

# STATE OF NEW YORK

1353--A

Cal. No. 112

2021-2022 Regular Sessions

## IN SENATE

January 11, 2021

Introduced by Sens. KAVANAGH, BIAGGI, JACKSON, KAPLAN, KRUEGER, MAY, SEPULVEDA, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public housing law, in relation to establishing an obligation to affirmatively further fair housing

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

1 Section 1. The public housing law is amended by adding a new article  
2 14 to read as follows:

### ARTICLE XIV

#### OBLIGATION TO AFFIRMATIVELY FURTHER FAIR HOUSING

3  
4 Section 600. Obligation to affirmatively further fair housing.

5 § 600. Obligation to affirmatively further fair housing. 1. For the  
6 purposes of this section, the term "covered housing agency" shall mean  
7 any state department, agency or office administering housing and commu-  
8 nity development laws or housing and community development programs  
9 including but not limited to New York state homes and community renewal,  
10 the division of housing and community renewal, the New York state hous-  
11 ing finance agency, the affordable housing corporation, the housing  
12 trust fund corporation, the municipal bond bank agency, the state of New  
13 York mortgage agency, any subsidiary of the foregoing agencies, any  
14 public housing agency, and any localities receiving funds from any state  
15 department, agency or office to administer programs or activities  
16 related to housing and community development.

17 2. The commissioner and all covered housing agencies shall administer  
18 all such programs and activities related to housing and community devel-  
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EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD06432-03-1

1 opment in a manner that affirmatively furthers fair housing and shall  
2 cooperate with the commissioner to further such purpose.

3 3. The commissioner and all covered housing agencies shall take mean-  
4 ingful actions to:

5 (a) identify and overcome patterns of residential segregation and  
6 housing discrimination;

7 (b) eradicate racially or ethnically concentrated areas of poverty;

8 (c) reduce disparities in access to opportunity;

9 (d) eliminate disproportionate housing needs;

10 (e) provide the public reasonable and regular opportunities to comment  
11 on fair housing issues and participate in the development and advance-  
12 ment of affirmative fair housing policy; and

13 (f) encourage and maintain compliance with article fifteen of the  
14 executive law and any other applicable anti-discrimination or fair hous-  
15 ing law.

16 4. The commissioner and all covered housing agencies shall take no  
17 action that is materially inconsistent with the obligation of this  
18 section.

19 5. The commissioner shall on or before October thirtieth of each year  
20 produce a draft report that shall be made available to the public. The  
21 report shall include any significant initiatives, policies, or programs  
22 undertaken in furtherance of fair housing and any recommendations for  
23 improving the state of fair housing in New York. The draft report shall  
24 be open to a minimum of thirty days of public comment. The commissioner  
25 shall, on or before December first of each year, submit the final  
26 version of said report to the governor, the speaker of the assembly, and  
27 the temporary president of the senate. The commissioner shall submit  
28 along with the final report, all comments received pursuant to the  
29 public comment period.

30 § 2. This act shall take effect immediately.