

# STATE OF NEW YORK

3129

2021-2022 Regular Sessions

## IN SENATE

January 27, 2021

Introduced by Sens. KAVANAGH, KENNEDY, KRUEGER, MAY, RIVERA, SEPULVEDA, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the private housing finance law, in relation to establishing an affordable independent senior housing assistance program

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

1 Section 1. The private housing finance law is amended by adding a new  
2 article 29-A to read as follows:

### ARTICLE XXIX-A

#### AFFORDABLE INDEPENDENT SENIOR HOUSING ASSISTANCE PROGRAM

#### Section 1265. Affordable independent senior housing assistance program.

6 § 1265. Affordable independent senior housing assistance program. 1.  
7 Establishment. The commissioner, in conjunction with the commissioner of  
8 health, shall develop an affordable independent senior housing assist-  
9 ance program, which shall provide grants within amounts appropriated or  
10 otherwise available therefor to affordable independent senior housing  
11 properties to establish and operate resident assistance programs. The  
12 grants shall be distributed by the commissioner of health.

13 2. Definitions. For purposes of this article, the following terms  
14 shall have the following meanings: (a) "affordable independent senior  
15 housing property" shall mean apartment buildings or apartment complexes  
16 occupied by individuals over sixty years of age, who live independently  
17 and at least eighty percent of whom have a total household income that  
18 does not exceed sixty percent of the area median income; and

19 (b) "resident assistance" shall mean support offered to residents of  
20 affordable independent senior housing properties to help promote healthy  
21 living by extending independence and improving quality of life.

22 3. Assistance. Resident assistance shall be determined by the commis-  
23 sioner of health; provided however, that the provision of such assist-

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

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1 ance shall not include any services or assistance that requires the  
2 property to be licensed as an adult care facility pursuant to article  
3 seven of the social services law or an assisted living residence pursu-  
4 ant to article forty-six-B of the public health law. Prior to issuing  
5 any grants pursuant to this article, the department of health shall  
6 solicit input from various stakeholders to determine what would consti-  
7 tute assistance to ensure that such assistance would not require such  
8 licensure. A summary of such input and the determination by the depart-  
9 ment of health as to whether the assistance provided by the grant appli-  
10 cant would require licensure as an adult care facility or assisted  
11 living residence shall be in writing and shared with the various stake-  
12 holders prior to the approval of any grants pursuant to this section.

13 4. Allocation. Sixty percent of the total funds awarded pursuant to  
14 this article in any fiscal year shall be allocated to projects located  
15 in urban areas of the state, as such term is defined in subdivision four  
16 of section twelve hundred thirty-one of this chapter. Forty percent of  
17 the total funds awarded pursuant to this article in any fiscal year  
18 shall be allocated to projects located in rural areas of the state, as  
19 such term is defined in subdivision three of section twelve hundred  
20 thirty-one of this chapter. Any funds appropriated or otherwise avail-  
21 able therefor for the program may be transferred to the department of  
22 health. A portion of any amounts appropriated or otherwise available  
23 therefor may be used by the commissioner of health to administer the  
24 program.

25 § 2. This act shall take effect immediately.