PROGRAM.

S 2. This act shall take effect immediately.

PART T

Section 1. Subdivision 10 of section 6306 of the education law, as added by section 1 of part Y of chapter 56 of the laws of 2015, is amended to read as follows:
10. The boards of trustees of the state university of New York community colleges shall consult with boards of cooperative educational services (BOCES) and the trustee, trustees or board of education of each school district to identify new or existing programs offered to students that would allow a student to pursue an associate of occupational studies (AOS) degree from a community college upon high school graduation. Once identified, BOCES in collaboration with the community college boards of trustees shall make such path, identified programs, and AOS degree options known to ensure that students are aware that such options exist. Such notification may shall begin as early as in the seventh grade. Provided however, that such boards and BOCES shall not take any action to direct or suggest that a student should pursue a particular degree or pathway.

S 2. This act shall take effect immediately.

PART U

Section 1. Section 9-w of the banking law is repealed.

S 2. The education law is amended by adding a new section 665-b to read as follows:

S 665-B. STANDARD FINANCIAL AID AWARD LETTER. EACH COLLEGE, VOCATIONAL INSTITUTION, AND ANY OTHER INSTITUTION THAT OFFERS AN APPROVED PROGRAM AS DEFINED IN SECTION SIX HUNDRED ONE OF THIS TITLE SHALL PROVIDE UNIFORM FINANCIAL AID INFORMATION TO EVERY PROSPECTIVE FIRST-TIME AND TRANSFER UNDERGRADUATE STUDENT WHO HAS BEEN ACCEPTED FOR ADMISSION TO SUCH INSTITUTION. EACH INSTITUTION SHALL PROVIDE SUCH INFORMATION PRIOR TO SUCH INSTITUTION'S ENROLLMENT DEADLINE. EACH INSTITUTION SHALL USE THE FINANCIAL AID SHOPPING SHEET DEVELOPED BY THE CONSUMER FINANCIAL PROTECTION BUREAU AND THE UNITED STATES DEPARTMENT OF EDUCATION PURSUANT TO THE HIGHER EDUCATION OPPORTUNITY ACT, P.L. 110-315, TO PROVIDE SUCH INFORMATION. EACH INSTITUTION SHALL UTILIZE THE STANDARD LETTER IN RESPONDING TO ALL FINANCIAL AID APPLICANTS FOR THE TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN ACADEMIC YEAR AND THEREAFTER. THE PRESIDENT OF THE HIGHER EDUCATION SERVICES CORPORATION SHALL PROMULGATE REGULATIONS IMPLEMENTING THIS SECTION.

S 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2016.

PART V

Section 1. Subdivision 10 of section 7605 of the education law, as added by section 4 of part AA of chapter 57 of the laws of 2013, is amended and a new subdivision 12 is added to read as follows:

10. A person without a license from performing assessments such as basic information collection, gathering of demographic data, and informal observations, screening and referral used for general eligibility for a program or service and determining the functional status of an individual for the purpose of determining need for services [unrelated to a behavioral health diagnosis or treatment plan]. Such licensure shall not be required to [create, develop or implement] participate as a member of the treatment team in the creation, development or implementation of a service plan [unrelated to a behavioral health diagnosis or treatment plan]. Such service plans shall include, but are not limited to, job training and employability, housing, general public assistance, in home services and supports or home-delivered meals, investigations conducted or assessments made by adult or child protective services,
adoption home studies and assessments, family service plans, transition plans and permanency planning activities, de-escalation techniques, peer services or skill development. A license under this article shall not be required for persons to participate as a member of a multi-disciplinary team to implement a behavioral health services or treatment plan; provided however, that such team shall include one or more professionals licensed under this article or [articles] ARTICLE one hundred thirty-one, one hundred fifty-four or one hundred sixty-three of this [chapter] TITLE who must have a face to face visit with each patient prior to the rendering of a diagnosis; and provided, further, that the activities performed by members of the team shall be consistent with the scope of practice for each team member licensed or authorized under title VII of this chapter, and those who are not so authorized may not engage in the following restricted practices, but may assist licensed professionals and/or multi-disciplinary team members with: the diagnosis of mental, emotional, behavioral, addictive and developmental disorders and disabilities; [patient assessment and evaluating;] the provision of psychotherapeutic treatment; the provision of treatment other than psychotherapeutic treatment; and/or the development and implementation of assessment-based treatment plans as defined in section seventy-seven hundred one of this [chapter] TITLE. As used in this subdivision, the term "assist" shall include, those functions which are exempt under this subdivision. Provided, further, that nothing in this subdivision shall be construed as requiring a license for any particular activity or function based solely on the fact that the activity or function is not listed in this subdivision.

12. Nothing in this article shall be construed to prohibit or limit the activities or services provided under this article on the part of any person who, on the effective date of this section, is in the employ of a program or service, as defined in subdivision b of section seventeen-a of chapter six hundred seventy-six of the laws of two thousand two, as amended, for the period during which such person maintains employment in such program; activities and services that may be performed are limited to those provided by such individual within the practice of psychology, prior to the effective date of this subdivision. This section shall not authorize the use of any title authorized pursuant to this article by any such employed person, except as otherwise provided by this article respectively.

Provided, however, that any person employed after the effective date of this subdivision to perform services that are restricted under this article shall be appropriately licensed or authorized under this article.

S 2. Subdivision 7 of section 7706 of the education law, as added by section 5 of part AA of chapter 57 of the laws of 2013, is amended and a new subdivision 8 is added to read as follows:

7. Prevent a person without a license from performing assessments such as basic information collection, gathering of demographic data, and informal observations, screening and referral used for general eligibility for a program or service and determining the functional status of an individual for the purpose of determining need for services [unrelated to a behavioral health diagnosis or treatment plan]. Such licensure shall not be required to [create, develop or implement] participate as a member of the treatment team in the creation, development or implementation of a service plan unrelated to a behavioral health diagnosis or treatment plan. Such service plans shall include, but are not limited to, job training and employability, housing, general public assistance,
in home services and supports or home-delivered meals, investigations
conducted or assessments made by adult or child protective services,
adoPTION home studies and assessments, family service plans, transition
plans and permanency planning activities, de-escalation techniques, peer
services or skill development. A license under this article shall not be
required for persons to participate as a member of a multi-disciplinary
team to implement a behavioral health services or treatment plan;
provided however, that such team shall include one or more professionals
licensed under this article or [articles] ARTICLE one hundred thirty-
one, one hundred fifty-three or one hundred sixty-three of this [chap-
ter] TITLE WHO MUST HAVE A FACE TO FACE VISIT WITH EACH PATIENT PRIOR TO
THE RENDERING OF A DIAGNOSIS; and provided, further, that the activities
performed by members of the team shall be consistent with the scope of
practice for each team member licensed or authorized under title VIII of
this chapter, and those who are not so authorized may not engage in the
following restricted practices, BUT MAY ASSIST LICENSED PROFESSIONALS
AND/OR MULTI-DISCIPLINARY TEAM MEMBERS WITH: the diagnosis of mental,
emotional, behavioral, addictive and developmental disorders and disa-
bilities; [patient assessment and evaluating;] the provision of
psychotherapeutic treatment; the provision of treatment other than
psychotherapeutic treatment; and/or the development and implementation
of assessment-based treatment plans as defined in section seventy-seven
hundred one of this article. AS USED IN THIS SUBDIVISION, THE TERM
"ASSIST" SHALL INCLUDE, THOSE FUNCTIONS WHICH ARE EXEMPT UNDER THIS
SUBDIVISION. Provided, further, that nothing in this subdivision shall
be construed as requiring a license for any particular activity or func-
tion based solely on the fact that the activity or function is not list-
ed in this subdivision.

8. NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO PROHIBIT OR LIMIT THE
ACTIVITIES OR SERVICES PROVIDED UNDER THIS ARTICLE ON THE PART OF ANY
PERSON WHO, ON THE EFFECTIVE DATE OF THIS SUBDIVISION, IS IN THE EMPLOY
OF A PROGRAM OR SERVICE, AS DEFINED IN SECTION NINE OF CHAPTER FOUR
HUNDRED TWENTY OF THE LAWS OF TWO THOUSAND TWO, AS AMENDED, FOR THE
PERIOD DURING WHICH SUCH PERSON MAINTAINS EMPLOYMENT IN SUCH PROGRAM;
ACTIVITIES AND SERVICES THAT MAY BE PERFORMED ARE LIMITED TO THOSE
PROVIDED BY SUCH INDIVIDUAL WITHIN THE PRACTICE OF LICENSED MASTER
SOCIAL WORK OR LICENSED CLINICAL SOCIAL WORK, PRIOR TO THE EFFECTIVE
DATE OF THIS SUBDIVISION. THIS SECTION SHALL NOT AUTHORIZE THE USE OF
ANY TITLE AUTHORIZED PURSUANT TO THIS ARTICLE BY ANY SUCH EMPLOYED
PERSON, EXCEPT AS OTHERWISE PROVIDED BY THIS ARTICLE RESPECTIVELY.

PROVIDED, HOWEVER, THAT ANY PERSON EMPLOYED AFTER THE EFFECTIVE DATE
OF THIS SECTION TO PERFORM SERVICES THAT ARE RESTRICTED UNDER THIS ARTI-
CLE SHALL BE APPROPRIATELY LICENSED OR AUTHORIZED UNDER THIS ARTICLE.

S 3. Section 7707 of the education law is amended by adding a new
subdivision 2-a to read as follows:

2-A. ANY PERSON WHO POSSESSES A MASTER'S OF SOCIAL WORK DEGREE,
ACCEPTABLE TO THE DEPARTMENT, ON THE EFFECTIVE DATE OF THIS SUBDIVISION,
AND WHO HAS TWO YEARS OF POST-GRADUATE SOCIAL WORK EMPLOYMENT, AS VERI-
FIED BY A LICENSED SUPERVISOR OR COLLEAGUE ON FORMS ACCEPTABLE TO THE
DEPARTMENT, AND WHO, IN THE DETERMINATION OF THE DEPARTMENT, MEETS ALL
OTHER REQUIREMENTS FOR LICENSE AS A LICENSED MASTER SOCIAL WORKER,
EXCEPT FOR EXAMINATION, AND WHO FILES WITH THE DEPARTMENT THE APPLICA-
TION, FEE AND REQUIRED DOCUMENTATION WITHIN ONE YEAR OF THE EFFECTIVE
DATE OF THIS SUBDIVISION, SHALL BE LICENSED AS A LICENSED MASTER SOCIAL
WORKER.
S. 4. Subdivision 8 of section 8410 of the education law, as added by section 6 of part AA of chapter 57 of the laws of 2013, is amended and a new subdivision 9 is added to read as follows:

8. Prevent a person without a license from performing assessments such as basic information collection, gathering of demographic data, and informal observations, screening and referral used for general eligibility for a program or service and determining the functional status of an individual for the purpose of determining need for services [unrelated to a behavioral health diagnosis or treatment plan]. Such licensure shall not be required to [create, develop or implement] PARTICIPATE AS A MEMBER OF THE TREATMENT TEAM IN THE CREATION, DEVELOPMENT OR IMPLEMENTATION OF a service plan unrelated to a behavioral health diagnosis or treatment plan. Such service plans shall include, but are not limited to, job training and employability, housing, general public assistance, in home services and supports or home-delivered meals, investigations conducted or assessments made by adult or child protective services, adoption home studies and assessments, family service plans, transition plans and permanency planning activities, de-escalation techniques, peer services or skill development. A license under this article shall not be required for persons to participate as a member of a multi-disciplinary team to implement a behavioral health services or treatment plan; provided however, that such team shall include one or more professionals licensed under this article or [articles] ARTICLE one hundred thirty-one, one hundred fifty-three or one hundred fifty-four of this [chapter] TITLE WHO MUST HAVE A FACE TO FACE VISIT WITH EACH PATIENT PRIOR TO THE RENDERING OF A DIAGNOSIS; and provided, further, that the activities performed by members of the team shall be consistent with the scope of practice for each team member licensed or authorized under title VIII of this chapter, and those who are not so authorized may not engage in the following restricted practices BUT MAY ASSIST LICENSED PROFESSIONALS AND/OR MULTI-DISCIPLINARY TEAM MEMBERS WITH: the diagnosis of mental, emotional, behavioral, addictive and developmental disorders and disabilities; [patient assessment and evaluating;] the provision of psychotherapeutic treatment; the provision of treatment other than psychotherapeutic treatment; and/or the development and implementation of assessment-based treatment plans as defined in section seventy-seven hundred one of this [chapter] TITLE. AS USED IN THIS SUBDIVISION, THE TERM "ASSIST" SHALL INCLUDE, THOSE FUNCTIONS THAT ARE EXEMPT UNDER THIS SUBDIVISION. Provided, further, that nothing in this subdivision shall be construed as requiring a license for any particular activity or function based solely on the fact that the activity or function is not listed in this subdivision.

9. NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO PROHIBIT OR LIMIT THE ACTIVITIES OR SERVICES PROVIDED UNDER THIS ARTICLE ON THE PART OF ANY PERSON WHO, ON THE EFFECTIVE DATE OF THIS SUBDIVISION, IS IN THE EMPLOY OF A PROGRAM OR SERVICE, AS DEFINED IN SUBDIVISION B OF SECTION SEVENTEEN-A OF CHAPTER SIX HUNDRED SEVENTY-SIX OF THE LAWS OF TWO THOUSAND TWO, AS AMENDED, FOR THE PERIOD DURING WHICH SUCH PERSON MAINTAINS EMPLOYMENT IN SUCH PROGRAM; ACTIVITIES AND SERVICES THAT MAY BE PERFORMED ARE LIMITED TO THOSE PROVIDED BY SUCH INDIVIDUAL WITHIN THE PRACTICE OF MENTAL HEALTH COUNSELING, MARRIAGE AND FAMILY THERAPY, CREATIVE ARTS THERAPY AND PSYCHOANALYSIS, PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION. THIS SECTION SHALL NOT AUTHORIZE THE USE OF ANY TITLE AUTHORIZED PURSUANT TO THIS ARTICLE BY ANY SUCH EMPLOYED PERSON, EXCEPT AS OTHERWISE PROVIDED BY THIS ARTICLE RESPECTIVELY.
Provided, however, that any person employed after the effective date of this subdivision to perform services that are restricted under this article shall be appropriately licensed or authorized under this article.

§ 5. This act shall take effect July 1, 2016.

PART W

Section 1. Subdivision 1 of section 663 of the education law, as amended by section 1 of part F of chapter 58 of the laws of 2011, is amended to read as follows:

1. Income defined. Except as otherwise provided in this section, "income" shall be the total of the combined net taxable income and income from pensions of New York state, local governments, the federal government and any private employer of the applicant, the applicant's spouse, and the applicant's parents, including any pension and annuity income excluded for purposes of taxation pursuant to paragraph three-a of subsection (c) of section six hundred twelve of the tax law, as reported in New York state income tax returns for the calendar year prior to the calendar year next preceding the beginning of the school year for which application for assistance is made, except that any amount received by an applicant as a scholarship at an educational institution or as a fellowship grant, including the value of contributed services and accommodations, shall not be included within the definition of "income" for the purposes of this article. The term "parent" shall include birth parents, stepparents, adoptive parents and the spouse of an adoptive parent. Income, if not a whole dollar amount, shall be assumed to be equal to the next lowest whole dollar amount. Any change in the status of an applicant with regard to the persons responsible for the applicant's support occurring after the beginning of any semester shall not be considered to change the applicant's award for that semester.

§ 2. This act shall take effect immediately and shall apply to all awards commencing with the 2017-2018 school year and thereafter.

PART X

Section 1. Subdivision (a) of section 1203 of the limited liability company law, as amended by chapter 554 of the laws of 2013, is amended to read as follows:

(a) Notwithstanding the education law or any other provision of law, one or more professionals each of whom is authorized by law to render a professional service within the state, or one or more professionals, at least one of whom is authorized by law to render a professional service within the state, may form, or cause to be formed, a professional service limited liability company for pecuniary profit under this article for the purpose of rendering the professional service or services as such professionals are authorized to practice. With respect to a professional service limited liability company formed to provide medical services as such services are defined in article 131 of the education law, each member of such limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. With respect to a professional service limited liability company formed to provide dental services as such services are defined in article 133 of the education law, each member of such limited liability company must be licensed pursuant to article 133 of the education law.
law to practice dentistry in this state. With respect to a professional service limited liability company formed to provide veterinary services as such services are defined in article 135 of the education law, each member of such limited liability company must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. With respect to a professional service limited liability company formed to provide professional engineering, land surveying, architectural and/or landscape architectural services as such services are defined in article 145, article 147 and article 148 of the education law, each member of such limited liability company must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. With respect to a professional service limited liability company formed to provide licensed clinical social work services as such services are defined in article 154 of the education law, each member of such limited liability company shall be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. With respect to a professional service limited liability company formed to provide creative arts therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a professional service limited liability company formed to provide marriage and family therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. With respect to a professional service limited liability company formed to provide mental health counseling services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a professional service limited liability company formed to provide psychoanalysis services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. In addition to engaging in such profession or professions, a professional service limited liability company may engage in any other business or activities as to which a limited liability company may be formed under section two hundred one of this chapter. Notwithstanding any other provision of this section, a professional service limited liability company (i) authorized to practice law may only engage in another profession or business or activities or (ii) which is engaged in a profession or other business or activities other than law may only engage in the practice of law, to the extent not prohibited by any other law of this state or any rule adopted by the appropriate appellate division of the supreme court or the court of appeals. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, WITH RESPECT TO A LIMITED LIABILITY COMPANY FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND CHIROPRACTIC SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER ARTICLES 131 AND 132 OF THE EDUCATION
LAW, (I) EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED
PURSUANT TO ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE
HIS OR HER PROFESSION IN THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE
HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL
ENABLING STATUTE UNDER ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION
LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES
WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS
SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY
OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE
PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT,
MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131
PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE
LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED
UNDER ARTICLE 132 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY,
INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE
OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS
LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL
LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE BEYOND THE
SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 132 OF THE EDUCATION LAW, EVEN
IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER
ARTICLE 131.
S 2. Subdivision (b) of section 1207 of the limited liability company
law, as amended by chapter 554 of the laws of 2013, is amended to read
as follows:
(b) With respect to a professional service limited liability company
formed to provide medical services as such services are defined in article
131 of the education law, each member of such limited liability
company must be licensed pursuant to article 131 of the education law to
practice medicine in this state. With respect to a professional service
limited liability company formed to provide dental services as such
services are defined in article 133 of the education law, each member of
such limited liability company must be licensed pursuant to article 133
of the education law to practice dentistry in this state. With respect
to a professional service limited liability company formed to provide
veterinary services as such services are defined in article 135 of the
education law, each member of such limited liability company must be
licensed pursuant to article 135 of the education law to practice veterinary
medicine in this state. With respect to a professional service
limited liability company formed to provide professional engineering,
land surveying, architectural and/or landscape architectural services as
such services are defined in article 145, article 147 and article 148 of
the education law, each member of such limited liability company must be
licensed pursuant to article 145, article 147 and/or article 148 of the
education law to practice one or more of such professions in this state.
With respect to a professional service limited liability company formed
to provide licensed clinical social work services as such services are
defined in article 154 of the education law, each member of such limited
liability company shall be licensed pursuant to article 154 of the
education law to practice licensed clinical social work in this state.
With respect to a professional service limited liability company formed
to provide creative arts therapy services as such services are defined in
article 163 of the education law, each member of such limited liability
company must be licensed pursuant to article 163 of the education
law to practice creative arts therapy in this state. With respect to a
professional service limited liability company formed to provide
marriage and family therapy services as such services are defined in
article 163 of the education law, each member of such limited liability
company must be licensed pursuant to article 163 of the education law to
practice marriage and family therapy in this state. With respect to a
professional service limited liability company formed to provide mental
health counseling services as such services are defined in article 163
of the education law, each member of such limited liability company must
be licensed pursuant to article 163 of the education law to practice
mental health counseling in this state. With respect to a professional
service limited liability company formed to provide psychoanalysis
services as such services are defined in article 163 of the education
law, each member of such limited liability company must be licensed
pursuant to article 163 of the education law to practice psychoanalysis
in this state. Notwithstanding any other provision of this section,
with respect to a professional service limited liability company formed
to provide integrated, multidisciplinary medical and chiropractic
services, as such services are respectively defined under articles 131
and 132 of the education law, (I) each member of such limited liability
company must be licensed pursuant to article 131 or article 132 of the
education law to practice his or her profession in this state, (II) each
member shall only practice his or her profession as specified in his or
her respective professional enabling statute under article 131 or article
132 of the education law, and (III) the clinical integration of
professional practices within an integrated, multidisciplinary entity
organized under this section does not alter, expand or curtail the scope
of practice of any of the individuals licensed under the statute of his
or her respective professional enabling law, provided that: (A) the
clinical judgment, management and clinical decision-making of one or
more article 131 providers in an integrated, multidisciplinary profes-
sional service limited liability company shall be controlling, (B)
members licensed under article 132 of the education law, shall not,
directly or indirectly, interfere with the clinical judgment or legiti-
mate clinical practice of a professional licensed under article 131, and
(C) individuals licensed under article 131 may not order or direct a
professional licensed under article 132 of the education law to practice
beyond the scope of his or her license under article 132 of the educa-
tion law, even if supervised directly or indirectly by a professional
licensed under article 131.

S 3. Subdivision (a) of section 1301 of the limited liability company
law, as amended by chapter 554 of the laws of 2013, is amended to read
as follows:

(a) "Foreign professional service limited liability company" means a
professional service limited liability company, whether or not denom-
nated as such, organized under the laws of a jurisdiction other than
this state, (i) each of whose members and managers, if any, is a profes-
sional authorized by law to render a professional service within this
state and who is or has been engaged in the practice of such profession
in such professional service limited liability company or a predecessor
entity, or will engage in the practice of such profession in the profes-
sional service limited liability company within thirty days of the date
such professional becomes a member, or each of whose members and manag-
ers, if any, is a professional at least one of such members is author-
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ized by law to render a professional service within this state and who
is or has been engaged in the practice of such profession in such
professional service limited liability company or a predecessor entity,
or will engage in the practice of such profession in the professional
service limited liability company within thirty days of the date such
professional becomes a member, or (ii) authorized by, or holding a
license, certificate, registration or permit issued by the licensing
authority pursuant to, the education law to render a professional
service within this state; except that all members and managers, if any,
of a foreign professional service limited liability company that
provides health services in this state shall be licensed in this state.
With respect to a foreign professional service limited liability company
which provides veterinary services as such services are defined in arti-
cle 135 of the education law, each member of such foreign professional
service limited liability company shall be licensed pursuant to article
135 of the education law to practice veterinary medicine. With respect
to a foreign professional service limited liability company which
provides medical services as such services are defined in article 131 of
the education law, each member of such foreign professional service
limited liability company must be licensed pursuant to article 131 of
the education law to practice medicine in this state. With respect to a
foreign professional service limited liability company which provides
dental services as such services are defined in article 133 of the
education law, each member of such foreign professional service limited
liability company must be licensed pursuant to article 133 of the educa-
tion law to practice dentistry in this state. With respect to a foreign
professional service limited liability company which provides profes-
sional engineering, land surveying, architectural and/or landscape
architectural services as such services are defined in article 145,
article 147 and article 148 of the education law, each member of such
foreign professional service limited liability company must be licensed
pursuant to article 145, article 147 and/or article 148 of the education
law to practice one or more of such professions in this state. With
respect to a foreign professional service limited liability company
which provides licensed clinical social work services as such services
are defined in article 154 of the education law, each member of such
foreign professional service limited liability company shall be licensed
pursuant to article 154 of the education law to practice clinical social
work in this state. With respect to a foreign professional service limited
liability company which provides creative arts therapy services
as such services are defined in article 163 of the education law, each
member of such foreign professional service limited liability company
must be licensed pursuant to article 163 of the education law to prac-
tice creative arts therapy in this state. With respect to a foreign
professional service limited liability company which provides marriage
and family therapy services as such services are defined in article 163
of the education law, each member of such foreign professional service
limited liability company must be licensed pursuant to article 163 of
the education law to practice marriage and family therapy in this state.
With respect to a foreign professional service limited liability company
which provides mental health counseling services as such services are
defined in article 163 of the education law, each member of such foreign
professional service limited liability company must be licensed pursuant
to article 163 of the education law to practice mental health counseling
in this state. With respect to a foreign professional service limited
liability company which provides psychoanalysis services as such
services are defined in article 163 of the education law, each member of
such foreign professional service limited liability company must be
licensed pursuant to article 163 of the education law to practice
psychoanalysis in this state. With respect to a foreign professional
service limited liability company which provides applied behavior analy-
sis services as such services are defined in article 167 of the educa-
tion law, each member of such foreign professional service limited
liability company must be licensed or certified pursuant to article 167
of the education law to practice applied behavior analysis in this
state. WITH RESPECT TO A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY
COMPANY FORMED TO PROVIDE INTEGRATED, MULTI-DISCIPLINARY MEDICAL AND
CHIROPRACTIC SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER
ARTICLE 131 AND ARTICLE 132 OF THE EDUCATION LAW, (I) EACH MEMBER OF
SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 131
OR ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN
THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION
AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE
UNDER ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW, AND (III) THE
CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED,
MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER,
EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS
LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-
ing law, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND CLIN-
ICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTE-
GRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY
SHALL BE CONTROLLING, (B) MEMBERS LICENSED UNDER ARTICLE 132 OF THE
EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE
CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL
LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE
131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 132 OF
THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE
UNDER ARTICLE 132 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR
INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

S 4. Paragraph (a) of section 1503 of the business corporation law, as
amended by chapter 550 of the laws of 2011, is amended to read as
follows:

(a) Notwithstanding any other provision of law, (I) one or more indi-
viduals duly authorized by law to render the same professional service
within the state may organize, or cause to be organized, a professional
service corporation for pecuniary profit under this article for the
purpose of rendering the same professional service, except that one or
more individuals duly authorized by law to practice professional engi-
eering, architecture, landscape architecture or land surveying within
the state may organize, or cause to be organized, a professional service
corporation or a design professional service corporation for pecuniary
profit under this article for the purpose of rendering such professional
services as such individuals are authorized to practice, AND, (II) ONE
OR MORE INDIVIDUALS DULY LICENSED TO PRACTICE MEDICINE AND ONE OR MORE
CHIROPRACTORS LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW, WHO MAY
BE BOARD CERTIFIED OR QUALIFIED BY HIS OR HER RESPECTIVE PROFESSIONAL
SPECIALTY BOARDS, MAY ORGANIZE, OR CAUSE TO BE ORGANIZED, FOR BUSINESS
PURPOSES ONLY, A MULTIDISCIPLINARY PROFESSIONAL SERVICE CORPORATION
FORMED FOR PECUNIARY PROFIT UNDER THIS ARTICLE FOR THE PURPOSE OF
RENDERING INTEGRATED AND NON-INTEGRATED PROFESSIONAL SERVICES WITHIN
SUCH A CORPORATION AS SUCH INDIVIDUALS ARE AUTHORIZED TO PRACTICE INDIV-
IVIDUALLY IN HIS OR HER RESPECTIVE PROFESSIONS, PROVIDED THAT THE CLIN-
ICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABLING LAW; THAT THE CLINICAL JUDGMENT, MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PRACTICE SHALL BE CONTROLING; THAT MEMBERS LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131; AND THAT INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 132 OF THE EDUCATION LAW IN A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

S 5. Subdivision (q) of section 121-1500 of the partnership law, as amended by chapter 554 of the laws of 2013, is amended to read as follows:

(q) Each partner of a registered limited liability partnership formed to provide medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in this state and each partner of a registered limited liability partnership formed to provide dental services in this state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. Each partner of a registered limited liability partnership formed to provide veterinary services in this state must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. Each partner of a registered limited liability partnership formed to provide professional engineering, land surveying, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. Each partner of a registered limited liability partnership formed to provide licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice clinical social work in this state. Each partner of a registered limited liability partnership formed to provide creative arts therapy services in this state must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. Each partner of a registered limited liability partnership formed to provide marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a registered limited liability partnership formed to provide mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a registered limited liability partnership formed to provide psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a registered limited liability partnership formed to provide applied behavior analysis service in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. EACH PARTNER OF A REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND CHIROPRACTIC SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER ARTICLE 131 AND ARTICLE 132 OF THE EDUCATION LAW, (I) MUST BE LICENSED PURSUANT TO
ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN THIS STATE, (II) SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED, MULTI-DISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 132 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 132 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

