STATE OF NEW YORK

9328--B

R. R. 139

IN ASSEMBLY

February 23, 2022

Introduced by M. of A. LUPARDO -- read once and referred to the Committee on Energy -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- reported and referred to the Committee on Rules -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public authorities law and the state finance law, in relation to requiring certain funds received by the New York state energy research and development authority that are related to renewables development on viable agricultural lands to be used for farmland protection programs

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

Section 1. The opening paragraph of subdivision 1 of section 1859 of the public authorities law is designated paragraph (a) and a new paragraph (b) is added to read as follows:

(b) All funds collected by the authority as a requirement of contracts for the procurement of renewable energy certificates that are related to renewables development on viable agricultural lands, as defined in section three hundred one of the agriculture and markets law, shall be deposited in the agricultural and farmland viability protection fund pursuant to section ninety-nine-pp of the state finance law.

§ 2. The state finance law is amended by adding a new section 99-pp to read as follows:

§ 99-pp. Agricultural and farmland viability protection fund. 1. There is hereby established in the joint custody of the comptroller and the commissioner of taxation and finance a special fund to be known as the "agricultural and farmland viability protection fund".

2. Such fund shall consist of all revenues received pursuant to the provisions of paragraph (b) of subdivision one of section eighteen hundred fifty-nine of the public authorities law and all other moneys

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

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appropriated, credited, or transferred thereto from any other fund or source pursuant to law.

3. All moneys deposited in the agricultural and farmland viability protection fund shall be available for agricultural and farmland protection activities pursuant to article twenty-five-AAA of the agriculture and markets law.

4. Monies shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the commissioner of agriculture and markets.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all contracts issued on and after such date.