

# STATE OF NEW YORK

2

Extraordinary Session

## IN SENATE

September 1, 2021

Introduced by BUDGET BILL -- (at request of the Budget) -- read twice  
and ordered printed, and when printed to be committed to the Committee  
on Finance

AN ACT to amend chapter 53 of the laws of 2021, enacting the aid to  
localities budget, in relation to making additional appropriations  
associated with an emergency rental assistance program

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

1 Section 1. Section 1 of chapter 53 of the laws of 2021, enacting the  
2 aid to localities budget, is amended by repealing the items hereinbelow  
3 set forth in brackets and by adding to such section the other items  
4 underscored in this section.

5 DEPARTMENT OF FAMILY ASSISTANCE  
6 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

7 AID TO LOCALITIES 2021-22

8 For payment according to the following schedule:

9		APPROPRIATIONS	REAPPROPRIATIONS
10	General Fund .....	[ <del>1,675,578,000</del> ]	189,624,345
11		<u>1,825,578,000</u>	
12	Special Revenue Funds - Federal ....	[ <del>7,101,484,000</del> ]	4,137,709,000
13		<u>7,351,484,000</u>	
14	Special Revenue Funds - Other .....	19,900,000	500,000
15	Fiduciary Funds .....	10,000,000	0
16		-----	-----
17	All Funds .....	[ <del>8,806,962,000</del> ]	4,327,833,345
18		<u>9,206,962,000</u>	

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

LBD12030-04-1

1 =====

2 SPECIALIZED SERVICES PROGRAM ..... [~~2,785,196,000~~] 3,185,196,000

3 -----

4 General Fund

5 Local Assistance Account - 10000

6 [~~For supplemental costs associated with an~~

7 ~~emergency rental assistance program pursu-~~

8 ~~ant to a plan approved by the office of~~

9 ~~temporary and disability assistance and~~

10 ~~director of the budget. Such expenses~~

11 ~~shall be for costs exceeding any special~~

12 ~~revenue -- federal appropriation made~~

13 ~~available for such purposes, or for~~

14 ~~providing assistance to households with~~

15 ~~incomes that exceed the limitations set~~

16 ~~forth in such program and with a household~~

17 ~~member in a priority population as~~

18 ~~provided for in such program, or for~~

19 ~~assistance to landlords.] For supplemental~~

20 costs associated with an emergency rental

21 assistance program pursuant to a plan

22 approved by the office of temporary and

23 disability assistance and director of the

24 budget. Such expenses shall be (a) for

25 forty-five days following the date when

26 applications begin to be accepted, for

27 providing assistance to households with

28 incomes that exceed eighty percent of area

29 median income but do not exceed one

30 hundred percent of area median income, (b)

31 after forty-five days following the date

32 when applications begin to be accepted,

33 for providing assistance to households

34 with incomes that exceed eighty percent of

35 area median income but do not exceed one

36 hundred twenty percent of area median

37 income, (c) for forty-five days following

38 the date when applications begin to be

39 accepted, for assistance to small land-

40 lords as defined in subdivision 12 of

41 section 2 of subpart A of part BB of chap-

42 ter 56 of the laws of 2021, of a unit

43 charging rent that does not exceed one

44 hundred fifty percent of the fair market

45 rent by unit size, with rental arrears

46 accrued by a tenant, if such landlord has

47 used best efforts to contact and assist

48 such tenant in applying for a program

49 funded with emergency rental assistance

50 dollars, without success, including

51 instances in which such tenant has vacated

52 while owing such rental arrears, or (d)

53 after forty-five days following the date

when applications begin to be accepted,  
 for assistance to landlords of a unit  
 charging rent that does not exceed one  
 hundred fifty percent of the fair market  
 rent by unit size, with rental arrears  
 accrued by a tenant, if such landlord has  
 used best efforts to contact and assist  
 such tenant in applying for a program  
 funded with emergency rental assistance  
 dollars, without success, including  
 instances in which such tenant has vacated  
 while owing such rental arrears. Until  
 such time as the commissioner determines  
 that the need justifies a reallocation, no  
 more than one hundred twenty-five million  
 dollars shall be available for purposes  
 noted in subdivision (a) or (b), and no  
 more than one hundred twenty-five million  
 dollars shall be made available for the  
 purposes noted in subdivision (c) or (d),  
 provided however in no case shall the  
 commissioner make such reallocation earli-  
 er than ninety days after the date when  
 applications begin to be accepted; and  
 provided further that the commissioner  
 shall report to the speaker of the assem-  
 bly and the temporary president of the  
 senate when such reallocations are made  
 and the reasons for such reallocations.

Funds appropriated herein may be transferred  
 or suballocated to any other state agency  
 or authority.

Notwithstanding any inconsistent provision  
 of law, the budget director is hereby  
 authorized to transfer any of the amount  
 appropriated herein to state operations  
 for administration of supplemental emer-  
 gency rental assistance activities .....

..... [100,000,000]	250,000,000
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Program account subtotal .. [338,796,000]	488,796,000
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Special Revenue Funds - Federal  
 Federal Miscellaneous Operating Grants Fund  
 CARES Emergency Rent - 25544

For services and expenses of an emergency  
 rental assistance program. Households  
 eligible for assistance under such program  
 shall include one or more individual that  
 has experienced financial hardship, is at  
 risk of homelessness or housing instabili-  
 ty, and earns up to eighty percent of area  
 median income as determined by the United  
 States department of housing and urban

development. Such assistance shall be prioritized for those who are unemployed for at least 90 days and those earning up to fifty percent of area median income as determined by the United States department of housing and urban development. Such assistance shall support the payment of up to 12 months of rental arrears due at the time of application and up to 3 months of prospective rent and other purposes set forth in Public Law No. 116-260, Public Law 117-2, or any other federal funds made available for this purpose. Notwithstanding any inconsistent provision of law, twenty-five million dollars of the funds appropriated herein shall be available to provide legal services or attorney's fees to tenants related to eviction proceedings and maintaining housing stability pursuant to a plan approved by the commissioner of the office of temporary and disability assistance. The plan for such funds shall grant priority to areas where access to free legal assistance for such services is not already provided. To the extent practicable, such expenses shall be paid from funds otherwise available for administrative purposes. Funds may also be used to support a hardship fund for undocumented workers.

~~[Funds appropriated herein shall only be expended in local governments not in receipt of a direct allocation from the U.S. Treasury pursuant to the Emergency Rental Assistance funding enacted in Public Law No. 116-260, Public Law 117-2, or any other federal funds made available for this purpose, unless a local government in direct receipt of such allocation has submitted a plan to the office of temporary and disability assistance.]~~

Funds appropriated herein may be transferred or suballocated to any other state agency or authority.

Notwithstanding any inconsistent provision of law, the budget director is hereby authorized to transfer any of the amount appropriated herein to state operations for administration of emergency rental assistance activities ....

~~[2,350,000,000]~~ 2,600,000,000

Program account subtotal ~~[2,350,000,000]~~ 2,600,000,000

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2021.