S 6. Subdivision (q) of section 121-1502 of the partnership law, as amended by chapter 554 of the laws of 2013, is amended to read as follows:

(q) Each partner of a foreign limited liability partnership which provides medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in the state and each partner of a foreign limited liability partnership which provides dental services in the state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. Each partner of a foreign limited liability partnership which provides veterinary service in the state shall be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. Each partner of a foreign limited liability partnership which provides professional engineering, land surveying, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions. Each partner of a foreign limited liability partnership which provides licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. Each partner of a foreign limited liability partnership which provides creative arts therapy services in this state must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. Each partner of a foreign limited liability partnership which provides marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a foreign limited liability partnership which provides mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a foreign limited liability partnership which provides psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a foreign limited liability partnership which provides applied behavior analysis services in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. EACH PARTNER OF A FOREIGN LIMITED LIABILITY PARTNER-
SHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND CHIRO-
RACTIC SERVICES, AS SUCH SERVICES ARE DEFINED UNDER ARTICLE 131 OR
ARTICLE 132 OF THE EDUCATION LAW, (I) MUST BE LICENSED PURSUANT TO ARTI-
CLE 131 OR ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE HIS OR HER
PROFESSION IN THIS STATE, (II) SHALL ONLY PRACTICE HIS OR HER PROFESSION
AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE
UNDER ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW, AND (III) THE
CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED,
MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER,
EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS
LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENAB-
LING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND CLIN-
ICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTE-
GRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY
SHALL BE CONTROLLING, (B) MEMBERS NOT LICENSED UNDER ARTICLE 131 OF THE
EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE
CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL
LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE
131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 132 OF
THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE
UNDER ARTICLE 132 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR
INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

S 7. Subdivision (a) of section 1203 of the limited liability company
law, as amended by chapter 475 of the laws of 2014, is amended to read
as follows:

(a) Notwithstanding the education law or any other provision of law,
one or more professionals each of whom is authorized by law to render a
professional service within the state, or one or more professionals, at
least one of whom is authorized by law to render a professional service
within the state, may form, or cause to be formed, a professional
service limited liability company for pecuniary profit under this article
for the purpose of rendering the professional service or services as
such professionals are authorized to practice. With respect to a profes-
sional service limited liability company formed to provide medical
services as such services are defined in article 131 of the education
law, each member of such limited liability company must be licensed
pursuant to article 131 of the education law to practice medicine in
this state. With respect to a professional service limited liability
company formed to provide dental services as such services are defined
in article 133 of the education law, each member of such limited liabil-
ity company must be licensed pursuant to article 133 of the education
law to practice dentistry in this state. With respect to a professional
service limited liability company formed to provide veterinary services
as such services are defined in article 135 of the education law, each
member of such limited liability company must be licensed pursuant to
article 135 of the education law to practice veterinary medicine in
this state. With respect to a professional service limited liability company
formed to provide professional engineering, land surveying, architec-
tural, landscape architectural and/or geological services as such
services are defined in article 145, article 147 and article 148 of the
education law, each member of such limited liability company must be
licensed pursuant to article 145, article 147 and/or article 148 of the
education law to practice one or more of such professions in this state.
With respect to a professional service limited liability company formed
to provide licensed clinical social work services as such services are
defined in article 154 of the education law, each member of such limited
liability company shall be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. With respect to a professional service limited liability company formed to provide creative arts therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a professional service limited liability company formed to provide marriage and family therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. With respect to a professional service limited liability company formed to provide mental health counseling services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a professional service limited liability company formed to provide psychoanalysis services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. With respect to a professional service limited liability company formed to provide applied behavior analysis services as such services are defined in article 167 of the education law, each member of such limited liability company must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. In addition to engaging in such profession or professions, a professional service limited liability company may engage in any other business or activities as to which a limited liability company may be formed under section two hundred one of this chapter. Notwithstanding any other provision of this section, a professional service limited liability company (i) authorized to practice law may only engage in another profession or business or activities or (ii) which is engaged in a profession or other business or activities other than law may only engage in the practice of law, to the extent not prohibited by any other law of this state or any rule adopted by the appropriate appellate division of the supreme court or the court of appeals. Notwithstanding any other provision of this section, with respect to a limited liability company formed to provide integrated, multidisciplinary medical and chiropractic services, as such services are respectively defined under articles 131 and 132 of the education law, (i) each member of such limited liability company must be licensed pursuant to article 131 or article 132 of the education law to practice his or her profession in this state, (ii) each member shall only practice his or her profession as specified in his or her respective professional enabling statute under article 131 or article 132 of the education law, and (iii) the clinical integration of professional practices within an integrated, multidisciplinary entity organized under this section does not alter, expand or curtail the scope of practice of any of the individuals licensed under the statute of his or her respective professional enabling law, provided that: (a) the clinical judgment, management and clinical decision-making of one or more article 131 providers in an integrated, multidisciplinary professional service limited liability company shall be controlling, (b) members licensed under article 132 of the education law, shall not, directly or indirectly, interfere with the clinical judgment or legitimate clinical practice
OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS
LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL
LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE BEYOND THE
SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 132 OF THE EDUCATION LAW, EVEN
IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER
ARTICLE 131.

S 8. Subdivision (b) of section 1207 of the limited liability company
law, as amended by chapter 475 of the laws of 2014, is amended to read
as follows:

(b) With respect to a professional service limited liability company
formed to provide medical services as such services are defined in arti-
cle 131 of the education law, each member of such limited liability
company must be licensed pursuant to article 131 of the education law to
practice medicine in this state. With respect to a professional service
limited liability company formed to provide dental services as such
services are defined in article 133 of the education law, each member of
such limited liability company must be licensed pursuant to article 133
of the education law to practice dentistry in this state. With respect
to a professional service limited liability company formed to provide veterinary services as such services are defined in article 135 of the
education law, each member of such limited liability company must be
licensed pursuant to article 135 of the education law to practice veter-
inary medicine in this state. With respect to a professional service
limited liability company formed to provide professional engineering,
land surveying, architectural, landscape architectural and/or geological
services as such services are defined in article 145, article 147 and
article 148 of the education law, each member of such limited liability
company must be licensed pursuant to article 145, article 147 and/or
article 148 of the education law to practice one or more of such
professions in this state. With respect to a professional service limit-
ed liability company formed to provide licensed clinical social work
services as such services are defined in article 154 of the education
law, each member of such limited liability company shall be licensed
pursuant to article 154 of the education law to practice licensed clin-
ical social work in this state. With respect to a professional service
limited liability company formed to provide creative arts therapy
services as such services are defined in article 163 of the education
law, each member of such limited liability company must be licensed
pursuant to article 163 of the education law to practice creative arts
therapy in this state. With respect to a professional service limited
liability company formed to provide marriage and family therapy services
as such services are defined in article 163 of the education law, each
member of such limited liability company must be licensed pursuant to
article 163 of the education law to practice marriage and family therapy
in this state. With respect to a professional service limited liability company formed to provide mental health counseling services as such
services are defined in article 163 of the education law, each member of
such limited liability company must be licensed pursuant to article 163
of the education law to practice mental health counseling in this state.
With respect to a professional service limited liability company formed
to provide psychoanalysis services as such services are defined in arti-
cle 163 of the education law, each member of such limited liability
company must be licensed pursuant to article 163 of the education law to
practice psychoanalysis in this state. With respect to a professional
service limited liability company formed to provide applied behavior
analysis services as such services are defined in article 167 of the
education law, each member of such limited liability company must be
licensed or certified pursuant to article 167 of the education law to
practice applied behavior analysis in this state. NOTWITHSTANDING ANY
OTHER PROVISION OF THIS SECTION, WITH RESPECT TO A PROFESSIONAL SERVICE
LIMITED LIABILITY COMPANY FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLI-
NARY MEDICAL AND CHIROPRACTIC SERVICES, AS SUCH SERVICES ARE RESPECTIVE-
LY DEFINED UNDER ARTICLES 131 AND 132 OF THE EDUCATION LAW, (I) EACH
MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO
ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE HIS OR HER
PROFESSION IN THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR
HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABL-
ing statute under article 131 or article 132 of the education law, and
(III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTE-
grated, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT
ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS
LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-
ing law, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND CLIN-
ICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTE-
grated, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY
SHALL BE CONTROLLING, (B) MEMBERS LICENSED UNDER ARTICLE 132 OF THE
EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE
CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL
LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE
131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 132 OF
THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE
UNDER ARTICLE 132 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR
INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

S 9. Subdivision (a) of section 1301 of the limited liability company
law, as amended by chapter 475 of the laws of 2014, is amended to read
as follows:
(a) "Foreign professional service limited liability company" means a
professional service limited liability company, whether or not denomi-
nated as such, organized under the laws of a jurisdiction other than
this state, (i) each of whose members and managers, if any, is a profes-
sional authorized by law to render a professional service within this
state and who is or has been engaged in the practice of such profession
in such professional service limited liability company or a predecessor
entity, or will engage in the practice of such profession in the profes-
sional service limited liability company within thirty days of the date
such professional becomes a member, or each of whose members and manag-
ers, if any, is a professional at least one of such members is author-
ized by law to render a professional service within this state and who
is or has been engaged in the practice of such profession in such
professional service limited liability company or a predecessor entity,
or will engage in the practice of such profession in the professional
service limited liability company within thirty days of the date such
professional becomes a member, or (ii) authorized by, or holding a
license, certificate, registration or permit issued by the licensing
authority pursuant to, the education law to render a professional
service within this state; except that all members and managers, if any,
of a foreign professional service limited liability company that
provides health services in this state shall be licensed in this state.
With respect to a foreign professional service limited liability company
which provides veterinary services as such services are defined in arti-
cle 135 of the education law, each member of such foreign professional
service limited liability company shall be licensed pursuant to article
135 of the education law to practice veterinary medicine. With respect to a foreign professional service limited liability company which provides medical services as such services are defined in article 131 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. With respect to a foreign professional service limited liability company which provides dental services as such services are defined in article 133 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 133 of the education law to practice dentistry in this state. With respect to a foreign professional service limited liability company which provides professional engineering, land surveying, geologic architectural and/or landscape architectural services as such services are defined in article 145, article 147 and article 148 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. With respect to a foreign professional service limited liability company which provides licensed clinical social work services as such services are defined in article 154 of the education law, each member of such foreign professional service limited liability company shall be licensed pursuant to article 154 of the education law to practice clinical social work in this state. With respect to a foreign professional service limited liability company which provides creative arts therapy services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a foreign professional service limited liability company which provides marriage and family therapy services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. With respect to a foreign professional service limited liability company which provides mental health counseling services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a foreign professional service limited liability company which provides psychoanalysis services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. With respect to a foreign professional service limited liability company which provides applied behavior analysis services as such services are defined in article 167 of the education law, each member of such foreign professional service limited liability company must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. WITH RESPECT TO A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED TO PROVIDE INTEGRATED, MULTI-DISCIPLINARY MEDICAL AND CHIROPRACTIC SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER ARTICLE 131 AND ARTICLE 132 OF THE EDUCATION LAW, (I) EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN
THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 132 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

S 10. Paragraph (a) of section 1503 of the business corporation law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(a) Notwithstanding any other provision of law, (I) one or more individuals duly authorized by law to render the same professional service within the state may organize, or cause to be organized, a professional service corporation for pecuniary profit under this article for the purpose of rendering the same professional service, except that one or more individuals duly authorized by law to practice professional engineering, architecture, landscape architecture, land surveying or geology within the state may organize, or cause to be organized, a professional service corporation or a design professional service corporation for pecuniary profit under this article for the purpose of rendering such professional services as such individuals are authorized to practice, and, (II) ONE OR MORE INDIVIDUALS DULY LICENSED TO PRACTICE MEDICINE AND ONE OR MORE CHIROPRACTORS LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW, WHO MAY BE BOARD CERTIFIED OR QUALIFIED BY HIS OR HER RESPECTIVE PROFESSIONAL SPECIALTY BOARDS, MAY ORGANIZE, OR CAUSE TO BE ORGANIZED, FOR BUSINESS PURPOSES ONLY, A MULTIDISCIPLINARY PROFESSIONAL SERVICE CORPORATION FORMED FOR PECUNIARY PROFIT UNDER THIS ARTICLE FOR THE PURPOSE OF RENDERING INTEGRATED AND NON-INTEGRATED PROFESSIONAL SERVICES WITHIN SUCH A CORPORATION AS SUCH INDIVIDUALS ARE AUTHORIZED TO PRACTICE INDIVIDUALLY IN HIS OR HER RESPECTIVE PROFESSIONS, PROVIDED THAT THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABLING LAW; THAT THE CLINICAL JUDGMENT, MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PRACTICE SHALL BE CONTROLLING; THAT MEMBERS LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131; AND THAT INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 132 OF THE EDUCATION LAW IN A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.
S. 11. Subdivision (q) of section 121-1500 of the partnership law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(q) Each partner of a registered limited liability partnership formed to provide medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in this state and each partner of a registered limited liability partnership formed to provide dental services in this state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. Each partner of a registered limited liability partnership formed to provide veterinary services in this state must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. Each partner of a registered limited liability partnership formed to provide professional engineering, land surveying, geological services, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. Each partner of a registered limited liability partnership formed to provide licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice clinical social work in this state. Each partner of a registered limited liability partnership formed to provide marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a registered limited liability partnership formed to provide psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a registered limited liability partnership formed to provide applied behavior analysis service in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. EACH PARTNER OF A REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND CHIROPRACTIC SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER ARTICLE 131 AND ARTICLE 132 OF THE EDUCATION LAW, (I) MUST BE LICENSED PURSUANT TO ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN THIS STATE, (II) SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED, MULTI-DISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED UNDER ARTICLE 132 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE
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1 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 132 OF
2 THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE
3 UNDER ARTICLE 132 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR
4 INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.
5 S 12. Subdivision (q) of section 121-1502 of the partnership law, as
6 amended by chapter 475 of the laws of 2014, is amended to read as
7 follows:
8 (q) Each partner of a foreign limited liability partnership which
9 provides medical services in this state must be licensed pursuant to
10 article 131 of the education law to practice medicine in the state and
11 each partner of a foreign limited liability partnership which provides
12 dental services in the state must be licensed pursuant to article 133 of
13 the education law to practice dentistry in this state. Each partner of a
14 foreign limited liability partnership which provides veterinary service
15 in the state shall be licensed pursuant to article 135 of the education
16 law to practice veterinary medicine in this state. Each partner of a
17 foreign limited liability partnership which provides professional engineer-
18 ing, land surveying, geological services, architectural and/or land-
19 scape architectural services in this state must be licensed pursuant to
20 article 145, article 147 and/or article 148 of the education law to
21 practice one or more of such professions. Each partner of a foreign
22 limited liability partnership which provides licensed clinical social
23 work services in this state must be licensed pursuant to article 154 of
24 the education law to practice licensed clinical social work in this
25 state. Each partner of a foreign limited liability partnership which
26 provides creative arts therapy services in this state must be licensed
27 pursuant to article 163 of the education law to practice creative arts
28 therapy in this state. Each partner of a foreign limited liability part-
29 nership which provides marriage and family therapy services in this
30 state must be licensed pursuant to article 163 of the education law to
31 practice marriage and family therapy in this state. Each partner of a
32 foreign limited liability partnership which provides mental health coun-
33 seling services in this state must be licensed pursuant to article 163
34 of the education law to practice mental health counseling in this state.
35 Each partner of a foreign limited liability partnership which provides
36 psychoanalysis services in this state must be licensed pursuant to arti-
37 cle 163 of the education law to practice psychoanalysis in this state.
38 Each partner of a foreign limited liability partnership which provides
39 applied behavior analysis services in this state must be licensed or
40 certified pursuant to article 167 of the education law to practice
41 applied behavior analysis in this state. EACH PARTNER OF A FOREIGN
42 LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCI-
43 PLINARY MEDICAL AND CHIROPRACTIC SERVICES, AS SUCH SERVICES ARE DEFINED
44 UNDER ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW, (I) MUST BE
45 LICENSED PURSUANT TO ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW TO
46 PRACTICE HIS OR HER PROFESSION IN THIS STATE, (II) SHALL ONLY PRACTICE
47 HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL
48 ENABLING STATUTE UNDER ARTICLE 131 OR ARTICLE 132 OF THE EDUCATION LAW,
49 AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN
50 INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES
51 NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIV-
52 IDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL
53 ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND
54 CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN
55 INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY
56 COMPANY SHALL BE CONTROLLING, (B) MEMBERS NOT LICENSED UNDER ARTICLE 131
OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH
THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL
LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE
131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 132 OF
THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE
UNDER ARTICLE 132 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR
INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

S 13. Subdivision 1 of section 2801 of the public health law, as sepa-

rately amended by chapters 297 and 416 of the laws of 1983, is amended
to read as follows:

1. "Hospital" means a facility or institution engaged principally in
providing services by or under the supervision of a physician or, in the
case of a dental clinic or dental dispensary, of a dentist, for the
prevention, diagnosis or treatment of human disease, pain, injury,
deformity or physical condition, including, but not limited to, a gener-
al hospital, public health center, diagnostic center, treatment center,
dental clinic, dental dispensary, rehabilitation center other than a
facility used solely for vocational rehabilitation, nursing home, tuber-
culosis hospital, chronic disease hospital, maternity hospital, lying-
in-asylum, out-patient department, out-patient lodge, dispensary and a
laboratory or central service facility serving one or more such insti-
tutions, but the term hospital shall not include an institution, sani-
tarium or other facility engaged principally in providing services for
the prevention, diagnosis or treatment of mental disability and which is
subject to the powers of visitation, examination, inspection and inves-
tigation of the department of mental hygiene except for those distinct
parts of such a facility which provide hospital service. The provisions
of this article shall not apply to a facility or institution engaged
principally in providing services by or under the supervision of the
bona fide members and adherents of a recognized religious organization
whose teachings include reliance on spiritual means through prayer alone
for healing in the practice of the religion of such organization and
where services are provided in accordance with those teachings OR TO A
BUSINESS CORPORATION, LIMITED LIABILITY CORPORATION OR PARTNERSHIP
BETWEEN A MEDICAL DOCTOR AND A DULY LICENSED TITLE VIII HEALTHCARE
PROFESSIONAL.

S 14. Subdivision 19 of section 6530 of the education law, as added by
chapter 606 of the laws of 1991, is amended to read as follows:

19. Permitting any person to share in the fees for professional
services, other than: a partner, employee, associate in a professional
firm or corporation, professional subcontractor or consultant authorized
to practice medicine, or a legally authorized trainee practicing under
the supervision of a licensee OR A CHIROPRACTOR PROVIDING PROFESSIONAL
SERVICES IN THE SAME PRACTICE. This prohibition shall include any
arrangement or agreement whereby the amount received in payment for
furnishing space, facilities, equipment or personnel services used by a
licensee constitutes a percentage of, or is otherwise dependent upon,
the income or receipts of the licensee from such practice, except as
otherwise provided by law with respect to a facility licensed pursuant
to article twenty-eight of the public health law or article thirteen of
the mental hygiene law;

S 15. Section 6509-a of the education law, as amended by chapter 555
of the laws of 1993, is amended to read as follows:

S 6509-a. Additional definition of professional misconduct; limited
application. Notwithstanding any inconsistent provision of this article
or of any other provision of law to the contrary, the license or regis-
tration of a person subject to the provisions of articles one hundred thirty-two, one hundred thirty-three, one hundred thirty-six, one hundred thirty-seven, one hundred thirty-nine, one hundred forty-one, one hundred forty-three, one hundred forty-four, one hundred fifty-six, one hundred fifty-nine and one hundred sixty-four of this chapter may be revoked, suspended or annulled or such person may be subject to any other penalty provided in section sixty-five hundred eleven of this article in accordance with the provisions and procedure of this article for the following:

That any person subject to the above enumerated articles, has directly or indirectly requested, received or participated in the division, transference, assignment, rebate, splitting or refunding of a fee for, or has directly requested, received or profited by means of a credit or other valuable consideration as a commission, discount or gratuity in connection with the furnishing of professional care, or service, including x-ray examination and treatment, or for or in connection with the sale, rental, supplying or furnishing of clinical laboratory services or supplies, x-ray laboratory services or supplies, inhalation therapy service or equipment, ambulance service, hospital or medical supplies, physiotherapy or other therapeutic service or equipment, artificial limbs, teeth or eyes, orthopedic or surgical appliances or supplies, optical appliances, supplies or equipment, devices for aid of hearing, drugs, medication or medical supplies or any other goods, services or supplies prescribed for medical diagnosis, care or treatment under this chapter, except payment, not to exceed thirty-three and one-third per centum of any fee received for x-ray examination, diagnosis or treatment, to any hospital furnishing facilities for such examination, diagnosis or treatment. Nothing contained in this section shall prohibit such persons from practicing as partners, in groups or as a professional corporation or as a university faculty practice corporation nor from pooling fees and moneys received, either by the partnerships, professional corporations, university faculty practice corporations or groups by the individual members thereof, for professional services furnished by any individual professional member, or employee of such partnership, corporation or group, nor shall the professionals constituting the partnerships, corporations or groups be prohibited from sharing, dividing or apportioning the fees and moneys received by them or by the partnership, corporation or group in accordance with a partnership or other agreement; provided that no such practice as partners, corporations or in groups or pooling of fees or moneys received or shared, division or apportionment of fees shall be permitted with respect to care and treatment under the workers' compensation law except as expressly authorized by the workers' compensation law. NOTHING CONTAINED IN THIS SECTION, SHALL PROHIBIT A MULTIDISCIPLINARY MEDICAL AND CHIROPRACTIC PRACTICE FORMED PURSUANT TO SUBDIVISION (A) OR (B) OF SECTION TWELVE HUNDRED THREE OF THE LIMITED LIABILITY COMPANY LAW, SUBDIVISION (A) OF SECTION THIRTEEN HUNDRED ONE OF THE LIMITED LIABILITY COMPANY LAW, PARAGRAPH (A) OF SECTION FIFTEEN HUNDRED THREE OF THE BUSINESS CORPORATION LAW, SUBDIVISION (Q) OF SECTION 121-1500 OF THE PARTNERSHIP LAW, OR SUBDIVISION (Q) OF SECTION 121-1502 OF THE PARTNERSHIP LAW FROM POOLING FEES OR MONIES RECEIVED. Nothing contained in this chapter shall prohibit a medical or dental expense indemnity corporation pursuant to its contract with the subscriber from prorating a medical or dental expense indemnity allowance among two or more professionals in proportion to the services rendered by each such professional at the request of the subscriber, provided that prior to payment thereof such professionals
shall submit both to the medical or dental expense indemnity corporation
and to the subscriber statements itemizing the services rendered by each
such professional and the charges therefor.

S 16. Section 6531 of the education law, as amended by chapter 555 of
the laws of 1993, is amended to read as follows:
S 6531. Additional definition of professional misconduct, limited
application. Notwithstanding any inconsistent provision of this article
or any other provisions of law to the contrary, the license or registra-
tion of a person subject to the provisions of this article and article
one hundred thirty-one-B of this chapter may be revoked, suspended, or
annulled or such person may be subject to any other penalty provided in
section two hundred thirty-a of the public health law in accordance with
the provisions and procedures of this article for the following:
That any person subject to the above-enumerated articles has directly
or indirectly requested, received or participated in the division,
transference, assignment, rebate, splitting, or refunding of a fee for,
or has directly requested, received or profited by means of a credit or
other valuable consideration as a commission, discount or gratuity, in
connection with the furnishing of professional care or service, includ-
ing x-ray examination and treatment, or for or in connection with the
sale, rental, supplying, or furnishing of clinical laboratory services
or supplies, x-ray laboratory services or supplies, inhalation therapy
service or equipment, ambulance service, hospital or medical supplies,
physiotherapy or other therapeutic service or equipment, artificial
limbs, teeth or eyes, orthopedic or surgical appliances or supplies,
optical appliances, supplies, or equipment, devices for aid of hearing,
 drugs, medication, or medical supplies, or any other goods, services, or
supplies prescribed for medical diagnosis, care, or treatment under this
chapter, except payment, not to exceed thirty-three and one-third
percent of any fee received for x-ray examination, diagnosis, or treat-
ment, to any hospital furnishing facilities for such examination, diag-
nosis, or treatment. Nothing contained in this section shall prohibit
such persons from practicing as partners, in groups or as a professional
corporation or as a university faculty practice corporation, nor from
pooling fees and moneys received, either by the partnerships, profes-
sional corporations, or university faculty practice corporations or
groups by the individual members thereof, for professional services
furnished by an individual professional member, or employee of such
partnership, corporation, or group, nor shall the professionals consti-
tuting the partnerships, corporations or groups be prohibited from shar-
ing, dividing, or apportioning the fees and moneys received by them or
by the partnership, corporation, or group in accordance with a partner-
ship or other agreement; provided that no such practice as partners,
corporations, or groups, or pooling of fees or moneys received or
shared, division or apportionment of fees shall be permitted with
respect to and treatment under the workers' compensation law. NOTHING
CONTAINED IN THIS SECTION, SHALL PROHIBIT A MULTIDISCIPLINARY MEDICAL
AND CHIROPRACTIC PRACTICE FORMED PURSUANT TO SUBDIVISION (A) OR (B) OF
SECTION TWELVE HUNDRED THREE OF THE LIMITED LIABILITY COMPANY LAW,
SUBDIVISION (A) OF SECTION THIRTEEN HUNDRED ONE OF THE LIMITED LIABILITY
COMPANY LAW, PARAGRAPH (A) OF SECTION FIFTEEN HUNDRED THREE OF THE BUSI-
NESS CORPORATION LAW, SUBDIVISION (Q) OF SECTION 121-1500 OF THE PART-
ERSHIP LAW, OR SUBDIVISION (Q) OF SECTION 121-1502 OF THE PARTNERSHIP
LAW FROM POOLING FEES OR MONIES RECEIVED. Nothing contained in this
chapter shall prohibit a corporation licensed pursuant to article
forty-three of the insurance law pursuant to its contract with the
subscribed from prorating a medical or dental expenses indemnity
allowance among two or more professionals in proportion to the services
rendered by each such professional at the request of the subscriber,
provided that prior to payment thereof such professionals shall submit
both to the corporation licensed pursuant to article forty-three of the
insurance law and to the subscriber statements itemizing the services
rendered by each such professional and the charges therefor.

S 17. This act shall take effect on the thirtieth day after it shall have
became a law; provided, however that sections seven, eight, nine,
ten, eleven and twelve of this act shall take effect on the same date
and in the same manner as section 28 of chapter 475 of the laws of 2014,
takes effect.

PART Y

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

ARTICLE XXVIII
RURAL MOBILE HOME REPLACEMENT PROGRAM
SECTION 1240. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE.
1241. DEFINITIONS.
1242. RURAL MOBILE HOME REPLACEMENT CONTRACTS.

S 1240. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE. THE LEGISLATURE
HEREBY FINDS AND DECLARES THAT THERE EXISTS IN NEW YORK STATE A SERIOUS
NEED TO ELIMINATE OLDER, DILAPIDATED MOBILE HOMES AND REPLACE THEM WITH
NEW MODULAR OR STICK-BUILT HOMES ON SITE. OLDER MOBILE HOME UNITS WITH
RUSTED, LEAKING METAL ROOFS, METAL-FRAMED WINDOWS WITH INTERIOR TAKE-OUT
STORMS, AND METAL SIDING, ARE THOSE THAT MOST NEED REPLACEMENT. NO
MATTER THE AMOUNT OF REHABILITATION INVESTMENT, THE END RESULT IS UNSAT-
ISFACTORY IN TERMS OF LONGEVITY, ENERGY EFFICIENCY AND AFFORDABILITY.
THE LEGISLATURE THEREFORE FINDS THAT, IN RURAL AREAS OF THE STATE, A
PROGRAM SHOULD BE ESTABLISHED TO FUND THE REPLACEMENT OF MOBILE HOMES
WITH NEW AFFORDABLE AND ENERGY EFFICIENT MODULAR OR STICK-BUILT HOMES.

