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:

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

ARTICLE XXIX-A

AFFORDABLE INDEPENDENT SENIOR HOUSING ASSISTANCE PROGRAM

Section 1265. Affordable independent senior housing assistance program.

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

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

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

3. Assistance. Resident assistance shall be determined by the commissioner 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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ance shall not include any services or assistance that requires the property to be licensed as an adult care facility pursuant to article seven of the social services law or an assisted living residence pursuant to article forty-six-B of the public health law. Prior to issuing any grants pursuant to this article, the department of health shall solicit input from various stakeholders to determine what would constitute assistance to ensure that such assistance would not require such licensure. A summary of such input and the determination by the department of health as to whether the assistance provided by the grant applicant would require licensure as an adult care facility or assisted living residence shall be in writing and shared with the various stakeholders prior to the approval of any grants pursuant to this section.

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

§ 2. This act shall take effect immediately.