S 1241. DEFINITIONS. FOR THE PURPOSES OF THIS ARTICLE THE FOLLOWING
TERMS SHALL HAVE THE FOLLOWING MEANINGS:
1. "CORPORATION" SHALL MEAN THE HOUSING TRUST FUND CORPORATION ESTAB-
LISHED IN SECTION FORTY-FIVE-A OF THIS CHAPTER.
2. "RURAL MOBILE HOME REPLACEMENT PROGRAM" OR "PROGRAM" SHALL MEAN A
PROPOSAL BY AN ELIGIBLE APPLICANT FOR THE REPLACEMENT OF A DILAPIDATED
MOBILE HOME IN A RURAL AREA WITH A NEW MODULAR OR STICK-BUILT HOME.
3. "RURAL AREA OF THE STATE" SHALL MEAN CITIES, TOWNS AND VILLAGES
HAVING A POPULATION OF LESS THAN TWENTY-FIVE THOUSAND AS DETERMINED BY
THE LAST FEDERAL DECENNIAL CENSUS.
4. "ELIGIBLE APPLICANT" SHALL MEAN A PERSON WHO OWNS AND LIVES IN A
DILAPIDATED MOBILE HOME THAT IS AT LEAST TEN YEARS OLD, ON LAND THAT THE
APPLICANT OWNS, WITH THE DEED IN THE APPLICANT’S NAME.
5. "ELIGIBLE PROPERTY" SHALL MEAN A MOBILE HOME IN A RURAL AREA THAT
IS THE PRIMARY RESIDENCE OF A PERSON WITH A TOTAL HOUSEHOLD INCOME THAT
DOES NOT EXCEED EIGHTY PERCENT OF AREA MEDIAN INCOME FOR THE COUNTY IN
WHICH A PROJECT IS LOCATED AS CALCULATED BY THE UNITED STATES DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT.

S 1242. RURAL MOBILE HOME REPLACEMENT CONTRACTS. 1. ASSISTANCE. WITHIN
AMOUNTS APPROPRIATED OR OTHERWISE AVAILABLE THEREFOR, THE HOUSING TRUST
FUND CORPORATION SHALL DEVELOP AND ADMINISTER A RURAL MOBILE HOME
REPLACEMENT PROGRAM WHICH SHALL PROVIDE ASSISTANCE IN THE FORM OF GRANTS
TO AN ELIGIBLE APPLICANT FOR THE REPLACEMENT OF DILAPIDATED MOBILE HOMES IN RURAL AREAS OF THE STATE.

2. PROGRAM CRITERIA. THE CORPORATION SHALL DEVELOP PROCEDURES, CRITERIA AND REQUIREMENTS RELATED TO THE APPLICATION AND AWARD OF PROJECTS PURSUANT TO THIS SECTION WHICH SHALL INCLUDE: ELIGIBILITY, MARKET DEMAND, FEASIBILITY AND FUNDING CRITERIA; THE FUNDING DETERMINATION PROCESS; SUPERVISION AND EVALUATION OF CONTRACTING APPLICANTS; REPORTING, BUDGETING AND RECORD-KEEPING REQUIREMENTS; PROVISIONS FOR MODIFICATION AND TERMINATION OF CONTRACTS; AND SUCH OTHER MATTERS NOT INCONSISTENT WITH THE PURPOSES AND PROVISIONS OF THIS ARTICLE AS THE CORPORATION SHALL DEEM NECESSARY OR APPROPRIATE. THE CORPORATION SHALL REQUIRE THAT, IN ORDER TO RECEIVE A GRANT PURSUANT TO THIS ARTICLE, THE ELIGIBLE APPLICANT SHALL HAVE NO LIENS ON THE LAND AFTER CLOSING THE GRANT OTHER THAN THE NEW HOME FINANCING AND CURRENTLY EXISTING MORTGAGE OR MORTGAGES; ALL PROPERTY TAXES AND INSURANCES MUST BE CURRENT; ONE HUNDRED PERCENT GRANTS IN THE FORM OF DEFERRED PAYMENT LOANS (DPL) WILL BE PROVIDED. A TEN YEAR DECLINING BALANCE LIEN IN THE FORM OF A NOTE AND MORTGAGE, DULY FILED AT THE COUNTY CLERK'S OFFICE, WILL BE UTILIZED FOR STICK- BUILT REPLACEMENT PROJECTS. NO INTEREST OR PAYMENTS WILL BE REQUIRED ON THE DPL UNLESS THE PROPERTY IS SOLD OR TRANSFERRED BEFORE THE REGULATORY TERM EXPIRES. IN SUCH CASES FUNDS WILL BE RECAPTURED FROM THE PROCEEDS OF THE SALE OF THE HOME, ON A DECLINING BALANCE BASIS, UNLESS AN INCOME-ELIGIBLE IMMEDIATE FAMILY MEMBER ACCEPTS OWNERSHIP OF, AND RESIDES IN THE HOME FOR THE REMAINDER OF THE REGULATORY TERM. THE ELIGIBLE APPLICANT MUST AGREE TO ATTEND AN APPROVED HOMEOWNERSHIP TRAINING PROGRAM FOR POST-PURCHASE, CREDIT/BUDGET, AND HOME MAINTENANCE COUNSELING AS PART OF THE APPLICATION PROCESS.

3. FUNDING CRITERIA. THE TOTAL PAYMENT PURSUANT TO ANY ONE GRANT CONTRACT SHALL NOT EXCEED SEVENTY-FIVE THOUSAND DOLLARS AND THE CONTRACT SHALL PROVIDE FOR COMPLETION OF THE PROGRAM WITHIN A REASONABLE PERIOD, AS SPECIFIED THEREIN, NOT TO EXCEED FOUR YEARS.

4. FUNDING AND ANNUAL REPORT. THE CORPORATION IN ITS SOLE DISCRETION SHALL AUTHORIZE ALL FUNDING DECISIONS AND MAKE ALL AWARD ANNOUNCEMENTS. THE CORPORATION SHALL, ON OR BEFORE DECEMBER THIRTY-FIRST IN EACH YEAR SUBMIT A REPORT TO THE LEGISLATURE ON THE IMPLEMENTATION OF THIS ARTICLE. SUCH REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, FOR EACH AWARD MADE TO A GRANTEE UNDER THIS ARTICLE: A DESCRIPTION OF SUCH AWARD; CONTRACT AMOUNT AND CUMULATIVE TOTAL; AND SUCH OTHER INFORMATION AS THE CORPORATION DEEMS PERTINENT.

S 2. This act shall take effect immediately.

PART Z

Section 1. Paragraph (n) of subdivision 2 of section 2 of chapter 274 of the laws of 1946, constituting the emergency housing rent control law, as amended by section 7 of part A of chapter 20 of the laws of 2015, is amended to read as follows:

(n) any housing accommodation with a maximum rent of two thousand dollars or more per month at any time between the effective date of this paragraph and October first, nineteen hundred ninety-three which is or becomes vacant on or after the effective date of this paragraph; or, for any housing accommodation with a maximum rent of two thousand dollars or more per month at any time on or after the effective date of the rent regulation reform act of 1997 and before the effective date of the rent act of 2011, which is or becomes vacant on or after the effective date of the rent regulation reform act of 1997 and before the effective date
of the rent act of 2011. This exclusion shall apply regardless of whether the next tenant in occupancy or any subsequent tenant in occupancy is charged or pays less than two thousand dollars a month; or, for any housing accommodation with a maximum rent of two thousand five hundred dollars or more per month at any time on or after the effective date of the rent act of 2011, which is or becomes vacant on or after such effective date, but prior to the effective date of the rent act of 2015; or, any housing accommodation with a legal regulated rent [that was] OF two thousand seven hundred dollars or more per month at any time on or after the effective date of the rent act of 2015, which becomes vacant after the effective date of the rent act of 2015, provided, however, that starting on January 1, 2016, and annually thereafter, the maximum legal regulated rent for this deregulation threshold, shall also be increased by the same percentage as the most recent one year renewal adjustment, adopted by the applicable rent guidelines board. This exclusion shall apply regardless of whether the next tenant in occupancy or any subsequent tenant in occupancy actually is charged or pays less than two thousand seven hundred dollars, as adjusted by the applicable rent guidelines board, per month. An exclusion pursuant to this paragraph shall not apply, however, to or become effective with respect to housing accommodations which the commissioner determines or finds that the landlord or any person acting on his or her behalf, with intent to cause the tenant to vacate, has engaged in any course of conduct (including, but not limited to, interruption or discontinuance of required services) which interfered with or disturbed or was intended to interfere with or disturb the comfort, repose, peace or quiet of the tenant in his or her use or occupancy of the housing accommodations and in connection with such course of conduct, any other general enforcement provision of this law shall also apply.

S 2. Paragraph 13 of subdivision a of section 5 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, as amended by section 8 of part A of chapter 20 of the laws of 2015, is amended to read as follows:

(13) any housing accommodation with a legal regulated rent of two thousand dollars or more per month at any time between the effective date of this paragraph and October first, nineteen hundred ninety-three which is or becomes vacant on or after the effective date of this paragraph; or, for any housing accommodation with a legal regulated rent of two thousand dollars or more per month at any time on or after the effective date of the rent regulation reform act of 1997 and before the effective date of the rent act of 2011, which is or becomes vacant on or after the effective date of the rent regulation reform act of 1997 and before the effective date of the rent act of 2011. This exclusion shall apply regardless of whether the next tenant in occupancy or any subsequent tenant in occupancy is charged or pays less than two thousand dollars a month; or, for any housing accommodation with a legal regulated rent of two thousand five hundred dollars or more per month at any time on or after the effective date of the rent act of 2011, which is or becomes vacant on or after such effective date, but prior to the effective date of the rent act of 2015; or, any housing accommodation with a legal regulated rent [that was] OF two thousand seven hundred dollars or more per month at any time on or after the effective date of the rent act of 2015, which becomes vacant after the effective date of the rent act of 2015, provided, however, that starting on January 1, 2016, and annually thereafter, the maximum legal regulated rent for this deregulation threshold, shall also be increased by the same percentage as the
most recent one year renewal adjustment, adopted by the applicable rent
guidelines board. An exclusion pursuant to this paragraph shall apply
regardless of whether the next tenant in occupancy or any subsequent
tenant in occupancy actually is charged or pays less than two thousand
seven hundred dollars a month. Provided however, that an exclusion
pursuant to this paragraph shall not apply to housing accommodations
which became or become subject to this act (a) by virtue of receiving
tax benefits pursuant to section four hundred twenty-one-a or four
hundred eighty-nine of the real property tax law, except as otherwise
provided in subparagraph (i) of paragraph (f) of subdivision two of
section four hundred twenty-one-a of the real property tax law, or (b)
by virtue of article seven-C of the multiple dwelling law. This para-
graph shall not apply, however, to or become effective with respect to
housing accommodations which the commissioner determines or finds that
the landlord or any person acting on his or her behalf, with intent to
cause the tenant to vacate, has engaged in any course of conduct
(including, but not limited to, interruption or discontinuance of
required services) which interfered with or disturbed or was intended to
interfere with or disturb the comfort, repose, peace or quiet of the
tenant in his or her use or occupancy of the housing accommodations and
in connection with such course of conduct, any other general enforcement
 provision of this act shall also apply.

S 3. Subparagraph (k) of paragraph 2 of subdivision e of section
26-403 of the administrative code of the city of New York, as amended by
section 9 of part A of chapter 20 of the laws of 2015, is amended to
read as follows:

(k) Any housing accommodation which becomes vacant on or after April
first, nineteen hundred ninety-seven and before the effective date of
the rent act of 2011, and where at the time the tenant vacated such
housing accommodation the maximum rent was two thousand dollars or more
per month; or, for any housing accommodation which is or becomes vacant
on or after the effective date of the rent regulation reform act of 1997
and before the effective date of the rent act of 2011 with a maximum
rent of two thousand dollars or more per month. This exclusion shall
apply regardless of whether the next tenant in occupancy or any subse-
quent tenant in occupancy is charged or pays less than two thousand
dollars a month; or, for any housing accommodation with a maximum rent
of two thousand five hundred dollars or more per month at any time on or
after the effective date of the rent act of 2011, which is or becomes
vacant on or after such effective date, but prior to the effective date
of the rent act of 2015; or, any housing accommodation with a legal
regulated rent [that was] OF two thousand seven hundred dollars or more
per month at any time on or after the effective date of the rent act of
2015, which becomes vacant after the effective date of the rent act of
2015, provided, however, that starting on January 1, 2016, and annually
thereafter, the maximum legal regulated rent for this deregulation
threshold, shall also be increased by the same percent as the most
recent one year renewal adjustment, adopted by the New York city rent
guidelines board pursuant to the rent stabilization law. This exclusion
shall apply regardless of whether the next tenant in occupancy or any
subsequent tenant in occupancy actually is charged or pays less than two
thousand seven hundred dollars a month. Provided however, that an exclu-
sion pursuant to this subparagraph shall not apply to housing accommo-
dations which became or become subject to this law by virtue of receiv-
ing tax benefits pursuant to section four hundred eighty-nine of the
real property tax law. This subparagraph shall not apply, however, to or
become effective with respect to housing accommodations which the
commissioner determines or finds that the landlord or any person acting
on his or her behalf, with intent to cause the tenant to vacate, has
engaged in any course of conduct (including, but not limited to, inter-
ruption or discontinuance of required services) which interfered with or
disturbed or was intended to interfere with or disturb the comfort,
repose, peace or quiet of the tenant in his or her use or occupancy of
the housing accommodations and in connection with such course of
conduct, any other general enforcement provision of this law shall also
apply.

S 4. Section 26-504.2 of the administrative code of the city of New
York, as amended by section 10 of part A of chapter 20 of the laws of
2015, is amended to read as follows:

S 26-504.2 Exclusion of high rent accommodations. a. "Housing accommo-
dations" shall not include: any housing accommodation which becomes
vacant on or after April first, nineteen hundred ninety-seven and before
the effective date of the rent act of 2011 and where at the time the
tenant vacated such housing accommodation the legal regulated rent was
two thousand dollars or more per month; or, for any housing accommo-
dation which is or becomes vacant on or after the effective date of the
rent regulation reform act of 1997 and before the effective date of the
rent act of 2011, with a legal regulated rent of two thousand dollars or
more per month; or for any housing accommodation that becomes vacant on
or after the effective date of the rent act of 2015, [where such] WITH A
legal regulated rent [was] OF two thousand seven hundred dollars or
more, and as further adjusted by this section. Starting on January 1,
2016, and annually thereafter, the maximum legal regulated rent for this
deregulation threshold, shall also be increased by the same percent as
the most recent one year renewal adjustment, adopted by the New York
city rent guidelines board pursuant to the rent stabilization law. This
exclusion shall apply regardless of whether the next tenant in occupancy
or any subsequent tenant in occupancy is charged or pays less than two
thousand dollars a month; or, for any housing accommodation with a legal
regulated rent of two thousand five hundred dollars or more per month at
any time on or after the effective date of the rent act of 2011, which
is or becomes vacant on or after such effective date, but prior to the
effective date of the rent act of 2015; or, any housing accommodation
with a legal regulated rent [that was] OF two thousand seven hundred
dollars or more per month at any time on or after the effective date of
the rent act of 2015, which becomes vacant after the effective date of
the rent act of 2015, provided, however, that starting on January 1,
2016, and annually thereafter, such legal regulated rent for this dereg-
ulation threshold, shall also be increased by the same percentage as the
most recent one year renewal adjustment, adopted by the New York city
rent guidelines board. This exclusion shall apply regardless of whether
the next tenant in occupancy or any subsequent tenant in occupancy actu-
ally is charged or pays less than two thousand seven hundred dollars, as
adjusted by the applicable rent guidelines board, a month. Provided
however, that an exclusion pursuant to this subdivision shall not apply
to housing accommodations which became or become subject to this law (a)
by virtue of receiving tax benefits pursuant to section four hundred
twenty-one-a or four hundred eighty-nine of the real property tax law,
except as otherwise provided in subparagraph (i) of paragraph (f) of
subdivision two of section four hundred twenty-one-a of the real proper-
ty tax law, or (b) by virtue of article seven-C of the multiple dwelling
law. This section shall not apply, however, to or become effective with
respect to housing accommodations which the commissioner determines or finds that the landlord or any person acting on his or her behalf, with intent to cause the tenant to vacate, engaged in any course of conduct (including, but not limited to, interruption or discontinuance of required services) which interfered with or disturbed or was intended to interfere with or disturb the comfort, repose, peace or quiet of the tenant in his or her use or occupancy of the housing accommodations and in connection with such course of conduct, any other general enforcement provision of this law shall also apply.

b. The owner of any housing accommodation that is not subject to this law pursuant to the provisions of subdivision a of this section or subparagraph k of paragraph 2 of subdivision e of section 26-403 of this code shall give written notice certified by such owner to the first tenant of that housing accommodation after such housing accommodation becomes exempt from the provisions of this law or the city rent and rehabilitation law. Such notice shall contain the last regulated rent, the reason that such housing accommodation is not subject to this law or the city rent and rehabilitation law, a calculation of how either the rental amount charged when there is no lease or the rental amount provided for in the lease has been derived so as to reach two thousand dollars or more per month or, for a housing accommodation with a legal regulated rent or maximum rent of two thousand five hundred dollars or more per month or after the effective date of the rent act of 2011, and before the effective date of the rent act of 2015, which is or becomes vacant on or after such effective date, whether the next tenant in occupancy or any subsequent tenant in occupancy actually is charged or pays less than a legal regulated rent or maximum rent of two thousand five hundred dollars or more per month, or two thousand seven hundred dollars or more, per month, starting on January 1, 2016, and annually thereafter, the maximum legal regulated rent for this deregulation threshold, shall also be increased by the same percent as the most recent one year renewal adjustment, adopted by the New York city rent guidelines board pursuant to the rent stabilization law, a statement that the last legal regulated rent or the maximum rent may be verified by the tenant by contacting the state division of housing and community renewal, or any successor thereto, and the address and telephone number of such agency, or any successor thereto. Such notice shall be sent by certified mail within thirty days after the tenancy commences or after the signing of the lease by both parties, whichever occurs first or shall be delivered to the tenant at the signing of the lease. In addition, the owner shall send and certify to the tenant a copy of the registration statement for such housing accommodation filed with the state division of housing and community renewal indicating that such housing accommodation became exempt from the provisions of this law or the city rent and rehabilitation law, which form shall include the last regulated rent, and shall be sent to the tenant within thirty days after the tenancy commences or the filing of such registration, whichever occurs later.

S 5. Paragraph 14 of subdivision c of section 26-511 of the administrative code of the city of New York, as amended by section 12 of part A of chapter 20 of the laws of 2015, is amended to read as follows:

(14) provides that where the amount of rent charged to and paid by the tenant is less than the legal regulated rent for the housing accommodation, the amount of rent for such housing accommodation which may be charged upon renewal or upon vacancy thereof, may, at the option of the owner, be based upon such previously established legal regulated rent,
as adjusted by the most recent applicable guidelines increases and any
other increases authorized by law. Such housing accommodation shall be
excluded from the provisions of this code pursuant to section 26-504.2
of this chapter when, subsequent to vacancy: (i) such legal regulated
rent [prior to vacancy] is two thousand five hundred dollars per month,
or more, for any housing accommodation that is or becomes vacant after
the effective date of the rent act of 2011 but prior to the effective
date of the rent act of 2015 or (ii) such legal regulated rent is two
thousand seven hundred dollars per month or more, provided, however that
on January 1, 2016, and annually thereafter, the maximum legal regulated
rent for this deregulation threshold shall be adjusted by the same
percentage as the most recent one year renewal adjustment as adjusted by
the relevant rent guidelines board, for any housing accommodation that
is or becomes vacant on or after the rent act of 2015.

S 6. Section 467-i of the real property tax law is REPEALED.
S 7. This act shall take effect immediately; provided, however that:
   (a) the amendments to the emergency housing rent control law made by
section one of this act shall expire on the same date as such law
expires and shall not affect the expiration of such law as provided in
subdivision 2 of section 1 of chapter 274 of the laws of 1946;
   (b) the amendments to the emergency tenant protection act of nineteen
seventy-four made by section two of this act shall expire on the same
date as such act expires and shall not affect the expiration of such act
as provided in section 17 of chapter 576 of the laws of 1974;
   (c) the amendments to chapter 4 of title 26 of the administrative code
of the city of New York made by sections four and five of this act shall
expire on the same date as such chapter expires and shall not affect the
expiration of such chapter as provided under section 26-520 of such law;
   and
   (d) the amendments to chapter 3 of title 26 of the administrative code
of the city of New York made by section three of this act shall remain
in full force and effect only as long as the public emergency requiring
the regulation and control of residential rents and evictions continues,
as provided in subdivision 3 of section 1 of the local emergency housing
rent control act.

PART AA

Section 1. The section heading of section 467-b of the real property
tax law, as amended by section 1 of chapter 188 of the laws of 2005, is
amended to read as follows:
Tax abatement for rent-controlled and rent regulated property occupied
by senior citizens or persons with disabilities OR PERSONS PAYING A
MAXIMUM RENT OR LEGAL REGULATED RENT WHICH EXCEEDS ONE-HALF OF THE
COMBINED INCOME OF ALL MEMBERS OF THEIR HOUSEHOLD.

S 2. Paragraph b of subdivision 1 of section 467-b of the real property
tax law, as amended by section 1 of chapter 188 of the laws of 2005,
is amended to read as follows:
b. "Head of the household" means a person (i) who is sixty-two years
of age or older, or (ii) who qualifies as a person with a disability
pursuant to subdivision five of this section, OR (III) WHO PAYS A MAXI-
MUM RENT OR LEGAL REGULATED RENT WHICH EXCEEDS ONE-HALF OF THE COMBINED
INCOME OF ALL MEMBERS OF THEIR HOUSEHOLD, and is entitled to the
possession or to the use or occupancy of a dwelling unit;
S. 3. Subdivision 2 of section 467-b of the real property tax law, as amended by chapter 747 of the laws of 1985, paragraph (c) as added by chapter 553 of the laws of 2015, is amended to read as follows:

2. The governing body of any municipal corporation is hereby authorized and empowered to adopt, after public hearing, in accordance with the provisions of this section, a local law, ordinance or resolution providing for the abatement of taxes of said municipal corporation imposed on real property containing a dwelling unit as defined herein by one of the following amounts: (a) where the head of the household does not receive a monthly allowance for shelter pursuant to the social services law, an amount not in excess of that portion of any increase in maximum rent or legal regulated rent which causes such maximum rent or legal regulated rent to exceed one-third of the combined income of all members of the household; or

(b) WHERE THE HEAD OF THE HOUSEHOLD QUALIFIES AS A PERSON PAYING A MAXIMUM RENT OR LEGAL REGULATED RENT WHICH EXCEEDS ONE-HALF OF THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD AND DOES NOT RECEIVE A MONTHLY ALLOWANCE FOR SHELTER PURSUANT TO THE SOCIAL SERVICES LAW, AN AMOUNT NOT IN EXCESS OF THAT PORTION OF ANY INCREASE IN MAXIMUM RENT OR LEGAL REGULATED RENT WHICH CAUSES SUCH MAXIMUM RENT OR LEGAL REGULATED RENT TO EXCEED ONE-HALF OF THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD; OR

(C) where the head of the household receives a monthly allowance for shelter pursuant to the social services law, an amount not in excess of that portion of any increase in maximum rent or legal regulated rent which is not covered by the maximum allowance for shelter which such person is entitled to receive pursuant to the social services law.

[(c)] Provided, however, that in a city of a population of one million or more, where the head of household has been granted a rent increase exemption order that is in effect as of January first, two thousand fifteen or takes effect on or before July first, two thousand fifteen, the amount determined by paragraph (a) of this subdivision shall be an amount not in excess of the difference between the maximum rent or legal regulated rent and the amount specified in such order, as adjusted by any other provision of this section.

S. 4. Paragraph a of subdivision 3 of section 467-b of the real property tax law, as amended by section 1 of part U of chapter 55 of the laws of 2014, is amended to read as follows:

a. for a dwelling unit where the head of the household is a person sixty-two years of age or older OR WHERE THE HEAD OF THE HOUSEHOLD PAYS A MAXIMUM RENT OR LEGAL REGULATED RENT WHICH EXCEEDS ONE-HALF OF THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD, no tax abatement shall be granted if the combined income of all members of the household for the income tax year immediately preceding the date of making application exceeds four thousand dollars, or such other sum not more than twenty-five thousand dollars beginning July first, two thousand five, twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, twenty-nine thousand dollars beginning July first, two thousand nine, and fifty thousand dollars beginning July first, two thousand fourteen, as may be provided by the local law, ordinance or resolution adopted pursuant to this section, provided that when the head of the household retires before the commencement of such income tax year and the date of filing the application, the income for such year may be adjusted by
excluding salary or earnings and projecting his or her retirement income over the entire period of such year.

S 5. Paragraph a of subdivision 3 of section 467-b of the real property tax law, as separately amended by section 1 of chapter 188 and chapter 205 of the laws of 2005, is amended to read as follows:

a. for a dwelling unit where the head of the household is a person sixty-two years of age or older OR WHERE THE HEAD OF THE HOUSEHOLD PAYS A MAXIMUM RENT OR LEGAL REGULATED RENT WHICH EXCEEDS ONE-HALF OF THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD, no tax abatement shall be granted if the combined income of all members of the household for the income tax year immediately preceding the date of making application exceeds four thousand dollars, or such other sum not more than twenty-five thousand dollars beginning July first, two thousand five, twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, and twenty-nine thousand dollars beginning July first, two thousand nine, as may be provided by the local law, ordinance or resolution adopted pursuant to this section, provided that when the head of the household retires before the commencement of such income tax year and the date of filing the application, the income for such year may be adjusted by excluding salary or earnings and projecting his or her retirement income over the entire period of such year.

S 6. Paragraph d of subdivision 1 of section 467-c of the real property tax law, as separately amended by chapters 188 and 205 of the laws of 2005, and subparagraph 1 as amended by section 2 of part U of chapter 55 of the laws of 2014, is amended to read as follows:

d. "Eligible head of the household" means (1) a person or his or her spouse who is sixty-two years of age or older, OR A PERSON WHO PAYS A MAXIMUM RENT OR LEGAL REGULATED RENT WHICH EXCEEDS ONE-HALF OF THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD, and is entitled to the possession or to the use and occupancy of a dwelling unit, provided, however, with respect to a dwelling which was subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the National Housing Act, as amended "eligible head of the household" shall be limited to that person or his or her spouse who was entitled to possession or the use and occupancy of such dwelling unit at the time of termination of such mortgage, and whose income when combined with the income of all other members of the household, does not exceed six thousand five hundred dollars for the taxable period, or such other sum not less than sixty-five hundred dollars nor more than twenty-five thousand dollars beginning July first, two thousand five, twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, and twenty-nine thousand dollars beginning July first, two thousand nine, as may be provided by local law; or (2) a person with a disability as defined in this subdivision.

S 7. Subparagraph 1 of paragraph d of subdivision 1 of section 467-c of the real property tax law, as separately amended by chapters 188 and 205 of the laws of 2005, is amended to read as follows:

(1) a person or his or her spouse who is sixty-two years of age or older, OR A PERSON WHO PAYS A MAXIMUM RENT WHICH EXCEEDS ONE-HALF OF THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD, and is entitled to the possession or to the use and occupancy of a dwelling unit, provided,
however, with respect to a dwelling which was subject to a mortgage
insured or initially insured by the federal government pursuant to
section two hundred thirteen of the National Housing Act, as amended
"eligible head of the household" shall be limited to that person or his
or her spouse who was entitled to possession or the use and occupancy of
such dwelling unit at the time of termination of such mortgage, and
whose income when combined with the income of all other members of the
household, does not exceed six thousand five hundred dollars for the
taxable period, or such other sum not less than sixty-five hundred
dollars nor more than twenty-five thousand dollars beginning July first,
two thousand five, twenty-six thousand dollars beginning July first, two
thousand six, twenty-seven thousand dollars beginning July first, two
thousand seven, twenty-eight thousand dollars beginning July first, two
thousand eight, and twenty-nine thousand dollars beginning July first,
two thousand nine, as may be provided by local law; or

S 8. Subparagraph (1) of paragraph a of subdivision 3 of section 467-c
of the real property tax law, as amended by chapter 747 of the laws of
1985, is amended to read as follows:
(1) where the eligible head of the household WHO IS EITHER SIXTY-TWO
YEARS OF AGE OR OLDER OR IS DISABLED does not receive a monthly allow-
ance for shelter pursuant to the social services law, the amount by
which increases in the maximum rent subsequent to such person's eligi-
bility date have resulted in the maximum rent exceeding one-third of the
combined income of all members of the household for the taxable period,
OR WHERE THE ELIGIBLE HEAD OF THE HOUSEHOLD IS A PERSON WHO PAYS A MAXI-
MUM RENT WHICH EXCEEDS ONE-HALF OF THE COMBINED INCOME OF ALL MEMBERS OF
THE HOUSEHOLD DOES NOT RECEIVE A MONTHLY ALLOWANCE FOR SHELTER PURSUANT
TO THE SOCIAL SERVICES LAW, THE AMOUNT BY WHICH INCREASES IN THE MAXIMUM
RENT SUBSEQUENT TO SUCH PERSON'S DATE HAVE RESULTED IN THE MAXIMUM RENT
EXCEEDING ONE-HALF OF THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSE-
HOLD FOR THE TAXABLE PERIOD, except that in no event shall a rent
increase exemption order/tax abatement certificate become effective
prior to January first, nineteen hundred seventy-six; or

S 9. The state comptroller shall annually pay to each city providing
real property tax abatements pursuant to sections 467-b and 467-c of the
real property tax law an amount equal to 10 per centum of the real prop-
erty tax revenue lost during the city fiscal year due to the implementa-
tion of the provisions of this act. Each city eligible for state
payments pursuant to this section shall provide the state comptroller
with such information as he or she shall deem necessary.

S 10. This act shall take effect July 1, 2016; provided however, that:
a. the amendments to section 467-b of the real property tax law, made
by sections one, two, three, four and five of this act shall not affect
the expiration of such section and shall expire and be deemed repealed
thereof;
b. the amendments to paragraph a of subdivision 3 of section 467-b of
the real property tax law, made by section four of this act shall be
subject to the expiration and reversion of such paragraph pursuant to
section 4 of part U of chapter 55 of the laws of 2014, as amended, and
shall be deemed to expire therewith, when upon such date section five of
this act shall take effect; and
c. the amendments to subparagraph 1 of paragraph d of subdivision 1 of
section 467-c of the real property tax law, made by section six of this
act shall not affect the expiration and reversion of such subparagraph
pursuant to section 4 of part U of chapter 55 of the laws of 2014, as
amended, and shall expire and be deemed repealed therewith, when upon
such date section seven of this act shall take effect.

PART BB

Section 1. Section 6305 of the education law is amended by adding a
new subdivision 2-a to read as follows:

2-A. NOTWITHSTANDING SUBDIVISIONS TWO AND THREE OF THIS SECTION, NO
COMMUNITY COLLEGE SHALL BE AUTHORIZED TO CHARGE A COUNTY IN THE STATE
FOR ANY PORTION OF THE LOCAL SPONSOR'S SHARE OF OPERATING COSTS ATTRIB-
UTABLE TO A NON-RESIDENT STUDENT IF SUCH NON-RESIDENT STUDENT IS
ENROLLED IN A BACHELOR'S DEGREE PROGRAM OR HIGHER AT SUCH COMMUNITY
COLLEGE.

S 2. Subdivision 5 of section 6305 of the education law, as amended by
chapter 681 of the laws of 1971, is amended to read as follows:

5. Amounts payable to such colleges by a county pursuant to this
section shall be a general county charge; provided, however, that with
respect to the amounts allocable to each community college a county may
charge back such amounts in whole or in part to the cities and towns in
the county in proportion to the number of students who, on the basis of
certificates of residence issued by such county, were attending each
such college as non-residents of the local sponsors thereof during the
terms for which the county has been charged, and who were residents of
each such city or town at the beginning of such terms].

S 3. This act shall take effect July 1, 2016.

PART CC

Section 1. The education law is amended by adding a new section 609 to
read as follows:

S 609. TUITION, AID AND PLACEMENT REPORT. BEGINNING IN ACADEMIC YEAR
TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN, ALL NON-PUBLIC INSTI-
TUTIONS OF HIGHER EDUCATION, RECOGNIZED AND APPROVED BY THE REGENTS OF
THE UNIVERSITY OF THE STATE OF NEW YORK, WHICH PROVIDE A COURSE OF STUDY
LEADING TO THE GRANTING OF A FOUR YEAR POST-SECONDARY DEGREE OR DIPLOMA
SHALL REPORT TO THE SENATE AND ASSEMBLY CHAIRS OF THE HIGHER EDUCATION
COMMITTEES ON OR BEFORE AUGUST FIFTEENTH OF EACH YEAR, ON THE FOLLOWING:
FACTORS THAT DRIVE COST INCREASES; TUITION TRENDS FOR THE PAST SIX YEARS
AND PERCENTAGE OF YEAR TO YEAR INCREASES; TOTAL COST OF FEES; IF THE
INSTITUTION HAS AN ENDOWMENT AND THE AMOUNT OF SUCH ENDOWMENT; THE AVER-
AGE INSTITUTIONAL FINANCIAL AID PACKAGE BY INCOME BRACKET AS DEFINED BY
THE NATIONAL CENTER FOR EDUCATION STATISTICS' INTEGRATED POST-SECONDARY
EDUCATION DATA SYSTEM; THE AVERAGE AMOUNT OF DEBT A STUDENT HAS UPON
GRADUATION BY INCOME BRACKET; GRADUATION RATES FOR FOUR, FIVE AND SIX
YEARS AND AVERAGE DEBT ASSOCIATED WITH EACH; ENROLLMENT TRENDS OVER THE
PAST SIX YEARS; JOB PLACEMENT RATES FOR GRADUATES OF THE INSTITUTION;
THE AMOUNT SPENT TO EDUCATE STUDENTS PER FTE; THE PERCENTAGE OF STUDENTS
WHO ARE TAP AND PELL ELIGIBLE; ADMINISTRATIVE AND OPERATING COSTS AND
THE PERCENTAGE OF THOSE COSTS FUNDED BY TUITION; AND COST SAVING MEAS-
URES IMPLEMENTED OVER THE PAST SIX YEARS, IF ANY.

S 2. This act shall take effect immediately.

PART DD
Section 1. Subdivision 1 of section 669-e of the education law, as added by section 1 of part G of chapter 56 of the laws of 2014, is amended to read as follows:

1. Undergraduate students who are matriculated in an approved undergraduate program leading to a career in science, technology, engineering or mathematics at a New York state college as defined in section six hundred one of this chapter shall be eligible for an award under this section, provided the applicant: (a) graduates from a high school located in New York state during or after the two thousand thirteen--fourteen school year; and (b) graduates within the top ten percent of his or her high school class; and (c) enrolls in full-time study each term beginning in the fall term after his or her high school graduation in an approved undergraduate program in science, technology, engineering or mathematics, as defined by the corporation, at a New York state college as defined in section six hundred one of this chapter; and (d) signs a contract with the corporation agreeing that his or her award will be converted to a student loan in the event the student fails to comply with the terms of this program as set forth in subdivision four of this section; and (e) complies with the applicable provisions of this article and all requirements promulgated by the corporation for the administration of the program.

S 2. This act shall take effect immediately.

PART EE

Section 1. The education law is amended by adding a new section 679-h to read as follows:

S 679-H. NEW YORK STATE AGRICULTURE EDUCATORS LOAN FORGIVENESS INCENTIVE PROGRAM. 1. DEFINITION. THE TERM "AGRICULTURE EDUCATOR" MEANS AN INSTRUCTOR WHO PROVIDES DIDACTIC INSTRUCTION TO STUDENTS ABOUT AGRICULTURE, FOOD AND NATURAL RESOURCES DELIVERED THROUGH LESSONS IN SCIENCE, COMMUNICATIONS, LEADERSHIP, MANAGEMENT AND TECHNOLOGY.

2. PURPOSE. THE PRESIDENT SHALL GRANT STUDENT LOAN FORGIVENESS AWARDS FOR THE PURPOSE OF ALLEVIATING THE BURDEN OF STUDENT LOAN DEBT FOR AGRICULTURE EDUCATORS TEACHING IN THE FIELD OF AGRICULTURE EDUCATION IN NEW YORK STATE. SUCH AWARDS SHALL BE MADE ON A COMPETITIVE BASIS AS PROMULGATED BY THE CORPORATION FOR SUCH PURPOSES, TO APPLICANTS WHO MEET THE ELIGIBILITY CRITERIA. SUCH RULES AND REGULATIONS SHALL INCLUDE PROVISIONS FOR THE CONSIDERATION OF APPLICANTS WHO ARE ECONOMICALLY DISADVANTAGED.

3. ELIGIBILITY. TO BE ELIGIBLE FOR AN AWARD PURSUANT TO THIS SECTION, APPLICANTS SHALL:

   (A) HAVE GRADUATED AND OBTAINED A DEGREE FROM AN APPROVED NEW YORK STATE COLLEGE OR UNIVERSITY;
   (B) HAVE AN OUTSTANDING STUDENT LOAN DEBT FROM OBTAINING SUCH DEGREE;
   (C) BE EMPLOYED AS AN AGRICULTURE EDUCATOR IN NEW YORK STATE;
   (D) APPLY FOR THIS PROGRAM WITHIN TWO YEARS OF COLLEGE GRADUATION; AND
   (E) COMPLY WITH SUBDIVISIONS THREE AND FIVE OF SECTION SIX HUNDRED SIXTY-ONE OF THIS PART.

4. AWARDS. THE CORPORATION SHALL GRANT SUCH AWARDS WITHIN AMOUNTS APPROPRIATED FOR SUCH PURPOSES AND BASED ON THE AVAILABILITY OF FUNDS.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

PART FF
Section 1. The social services law is amended by adding a new section 390-j to read as follows:

S 390-J. THE CHILD CARE REGULATORY REVIEW TASK FORCE. 1. DUTIES. (A) PURSUANT TO THE PROVISIONS OF THIS SECTION, THE CHILD CARE REGULATORY REVIEW TASK FORCE SHALL REVIEW PROCESSES AND REGULATORY, STATUTORY AND PROGRAMMATIC REQUIREMENTS, PLACED ON CHILD CARE PROVIDERS WHICH ARE REGULATED BY THE OFFICE OF CHILDREN AND FAMILY SERVICES, THAT ARE DUPLICATIVE OR UNNECESSARY AND CREATE ADMINISTRATIVE BURDENS FOR CHILD CARE PROVIDERS;

(B) HOLD, AT MINIMUM, ONE PUBLIC HEARING TO OBTAIN ORAL AND/OR WRITTEN TESTIMONY FROM INTERESTED STAKEHOLDERS;

(C) DEVELOP AND PROPOSE RECOMMENDATIONS FOR THE STREAMLINING OF CURRENT PROCESSES AND REQUIREMENTS WHICH ARE IDENTIFIED AS DUPLICATIVE OR BURDENSOME;

(D) SUCH RECOMMENDATIONS SHALL BE SUBMITTED TO THE LEGISLATURE ANNUALLY.


(B) THE MEMBERS OF THE CHILD CARE REGULATORY TASK FORCE SHALL NOT RECEIVE ANY COMPENSATION. HOWEVER, THE MEMBERS SHALL BE ENTITLED TO REIMBURSEMENT FOR ANY NECESSARY EXPENSES INCURRED IN CONNECTION WITH THE PERFORMANCE OF THEIR DUTIES.

3. EVERY STATE DEPARTMENT, AGENCY, DIVISION, BOARD, BUREAU, COMMISSION AND ANY OTHER RELEVANT ENTITY SHALL PROVIDE ALL NECESSARY ASSISTANCE AND/OR INFORMATION TO THE CHILD CARE REGULATORY REVIEW TASK FORCE TO CARRY OUT ITS DUTIES AS AUTHORIZED BY SUBDIVISION ONE OF THIS SECTION, UNLESS OTHERWISE PROTECTED BY LAW.

4. ANY INFORMATION OBTAINED BY A MEMBER OF THE CHILD CARE REGULATORY REVIEW TASK FORCE WHILE CARRYING OUT ANY DUTIES AS PRESCRIBED IN SUBDIVISION ONE OF THIS SECTION SHALL ONLY BE UTILIZED IN HIS OR HER CAPACITY AS A MEMBER OF THE CHILD CARE REGULATORY REVIEW TASK FORCE.

S 2. This act shall take effect immediately.

PART GG

Section 1. The administrative code of the city of New York is amended by adding a new section 25-114 to read as follows:

S 25-114 NEW YORK CITY HOUSING AUTHORITY REPAIR CERTIFICATE PROGRAM. A. THE CITY PLANNING COMMISSION SHALL ESTABLISH THE NEW YORK CITY HOUSING AUTHORITY REPAIR CERTIFICATE PROGRAM, IN COOPERATION WITH THE NEW YORK CITY HOUSING AUTHORITY. UNDER SUCH PROGRAM, THE CITY PLANNING COMMISSION SHALL GRANT AMENDMENTS TO ZONING RESOLUTIONS WHICH INCREASE THE ALLOWABLE DEVELOPMENT IN AREAS COVERED BY A NEW YORK CITY HOUSING AUTHORITY REPAIR CERTIFICATE ISSUED PURSUANT TO SECTION FOUR HUNDRED TWO-C OF THE PUBLIC HOUSING LAW.

B. THE CITY PLANNING COMMISSION SHALL FOR EACH APPLICATION FOR AN AMENDMENT OF A ZONING RESOLUTION, ESTABLISH THE PER FOOT VALUE OF ANY NEW YORK CITY HOUSING AUTHORITY REPAIR CERTIFICATE ISSUED IN THE AREAS COVERED BY SUCH AMENDMENT AND THE MAXIMUM ALLOWED FOOT AREA RATIO THAT MAY BE GRANTED TO THE HOLDER OF SUCH CERTIFICATE IN THE NEWLY ZONED AREA. SUCH PER FOOT VALUE SHALL BE UPDATED ANNUALLY BASED UPON INCREASES IN THE CONSUMER PRICE INDEX FOR HOUSING COSTS IN THE NEW YORK CITY METROPOLITAN AREA.
C. A developer who seeks to obtain an increased foot area ratio in a newly zoned area, by means of being the holder of a New York City housing authority repair certificate, shall submit an application therefor to the city planning commission. Such commission shall within seven days of receiving an application pursuant to this subdivision, forward it to the New York City housing authority, along with the per foot value to be granted if the applicant receives a repair certificate from such authority.

D. Upon certification by the New York City housing authority that a developer has been awarded a repair certificate, the city planning commission shall approve such developer's application submitted pursuant to this section.

E. The transfer of a certificate must be registered with the city planning commission within seven days of the transfer.

S. 2. The public housing law is amended by adding a new section 402-c to read as follows:

S 402-C. Issuance of repair certificate. 1. The New York City housing authority, in consultation with the New York City planning commission, shall establish procedures and guidelines for the awarding of repair certificates by such authority to developers which perform capital repairs to a project operated by the authority. No such certificate shall be awarded based upon the performance of any work which would constitute regular maintenance upon any project operated by such authority. The procedures and guidelines established pursuant to this subdivision shall provide maximum allowable costs for various kinds and types of capital repair projects.

2. There shall be established, within the New York City housing authority, an office of repair certification. Such office shall administer the repair certificate program. The office shall establish lists of repair projects, to authority facilities, which shall be eligible for the repair certificate program, the estimated value of each such repair project, and the priority of each repair project based upon its urgency and/or importance.

3. The office of repair certification shall receive each application forwarded to the New York City housing authority pursuant to subdivision C of section 25-114 of the administrative code of the city of New York. Within ten days of receiving an application, the office shall contact the applicant and provide it with a list of eligible repair projects equal in value to the benefit to be provided to such applicant by the city planning commission. Such list shall, to the extent practicable, include only those eligible repair projects within the same neighborhood included in the area to which the requested amendment to the zoning resolution relates, regardless of the importance or urgency of the repair project. Provided, however, if no such eligible repair projects exist in the neighborhood, then the projects shall be listed in order of priority.

4. Upon receipt of a list from the office, an applicant must reply within thirty days. If the applicant fails to do so, its application shall be terminated. Such reply to the office shall include designation of the project or projects the applicant desires to complete, the applicant's estimate of the cost of completing the repair project, and a timeline for the completion of the project.

5. The office of repair certification shall, within fourteen days of receiving an applicant's reply, review the costs and project plan submitted, and either approve or disapprove such reply. If an applicant's submission is disapproved, it shall have fifteen days to resubmit
A NEW PROJECT PLAN AND ESTIMATE OF COSTS FOR REVIEW BY THE OFFICE. UPON
A SECOND SUBMISSION, THE OFFICE SHALL AGAIN MAKE A DETERMINATION WITHIN
FOURTEEN DAYS, AND, IF THE PLAN IS DISAPPROVED, THE OFFICE SHALL PROVIDE
THE APPLICANT WITH A WRITTEN EXPLANATION THEREFOR.

6. FOR ANY REPAIR PROJECT PLAN THAT IS APPROVED BY THE OFFICE OF
REPAIR CERTIFICATION WHERE THE APPLICANT'S ESTIMATED COST THEREOF
EXCEEDS THE VALUE OF THE PROJECT ESTABLISHED BY THE OFFICE, SUCH OFFICE
SHALL PROVIDE NOTICE TO THE CITY PLANNING COMMISSION THAT THE ZONING
VALUATION OF THE ZONING AMENDMENT MUST BE ADJUSTED WITHIN SEVEN DAYS.

7. UPON COMPLETION OF THE AGREED UPON REPAIR PROJECT OR PROJECTS BY
THE APPLICANT, THE OFFICE SHALL AWARD THE APPLICANT A CERTIFICATE OF
COMPLETION AND PROVIDE A COPY THEREOF TO THE CITY PLANNING COMMISSION
WITHIN FOURTEEN DAYS OF CERTIFYING THE COMPLETION OF THE PROJECT.

S 3. This act shall take effect on the one hundred eightieth day after
it shall have become a law; provided, however, that effective immediate-
ly, the addition, amendment and/or repeal of any rule or regulation
necessary for the implementation of this act on its effective date are
authorized and directed to be made and completed on or before such
effective date.

PART HH

Section 1. The public housing law is amended by adding a new section
402-c to read as follows:

S 402-C. NEW YORK CITY COUNCIL OVERSIGHT. THE NEW YORK CITY COUNCIL
AS ESTABLISHED IN SECTION TWENTY-ONE OF THE NEW YORK CITY CHARTER IS
EMPOWERED TO MANDATE THAT THE NEW YORK CITY HOUSING AUTHORITY PRODUCE
REPORTS ABOUT ANY FACETS OF ITS OPERATIONS OR THE CONDITION OF THE
PROJECTS UNDER ITS MANAGEMENT, INCLUDING ANY PROJECT BASED SECTION EIGHT
VOUCHER DEVELOPMENTS IN WHICH THE AUTHORITY HAS AN OWNERSHIP STAKE,
THROUGH THE PASSAGE OF A LOCAL LAW. SUCH A LAW SHALL DETERMINE WHICH
INFORMATION IS TO BE INCLUDED IN THE REPORT, THE DEADLINE FOR THE
PRODUCTION OF THE REPORT, WHETHER THE REPORTING MANDATE APPLIES ONCE OR
IS RECURRING, AND WHICH LOCAL AUTHORITIES SHALL RECEIVE COPIES. A COPY
OF ANY SUCH REPORTS MUST BE PROVIDED TO THE COMMISSIONER AND SHALL BE
CONSIDERED AN AGENCY DOCUMENT FOR THE PURPOSES OF ARTICLE SIX OF THE
PUBLIC OFFICERS LAW.

S 2. Subdivision a of section 29 of the New York city charter, as
added by a vote of the people of the city of New York at the general
election held in November 1989, is amended to read as follows:
a. The council, acting as a committee of the whole, and each standing
or special committee of the council, through hearings or otherwise:
1. [may] MAY investigate any matters within its jurisdiction relating
to the property, affairs, or government of the city or of any county
within the city, or to any other powers of the council, or to the effec-
tuation of the purposes or provisions of this charter or any laws relat-
ing to the city or to any county within the city.
2. [shall] SHALL review on a regular and continuous basis the activ-
ities of the agencies of the city, including their service goals and
performance and management efficiency. Each unit of appropriation in
the adopted budget of the city shall be assigned to a standing commit-
tee. Each standing committee of the council shall hold at least one
hearing each year relating to the activities of each of the agencies
under its jurisdiction.
3. SHALL REVIEW ON A REGULAR AND CONTINUOUS BASIS THE ACTIVITIES OF
THE NEW YORK CITY HOUSING AUTHORITY, INCLUDING THE SERVICE GOALS,
1 PERFORMANCE AND MANAGEMENT EFFICIENCY OF SUCH AUTHORITY. SUCH AUTHORITY
2 SHALL BE ASSIGNED TO A STANDING COMMITTEE. SUCH STANDING COMMITTEE OF
3 THE COUNCIL SHALL HOLD AT LEAST ONE HEARING EACH YEAR RELATING TO THE
4 ACTIVITIES OF THE NEW YORK CITY HOUSING AUTHORITY.
5 S 3. This act shall take effect on the thirtieth day after it shall
6 have become a law.
7
8 PART II
9
10 Section 1. The state finance law is amended by adding a new section
11 99-y to read as follows:
12 S 99-Y. PUBLIC HOUSING REVITALIZATION FUND. 1. THERE IS HEREBY ESTAB-
13 LISHED IN THE CUSTODY OF THE STATE COMPTROLLER A SPECIAL REVENUE FUND TO
14 BE KNOWN AS THE "PUBLIC HOUSING REVITALIZATION FUND".
15 2. THE FUND SHALL BE CLASSIFIED BY THE STATE COMPTROLLER AS A CAPITAL
16 PROJECTS TYPE OF FUND, AND SHALL CONSIST OF ALL MONEYS APPROPRIATED OR
17 TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW, AND
18 ANY OTHER MONEYS TRANSFERRED THERETO FOR THE PURPOSES OF THE FUND. THE
19 STATE SHALL APPROPRIATE AN AMOUNT TO THE FUND WHICH SHALL EQUAL ANY
20 AMOUNT APPROPRIATED BY THE CITY OF NEW YORK FOR THE SAME PURPOSES AS
21 THOSE OUTLINED IN SUBDIVISION THREE OF THIS SECTION, FOLLOWING A JOINT
22 CERTIFICATION BY THE COMPTROLLER AND THE COMPTROLLER OF THE CITY OF NEW
23 YORK OF THE AMOUNT OF SUCH FUNDS MADE AVAILABLE BY THE CITY OF NEW YORK
24 FOR THOSE PURPOSES.
25 3. MONIES OF THE FUNDS, UPON APPROPRIATION THEREOF, SHALL BE DISBURSED
26 BY THE COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL TO THE NEW YORK
27 CITY HOUSING AUTHORITY, IN ACCORDANCE WITH SECTION SEVENTY-SEVEN OF THE
28 PUBLIC HOUSING LAW, FOR THE REPAIR, RECONSTRUCTION, REHABILITATION AND
29 UPGRADE OF PROJECTS OPERATED BY SUCH AUTHORITY.
30 S 2. The public housing law is amended by adding a new section 77 to
31 read as follows:
32 S 77. PUBLIC HOUSING REVITALIZATION FUND. 1. NOTWITHSTANDING ANY OTHER
33 PROVISION OF LAW TO THE CONTRARY, THE COMMISSIONER SHALL MAKE AVAILABLE
34 TO THE NEW YORK CITY HOUSING AUTHORITY, CONSTITUTED UNDER SECTION FOUR
35 HUNDRED ONE OF THIS CHAPTER, MONEYS FOR THE REPAIR, RECONSTRUCTION,
36 REHABILITATION AND UPGRADE OF PROJECTS OWNED BY THE AUTHORITY IN ORDER
37 TO PREVENT THE FURTHER DETERIORATION OF SUCH PROJECTS.
38 2. SUCH MONEYS SHALL BE DISBURSED FROM THE PUBLIC HOUSING REVITALIZA-
39 TION FUND ESTABLISHED BY SECTION NINETY-NINE-Y OF THE STATE FINANCE LAW.
40 3. MONEYS MADE AVAILABLE TO THE NEW YORK CITY HOUSING AUTHORITY FROM
41 THIS FUND SHALL BE USED FOR THE REPAIR, RECONSTRUCTION, REHABILITATION,
42 AND UPGRADE OF EXISTING STRUCTURAL COMPONENTS OF PROJECTS IN POOR CONDI-
43 TION INCLUDING ROOFS, WALLS, ELEVATORS, HEATING SYSTEMS INCLUDING BOIL-
44 ERS, WATER PIPES, ELECTRICAL SYSTEMS, AND OTHER SUCH COMPONENTS.
45 4. NO MONEYS SHALL BE MADE AVAILABLE BY THE COMMISSIONER AFTER JANUARY
46 FIRST, TWO THOUSAND SEVENTEEN UNLESS HE OR SHE HAS BY THAT DATE CERTI-
47 FIED THE RECEIPT OF A REFORM PLAN FROM THE NEW YORK CITY HOUSING AUTHOR-
48 ITY LAYING OUT PROPOSALS FOR THE STREAMLINING OF ITS OPERATIONS THAT
49 SHOULD INCLUDE, BUT NOT BE LIMITED TO, RECOMMENDATIONS SUCH AS:
50 A. A PROPERTY–CENTRIC PROPERTY MANAGEMENT MODEL WITH MORE EMPowered
51 PROPERTY MANAGERS. THIS INCLUDES, BUT SHALL NOT BE LIMITED TO, DECEN-
52 TRALIZING MAINTENANCE AND REPAIR STAFF TO THE PROPERTY LEVEL AND DEVOLV-
53 ING MANAGERIAL RESPONSIBILITIES TO THE PROPERTY MANAGERS;
54 B. REDESIGNING MAINTENANCE AND REPAIR POLICIES TO CUT WAIT TIMES
55 SIGNIFICANTLY;
C. OVERHAUL OF ITS PROCUREMENT SYSTEM TO CUT REQUEST FOR PROPOSAL WAIT TIMES SIGNIFICANTLY AND CREATING A CENTRALIZED STREAMLINED PROCUREMENT SYSTEM;
D. IMPROVE CUSTOMER SERVICE TO PROVIDE A MORE RELIABLE AND USER-FRIENDLY EXPERIENCE TO BOTH RESIDENTS AND APPLICANT;
E. REDUCE INTERNAL BUREAUCRACY BY FLATTENING THE ORGANIZATION, REDUCING REDUNDANT OR UNNECESSARY STEPS AND REQUIREMENTS AND IMPROVING CYCLE TIMES; AND
F. DEVELOPING A LONG-TERM FINANCIAL SUSTAINABILITY PLAN, UPDATED BI-ANNUALLY.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law.

PART JJ

Section 1. Article 2-A of the public housing law, as added by section 1 of part CC of chapter 63 of the laws of 2000, subdivision 4 of section 22 as amended by section 2 of part P of chapter 59 of the laws of 2014, is amended to read as follows:

ARTICLE 2-A
NEW YORK STATE LOW INCOME AND MIDDLE INCOME HOUSING TAX CREDIT PROGRAM

Section 21. Definitions.
22. Allowance of credit, amount and limitations.
23. Project monitoring.
24. Credit recapture.
25. Regulations, coordination with federal low-income housing credit provisions.

S 21. Definitions. 1. (a) "Applicable percentage" means, FOR THE PURPOSES OF AN ELIGIBLE LOW-INCOME BUILDING, the appropriate percentage (depending on whether a building is new, existing, or federally subsidized) prescribed by the secretary of the treasury for purposes of section 42 of the internal revenue code AND, FOR THE PURPOSES OF AN ELIGIBLE MIDDLE-INCOME BUILDING, THIRTY PERCENT OF THE QUALIFIED BASIS OF THE BUILDING AS DETERMINED PURSUANT TO SECTION 42 OF THE INTERNAL REVENUE CODE, for the month which is the earlier of:
(i) the month in which the eligible low-income building OR THE ELIGIBLE MIDDLE-INCOME BUILDING is placed in service, or
(ii) at the election of the taxpayer,
(A) the month in which the taxpayer and the commissioner enter into an agreement with respect to such building (which is binding on the commissioner, the taxpayer, and all successors in interest) as to the housing credit dollar amount to be allocated to such building, or
(B) in the case of any building to which subsection (h)(4)(B) of such section 42 applies, the month in which the tax-exempt obligations are issued.
(b) A month may be elected under subparagraph (ii) of paragraph (a) of this subdivision only if the election is made not later than the fifth day after the close of such month. Such election, once made, shall be irrevocable.
(c) If, as of the close of any taxable year in the credit period, the qualified basis of an eligible low-income building OR AN ELIGIBLE MIDDLE-INCOME BUILDING exceeds such basis as of the close of the first year of the credit period, the applicable percentage which shall apply to such excess shall be two-thirds of the applicable percentage originally ascribed to such building.
2. "Compliance period" means, with respect to any building, the period of fifteen taxable years beginning with the first taxable year of the credit period with respect to such building.

3. "Credit period" means, with respect to any eligible low-income building OR ELIGIBLE MIDDLE-INCOME BUILDING, the period of ten taxable years beginning with

(a) the taxable year in which the building is placed in service, or
(b) at the election of the taxpayer, the succeeding taxable year, but only if the building is an eligible low-income building as of the close of the first year of such period. The election under paragraph (b) of this subdivision, once made, shall be irrevocable.

4. "Eligibility statement" means a statement issued by the commissioner certifying that a building is an eligible low-income building OR AN ELIGIBLE MIDDLE-INCOME BUILDING. Such statement shall set forth the taxable year in which such building is placed in service, the dollar amount of low-income housing credit OR MIDDLE-INCOME HOUSING CREDIT allocated by the commissioner to such building as provided in subdivision five of section twenty-two of this article, the applicable percentage and maximum qualified basis with respect to such building taken into account in determining such dollar amount, sufficient information to identify each such building and the taxpayer or taxpayers with respect to each such building, and such other information as the commissioner, in consultation with the commissioner of taxation and finance, shall prescribe. Such statement shall be first issued following the close of the first taxable year in the credit period, and thereafter, to the extent required by the commissioner of taxation and finance, following the close of each taxable year of the compliance period.

5. "Eligible low-income building" means a building located in this state which either

(a) is a qualified low-income building as defined in section 42(c) of the internal revenue code, or
(b) would be a qualified low-income building under such section if the 20-50 test specified in subsection (g)(1) of such section were disregarded and the 40-60 test specified in such subsection (requiring that at least forty percent of residential units be both rent-restricted and occupied by individuals whose income is sixty percent or less of area median gross income) were a 40-90 test.

5-A. "ELIGIBLE MIDDLE-INCOME BUILDING" MEANS A BUILDING LOCATED IN THIS STATE WHICH IS COMPOSED OF MULTIPLE RESIDENTIAL UNITS WHICH WILL, UPON COMPLETION, BE AFFORDABLE BY ELIGIBLE MIDDLE-INCOME HOUSEHOLDS.

5-B. "ELIGIBLE MIDDLE-INCOME HOUSEHOLD" MEANS (A) IN CITIES HAVING A POPULATION OF ONE MILLION OR MORE, A PERSON OR FAMILY RESIDING IN A RESIDENTIAL UNIT WHOSE INCOME DOES NOT EXCEED ONE HUNDRED THIRTY PERCENT OF THE MEDIAN INCOME FOR THE METROPOLITAN STATISTICAL AREA IN WHICH AN ELIGIBLE MIDDLE-INCOME BUILDING IS LOCATED; OR (B) IN ANY PORTION OF THE STATE OUTSIDE OF A CITY HAVING A POPULATION OF ONE MILLION OR MORE AND (I) WITHIN A METROPOLITAN STATISTICAL AREA, A PERSON OR FAMILY RESIDING IN A RESIDENTIAL UNIT WHOSE INCOME DOES NOT EXCEED ONE HUNDRED THIRTY PERCENT OF THE MEDIAN INCOME FOR THE METROPOLITAN STATISTICAL AREA IN WHICH AN ELIGIBLE MIDDLE-INCOME BUILDING IS LOCATED, OR ONE HUNDRED THIRTY PERCENT OF THE STATEWIDE MEDIAN INCOME, WHICHEVER SHALL BE LESS, OR (II) OUTSIDE OF METROPOLITAN STATISTICAL AREA, A PERSON OR FAMILY RESIDING IN A RESIDENTIAL UNIT WHOSE INCOME DOES NOT EXCEED ONE HUNDRED THIRTY PERCENT OF THE MEDIAN INCOME FOR THE COUNTY IN WHICH AN ELIGIBLE MIDDLE-INCOME BUILDING IS LOCATED, OR ONE HUNDRED THIRTY PERCENT OF THE STATEWIDE MEDIAN INCOME, WHICHEVER SHALL BE LESS.
6. "Qualified basis" of an eligible low-income building OR AN ELIGIBLE MIDDLE-INCOME BUILDING means the qualified basis of such building determined under section 42(c) of the internal revenue code, or, FOR AN ELIGIBLE LOW-INCOME BUILDING, which would be determined under such section if the 40-90 test specified in paragraph (b) of subdivision five of this section applied under such section 42 to determine if such building were part of a qualified low-income housing project.

7. References in this article to section 42 of the internal revenue code shall mean such section as amended from time to time.

S 22. Allowance of credit, amount and limitations. 1. A taxpayer subject to tax under article nine-A, twenty-two[, thirty-two] or thirty-three of the tax law which owns an interest in one or more eligible low-income buildings OR ELIGIBLE MIDDLE-INCOME BUILDINGS shall be allowed a credit against such tax for the amount of low-income housing credit OR FOR THE AMOUNT OF THE MIDDLE-INCOME HOUSING CREDIT, AS THE CASE MAY BE, allocated by the commissioner to each such building. Except as provided in subdivision two of this section, the credit amount so allocated shall be allowed as a credit against the tax for the ten taxable years in the credit period.

2. Adjustment of first-year credit allowed in eleventh year. The credit allowable for the first taxable year of the credit period with respect to any building shall be adjusted using the rules of section 42(f)(2) of the internal revenue code (relating to first-year adjustment of qualified basis by the weighted average of low-income to total residential units, OR BY THE WEIGHTED AVERAGE OF MIDDLE-INCOME TO TOTAL RESIDENTIAL UNITS, AS THE CASE MAY BE), and any reduction in first-year credit by reason of such adjustment shall be allowable for the first taxable year following the credit period.

3. Amount of credit. Except as provided in subdivisions four and five of this section, the amount of low-income housing credit AND MIDDLE-INCOME HOUSING CREDIT shall be the applicable percentage of the qualified basis of each eligible low-income building OR OF EACH ELIGIBLE MIDDLE-INCOME BUILDING.

4. Statewide limitation. The aggregate dollar amount of credit which the commissioner may allocate to eligible low-income buildings under this article shall be sixty-four million dollars. THE AGGREGATE DOLLAR AMOUNT OF CREDIT WHICH THE COMMISSIONER MAY ALLOCATE TO ELIGIBLE MIDDLE-INCOME BUILDINGS UNDER THIS ARTICLE SHALL BE TWENTY-FIVE MILLION DOLLARS. The limitation provided by this subdivision applies only to allocation of the aggregate dollar amount of credit by the commissioner, and does not apply to allowance to a taxpayer of the credit with respect to an eligible low-income building OR AN ELIGIBLE MIDDLE-INCOME BUILDING for each year of the credit period.

5. Building limitation. The dollar amount of credit allocated to any building shall not exceed the amount the commissioner determines is necessary for the financial feasibility of the project and the viability of the building as an eligible low-income building OR AS AN ELIGIBLE MIDDLE-INCOME BUILDING throughout the credit period. In allocating a dollar amount of credit to any building, the commissioner shall specify the applicable percentage and the maximum qualified basis which may be taken into account under this article with respect to such building. The applicable percentage and the maximum qualified basis with respect to a building shall not exceed the amounts determined in subdivisions one and six, respectively, of section twenty-one of this article.

6. Long-term commitment to low-income OR MIDDLE-INCOME housing required. (A) No credit shall be allowed under this article with respect
to [a] an eligible low-income building for the taxable year unless an extended low-income housing commitment is in effect as of the end of such taxable year. For purposes of this subdivision paragraph, the term "extended low-income housing commitment" means an agreement between the taxpayer and the commissioner substantially similar to the agreement specified in section 42(h)(6)(B) of the internal revenue code.

(b) No credit shall be allowed under this article with respect to an eligible middle-income building for the taxable year unless an extended middle-income housing commitment is in effect as of the end of such taxable year. For the purposes of this paragraph, the term "extended middle-income housing commitment" means an agreement between the taxpayer and the commissioner which has been determined by the commissioner to be similar to the agreement specified in section 42(h)(6)(B) of the internal revenue code.

7. Credit to successor owner. If a credit is allowed under subdivision one of this section with respect to an eligible low-income building or an eligible middle-income building, and such building (or an interest therein) is sold during the credit period, the credit for the period after the sale which would have been allowable under such subdivision one to the prior owner had the building not been sold shall be allowable to the new owner. Credit for the year of sale shall be allocated between the parties on the basis of the number of days during such year that the building or interest was held by each.

S 23. Project monitoring. The commissioner shall establish such procedures as he or she deems necessary for monitoring compliance of an eligible low-income building or an eligible middle-income building with the provisions of this article, and for notifying the commissioner of taxation and finance of any such noncompliance of which he or she becomes aware.

S 24. Credit recapture. If, as of the close of any taxable year in the compliance period, the amount of the qualified basis of any building with respect to the taxpayer is less than the amount of such basis as of the close of the preceding taxable year, the credit under this article may be recaptured as provided in section eighteen or eighteen-a of the tax law.

S 25. Regulations, coordination with federal low-income housing credit provisions. 1. The commissioner shall promulgate rules and regulations necessary to administer the provisions of this act.

2. The provisions of section 42 of the internal revenue code shall apply to the credit under this article, provided however, to the extent such provisions are inconsistent with this article, the provisions of this article shall control.

S 2. The tax law is amended by adding a new section 18-a to read as follows:

S 18-A. MIDDLE-INCOME HOUSING CREDIT. (A) ALLOWANCE OF CREDIT. A taxpayer subject to tax under article nine-a, twenty-two or thirty-three of this chapter shall be allowed a credit against such tax, pursuant to the provisions referenced in subdivision (d) of this section, with respect to the ownership of eligible middle-income buildings for which an eligibility statement has been issued by the commissioner of housing and community renewal. The amount of the credit shall be the credit amount for each such building allocated by such commissioner as provided in article two-a of the public housing law. The credit amount shall be allowed for each of the ten taxable years in the credit period, and any reduction in first-year credit as provided in subdivision two of section twenty-two of such law shall be allowed in the eleventh taxable year.
(B) CREDIT RECAPTURE. (1) GENERAL. IF,
(A) AS OF THE CLOSE OF ANY TAXABLE YEAR IN THE COMPLIANCE PERIOD, THE
AMOUNT OF THE QUALIFIED BASIS OF ANY BUILDING WITH RESPECT TO THE
TAXPAYER IS LESS THAN
(B) THE AMOUNT OF SUCH BASIS AS OF THE CLOSE OF THE PRECEDING TAXABLE
YEAR,
(C) THEN THE CREDIT RECAPTURE AMOUNT MUST BE ADDED BACK FOR THE TAXA-
BLE YEAR.
(2) CREDIT RECAPTURE AMOUNT. THE CREDIT RECAPTURE AMOUNT IS AN AMOUNT
EQUAL TO THE SUM OF
(A) THE AGGREGATE DECREASE IN THE CREDITS ALLOWED TO THE TAXPAYER
UNDER THIS SECTION FOR ALL PRIOR TAXABLE YEARS WHICH WOULD HAVE RESULTED
IF THE ACCELERATED PORTION OF THE CREDIT ALLOWABLE BY REASON OF THIS
SECTION WERE NOT ALLOWED FOR ALL PRIOR TAXABLE YEARS WITH RESPECT TO THE
EXCESS OF THE AMOUNT DESCRIBED IN SUBPARAGRAPH (B) OF PARAGRAPH (1) OF
THIS SUBDIVISION OVER THE AMOUNT DESCRIBED IN SUBPARAGRAPH (A) OF SUCH
PARAGRAPH, PLUS
(B) INTEREST AT THE OVERPAYMENT RATE ESTABLISHED UNDER SECTION ONE
THOUSAND NINETY-SIX OF THIS CHAPTER ON THE AMOUNT DETERMINED UNDER
SUBPARAGRAPH (A) OF THIS PARAGRAPH FOR EACH PRIOR TAXABLE YEAR FOR THE
PERIOD BEGINNING ON THE DUE DATE FOR FILING THE REPORT FOR THE PRIOR
TAXABLE YEAR INVOLVED.
(3) ACCELERATED PORTION OF CREDIT. FOR PURPOSES OF PARAGRAPH TWO OF
THIS SUBDIVISION, THE ACCELERATED PORTION OF THE CREDIT FOR THE PRIOR
TAXABLE YEARS WITH RESPECT TO ANY AMOUNT OF BASIS IS THE EXCESS OF
(A) THE AGGREGATE CREDIT ALLOWED BY REASON OF THIS SECTION (WITHOUT
REGARD TO THIS SUBDIVISION) FOR SUCH YEARS WITH RESPECT TO SUCH BASIS,
OVER
(B) THE AGGREGATE CREDIT WHICH WOULD BE ALLOWABLE BY REASON OF THIS
SECTION FOR SUCH YEARS WITH RESPECT TO SUCH BASIS IF THE AGGREGATE CRED-
IT WHICH WOULD (BUT FOR THIS SUBDIVISION) HAVE BEEN ALLOWED FOR THE
ENTIRE COMPLIANCE PERIOD WERE ALLOWABLE RATABLY OVER FIFTEEN YEARS.
(4) SPECIAL RULES. FOR PURPOSES OF THIS SUBDIVISION, THE RULES OF
SECTION 42 (J)(4)(B) AND (C) OF THE INTERNAL REVENUE CODE SHALL APPLY IN
DETERMINING THE CREDIT RECAPTURE AMOUNT.
(5) EXCEPTIONS TO RECAPTURE. RECAPTURE UNDER THIS SUBDIVISION SHALL
NOT APPLY TO A REDUCTION IN QUALIFIED BASIS
(A) BY REASON OF A CASUALTY LOSS, IF THE COMMISSIONER, IN CONSULTATION
WITH THE COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL, DETERMINES THAT
SUCH LOSS IS RESTORED BY RECONSTRUCTION OR REPLACEMENT WITHIN A REASON-
ABLE PERIOD, OR
(B) BY REASON OF A CHANGE IN FLOOR SPACE DEVOTED TO MIDDLE-INCOME
UNITS IN A BUILDING, IF SUCH BUILDING REMAINS AN ELIGIBLE MIDDLE-INCOME
BUILDING AFTER SUCH CHANGE, AND IF THE COMMISSIONER, IN CONSULTATION
WITH THE COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL, DETERMINES THAT
SUCH CHANGE IS DE MINIMIS, OR
(C) BY REASON OF ERROR IN COMPLYING WITH MIDDLE-INCOME ELIGIBILITY
TESTS REFERRED TO IN SUBDIVISION FIVE OF SECTION TWENTY-ONE OF THE
PUBLIC HOUSING LAW, IF THE COMMISSIONER, IN CONSULTATION WITH THE
COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL, DETERMINES THAT SUCH
ERROR IS DE MINIMIS.
(6) RECAPTURE BY PARTNERS OF A PARTNERSHIP. IN THE CASE OF OWNERSHIP
OF A BUILDING OR INTEREST THEREIN BY A PARTNERSHIP WHICH HAS THIRTY-FIVE
OR MORE PARTNERS, THE PROVISIONS OF SECTION 42(J)(5) OF THE INTERNAL
REVENUE CODE SHALL APPLY TO ANY RECAPTURE UNDER THIS SUBDIVISION UNLESS
THE PARTNERSHIP ELECTS NOT TO HAVE SUCH PROVISIONS APPLY.
(7) (A) THE CREDIT RECAPTURE REQUIRED UNDER THIS SUBDIVISION WILL NOT APPLY SOLELY BY REASON OF THE DISPOSITION OF A BUILDING OR AN INTEREST THEREIN IF IT IS REASONABLY EXPECTED THAT SUCH BUILDING WILL CONTINUE TO BE OPERATED AS AN ELIGIBLE MIDDLE-INCOME BUILDING FOR THE REMAINING COMPLIANCE PERIOD WITH RESPECT TO SUCH BUILDING.

(B) STATUTE OF LIMITATIONS. IF A BUILDING (OR AN INTEREST THEREIN) IS DISPOSED OF DURING ANY TAXABLE YEAR AND THERE IS ANY REDUCTION IN THE QUALIFIED BASIS OF SUCH BUILDING WHICH RESULTS IN AN INCREASE IN TAX UNDER THIS SECTION FOR SUCH TAXABLE OR ANY SUBSEQUENT TAXABLE YEAR, THEN

(I) THE STATUTORY PERIOD FOR THE ASSESSMENT OF ANY DEFICIENCY WITH RESPECT TO SUCH INCREASE IN TAX WILL NOT EXPIRE BEFORE THE EXPIRATION OF THREE YEARS FROM THE DATE THE COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL IS NOTIFIED BY THE TAXPAYER (IN SUCH MANNER AS THE COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL MAY PRESCRIBE) OF SUCH REDUCTION IN QUALIFIED BASIS, AND

(II) SUCH DEFICIENCY MAY BE ASSESSED BEFORE THE EXPIRATION OF SUCH THREE-YEAR PERIOD NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW OR RULE OF LAW WHICH WOULD OTHERWISE PREVENT SUCH ASSESSMENT.

(C) CONSTRUCTION WITH PUBLIC HOUSING LAW; DEFINITIONS. THE PROVISIONS OF THIS SECTION SHALL BE CONSTRUED IN CONJUNCTION WITH THE PROVISIONS OF ARTICLE TWO-A OF THE PUBLIC HOUSING LAW. FOR DEFINITIONS RELATING TO THE MIDDLE-INCOME HOUSING CREDIT, SEE SECTION TWENTY-ONE OF SUCH LAW.

(D) CROSS-REFERENCES. FOR APPLICATION OF THE CREDIT PROVIDED FOR IN THIS SECTION, SEE THE FOLLOWING PROVISIONS OF THIS CHAPTER:

(1) ARTICLE 9-A: SECTION 210-B: SUBDIVISION 15-A,

(2) ARTICLE 22: SECTION 606: SUBSECTIONS (I) AND (X-1),

(3) ARTICLE 33: SECTION 1511: SUBDIVISION (N-1).

S 3. Section 210-B of the tax law is amended by adding a new subdivision 15-a to read as follows:

15-A. MIDDLE-INCOME HOUSING CREDIT. (A) ALLOWANCE OF CREDIT. A TAXPAYER SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED BY THIS ARTICLE WITH RESPECT TO THE OWNERSHIP OF ELIGIBLE MIDDLE-INCOME BUILDINGS, COMPUTED AS PROVIDED IN SECTION EIGHTEEN-A OF THIS CHAPTER.

(B) APPLICATION OF CREDIT. THE CREDIT ALLOWED UNDER THIS SUBDIVISION FOR ANY TAXABLE YEAR SHALL NOT, IN THE AGGREGATE, REDUCE THE TAX DUE FOR SUCH YEAR TO LESS THAN THE HIGHER OF THE AMOUNTS PRESCRIBED IN PARAGRAPHS (C) AND (D) OF SUBDIVISION ONE OF THIS SECTION. HOWEVER, IF THE AMOUNT OF CREDIT ALLOWED UNDER THIS SUBDIVISION FOR ANY TAXABLE YEAR REDUCES THE TAX TO SUCH AMOUNT, ANY AMOUNT OF CREDIT THUS NOT DEDUCTIBLE IN SUCH TAXABLE YEAR SHALL BE TREATED AS AN OVERPAYMENT OF TAX TO BE CREDITED OR REFUNDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION TEN HUNDRED EIGHTY-SIX OF THIS CHAPTER. PROVIDED, HOWEVER, THE PROVISIONS OF SUBSECTION (C) OF SECTION TEN HUNDRED EIGHTY-EIGHT OF THIS CHAPTER NOTWITHSTANDING, NO INTEREST SHALL BE PAID THEREON.

(C) CREDIT RECAPTURE. FOR PROVISIONS REQUIRING RECAPTURE OF CREDIT, SEE SUBDIVISION (B) OF SECTION EIGHTEEN-A OF THIS CHAPTER.

S 4. Subparagraph (B) of paragraph 1 of subsection (i) of section 606 of the tax law is amended by adding a new clause (xiii-a) to read as follows:

(XIII-A) MIDDLE-INCOME HOUSING CREDIT AMOUNT UNDER SUBDIVISION CREDIT UNDER SUBSECTION (X-L) FIFTEEN-A OF SECTION TWO HUNDRED TEN-B

S 5. Section 606 of the tax law is amended by adding a new subsection (x-1) to read as follows:
(X-1) MIDDLE-INCOME HOUSING CREDIT. (1) ALLOWANCE OF CREDIT. A TAXPAYER SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED BY THIS ARTICLE WITH RESPECT TO THE OWNERSHIP OF ELIGIBLE MIDDLE-INCOME BUILDINGS, COMPUTED AS PROVIDED IN SECTION EIGHTEEN-A OF THIS CHAPTER.

(2) APPLICATION OF CREDIT. IF THE AMOUNT OF CREDIT ALLOWABLE UNDER THIS SUBSECTION FOR ANY TAXABLE YEAR SHALL EXCEED THE TAXPAYER'S TAX FOR SUCH YEAR, THE EXCESS SHALL BE TREATED AS AN OVERPAYMENT OF TAX TO BE CREDITED OR REFUNDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION SIX HUNDRED EIGHTY-SIX OF THIS ARTICLE, PROVIDED, HOWEVER, THAT NO INTEREST SHALL BE PAID THEREON.

(3) CREDIT RECAPTURE. FOR PROVISIONS REQUIRING RECAPTURE OF CREDIT, SEE SUBDIVISION (B) OF SECTION EIGHTEEN-A OF THIS CHAPTER.

S 6. Section 1511 of the tax law is amended by adding a new subdivision (n-1) to read as follows:

(N-1) MIDDLE-INCOME HOUSING CREDIT. (1) ALLOWANCE OF CREDIT. A TAXPAYER SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED BY THIS ARTICLE WITH RESPECT TO THE OWNERSHIP OF ELIGIBLE MIDDLE-INCOME BUILDINGS, COMPUTED AS PROVIDED IN SECTION EIGHTEEN-A OF THIS CHAPTER.

(2) APPLICATION OF CREDIT. THE CREDIT ALLOWED UNDER THIS SUBDIVISION FOR ANY TAXABLE YEAR SHALL NOT, IN THE AGGREGATE, REDUCE THE TAX DUE FOR SUCH YEAR TO LESS THAN THE MINIMUM TAX FIXED BY PARAGRAPH FOUR OF SUBDIVISION (A) OF SECTION FIFTEEN HUNDRED TWO OF THIS ARTICLE OR BY SECTION FIFTEEN HUNDRED TWO-A OF THIS ARTICLE, WHICHEVER IS APPLICABLE. HOWEVER, IF THE AMOUNT OF CREDIT ALLOWED UNDER THIS SUBDIVISION FOR ANY TAXABLE YEAR REDUCES THE TAX TO SUCH AMOUNT, THEN ANY AMOUNT OF CREDIT THUS NOT DEDUCTIBLE IN SUCH TAXABLE YEAR SHALL BE TREATED AS AN OVERPAYMENT OF TAX TO BE CREDITED OR REFUNDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION TEN HUNDRED EIGHTY-SIX OF THIS ARTICLE. PROVIDED, HOWEVER, THE PROVISIONS OF SUBSECTION (C) OF SECTION TEN HUNDRED EIGHTY-EIGHT OF THIS CHAPTER NOTWITHSTANDING, NO INTEREST SHALL BE PAID THEREON.

(3) CREDIT RECAPTURE. FOR PROVISIONS REQUIRING RECAPTURE OF CREDIT, SEE SUBDIVISION (B) OF SECTION EIGHTEEN-A OF THIS CHAPTER.

S 7. This act shall take effect immediately and shall apply to tax years commencing on or after January 1, 2016.

PART KK

Section 1. Statement of legislative purpose and findings. The legislature finds and declares that New York's mortgage foreclosure crisis is ongoing. This state's communities have been devastated by the dramatic increase in foreclosures since the 2008 financial crisis. Many New Yorkers are working to keep their homes, but are faced with a mortgage servicing system moving too slowly. Communities across the state struggle to cope with vacant, distressed or abandoned properties that, if repaired and returned to the market, would be affordable housing and generate tax income for municipalities. The legislature finds that it is necessary to create a statewide program to protect communities throughout the state by: (i) preventing foreclosures when possible, (ii) reducing blight, (iii) restoring property tax revenue, and (iv) supporting affordable housing options. Accordingly the legislature hereby creates the community reinvestment program.

S 2. Definitions. As used in this act, the following words and phrases shall have the following meanings:

1. "Asset" means real property or notes secured by mortgages.
2. "Community development financial institution" or "CDFI" means an organization which has been certified as a community development finan-
cial institution by the federal community development financial institutions fund, as established pursuant to 12 U.S.C. 4701 et seq.
3. "Community reinvestment program fund" or "fund" means the community reinvestment program fund established pursuant to section 85 of the state finance law.
4. "Council" means the community reinvestment program fund council.
5. "Fund manager" means a Community Development Financial Institution ("CDFI") fund manager.
6. "Not-for-profit members" means members of the community reinvestment program fund council who do not have a significant financial interest in or control of a business or profit making entity involved in real estate transactions or real estate speculation.
7. "Program manager" means a property holding company that will own and manage the assets purchased through the community reinvestment program.
8. "Real estate owned" means real property owned by a lender, including a banking organization, or federal or state agency, which owns such property as the result of a default in payments on a mortgage.
9. "Vacant" means real property which has no current residents.
10. The state finance law is amended by adding a new section 85 to read as follows:

S 85. COMMUNITY REINVESTMENT PROGRAM FUND. 1. THERE IS HEREBY ESTABLISHED IN THE CUSTODY OF THE STATE COMPTROLLER A SPECIAL FUND TO BE KNOWN AS THE "COMMUNITY REINVESTMENT PROGRAM FUND".
2. THE COMMUNITY REINVESTMENT PROGRAM FUND SHALL CONSIST OF MONEYS DEPOSITED THEREIN BY THE STATE COMPTROLLER. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS, MONIES OBTAINED THROUGH JUDGMENTS AND SETTLEMENTS FROM THE STATE OR ANY OTHER GOVERNMENTAL ENTITY, OR BEQUESTS AND DEPOSITING THEM INTO THE ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND ACCORDING TO LAW.
3. THE MONEYS IN THE FUND SHALL BE USED TO:
   (A) PURCHASE MORTGAGE NOTES ON ONE TO FOUR UNIT HOMES AT DISCOUNTED RATES; AND
   (B) ACQUIRE OR SELL HOMES AT DISCOUNTED RATES FROM LENDERS, AND PURCHASE HOMES AT AUCTION, THROUGH SHORT SALE, OR OTHER SALE WITH THE INTENT TO:
      (I) WHERE POSSIBLE, MODIFY THE MORTGAGE TO AN AFFORDABLE RATE TO KEEP CURRENT HOMEOWNERS IN THE PROPERTY;
      (II) RENT OR SELL BACK TO HOMEOWNERS WITH AN AFFORDABLE LOAN;
      (III) FUND LOCAL, NOT-FOR-PROFIT DEVELOPMENT EFFORTS TO TURN VACANT PROPERTIES INTO AFFORDABLE HOUSING;
      (IV) REHABILITATE DISTRESSED PROPERTIES FOR NEW OWNERS; AND/OR
      (V) DEMOLISH HOMES THAT ARE DILAPIDATED OR REASONABLY BEYOND REPAIR.
4. (A) AS USED IN THIS SECTION, THE TERMS "COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION" "CDFI", "FUND MANAGER" AND "PROGRAM MANAGER" SHALL HAVE THE SAME MEANINGS AS ASPIRED TO SUCH TERMS BY SECTION TWO OF THE CHAPTER OF THE LAWS OF TWO THOUSAND SIXTEEN THAT ADDED THIS SECTION.
   (B) AS USED IN THIS SECTION, "COMMUNITY REINVESTMENT PROGRAM FUND COUNCIL" MEANS SUCH COUNCIL AS ESTABLISHED BY SECTION FOUR OF THE CHAPTER OF THE LAWS OF TWO THOUSAND SIXTEEN THAT ADDED THIS SECTION.
5. THE DIVISION OF HOUSING AND COMMUNITY RENEWAL, IN CONSULTATION WITH THE COMMUNITY REINVESTMENT PROGRAM FUND COUNCIL, SHALL SELECT THE FUND MANAGER AND PROGRAM MANAGER THROUGH THE REQUEST FOR PROPOSAL PROCESS.
6. THE FUND MANAGER SHALL:
   (A) BE RESPONSIBLE FOR THE RECEIPT, MANAGEMENT AND EXPENDITURE OF MONEYS HELD IN THE COMMUNITY REINVESTMENT PROGRAM FUND;
(B) MAINTAIN BOOKS AND RECORDS PERTAINING TO ALL MONIES RECEIVED AND
DISBURSED PURSUANT TO THIS SECTION;

(C) SEEK AND RECEIVE PUBLIC, SETTLEMENT AND OTHER FUNDS AND
USE THOSE FUNDS TO PURCHASE ASSETS THAT WILL BE HELD BY THE PROGRAM
MANAGER;

(D) HAVE THE AUTHORITY TO RESEARCH, ACQUIRE AND PURCHASE DISTRESSED OR
UNDERPERFORMING ASSETS IN ORDER TO TRANSFER SUCH ASSETS TO THE PROGRAM
MANAGER;

(E) WORK WITH THE COMMUNITY REINVESTMENT PROGRAM FUND COUNCIL TO
DEVELOP STRATEGIES FOR ACQUIRING DISTRESSED ASSETS AND TO IDENTIFY
OPPORTUNITIES TO ACQUIRE DISTRESSED ASSETS;

(F) WORK WITH THE PROGRAM MANAGER AND THE COMMUNITY REINVESTMENT
PROGRAM FUND COUNCIL TO IDENTIFY NOT-FOR-PROFIT DEVELOPERS ABLE TO
IMPLEMENT DISPOSITIONS TAILORED TO LOCAL NEEDS, WHETHER SALES TO NEW
HOMEOWNERS, USE AS AFFORDABLE RENTAL PROPERTY, OR DEMOLITION AND REPUR-
POSING FOR OTHER COMMUNITY USES; PROVIDED, HOWEVER, THAT IF NO NOT-FOR-
PROFIT DEVELOPER IS AVAILABLE IN A PARTICULAR LOCATION, A FOR-PROFIT
DEVELOPER MAY, WITH THE CONSENT AND APPROVAL OF THE COMMUNITY REINVEST-
MENT PROGRAM FUND COUNCIL, BE SELECTED;

(G) MAKE FUNDS DIRECTLY AVAILABLE TO NOT-FOR-PROFIT ORGANIZATIONS AND
DEVELOPERS FOR USE TO ACQUIRE, REHABILITATE AND/OR FINANCE PROPERTIES
DIRECTLY; PROVIDED, HOWEVER, THAT IF NO NOT-FOR-PROFIT ORGANIZATIONS AND
DEVELOPERS ARE AVAILABLE IN A PARTICULAR LOCATION, FOR-PROFIT ORGANIZA-
TIONS AND DEVELOPERS MAY, WITH THE CONSENT AND APPROVAL OF THE COMMUNITY
REINVESTMENT PROGRAM FUND COUNCIL, BE SELECTED. THESE FUNDS WOULD BE
MADE AVAILABLE THROUGH A REQUEST FOR PROPOSAL PROCESS CONDUCTED THROUGH
THE DIVISION OF HOUSING AND COMMUNITY RENEWAL, IN CONSULTATION WITH THE
FUND MANAGER;

(H) DEVELOP A PLAN TO MAKE THE FUND A REVOLVING LOAN FUND;

(I) APPLY FOR FEDERAL OR PRIVATE GRANT MONEY THAT BECOMES AVAILABLE TO
CARRY OUT THE PURPOSE OF THIS SECTION;

(J) COORDINATE WITH MUNICIPALITIES TO IDENTIFY MORTGAGE NOTES FOR
PURCHASE; AND

(K) PERFORM ANY AND ALL TASKS AND FUNCTIONS NECESSARY TO OPERATE THE
FUND.

7. THE PROGRAM MANAGER SHALL:

(A) HAVE THE AUTHORITY TO ACQUIRE, PURCHASE OR SELL DISTRESSED REAL
PROPERTY ASSETS OR MORTGAGE NOTES ON ONE TO FOUR UNIT HOMES, WHETHER
CURRENT, DELINQUENT AND/OR IN FORECLOSURE, OCCUPIED, VACANT OR ABAN-
DONED, WHERE PURCHASED OR ACQUIRED:

(I) AT OR BELOW REASONABLE AND CUSTOMARY PRICES;

(II) THROUGH NEGOTIATED SALES AT FHA DISTRESSED ASSET STABILIZATION
PROGRAM SALES OR AT ANY OTHER SUCH SALES CONDUCTED BY A GOVERNMENT ENTI-

TY;

(III) THROUGH AUCTIONS, SHORT SALES, REAL ESTATE OWNED PROPERTIES OR
PROPERTIES IDENTIFIED BY THE MEMBERS OF THE COMMUNITY REINVESTMENT
PROGRAM FUND COUNCIL;

(IV) THROUGH DONATION OR BY OTHER MEANS;

(B) OWN AND MANAGE THE DISTRESSED OR UNDERPERFORMING ASSETS;

(C) HAVE THE POWER TO MODIFY MORTGAGE NOTES ON THE ACQUIRED ASSETS;

(D) WITH THE INPUT OF THE COMMUNITY REINVESTMENT PROGRAM FUND COUNCIL,
DEVELOP DISPOSITION STRATEGIES TAILORED TO THE NEEDS AND MARKET CONDI-
TIONS IN THE LOCAL COMMUNITIES WHERE THE DISTRESSED OR UNDERPERFORMING
ASSETS ARE LOCATED;

(E) WORK WITH THE COMMUNITY REINVESTMENT PROGRAM FUND COUNCIL TO
DETERMINE OPTIMAL OUTCOMES FOR ACQUIRED MORTGAGE NOTES AND PROPERTIES;
(F) HAVE A RELATIONSHIP WITH A SPECIALTY MORTGAGE SERVICER WHOSE ROLE
IS TO ASSIST WITH MODIFICATIONS OF ACQUIRED MORTGAGE NOTES;
(G) WORK WITH THE FUND MANAGER AND THE COMMUNITY REINVESTMENT PROGRAM
FUND COUNCIL TO DEVELOP MODIFICATION CRITERIA;
(H) WORK WITH LOAN SERVICERS, HOUSING COUNSELORS AND ATTORNEYS TO
ASSIST BORROWERS WITH APPLICATIONS FOR LOAN MODIFICATIONS AND REFINANC-
ING;
(I) WITH THE APPROVAL OF THE COMMUNITY REINVESTMENT PROGRAM FUND COUN-
CIL, MAKE AVAILABLE REASONABLE EXPENSES TO NOT-FOR-PROFIT ORGANIZATIONS
FOR DIRECT DISPOSITION EXPENSES, INCLUDING WORKING WITH HOMEOWNERS TO
ACHIEVE LOAN MODIFICATIONS AND OTHER WORKOUT OPTIONS;
(J) WORK WITH THE FUND MANAGER AND THE COMMUNITY REINVESTMENT PROGRAM
FUND COUNCIL TO IDENTIFY NOT-FOR-PROFIT DEVELOPERS ABLE TO IMPLEMENT
DISPOSITIONS TAILORED TO LOCAL NEEDS, WHETHER SALES TO NEW HOMEOWNERS,
USE AS AFFORDABLE RENTAL PROPERTY, OR DEMOLITION AND REPURPOSING FOR
OTHER COMMUNITY USES;
(K) MEET WITH THE COMMUNITY REINVESTMENT PROGRAM FUND COUNCIL AT A
MINIMUM EVERY QUARTER OF THE CALENDAR YEAR, AND PROVIDE SUCH COUNCIL
WITH THE INFORMATION NEEDED TO ASSESS WHETHER THE FUND IS OPERATING
WITHIN THE PURPOSES OF THIS SECTION; AND
(L) PERFORM ANY AND ALL TASKS AND FUNCTIONS NECESSARY TO OPERATE THE
FUND.

S 4. Community reinvestment program fund council. 1. There is hereby
established the community reinvestment program fund council consisting
of twenty-seven members. The purpose of such council is to serve as an
advisory board to advise the program manager, assist with the identifi-
cation of opportunities to acquire distressed or underperforming assets,
assist in the development of disposition strategies tailored to meet the
needs and market conditions in the local communities where distressed or
underperforming assets are located, work with the program manager to
determine optimal outcomes for acquired mortgage notes and properties,
work with the fund manager and program manager to determine the loan
servicer's modification criteria, work with the fund manager and program
manager to identify not-for-profit developers able to implement disposi-
tions tailored to local needs, whether sales to new homeowners, use as
affordable rental property, or demolition and repurposing for other
community uses, and perform such functions as shall be necessary to
operate the community reinvestment program fund.

2. The members of the council shall consist of:
a. the commissioner of housing and community renewal, or his or her
   designee, who shall be the chair of the council;
b. the commissioner of economic development, or his or her designee;
c. the chair of the senate committee on housing, construction and
   community development or his or her designee;
d. the chair of the assembly committee on housing or his or her desig-
   nee;
e. twenty-three community based, not-for-profit members with two
   members from each of the regional economic council areas, with the
   exception of the city of New York. These areas shall include: Western
   New York, the Finger Lakes, Central New York, the Southern Tier, the
   Mohawk Valley, the North Country, the Capital Region, the Mid-Hudson
   Region and Long Island. One member shall be appointed from each borough
   of the city of New York; and
f. not less than seventy-five percent of the appointed members of the
council shall have experience with housing organizations, not-for-profit
corporations, advocacy organizations, civic associations, community-
based organizations or similar entities with expertise in the fields of housing, housing finance, municipal planning or community development.

3. Members of the council shall serve terms of two years. Members who serve pursuant to paragraphs c and d of subdivision two of this section shall serve for the duration of their two year term and shall not be removed unless there is good cause shown, after notice and an opportunity to be heard.

4. The governor shall appoint the members of the council, with the advice and consent of the senate. The governor shall appoint the members of the council from a list of qualified persons submitted to the division of housing and community renewal by the chairs of the senate committees on banks, and housing, construction and community development, and the chairs of the assembly committees on banks and housing. Such list shall be composed of individuals who have knowledge or expertise in housing issues within their region of the state.

5. Notwithstanding the provisions of subdivision three of this section, of the members of the council initially appointed, in accordance with paragraph c of subdivision two of this section, one member from each regional council area and the members appointed from the boroughs of Manhattan and Staten Island shall be appointed for a term of one year, and all subsequent appointees shall serve terms of two years. The governor shall appoint the initial members, with the advice and consent of the senate, within 180 days of the effective date of this section. Furthermore, the first meeting of the council shall convene within 90 days of the date upon which all members of the council have been appointed.

6. The council shall meet at least quarterly or more frequently at the call of the chair of the council. At the initial meeting of the council and annually thereafter the members of the council shall elect from its members a secretary and such other officers as the council shall deem necessary.

7. The chair of the council shall establish committees for the purpose of conducting special studies pursuant to the duties of the council. Individuals who are not members of the council shall be authorized to be members of a committee to serve as resource persons for the committee. No person who is not a member of the council shall be a voting member of a committee or the council. All recommendations of a committee shall be subject to the approval of the council.

8. The members of the council shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this act. All such expenses shall be payable from the fund.

S 5. Annual report to the legislature. The division of housing and community renewal shall submit a report to the governor, the speaker of the assembly, the temporary president of the senate, the minority leader of the assembly and the minority leader of the senate on or before the first of October, and annually thereafter, describing the use of the community restoration fund pursuant to this act, including asset purchases, loan modifications, home sales, rentals, property rehabilitations and other information provided pursuant to this act, including: the number of assets purchased, number of loans modified, number of properties rented and a description of projects financed or assisted by fund monies; the amount and source of funds leveraged; and such other information as the state agency may deem appropriate.

S 6. The community reinvestment program shall constitute a governmental entity within the division of housing and community renewal. Such
program shall be the primary entity within the state for negotiating the
purchase of assets from distressed asset stabilization sales, in consul-
tation with municipalities and local government entities. Such local
governments shall enter into participation agreements with the community
reinvestment program to establish the terms of asset acquisition. Local
government entities shall notify the program manager not less than thirty
days prior to making any distressed asset purchase, federal housing
finance agency purchase, or purchase from any other entity engaged in
the sale of mortgage note pools for purposes substantially similar to
those enumerated in this act. In the event that the program manager is
able to expedite such purchases or reduce costs, he or she shall make an
effort to do so in consultation with the council.

S 7. The division of housing and community renewal is hereby author-
ized to promulgate rules and regulations in accordance with the state
administrative procedure act that are necessary to fulfill the purposes
of this act including, but not limited to, rules relating to the manage-
ment of the fund, distribution of monies therefrom, mortgage note acqui-
sition guidelines, council activities and meeting schedules, and afford-
ability guidelines. The rules shall include guidelines to ensure that
fund monies are expended based upon demonstrable community needs. In
addition, these rules shall specify that no more than forty percent of
the monies of the fund shall be expended on an annual basis in any
single economic development council area. Furthermore, such rules and
regulations are to be completed not later than one hundred eighty days
after the effective date of this act.

S 8. This act shall take effect immediately.

PART LL

Section 1. Paragraph a of subdivision 3 of section 467-b of the real
property tax law, as amended by section 2 of chapter 188 of the laws of
2005, is amended to read as follows:
a. for a dwelling unit where the head of the household is a person
sixty-two years of age or older, no tax abatement shall be granted if
the combined income of all members of the household for the income tax
year immediately preceding the date of making application exceeds three
thousand dollars, or such other sum not more than five thousand dollars,
AND FIFTY THOUSAND DOLLARS BEGINNING JULY FIRST, TWO THOUSAND SIXTEEN,
as may be provided by the local law, ordinance or resolution adopted
pursuant to this section, provided that when the head of the household
retires before the commencement of such year and the date of filing the
application, the income for such year may be adjusted by excluding sala-
ry or earnings and projecting his retirement income over the entire
period of such year.

S 2. Section 4 of part U of chapter 55 of the laws of 2014, amending
the real property tax law, relating to the tax abatement and exemption
for rent regulated and rent controlled property occupied by senior citi-
zens, is amended to read as follows:
S 4. This act shall take effect July 1, 2014[, and sections one and
two of this act shall expire and be deemed repealed 2 years after the
effective date thereof]; provided that the amendment to section 467-b of
the real property tax law made by section one of this act shall not
affect the expiration of such section and shall be deemed to expire therewith.
Paragraph b of subdivision 3 of section 467-b of the real property tax law, as amended by section 2 of chapter 129 of the laws of 2014, is amended to read as follows:

b. for a dwelling unit where the head of the household qualifies as a person with a disability pursuant to subdivision five of this section, no tax abatement shall be granted if the combined income for all members of the household for the current income tax year exceeds fifty thousand dollars beginning July first, two thousand [fourteen] SIXTEEN as may be provided by the local law, ordinance or resolution adopted pursuant to this section.

Paragraph m of subdivision 1 of section 467-c of the real property tax law, as added by chapter 188 of the laws of 2005, is amended to read as follows:

m. "Person with a disability" means an individual who is currently receiving social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal social security act or disability pension or disability compensation benefits provided by the United States department of veterans affairs or those previously eligible by virtue of receiving disability benefits under the supplemental security income program or the social security disability program and currently receiving medical assistance benefits based on determination of disability as provided in section three hundred sixty-six of the social services law and whose income for the current income tax year, together with the income of all members of such individual's household, does not exceed [the maximum income at which such individual would be eligible to receive cash supplemental security income benefits under federal law during such tax year] FIFTY THOUSAND DOLLARS BEGINNING JULY FIRST, TWO THOUSAND SIXTEEN, AS MAY BE PROVIDED BY LOCAL LAW.

Paragraph (a) of subdivision 3 of section 467 of the real property tax law, as amended by chapter 259 of the laws of 2009, is amended to read as follows:

(a) if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of three thousand dollars, or such other sum not less than three thousand dollars nor more than twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, [and] twenty-nine thousand dollars beginning July first, two thousand nine, AND FIFTY THOUSAND DOLLARS BEGINNING JULY FIRST, TWO THOUSAND SIXTEEN, as may be provided by the local law, ordinance or resolution adopted pursuant to this section. Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property as provided in subparagraph (ii) of paragraph (d) of this subdivision, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances, payments made to individuals because of their status as victims of Nazi perse-
cution, as defined in P.L. 103-286 or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, if the governing board of a municipality, after a public hearing, adopts a local law, ordinance or resolution providing therefor. Furthermore, such income shall not include the proceeds of a reverse mortgage, as authorized by section six-h of the banking law, and sections two hundred eighty and two hundred eighty-a of the real property law; provided, however, that monies used to repay a reverse mortgage may not be deducted from income, and provided additionally that any interest or dividends realized from the investment of reverse mortgage proceeds shall be considered income. The provisions of this paragraph notwithstanding, such income shall not include veterans disability compensation, as defined in Title 38 of the United States Code provided the governing board of such municipality, after public hearing, adopts a local law, ordinance or resolution providing therefor. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

S 6. Paragraph (a) of subdivision 5 of section 459-c of the real property tax law, as separately amended by chapters 187 and 252 of the laws of 2006, is amended to read as follows:

(a) if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of three thousand dollars, or such other sum not less than three thousand dollars nor more than twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, [and] twenty-nine thousand dollars beginning July first, two thousand nine, AND FIFTY THOUSAND DOLLARS BEGINNING JULY FIRST, TWO THOUSAND SIXTEEN, as may be provided by the local law or resolution adopted pursuant to this section. Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, if the governing board of a municipality, after a public hearing, adopts a local law or resolution providing therefor. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

S 7. This act shall take effect immediately; provided that:
a. the amendments to subdivision 3 of section 467-b of the real property tax law made by sections one and three of this act shall take effect on the same date as the reversion of such section pursuant to section 17 of chapter 576 of the laws of 1974, as amended; and

b. the amendments to paragraph m of subdivision 1 of section 467-c of the real property tax law, made by section four of this act shall take effect on the same date as the reversion of such paragraph as provided in subdivision (b) of section 4 of chapter 129 of the laws of 2014, as amended.

PART MM

Section 1. The education law is amended by adding a new section 355-d to read as follows:

S 355-D. "NEW YORK STATE PRE-PAID TUITION PLAN". 1. DEFINITIONS. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

A. "ACCOUNT" OR "PRE-PAID TUITION ACCOUNT" SHALL MEAN AN INDIVIDUAL PRE-PAID TUITION ACCOUNT ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

B. "ACCOUNT OWNER" SHALL MEAN A PERSON WHO ENTERS INTO A PRE-PAID TUITION AGREEMENT PURSUANT TO THE PROVISIONS OF THIS ARTICLE, INCLUDING A PERSON WHO ENTERS INTO SUCH AN AGREEMENT AS A FIDUCIARY OR AGENT ON BEHALF OF A TRUST, ESTATE, PARTNERSHIP, ASSOCIATION, COMPANY OR CORPORATION. THE ACCOUNT OWNER MAY ALSO BE THE DESIGNATED BENEFICIARY OF THE ACCOUNT.

C. "CITY UNIVERSITY" SHALL MEAN THE CITY UNIVERSITY OF NEW YORK.

D. "COMPTROLLER" SHALL MEAN THE STATE COMPTROLLER.

E. "DESIGNATED BENEFICIARY" SHALL MEAN, WITH RESPECT TO AN ACCOUNT OR ACCOUNTS, THE INDIVIDUAL DESIGNATED AS THE INDIVIDUAL WHOSE TUITION EXPENSES ARE EXPECTED TO BE PAID FROM THE ACCOUNT OR ACCOUNTS.

F. "ELIGIBLE EDUCATIONAL INSTITUTION" SHALL MEAN ANY INSTITUTION OF HIGHER EDUCATION DEFINED AS AN ELIGIBLE EDUCATIONAL INSTITUTION IN SECTION 529(E)(5) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

G. "FINANCIAL ORGANIZATION" SHALL MEAN AN ORGANIZATION AUTHORIZED TO DO BUSINESS IN THE STATE AND (I) WHICH IS AN AUTHORIZED FIDUCIARY TO ACT AS A TRUSTEE PURSUANT TO THE PROVISIONS OF AN ACT OF CONGRESS ENTITLED "EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974" AS SUCH PROVISIONS MAY BE AMENDED FROM TIME TO TIME, OR AN INSURANCE COMPANY; AND (II) (A) IS LICENSED OR CHARTERED BY THE DEPARTMENT OF FINANCIAL SERVICES, (B) IS CHARTERED BY AN AGENCY OF THE FEDERAL GOVERNMENT, (C) IS SUBJECT TO THE JURISDICTION AND REGULATION OF THE SECURITIES AND EXCHANGE COMMISSION OF THE FEDERAL GOVERNMENT, OR (D) IS ANY OTHER ENTITY OTHERWISE AUTHORIZED TO ACT IN THIS STATE AS A TRUSTEE PURSUANT TO THE PROVISIONS OF AN ACT OF CONGRESS ENTITLED "EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974" AS SUCH PROVISIONS MAY BE AMENDED FROM TIME TO TIME.

H. "MEMBER OF FAMILY" SHALL MEAN A FAMILY MEMBER AS DEFINED IN SECTION 529 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

I. "NONQUALIFIED WITHDRAWAL" SHALL MEAN A WITHDRAWAL FROM AN ACCOUNT, BUT SHALL NOT MEAN:

(I) A QUALIFIED WITHDRAWAL; (II) A WITHDRAWAL MADE AS THE RESULT OF THE DEATH OR DISABILITY OF THE DESIGNATED BENEFICIARY OF AN ACCOUNT; OR (III) A WITHDRAWAL MADE ON THE ACCOUNT OF A SCHOLARSHIP.

J. "PLAN" SHALL MEAN THE NEW YORK STATE PRE-PAID TUITION PLAN ESTABLISHED PURSUANT TO THIS SECTION.
K. "PLAN MANAGER" SHALL MEAN A FINANCIAL ORGANIZATION SELECTED BY THE COMPTROLLER TO ACT AS A DEPOSITORY AND MANAGER OF THE PLAN.

L. "QUALIFIED WITHDRAWAL" SHALL MEAN A WITHDRAWAL FROM AN ACCOUNT TO PAY THE QUALIFIED TUITION EXPENSES OF THE DESIGNATED BENEFICIARY.

M. "STATE UNIVERSITY" SHALL MEAN THE STATE UNIVERSITY OF NEW YORK.

N. "TUITION" SHALL MEAN ANY MANDATORY CHARGES IMPOSED BY AN ELIGIBLE EDUCATIONAL INSTITUTION FOR ATTENDANCE FOR AN ACADEMIC YEAR AS A CONDITION OF ENROLLMENT. SUCH TERM SHALL NOT INCLUDE LABORATORY FEES, ROOM AND BOARD, OR OTHER SIMILAR FEES AND CHARGES.

O. "TUITION SAVINGS AGREEMENT" SHALL MEAN AN AGREEMENT BETWEEN THE COMPTROLLER OR A FINANCIAL ORGANIZATION AND AN ACCOUNT OWNER.

2. POWERS AND DUTIES OF THE COMPTROLLER. THE COMPTROLLER SHALL ADMINISTER THE PLAN AND SHALL DEVELOP AND IMPLEMENT PROGRAMS FOR THE PREPAYMENT OF UNDERGRADUATE TUITION, AT A FIXED, GUARANTEED LEVEL FOR APPLICATION AT ANY TWO-YEAR OR FOUR-YEAR ELIGIBLE EDUCATIONAL INSTITUTION AS DEFINED IN SECTION 529 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, OR OTHER APPLICABLE FEDERAL LAW. IN ADDITION, THE COMPTROLLER SHALL HAVE THE POWER AND DUTY TO:

A. DEVELOP AND IMPLEMENT THE PLAN IN A MANNER CONSISTENT WITH THE PROVISIONS OF THIS SECTION THROUGH RULES AND REGULATIONS ESTABLISHED IN ACCORDANCE WITH THE STATE ADMINISTRATIVE PROCEDURE ACT;

B. MAKE ARRANGEMENTS WITH THE STATE UNIVERSITY, CITY UNIVERSITY AND ANY ELIGIBLE EDUCATIONAL INSTITUTION LOCATED WITHIN THE STATE WHICH Chooses TO PARTICIPATE, TO FULFILL OBLIGATIONS UNDER PREPAID TUITION CONTRACTS FOR TWO-YEAR OR FOUR-YEAR DEGREE PROGRAMS, INCLUDING, BUT NOT LIMITED TO, PAYMENT FROM THE PLAN OF THE THEN ACTUAL IN-STATE UNDERGRADUATE TUITION COST ON BEHALF OF A QUALIFIED BENEFICIARY OF A PREPAID TUITION CONTRACT TO THE INSTITUTION IN WHICH SUCH BENEFICIARY IS ADMITTED AND ENROLLED, AND APPLICATION OF SUCH BENEFITS TOWARDS GRADUATE-LEVEL TUITION AND TOWARDS TUITION COSTS AT SUCH ELIGIBLE EDUCATIONAL INSTITUTIONS, AS THAT TERM IS DEFINED IN 26 U.S.C. S 529 OR ANY OTHER APPLICABLE SECTION OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, AS DETERMINED BY THE COMPTROLLER IN HIS OR HER SOLE DISCRETION. SUCH ARRANGEMENTS MUST INCLUDE PLANS THAT ALLOW AN ACCOUNT OWNER TO ENTER INTO CONTRACTS IN WHICH HE OR SHE CAN PURCHASE TUITION IN INSTALLMENTS EQUAL TO THE COST OF SEMESTERS AS A FULL TIME STUDENT, BUT CAN ALSO INCLUDE PLANS THAT WOULD ALLOW FOR THE PREPAYMENT OF TUITION FOR TUITION CREDIT HOURS;

C. ENGAGE THE SERVICES OF CONSULTANTS ON A CONTRACT BASIS FOR RENDERING PROFESSIONAL AND TECHNICAL ASSISTANCE AND ADVICE;

D. SEEK RULINGS AND OTHER GUIDANCE FROM THE UNITED STATES DEPARTMENT OF TREASURY AND THE INTERNAL REVENUE SERVICE RELATING TO THE PROGRAM;

E. MAKE CHANGES TO THE PLAN REQUIRED FOR THE PARTICIPANTS TO OBTAIN THE FEDERAL INCOME TAX BENEFITS OR TREATMENT PROVIDED BY SECTION 529 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, OR ANY SIMILAR SUCCESSOR LEGISLATION;

F. CHARGE, IMPOSE AND COLLECT ADMINISTRATIVE FEES AND SERVICE CHARGES IN CONNECTION WITH ANY AGREEMENT, CONTRACT OR TRANSACTION RELATING TO THE PLAN;

G. DEVELOP MARKETING PLANS AND PROMOTION MATERIAL;

H. ESTABLISH THE METHODS BY WHICH THE FUNDS HELD IN SUCH ACCOUNTS BE DISBURSED;

I. ESTABLISH THE METHOD BY WHICH FUNDS SHALL BE ALLOCATED TO PAY FOR ADMINISTRATIVE COSTS; AND

J. DO ALL THINGS NECESSARY AND PROPER TO CARRY OUT THE PURPOSES OF THIS SECTION.
3. PLAN REQUIREMENTS. EVERY PRE-PAID TUITION ACCOUNT SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION.

A. A PRE-PAID TUITION ACCOUNT MAY BE OPENED BY ANY PERSON WHO DESIRES TO ENTER INTO A CONTRACT FOR PRE-PAYMENT OF TUITION EXPENSES AT AN INSTITUTION OF THE STATE UNIVERSITY, THE CITY UNIVERSITY OR ANY PARTICIPATING ELIGIBLE EDUCATIONAL INSTITUTION. AN ACCOUNT OWNER MAY DESIGNATE ANOTHER PERSON AS SUCCESSOR OWNER OF THE ACCOUNT IN THE EVENT OF THE DEATH OF THE ORIGINAL ACCOUNT OWNER. SUCH PERSON WHO OPENS AN ACCOUNT OR ANY SUCCESSOR OWNER SHALL BE CONSIDERED THE ACCOUNT OWNER.

B. AN APPLICATION FOR SUCH ACCOUNT SHALL BE IN THE FORM PRESCRIBED BY THE COMPTROLLER AND CONTAIN THE FOLLOWING:
   (I) THE NAME, ADDRESS AND SOCIAL SECURITY NUMBER OR EMPLOYER IDENTIFICATION NUMBER OF THE ACCOUNT OWNER;
   (II) THE DESIGNATION OF A DESIGNATED BENEFICIARY;
   (III) THE NAME, ADDRESS AND SOCIAL SECURITY NUMBER OF THE DESIGNATED BENEFICIARY; AND
   (IV) SUCH OTHER INFORMATION AS THE COMPTROLLER MAY REQUIRE.

C. THE COMPTROLLER MAY ESTABLISH A NOMINAL FEE FOR SUCH APPLICATION.

D. ANY PERSON, INCLUDING THE ACCOUNT OWNER, MAY MAKE CONTRIBUTIONS TO AN ACCOUNT AFTER THE ACCOUNT IS OPENED.

E. CONTRIBUTIONS TO ACCOUNTS MAY BE MADE ONLY IN CASH.

F. FOUR YEARS MUST ELAPSE BETWEEN THE ESTABLISHMENT OF A PRE-PAID TUITION ACCOUNT AND THE TIME THE FIRST QUALIFIED WITHDRAWAL IS MADE FOR THE PAYMENT OF TUITION EXPENSES.

G. AN ACCOUNT OWNER MAY WITHDRAW ALL OR PART OF THE BALANCE FROM AN ACCOUNT ON SIXTY DAYS NOTICE OR SUCH SHORTER PERIOD AS MAY BE AUTHORIZED UNDER RULES GOVERNING THE PLAN. SUCH RULES SHALL INCLUDE PROVISIONS THAT WILL GENERALLY ENABLE THE DETERMINATION AS TO WHETHER A WITHDRAWAL IS A NONQUALIFIED WITHDRAWAL OR A QUALIFIED WITHDRAWAL.

H. AN ACCOUNT OWNER MAY CHANGE THE DESIGNATED BENEFICIARY OF AN ACCOUNT TO AN INDIVIDUAL WHO IS A MEMBER OF THE FAMILY OF THE PRIOR DESIGNATED BENEFICIARY IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE COMPTROLLER.

I. AN ACCOUNT OWNER MAY TRANSFER ALL OR A PORTION OF AN ACCOUNT TO ANOTHER FAMILY TUITION ACCOUNT, THE SUBSEQUENT DESIGNATED BENEFICIARY OF WHICH IS A MEMBER OF THE FAMILY AS DEFINED IN SECTION 529 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

J. THE PLAN SHALL PROVIDE SEPARATE ACCOUNTING FOR EACH DESIGNATED BENEFICIARY.

K. NO ACCOUNT OWNER OR DESIGNATED BENEFICIARY OF ANY ACCOUNT SHALL BE PERMITTED TO DIRECT THE INVESTMENT OF ANY CONTRIBUTIONS TO AN ACCOUNT OR THE EARNINGS THEREON.

L. NEITHER AN ACCOUNT OWNER NOR A DESIGNATED BENEFICIARY SHALL USE AN INTEREST IN AN ACCOUNT AS SECURITY FOR A LOAN. ANY PLEDGE OF AN INTEREST IN AN ACCOUNT SHALL BE OF NO FORCE AND EFFECT.

M. (I) IF THERE IS ANY DISTRIBUTION FROM AN ACCOUNT TO ANY INDIVIDUAL OR FOR THE BENEFIT OF ANY INDIVIDUAL DURING A CALENDAR YEAR, SUCH DISTRIBUTION SHALL BE REPORTED TO THE INTERNAL REVENUE SERVICE AND THE ACCOUNT OWNER, THE DESIGNATED BENEFICIARY OR THE DISTRIBUTEE TO THE EXTENT REQUIRED BY FEDERAL LAW OR REGULATION.

OTHER INFORMATION THAT THE COMPTROLLER SHALL REQUIRE TO BE REPORTED TO
THE ACCOUNT OWNER.

(III) STATEMENTS AND INFORMATION RELATING TO ACCOUNTS SHALL BE
PREPARED AND FILED TO THE EXTENT REQUIRED BY FEDERAL AND STATE TAX LAW.

N. (I) A LOCAL GOVERNMENT OR ORGANIZATION DESCRIBED IN SECTION
501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, MAY OPEN AND
BECOME THE ACCOUNT OWNER OF AN ACCOUNT TO FUND SCHOLARSHIPS FOR PERSONS
WHOSE IDENTITY WILL BE DETERMINED UPON DISBURSEMENT.

(II) IN THE CASE OF ANY ACCOUNT OPENED PURSUANT TO PARAGRAPH A OF THIS
SUBDIVISION THE REQUIREMENT SET FORTH IN THIS SUBDIVISION THAT A DESIG-
NATED BENEFICIARY BE DESIGNATED WHEN AN ACCOUNT IS OPENED SHALL NOT
APPLY AND EACH INDIVIDUAL WHO RECEIVES AN INTEREST IN SUCH ACCOUNT AS A
SCHOLARSHIP SHALL BE TREATED AS A DESIGNATED BENEFICIARY WITH RESPECT TO
SUCH INTEREST.

O. AN ANNUAL FEE MAY BE IMPOSED UPON THE ACCOUNT OWNER FOR THE MAINTEN-
NANCE OF THE ACCOUNT.

P. THE PLAN SHALL DISCLOSE THE FOLLOWING INFORMATION IN WRITING TO
EACH ACCOUNT OWNER AND PROSPECTIVE ACCOUNT OWNER OF A PRE-PAID TUITION
ACCOUNT:

(I) THE TERMS AND CONDITIONS FOR PURCHASING A PRE-PAID TUITION
ACCOUNT;

(II) ANY RESTRICTIONS ON THE SUBSTITUTION OF BENEFICIARIES;

(III) THE PERSON OR ENTITY ENTITLED TO TERMINATE THE TUITION PRE-PAY-
MENT AGREEMENT;

(IV) THE PERIOD OF TIME DURING WHICH A BENEFICIARY MAY RECEIVE BENE-
FITS UNDER THE TUITION PRE-PAYMENT AGREEMENT;

(V) THE TERMS AND CONDITIONS UNDER WHICH MONEY MAY BE WHOLLY OR
PARTIALLY WITHDRAWN FROM THE PLAN, INCLUDING, BUT NOT LIMITED TO, ANY
REASONABLE CHARGES AND FEES THAT MAY BE IMPOSED FOR WITHDRAWAL;

(VI) THE PROBABLE TAX CONSEQUENCES ASSOCIATED WITH CONTRIBUTIONS TO
AND DISTRIBUTIONS FROM ACCOUNTS; AND

(VII) ALL OTHER RIGHT AND OBLIGATIONS PURSUANT TO PRE-PAID TUITION
AGREEMENTS, AND ANY OTHER TERMS, CONDITIONS AND PROVISIONS DEEMED NEEDED NECES-
SARY AND APPROPRIATE BY THE COMPTROLLER PURSUANT TO THIS SUBDIVISION.

Q. PRE-PAID TUITION SAVINGS AGREEMENTS SHALL BE SUBJECT TO SECTION
FOURTEEN-C OF THE BANKING LAW AND THE "TRUTH-IN-SAVINGS" REGULATIONS
PROMULGATED THEREUNDER.

R. NOTHING IN THIS ARTICLE OR IN ANY PRE-PAID TUITION SAVINGS AGREE-
MENT ENTERED INTO PURSUANT TO THIS ARTICLE SHALL BE CONSTRUED AS A GUAR-
ANTEE BY THE STATE OR ANY COLLEGE THAT A BENEFICIARY WILL BE ADMITTED TO
A COLLEGE OR UNIVERSITY, OR, UPON ADMISSION TO A COLLEGE WILL BE PERMIT-
TED TO CONTINUE TO ATTEND OR WILL RECEIVE A DEGREE FROM A COLLEGE OR
UNIVERSITY.

4. STATE GUARANTEE. A. NOTHING IN THIS SECTION SHALL ESTABLISH OR BE
DEEMED TO ESTABLISH ANY OBLIGATION OF THE STATE, THE COMPTROLLER OR ANY
AGENCY OR INSTRUMENTALITY OF THE STATE TO GUARANTEE ANY BENEFITS TO ANY
ACCOUNT OWNER OR DESIGNATED BENEFICIARY.

B. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION,
IN ORDER TO ENSURE THAT THE PLAN IS ABLE TO MEET ITS OBLIGATIONS, THE
GOVERNOR SHALL INCLUDE IN THE BUDGET SUBMITTED PURSUANT TO SECTION TWEN-
TY-TWO OF THE STATE FINANCE LAW, AN APPROPRIATION SUFFICIENT FOR THE
PURPOSE OF ENSURING THAT THE PLAN CAN MEET ITS OBLIGATIONS. ANY SUMS
APPROPRIATED FOR SUCH PURPOSE SHALL BE TRANSFERRED TO THE PLAN. ALL
AMOUNTS PAID INTO THE PLAN PURSUANT TO THIS SUBDIVISION SHALL CONSTITUTE
AND BE ACCOUNTED FOR AS ADVANCES BY THE STATE TO THE PLAN AND, SUBJECT
TO THE RIGHTS OF THE PLAN'S CONTRACT HOLDERS, SHALL BE REPAID TO THE

S 2. The state finance law is amended by adding a new section 78-c to read as follows:

S 78-C. NEW YORK STATE PRE-PAID TUITION PLAN FUND. 1. THERE IS HEREBY ESTABLISHED IN THE SOLE CUSTODY OF THE STATE COMPTROLLER A SPECIAL FUND TO BE KNOWN AS THE NEW YORK STATE PRE-PAID TUITION PLAN FUND. ALL PAYMENTS FROM SUCH FUND SHALL BE MADE IN ACCORDANCE WITH SECTION THREE HUNDRED FIFTY-FIVE-D OF THE EDUCATION LAW.

2. (A) THE COMPTROLLER SHALL INVEST THE ASSETS OF THE FUND IN INVESTMENTS AUTHORIZED BY ARTICLE FOUR-A OF THE RETIREMENT AND SOCIAL SECURITY LAW, PROVIDED HOWEVER, THAT:

(I) THE PROVISIONS OF PARAGRAPH (A) OF SUBDIVISION TWO OF SECTION ONE HUNDRED SEVENTY-SEVEN OF THE RETIREMENT AND SOCIAL SECURITY LAW SHALL NOT APPLY EXCEPT FOR SUBPARAGRAPH (II) OF SUCH PARAGRAPH; AND (II) NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION SEVEN OF SECTION ONE HUNDRED SEVENTY-SEVEN OF THE RETIREMENT AND SOCIAL SECURITY LAW OR ANY OTHER LAW TO THE CONTRARY, THE ASSETS OF THE FUND MAY BE INVESTED IN ANY FUNDING AGREEMENT ISSUED IN ACCORDANCE WITH SECTION THREE THOUSAND TWO HUNDRED TWENTY-TWO OF THE INSURANCE LAW BY A DOMESTIC LIFE INSURANCE COMPANY OR A FOREIGN LIFE INSURANCE COMPANY DOING BUSINESS IN THIS STATE, SUBJECT TO THE FOLLOWING:

(1) SUCH A FUNDING AGREEMENT MAY PROVIDE FOR A GUARANTEED MINIMUM RATE OF RETURN;
(2) SUCH A FUNDING AGREEMENT MAY BEALLOCATED AS EITHER A SEPARATE ACCOUNT OR A GENERAL ACCOUNT OF THE ISSUER, AS THE COMPTROLLER MAY DECIDE;
(3) TOTAL INVESTMENTS OF THE FUND PURSUANT TO THIS PARAGRAPHS\n319 NOT APPLY EXCEPT FOR SUBPARAGRAPH (II) OF SUCH PARAGRAPH; AND (II) NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION SEVEN OF SECTION ONE HUNDRED SEVENTY-SEVEN OF THE RETIREMENT AND SOCIAL SECURITY LAW OR ANY OTHER LAW TO THE CONTRARY, THE ASSETS OF THE FUND MAY BE INVESTED IN ANY FUNDING AGREEMENT ISSUED IN ACCORDANCE WITH SECTION THREE THOUSAND TWO HUNDRED TWENTY-TWO OF THE INSURANCE LAW BY A DOMESTIC LIFE INSURANCE COMPANY OR A FOREIGN LIFE INSURANCE COMPANY DOING BUSINESS IN THIS STATE, SUBJECT TO THE FOLLOWING:

(1) SUCH A FUNDING AGREEMENT MAY PROVIDE FOR A GUARANTEED MINIMUM RATE OF RETURN;
(2) SUCH A FUNDING AGREEMENT MAY BE ALLOCATED AS EITHER A SEPARATE ACCOUNT OR A GENERAL ACCOUNT OF THE ISSUER, AS THE COMPTROLLER MAY DECIDE;
(3) TOTAL INVESTMENTS OF THE FUND PURSUANT TO THIS PARAGRAPH IN ANY FUNDING AGREEMENTS ISSUED BY A SINGLE LIFE INSURANCE COMPANY WHICH ARE ALLOCATED AS A GENERAL ACCOUNT OF THE ISSUER SHALL NOT, IN THE AGGREGATE, EXCEED THREE HUNDRED FIFTY MILLION DOLLARS; AND
(4) NO ASSETS OF THE FUND SHALL BE INVESTED IN ANY SUCH FUNDING AGREEMENT UNLESS, AT THE TIME OF SUCH INVESTMENT, THE GENERAL OBLIGATIONS OR FINANCIAL STRENGTH OF THE ISSUER HAVE RECEIVED EITHER THE HIGHEST OR SECOND HIGHEST RATING BY TWO NATIONALLY RECOGNIZED RATING SERVICES OR BY ONE NATIONALLY RECOGNIZED RATING SERVICE IN THE EVENT THAT ONLY ONE SUCH SERVICE RATES SUCH OBLIGATIONS.

(B) FUND ASSETS SHALL BE KEPT SEPARATE AND SHALL NOT BE COMMINGLED WITH OTHER ASSETS. THE COMPTROLLER MAY ENTER INTO CONTRACTS TO PROVIDE FOR INVESTMENT ADVICE AND MANAGEMENT, CUSTODIAL SERVICES AND OTHER PROFESSIONAL SERVICES FOR THE ADMINISTRATION AND INVESTMENT OF THE PLAN. ADMINISTRATIVE FEES, COSTS AND EXPENSES, INCLUDING INVESTMENT FEES AND EXPENSES, SHALL BE PAID FROM THE ASSETS OF THE FUND.

3. THE COMPTROLLER SHALL PROVIDE FOR THE ADMINISTRATION OF THE TRUST FUND, INCLUDING MAINTAINING PARTICIPANT RECORDS AND ACCOUNTS, AND PROVIDING ANNUAL AUDITED REPORTS. THE COMPTROLLER MAY ENTER INTO CONTRACTS TO PROVIDE ADMINISTRATIVE SERVICES AND REPORTING.

S 3. Section 5205 of the civil practice law and rules is amended by adding a new subdivision (p) to read as follows:

(P) EXEMPTION FOR NEW YORK STATE PRE-PAID TUITION PLAN MONIES. MONIES IN AN ACCOUNT CREATED PURSUANT TO SECTION THREE HUNDRED FIFTY-FIVE-D OF
THE EDUCATION LAW ARE EXEMPT FROM APPLICATION TO THE SATISFACTION OF A
MONEY JUDGMENT AS FOLLOWS:

1. ONE HUNDRED PERCENT OF MONIES IN AN ACCOUNT IN CONNECTION WITH A
PRE-PAID TUITION PLAN ESTABLISHED PURSUANT TO SUCH ARTICLE IS EXEMPT;
AND

2. ONE HUNDRED PERCENT OF MONIES IN AN ACCOUNT IS EXEMPT WHERE THE
JUDGMENT DEBTOR IS THE ACCOUNT OWNER OR DESIGNATED BENEFICIARY OF SUCH
ACCOUNT.

FOR THE PURPOSES OF THIS SUBDIVISION, THE TERMS "ACCOUNT OWNER" AND
"DESIGNATED BENEFICIARY" SHALL HAVE THE MEANINGS ASCRIBED TO THEM IN
ARTICLE FOURTEEN-A OF THE EDUCATION LAW.

S 4. Paragraph 34 of subsection (b) of section 612 of the tax law, as
amended by chapter 535 of the laws of 2000, subparagraph (B) as amended
by chapter 593 of the laws of 2003, is amended to read as follows:

(34) (A) Excess distributions received during the taxable year by a
distributee of a family tuition account established under the New York
state college choice tuition savings program provided for under article
fourteen-A of the education law, OR OF A PRE-PAID TUITION ACCOUNT ESTAB-
LISHED PURSUANT TO SECTION THREE HUNDRED FIFTY-FIVE-D OF THE EDUCATION
LAW, to the extent such excess distributions are deemed attributable to
deductible contributions under paragraph thirty-two of subsection (c) of
this section.

(B) (i) The term "excess distributions" means distributions which are
not
(I) qualified withdrawals within the meaning of subdivision nine of
section six hundred ninety-five-b OR PARAGRAPH L OF SUBDIVISION ONE OF
SECTION THREE HUNDRED FIFTY-FIVE-D of the education law;

(II) withdrawals made as a result of the death or disability of the
designated beneficiary within the meaning of subdivision ten of section
six hundred ninety-five-b OR PARAGRAPH I OF SUBDIVISION ONE OF SECTION
THREE HUNDRED FIFTY-FIVE-D of such law; or

(III) transfers described in paragraph b of subdivision six of section
six hundred ninety-five-e of such law.

(ii) Excess distributions shall be deemed attributable to deductible
contributions to the extent the amount of any such excess distribution,
when added to all previous excess distributions from the account,
exceeds the aggregate of all nondeductible contributions to the account.

S 5. Paragraphs 32 and 33 of subsection (c) of section 612 of the tax
law, paragraph 32 as amended by chapter 81 of the laws of 2008 and para-
graph 33 as added by chapter 546 of the laws of 1997, are amended to
read as follows:

(32) Contributions made during the taxable year by an account owner to
one or more family tuition accounts established under the New York state
college choice tuition savings program provided for under article four-
ten-A, OR TO A PRE-PAID TUITION ACCOUNT PURSUANT TO SECTION THREE
HUNDRED FIFTY-FIVE-D of the education law, to the extent not deductible
or eligible for credit for federal income tax purposes, provided, howev-
er, the exclusion provided for in this paragraph shall not exceed five
thousand dollars for an individual or head of household, and for married
couples who file joint tax returns, shall not exceed ten thousand
dollars; provided, further, that such exclusion shall be available only
to the account owner and not to any other person.

(33) Distributions from a family tuition account established under the
New York state college choice tuition savings program provided for under
article fourteen-A, OR FROM A PRE-PAID TUITION ACCOUNT PURSUANT TO
SECTION THREE HUNDRED FIFTY-FIVE-D of the education law, to the extent includible in gross income for federal income tax purposes.

S 6. This act shall take effect immediately and shall apply to taxable years commencing after December 31, 2016.

PART NN

Section 1. Legislative intent. The legislature declares that the purpose of this act is to clearly provide in statute for insurers to offer and for homeowners, condominium owners, cooperative apartment owners, and renters to obtain a financial incentive if they complete a course of instruction on how to make their residence more resilient to a natural disaster, reduce the potential loss of life or property damage that could result from a natural disaster, reduce the risk of fire, theft, burglary, personal injury or property damage, and raise their awareness of natural disaster preparedness by offering property/casualty insurance premium reductions.

S 2. The section heading of section 2346 of the insurance law, as amended by chapter 637 of the laws of 1993, is amended and a new subsection 5 is added to read as follows:

Reduction in rates of fire insurance [or], homeowners insurance OR PROPERTY/CASUALTY premiums for residential property.

5. (A) DEFINITIONS. FOR THE PURPOSES OF THIS SUBSECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(1) "COMPLETION CERTIFICATE" MEANS A DOCUMENT WHICH CANNOT BE ALTERED AND WHICH IS PROVIDED TO A PERSON WHO SUCCESSFULLY COMPLETES A HOMEOWNER NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE.

(2) "NATURAL DISASTER" MEANS THE OCCURRENCE OR IMMINENT THREAT OF WIDESPREAD CATASTROPHIC OR SEVERE DAMAGE, INJURY, OR LOSS OF LIFE OR PROPERTY RESULTING FROM ANY NATURAL CAUSE INCLUDING, BUT NOT LIMITED TO, FIRE, FLOOD, EARTHQUAKE, HURRICANE, TORNADO, HIGH WATER, LANDSLIDE, MUDSLIDE, WIND, STORM, WAVE ACTION, ICE STORM, EPIDEMIC, AIR CONTAMINATION, BLIGHT, DROUGHT, INFESTATION, EXPLOSION, WATER CONTAMINATION, BRIDGE FAILURE, OR BRIDGE COLLAPSE.

(3) "HOMEOWNER NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE" MEANS A NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE THAT HAS BEEN SUBMITTED TO THE SUPERINTENDENT FOR APPROVAL BY AN APPLICANT, AND WHICH HAS BEEN APPROVED BY THE SUPERINTENDENT, PURSUANT TO PARAGRAPH (D) OF THIS SUBSECTION. SUCH COURSE SHALL PROVIDE USEFUL INFORMATION TO PARTICIPANTS ON ITEMS INCLUDING, BUT NOT LIMITED TO: COURSES OF ACTION THAT CAN BE TAKEN BEFORE, DURING AND AFTER THE OCCURRENCE OF A NATURAL DISASTER, STRATEGIES TO REDUCE RISK EXPOSURE TO INSURED RESIDENTIAL PROPERTY OWNERS AND RENTERS, AND INFORMATION ABOUT THE INSTALLATION OF EQUIPMENT, DEVICES OR OTHER CAPITAL IMPROVEMENTS TO REAL PROPERTY WHICH CAN HELP TO ELIMINATE OR MITIGATE DAMAGE TO REAL OR PERSONAL PROPERTY, PERSONAL INJURY OR THE LOSS OF LIFE CAUSED BY A NATURAL DISASTER OR OTHER INSURABLE EVENT OR OCCURRENCE OF A FIRE, THEFT, BURGLARY, PERSONAL INJURY OR PROPERTY DAMAGE.

(4) "APPLICANT" MEANS AN INSURER, OR ANY OTHER PERSON, AGENCY OR ORGANIZATION WHICH SUBMITS A PROPOSED HOMEOWNER NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE TO THE SUPERINTENDENT FOR APPROVAL PURSUANT TO PARAGRAPH (D) OF THIS SUBSECTION, AND WHO OR WHICH IS PREPARED AND ABLE TO OFFER SUCH COURSE TO INSUREDS UPON THE APPROVAL THEREOF.

(B) THE SUPERINTENDENT MAY PROVIDE FOR AN ACTUARILY APPROPRIATE REDUCTION FOR A PERIOD OF THREE YEARS IN RATES OF HOMEOWNER'S INSURANCE
AND PROPERTY/CASUALTY INSURANCE PREMIUMS APPLICABLE TO RESIDENTIAL REAL
PROPERTY FOR EACH TRIENNIAL COMPLETION OF A HOMEOWNER NATURAL DISASTER
PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE BY THE INSURED
OCCUPANT OF SUCH RESIDENTIAL REAL PROPERTY. IN ADDITION, THE SUPER-
INTENDENT MAY ALSO PROVIDE FOR ACTUARILY APPROPRIATE REDUCTIONS IN
SUCH RATES FOR THE INSTALLATION OF EQUIPMENT, DEVICES OR OTHER CAPITAL
IMPROVEMENTS TO REAL PROPERTY WHICH CAN HELP TO ELIMINATE OR MITIGATE
NATURAL DISASTER DAMAGE, IMPROVE HOME SAFETY OR PREVENT OTHER LOSSES.

(C) AN INSURER, UPON APPROVAL OF THE SUPERINTENDENT, MAY UPON
SUBMISSION OF A COMPLETION CERTIFICATE BY AN INSURED, PROVIDE AN ACTUAR-
IALLY APPROPRIATE REDUCTION, FOR A PERIOD OF THREE YEARS, OF THE PREMIUM
FOR SUCH INSURED'S HOMEOWNER'S INSURANCE OR PROPERTY/CASUALTY INSURANCE
ON THE RESIDENTIAL REAL PROPERTY WHICH IS THE INSURED'S PLACE OF RESI-
DENCE.

(D) THE SUPERINTENDENT MAY ESTABLISH, BY RULE OR OTHERWISE, STANDARDS
OR GUIDELINES TO BE USED BY THE SUPERINTENDENT FOR APPROVAL OF THE
PROPOSED HOMEOWNER NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS
PREVENTION COURSES. EVERY SUCH COURSE SUBMITTED BY AN APPLICANT TO THE
SUPERINTENDENT FOR APPROVAL MUST BE REVIEWED AND SHALL BE SUBJECT TO
APPROVAL BY THE SUPERINTENDENT.

S 3. This act shall take effect on the first of January next succeeding
the date on which it shall have become a law; provided, however,
that effective immediately, any actions necessary to be taken for the
implementation of the provisions of this act on its effective date are
authorized and directed to be completed on or before such effective
date.

PART 0O

Section 1. Subparagraph (ii) of paragraph a of subdivision 3 of
section 667 of the education law, as amended by section 1 of part B of
chapter 60 of the laws of 2000, is amended to read as follows:

(ii) Except for students as noted in subparagraph (iii) of this para-
graph, the base amount as determined from subparagraph (i) of this para-
graph, shall be reduced in relation to income as follows:

FOR THE 2016-2017 ACADEMIC YEAR:

<table>
<thead>
<tr>
<th>Amount of income</th>
<th>Schedule of reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Less than seven thousand dollars</td>
<td>None</td>
</tr>
<tr>
<td>(B) Seven thousand dollars or more,</td>
<td>Seven per centum of excess</td>
</tr>
<tr>
<td>but less than eleven thousand dollars</td>
<td>over seven thousand dollars</td>
</tr>
<tr>
<td>(C) Eleven thousand dollars or more,</td>
<td>Two hundred eighty dollars</td>
</tr>
<tr>
<td>but less than eighteen thousand dollars</td>
<td>plus [ten] NINE per centum of excess over eleven thousand dollars</td>
</tr>
<tr>
<td>(D) Eighteen thousand dollars or more,</td>
<td>Nine hundred eighty dollars</td>
</tr>
<tr>
<td>but not more than [eighty] ONE HUNDRED thousand dollars</td>
<td>plus [twelve] TEN per centum of excess over eighteen thousand dollars</td>
</tr>
</tbody>
</table>

FOR THE 2017-2018 ACADEMIC YEAR:
1 AMOUNT OF INCOME                                      SCHEDULE OF REDUCTION
2 (A) LESS THAN TEN THOUSAND DOLLARS                  NONE
3 (B) TEN THOUSAND DOLLARS OR MORE BUT LESS THAN FIFTEEN
4 THOUSAND DOLLARS                                   3.19 PERCENT
5 (C) FIFTEEN THOUSAND DOLLARS OR MORE BUT LESS THAN
6 TWENTY THOUSAND DOLLARS                             12.88 PERCENT
7 (D) TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN
8 TWENTY-FIVE THOUSAND DOLLARS                        22.56 PERCENT
9 (E) TWENTY-FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN
10 THIRTY THOUSAND DOLLARS                            32.24 PERCENT
11 (F) THIRTY THOUSAND DOLLARS OR MORE BUT LESS THAN
12 THIRTY-FIVE THOUSAND DOLLARS                       41.92 PERCENT
13 (G) THIRTY-FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN
14 FORTY THOUSAND DOLLARS                             51.60 PERCENT
15 (H) FORTY THOUSAND DOLLARS OR MORE BUT LESS THAN
16 FORTY-FIVE THOUSAND DOLLARS                        61.28 PERCENT
17 (I) FORTY-FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN
18 FIFTY THOUSAND DOLLARS                              70.96 PERCENT
19 (J) FIFTY THOUSAND DOLLARS OR MORE BUT LESS THAN
20 ONE HUNDRED THOUSAND DOLLARS                        80.64 PERCENT
21
22 S 2. This act shall take effect immediately and shall apply to all
23 awards commencing with the 2016-2017 academic year.

PART PP

Section 1. Subparagraph 1 of paragraph b of subdivision 1 of section
156 of the public housing law, as amended by chapter 179 of the laws of
2006, is amended to read as follows:

(1) have served in the armed forces of the United States for a period
of at least six months (or any shorter period which terminated due to
death or injury incurred in such service), provided some portion of the
period of service was between the twenty-eighth day of February, nine-
teen hundred sixty-one to the seventh day of May, nineteen hundred
seventy-five, OR BETWEEN THE FOURTEENTH DAY OF SEPTEMBER, TWO THOUSAND
ONE TO THE THIRTY-FIRST DAY OF DECEMBER, TWO THOUSAND SEVENTEEN, and

S 2. Section 156 of the public housing law is amended by adding a new
subdivision 8 to read as follows:

8. AN AUTHORITY SHALL GRANT A PREFERENCE IN THE SELECTION OF TENANTS
TO VETERANS OR FAMILIES OF VETERANS WHO HAVE A MILITARY SERVICE
CONNECTED DISABILITY PROVIDED THAT SUCH VETERANS OR FAMILIES OF VETERANS
 OTHERWISE QUALIFY FOR OCCUPANCY IN SUCH AN AUTHORITY'S PROJECTS AND
 PROVIDED FURTHER THAT SUCH AUTHORITY HAS COMPLIED WITH THE PROVISIONS OF
S. 6406--B                         149

1 SECTION 960.206 OF TITLE 24 OF THE CODE OF FEDERAL REGULATIONS RELATING
2 TO SUCH PREFERENCES.
3 S 3. This act shall take effect on the one hundred twentieth day after
4 it shall have become a law.

PART QQ

Section 1. Paragraph (e) of subdivision 3 of section 402-b of the
7 public housing law, as added by chapter 3 of the laws of 2010, is
8 amended to read as follows:
9 (e) All prospective public housing and Section 8 tenants shall be
10 selected from a waiting list which shall be maintained by the New York
11 city housing authority in compliance with the federal public housing and
12 Section 8 laws and all applicable rules and regulations. The New York
13 city housing authority and each respective project owner shall screen
14 tenants and jointly have final approval over tenant selection all in
15 accordance with aforementioned laws, rules and regulations. All prospec-
16 tive public housing tenants shall be taken from the waiting list in the
17 order in which they applied for the size appropriate unit, subject
18 however to preferences and priorities provided for in [the public hous-
19 ing law] THIS CHAPTER and all applicable rules and regulations; PROVIDED, HOWEVER THAT, ANY PRIORITY OR PREFERENCE OFFERED TO APPLICANTS
20 BASED ON THEIR RESIDENCE IN A CITY OWNED, OPERATED OR CONTRACTED HOME-
21 LESS SHELTER MUST ALSO BE OFFERED EQUITABLY AND EVENLY TO APPLICANTS
22 RESIDING IN A CITY OWNED, OPERATED OR CONTRACTED DOMESTIC VIOLENCE SHEL-
23 TER OR IN A DOMESTIC VIOLENCE SHELTER LICENSED BY THE OFFICE OF CHILDREN
24 AND FAMILY SERVICES.
25 S 2. This act shall take effect immediately.

PART RR

Section 1. Subparagraph (i) of paragraph (b) of subdivision 17 of
section 489 of the real property tax law, as added by chapter 4 of the
laws of 2013, is amended to read as follows:
(i) except as otherwise provided in this section with respect to
multiple dwellings, buildings and structures owned and operated either
by limited-profit housing companies established pursuant to article two
of the private housing finance law or redevelopment companies estab-
lished pursuant to article five of the private housing finance law, or
with respect to a group of multiple dwellings that was developed as a
planned community and that is owned as two separate condominiums
containing a total of ten thousand or more dwelling units, any multiple
dwelling, building or structure that is owned as a cooperative or a
condominium that has an average assessed value of [thirty] FIFTY thou-
sand dollars, ADJUSTED ANNUALLY AFTER JANUARY FIRST, TWO THOUSAND EIGH-
20 TEEN BY THE MOST RECENT COST-OF-LIVING ADJUSTMENT PERCENTAGE USED BY THE
UNITED STATES COMMISSIONER OF SOCIAL SECURITY TO DETERMINE THE MONTHLY
SOCIAL SECURITY BENEFITS PAYABLE TO INDIVIDUALS, AS PROVIDED BY
SUBSECTION (I) OF SECTION FOUR HUNDRED FIFTEEN OF TITLE FORTY-TWO OF THE
UNITED STATE CODE, or more per dwelling unit shall only be eligible for
such benefits if the alterations or improvements for which such multiple
dwelling, building or structure has applied for the benefits pursuant to
this section were carried out with substantial governmental assistance;
and
S 2. Subparagraph (ii) of paragraph 3 of subdivision d of section
11-243 of the administrative code of the city of New York, as amended by
local law number 49 of the city of New York for the year 1993, is
amended to read as follows:
(ii) is owned as a condominium and is occupied as the residence or
home of three or more families living independently of each other;
provided, however, that, in addition to all other conditions of eligi-
bility for the benefits of this section, except for multiple dwellings
in which units have been newly created by substantial rehabilitation of
vacant buildings or conversions of non-residential buildings, the avail-
ability of benefits under this section for such multiple dwellings,
builtings or structures shall be conditioned on the following: (a)
alterations or improvements to at least one building-wide system are
part of the application for benefits, and (b) (i) the assessed valuation
of such multiple dwelling, building, or structure, including land, shall
not exceed an average of [thirty] FIFTY thousand dollars, ADJUSTED ANNU-
ALLY AFTER JANUARY FIRST, TWO THOUSAND EIGHTEEN BY THE MOST RECENT
COST-OF-LIVING ADJUSTMENT PERCENTAGE USED BY THE UNITED STATES COMMISS-
IONER OF SOCIAL SECURITY TO DETERMINE THE MONTHLY SOCIAL SECURITY BENEFITS PAYABLE TO INDIVIDUALS, AS PROVIDED BY SUBSECTION (I) OF SECTION
FOUR HUNDRED FIFTEEN OF TITLE FORTY-TWO OF THE UNITED STATES CODE, per
dwelling unit at the time of the commencement of the alterations or
improvements, and (ii) during the three years immediately preceding the
commencement of the alterations or improvements the average per room
sale price of the dwelling units or the stock allocated to such dwelling
units shall have been no greater than thirty-five percent of the maximum
mortgage amount for a single family home eligible for purchase by the
Federal National Mortgage Association; provided that if less than ten
percent of the dwelling units or an amount of stock less than the amount
allocable to ten percent of such dwelling units was not transferred
during such preceding three year period, eligibility for benefits shall
be conditioned upon the multiple dwelling, building, or structure having
an assessed valuation per dwelling unit of no more than twenty-five
thousand dollars at the time of the commencement of the alterations or
improvements. Provided, further, that such benefits shall be available
only for alterations or improvements commenced on or after June first,
nineteen hundred eighty-six.
S 3. The opening paragraph of paragraph (a) of subdivision 1 of
section 489 of the real property tax law, as amended by section 19 of
part A of chapter 20 of the laws of 2015, is amended to read as follows:
Any city to which the multiple dwelling law is applicable, acting
through its local legislative body or other governing agency, is hereby
authorized and empowered, to and including January first, two thousand
[nineteen] TWENTY, to adopt and amend local laws or ordinances providing
that any increase in assessed valuation of real property shall be exempt
from taxation for local purposes, as provided herein, to the extent such
increase results from:
S 4. The closing paragraph of subparagraph 6 of paragraph (a) of
subdivision 1 of section 489 of the real property tax law, as amended by
section 20 of part A of chapter 20 of the laws of 2015, is amended to
read as follows:
Such conversion, alterations or improvements shall be completed within
thirty months after the date on which same shall be started except that
such thirty month limitation shall not apply to conversions of residen-
tial units which are registered with the loft board in accordance with
article seven-C of the multiple dwelling law pursuant to subparagraph
one of this paragraph. Notwithstanding the foregoing, a sixty month
period for completion shall be available for alterations or improvements
undertaken by a housing development fund company organized pursuant to article eleven of the private housing finance law, which are carried out with the substantial assistance of grants, loans or subsidies from any federal, state or local governmental agency or instrumentality or which are carried out in a property transferred from such city if alterations and improvements are completed within seven years after the date of transfer. In addition, the local housing agency is hereby empowered to grant an extension of the period of completion for any project carried out with the substantial assistance of grants, loans or subsidies from any federal, state or local governmental agency or instrumentality, if such alterations or improvements are completed within sixty months from commencement of construction. Provided, further, that such conversion, alterations or improvements shall in any event be completed prior to June thirtieth, two thousand [nineteen] TWENTY. Exemption for conversions, alterations or improvements pursuant to subparagraph one, two, three or four of this paragraph shall continue for a period not to exceed fourteen years and begin no sooner than the first quarterly tax bill immediately following the completion of such conversion, alterations or improvements. Exemption for alterations or improvements pursuant to this subparagraph or subparagraph five of this paragraph shall continue for a period not to exceed thirty-four years and shall begin no sooner than the first quarterly tax bill immediately following the completion of such alterations or improvements. Such exemption shall be equal to the increase in the valuation which is subject to exemption in full or proportionally under this subdivision for ten or thirty years, whichever is applicable. After such period of time, the amount of such exempted assessed valuation of such improvements shall be reduced by twenty percent in each succeeding year until the assessed value of the improvements are fully taxable. Provided, however, exemption for any conversion, alterations or improvements which are aided by a loan or grant under article eight, eight-A, eleven, twelve, fifteen or twenty-two of the private housing finance law, section six hundred ninety-six-a or section ninety-nine-h of the general municipal law, or section three hundred twelve of the housing act of nineteen hundred sixty-four (42 U.S.C.A. 1452b), or the Cranston-Gonzalez national affordable housing act (42 U.S.C.A. 12701 et. seq.), or started after July first, nineteen hundred eighty-three by a housing development fund company organized pursuant to article eleven of the private housing finance law which are carried out with the substantial assistance of grants, loans or subsidies from any federal, state or local governmental agency or instrumentality or which are carried out in a property transferred from any city and where alterations and improvements are completed within seven years after the date of transfer may commence at the beginning of any tax quarter subsequent to the start of such conversion, alterations or improvements and prior to the completion of such conversion, alterations or improvements.

S 5. This act shall take effect immediately.

PART SS

Section 1. The administrative code of the city of New York is amended by adding a new section 25-111-a to read as follows:

CENTERS, AND SET THE CONDITIONS FOR THE RENEWAL OF LEASES OR PLANS OF
OPERATION FOR SUCH FACILITIES AND CENTERS. ADDITIONALLY, UPON PASSAGE
AND FILING WITH SUCH COMMISSION OF A RESOLUTION BY THE COMMUNITY BOARD
IN WHICH A FACILITY OR CENTER IS LOCATED, THE CITY PLANNING COMMISSION
MAY SET THE CONDITIONS FOR THE RENEWAL OF A LEASE OR PLAN OF OPERATION
OF SUCH FACILITY OR CENTER.

B. FOR THE PURPOSES OF THIS SECTION, "SUPPORTIVE HOUSING FACILITY OR
SOCIAL SERVICES CENTER" MEANS A MULTIPLE RESIDENCE OR CENTER OPERATED BY
THE STATE, THE CITY, OR A NOT-FOR-PROFIT ORGANIZATION, WHICH PROVIDES
HOUSING ACCOMMODATIONS AND SUPPORT SERVICES TO TEN OR MORE RESIDENTS OR
FIFTY OR MORE NON-RESIDENT CLIENTS PER DAY WHO HAVE MENTAL ILLNESS,
TRAUMA, ABUSE, CHEMICAL DEPENDENCY AND/OR CHRONIC ILLNESS; AND SHELTERS
FOR THE HOMELESS, OR ABUSED WOMEN AND CHILDREN.

C. THE CITY PLANNING COMMISSION SHALL NOT AUTHORIZE THE ESTABLISHMENT
OR LOCATION, OR, UPON PASSAGE AND FILING WITH SUCH COMMISSION OF A
RESOLUTION BY THE COMMUNITY BOARD OF THE LOCALITY IN WHICH A FACILITY OR
CENTER IS LOCATED, THE RENEWAL OF THE LEASE OR A CONTRACT TO FINANCE THE
OPERATION, OF A SUPPORTIVE HOUSING FACILITY OR SOCIAL SERVICES CENTER
UNTIL THE PROVISIONS OF THIS SECTION HAVE BEEN COMPLIED WITH.

D. NO SUPPORTIVE HOUSING FACILITY OR SOCIAL SERVICES CENTER SHALL BE
ESTABLISHED OR LOCATED IN THE CITY, NOR, PURSUANT TO SUBDIVISION H OF
THIS SECTION, SHALL THE LEASE FOR OR A CONTRACT TO FINANCE THE OPERATION
OF SUCH A FACILITY OR CENTER BE RENEWED, UNTIL THE OPERATOR THEREOF
SHALL HAVE FILED NOTICE OF SUCH PROPOSED OR EXISTING SUPPORTIVE HOUSING
FACILITY OR SOCIAL SERVICES CENTER WITH THE CITY PLANNING COMMISSION AND
THE COMMUNITY BOARD OF THE LOCALITY IN WHICH SUCH FACILITY OR CENTER IS
PROPOSED TO BE LOCATED OR IS LOCATED. SUCH NOTICE SHALL CONTAIN A
DESCRIPTION OF THE SCOPE, NATURE, SIZE AND KINDS OF TREATMENT PROGRAMS
TO BE PROVIDED, THE SPECIFIC ADDRESS OF THE FACILITY OR CENTER, THE
NUMBER OF ANTICIPATED RESIDENTS OR CLIENTS, THE ENTITIES THAT FINANCE
ITS ESTABLISHMENT OR OPERATIONS, AND THE AMOUNT OF FINANCING ISSUED TO
ESTABLISH AND OPERATE SUCH FACILITY OR CENTER STATED AS BOTH A SPECIFIC
DOLLAR AMOUNT AND AS A PERCENTAGE OF THE TOTAL AMOUNT OF ALL MONEYS USED
TO ESTABLISH AND OPERATE SUCH FACILITY OR CENTER.

E. NOT LESS THAN FORTY-FIVE DAYS NOR MORE THAN NINETY DAYS AFTER AN
OPERATOR'S NOTICE PURSUANT TO SUBDIVISION D OF THIS SECTION, THE CITY
PLANNING COMMISSION SHALL HOLD A PUBLIC COMMUNITY FORUM FOR THE PURPOSE
OF OBTAINING PUBLIC AND COMMUNITY BOARD INPUT CONCERNING THE ANTICI-
PATED IMPACT OF THE PROPOSED SUPPORTIVE HOUSING FACILITY OR SOCIAL SERVICES
CENTER, OR THE CONTINUED OPERATION OF SUCH FACILITY OR CENTER UPON
RENEWAL OF THE LEASE OR CONTRACT TO FINANCE ITS OPERATION, UPON THE
COMMUNITY AND IF THERE IS AN OVER CONCENTRATION OF SUCH FACILITIES AND
CENTERS IN THE AFFECTED COMMUNITY. SUCH IMPACT MAY INCLUDE AND RELATE
TO ANY POTENTIAL ADVERSE EFFECT UPON THE COMMUNITY CAUSED BY SUCH FACIL-
ITY OR CENTER BEFORE, DURING OR AFTER ITS ESTABLISHMENT OR RENEWAL, AND
THE OVER CONCENTRATION OF SUCH FACILITIES AND CENTERS WITHIN SUCH LOCAL
COMMUNITY. THE CITY PLANNING COMMISSION SHALL AFFORD COMMUNITY MEMBERS,
REPRESENTATIVES OF THE LOCAL COMMUNITY BOARD, LOCAL BUSINESSES AND RESI-
DENTS A REASONABLE OPPORTUNITY TO SPEAK ABOUT RELEVANT MATTERS AT SUCH
COMMUNITY FORUM AND MEASURES THAT MAY HELP TO MITIGATE AGAINST ANY
ANTICIPATED OR PAST ADVERSE IMPACTS UPON SUCH COMMUNITY. EVERY SUCH
FORUM SHALL BE HELD UPON NOT LESS THAN TWENTY DAYS NOTICE TO THE
AFFECTED COMMUNITY AND THE LOCAL COMMUNITY BOARD.

F. THE CITY PLANNING COMMISSION SHALL, PRIOR TO ESTABLISHING THE DATE,
TIME AND LOCATION OF THE PUBLIC COMMUNITY FORUM, CONSULT WITH AND OBTAIN
THE ADVICE AND CONSENT OF THE APPROPRIATE COMMUNITY BOARD AS TO ESTAB-
lishing a convenient date, time and location to conduct the forum for
the locally impacted community. Such forum location shall be within
reasonable proximity of the proposed supportive housing facility or
social services center, and in suitable facilities that provide adequate
room and access to hear public comments presented.

G. Not less than sixty days, nor more than ninety days, after holding
a community forum the city planning commission shall, after due consi-
eration of the comments at such forum, either approve, modify or deny
authorization or reauthorization for the location, establishment or
continued operation of the supportive housing facility or social
services center, or suggest an alternative location for such facility or
center. If such application is approved or modified upon approval, the
community board shall obtain such decision and the length of time such
facility or center is authorized to remain in operation. Should such
application be denied, the sponsor of such application shall be
precluded from reapplying for approval of the location, establishment or
operation of such facility or center, or any similar type facility or
center, for a period of two years from the date of such denial.

H. The provisions of subdivisions D, E, F and G of this section shall
only apply to applications for the continued operation of a supportive
housing facility or social services center pursuant to this section if
the community board of the locality in which a facility or center is
located passes and files with such commission a resolution requesting a
hearing on such renewal at least one hundred eighty days prior to the
expiration of the existing lease or contract. Upon passage and filing of
such a resolution, no such facility or center shall continue to operate
until such provisions of this section shall be complied with.

S 2. This act shall take effect on the sixtieth day after it shall
have become a law.

PART TT

Section 1. The social services law is amended by adding a new section
98 to read as follows:

S 98. SENIOR HEATING ASSISTANCE PROGRAM. 1. THE OFFICE OF TEMPORARY
AND DISABILITY ASSISTANCE, SUBJECT TO APPROPRIATIONS, SHALL ESTABLISH
AND OPERATE A SENIOR HEATING ASSISTANCE PROGRAM FOR ELIGIBLE RESIDENTS
OF THE STATE WHO ARE SIXTY-FIVE YEARS OF AGE OR OLDER AND WHO DO NOT
receive assistance under the low-income energy assistance program
authorized pursuant to section ninety-seven of this title.

2. EACH SOCIAL SERVICES DISTRICT SHALL PARTICIPATE IN THE SENIOR HEAT-
ING ASSISTANCE PROGRAM TO ASSIST ELIGIBLE RESIDENTS FOUND IN SUCH
DISTRICTS TO RECEIVE SUCH ASSISTANCE PURSUANT TO THIS SECTION. ONLY
THOSE RESIDENTS SIXTY-FIVE YEARS OF AGE OR OLDER, WHO ARE NOT ELIGIBLE
FOR OR ARE NOT RECEIVING ASSISTANCE UNDER THE LOW-INCOME ENERGY ASSIST-
ANCE PROGRAM, AND HAVING AN ANNUAL HOUSEHOLD INCOME OF FIFTY-FIVE THOU-
SAND DOLLARS OR LESS FOR A SINGLE PERSON HOUSEHOLD OR HAVING AN ANNUAL
HOUSEHOLD INCOME OF SEVENTY-FIVE THOUSAND DOLLARS OR LESS FOR A HOUSE-
HOLD OF TWO OR MORE PERSONS, SHALL BE CERTIFIED AS ELIGIBLE FOR AND
ENTITLED TO RECEIVE SENIOR HEATING ASSISTANCE PURSUANT TO THIS SECTION.

3. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE AMOUNT OF
ANY SENIOR HEATING ASSISTANCE PAYMENTS OR ALLOWANCES PROVIDED TO AN
ELIGIBLE RESIDENT SHALL NOT BE CONSIDERED HOUSEHOLD INCOME OR RESOURCES
FOR ANY PURPOSE.
4. EXPENDITURES MADE BY A SOCIAL SERVICES DISTRICT PURSUANT TO THIS
SECTION, INCLUDING THE COSTS OF ADMINISTRATION, SHALL BE SUBJECT TO ONE
HUNDRED PERCENT REIMBURSEMENT BY THE STATE.
5. AN ELIGIBLE RESIDENT SHALL RECEIVE THE FOLLOWING ANNUAL BENEFITS,
PAYABLE TO THE ELIGIBLE RESIDENT OR THE VENDOR OF THE HEATING FUEL:
(A) IF THE HOUSEHOLD SPENDS EIGHT HUNDRED SEVENTY-FIVE DOLLARS OR MORE
ANNUALLY FOR OIL, KEROSENE OR PROPANE FOR HOUSEHOLD HEATING, THE BENEFIT
SHALL BE FIVE HUNDRED SEVENTY-FIVE DOLLARS;
(B) IF THE HOUSEHOLD SPENDS EIGHT HUNDRED DOLLARS OR MORE ANNUALLY FOR
WOOD, WOOD PELLET, COAL, CORN OR OTHER DELIVERABLE FUEL FOR HOUSEHOLD
HEATING, THE BENEFIT SHALL BE FIVE HUNDRED DOLLARS; AND
(C) IF THE HOUSEHOLD SPENDS SIX HUNDRED FIFTY DOLLARS OR MORE ANNUALLY
FOR ELECTRICITY OR NATURAL GAS FOR HOUSEHOLD HEATING, THE BENEFIT SHALL
BE THREE HUNDRED FIFTY DOLLARS.
6. (A) IN ADDITION TO THE BENEFITS PAYABLE FOR HEATING EXPENSES PURSU-
ANT TO SUBDIVISION FIVE OF THIS SECTION, THE SENIOR HEATING ASSISTANCE
PROGRAM SHALL PROVIDE ASSISTANCE TO ELIGIBLE RESIDENCE FOR THE ONE-TIME
PURCHASE AND INSTALLATION OF ENERGY STAR RATED WINDOW AIR CONDITIONING
UNITS OR, IF THE INSTALLATION OF SUCH UNITS IS NOT FEASIBLE IN THE
HOUSEHOLD, THE ONE-TIME PURCHASE AND INSTALLATION OF FANS.
(B) THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE SHALL ESTABLISH
A LIST OF HEATING, VENTILATION AND AIR CONDITIONING CONTRACTORS THROUGH-
OUT THE STATE WHO ARE QUALIFIED TO SELL AND INSTALL AIR CONDITIONING
UNITS AND FANS PURSUANT TO THIS SUBDIVISION. EACH SUCH CONTRACTOR SHALL
BE COMPETENT IN THE MAINTENANCE AND REPAIR OF AIR CONDITIONING UNITS AND
SHALL BE RESPONSIBLE FOR THE REMOVAL, COVERING, STORAGE AND/OR REINSTAL-
LATION OF AIR CONDITIONING UNITS AND FANS, AS NECESSARY, PROVIDED PURSU-
ANT TO THIS SUBDIVISION.
(C) EACH HOUSEHOLD OF AN ELIGIBLE RESIDENT MAY RECEIVE A SINGLE AIR
CONDITIONING UNIT OR FAN COSTING NOT MORE THAN EIGHT HUNDRED DOLLARS,
INCLUDING THE INSTALLATION THEREOF. THE OFFICE OF TEMPORARY AND DISABIL-
ITY ASSISTANCE SHALL PAY THE FULL COST OF SUCH AIR CONDITIONING UNIT OR
FAN PAYABLE TO THE ELIGIBLE RESIDENT OR THE QUALIFIED CONTRACTOR.
(D) ELIGIBLE RESIDENTS SHALL ONLY BE ENTITLED TO ASSISTANCE PURSUANT
TO THIS SUBDIVISION IF THEY HAVE A DOCUMENTED MEDICAL CONDITION THAT IS
EXACERBATED BY HEAT, MEET THE HOUSEHOLD INCOME REQUIREMENTS OF SUBDIVI-
SION TWO OF THIS SECTION, DO NOT HAVE A WORKING AIR CONDITIONING UNIT OR
HAS AN AIR CONDITIONING UNIT THAT IS FIVE YEARS OLD OR OLDER, HAS NOT
RECEIVED AN AIR CONDITIONING UNIT PURSUANT TO THE PROVISIONS OF SECTION
NINETY-SEVEN OF THIS TITLE WITHIN THE PREVIOUS TEN YEARS, AND HAS FILED
AN APPLICATION THEREFOR WITH THE APPROPRIATE SOCIAL SERVICES DISTRICT IN
ACCORDANCE WITH THE REQUIREMENTS ESTABLISHED BY THE DEPARTMENT.
7. THE COMMISSIONER OF TEMPORARY AND DISABILITY ASSISTANCE IS HEREBY
AUTHORIZED TO PROMULGATE ANY RULES AND REGULATIONS NECESSARY TO IMPLE-
MENT THE PROVISIONS OF THIS SECTION.
S 2. This act shall take effect immediately, except that subdivision 6
of section 98 of the social services law, as added by section one of
this act, shall take effect May 2, 2016.

PART UU

Section 1. Subdivision 2 of section 564 of the labor law is renumbered
subdivision 3 and a new subdivision 2 is added to read as follows:
2. EXCLUSION FROM COVERAGE. THE TERM "EMPLOYMENT" SHALL NOT INCLUDE
SERVICES RENDERED BY AN INDIVIDUAL WHO IS AN ALIEN ADMITTED TO THE
UNITED STATES TO PERFORM AGRICULTURAL LABOR PURSUANT TO SECTIONS 214(C)
AND 101(A)(15)(H) OF THE FEDERAL IMMIGRATION AND NATIONALITY ACT IF, AT
THE TIME SUCH SERVICES ARE RENDERED, THEY ARE EXCLUDED FROM THE DEFI-
NITION OF EMPLOYMENT IN SECTION 3306(C) OF THE FEDERAL UNEMPLOYMENT TAX
ACT.

S 2. This act shall take effect immediately.

S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
sion, section or part of this act shall be adjudged by any court of
competent jurisdiction to be invalid, such judgment shall not affect,
impair, or invalidate the remainder thereof, but shall be confined in
its operation to the clause, sentence, paragraph, subdivision, section
or part thereof directly involved in the controversy in which such judg-
ment shall have been rendered. It is hereby declared to be the intent of
the legislature that this act would have been enacted even if such
invalid provisions had not been included herein.

S 3. This act shall take effect immediately provided, however, that
the applicable effective date of Parts A through UU of this act shall be
as specifically set forth in the last section of such Parts.