STATE OF NEW YORK

8429

IN SENATE

February 28, 2022

Introduced by Sen. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Libraries

AN ACT to amend the education law, in relation to state aid eligibility for library construction; and to amend chapter 120 of the laws of 2020, amending the education law, relating to state aid for library construction, in relation to the effectiveness thereof

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

Section 1. Subdivision 1 of section 273-a of the education law, as amended by section 1 of chapter 563 of the laws of 2021, is amended to read as follows:

1. State aid shall be provided for up to fifty percent of the total project approved costs, excluding feasibility studies, plans or similar activities, for projects for the installation and infrastructure of broadband services, and for the acquisition of vacant land and the acquisition, construction, renovation or rehabilitation, including leasehold improvements, of buildings of public libraries and library systems chartered by the regents of the state of New York or established by act of the legislature subject to the limitations provided in subdivision six of this section and upon approval by the commissioner, except that state aid may be provided for up to seventy-five percent of the total project approved costs for buildings of public libraries that are located in an economically disadvantaged community and that state aid may be provided for up to ninety percent of the total project approved costs for buildings of public libraries that are located in an economically distressed community. Provided however that the state liability for aid paid pursuant to this section shall be limited to funds appropriated for such purpose. Aid shall be provided on approved expenses incurred during the period commencing July first and ending June thirtieth for up to [~~four~~] **six** years, or until the project is completed, whichever occurs first. Provided, however, that public libraries that received aid for projects pursuant to this section commencing July first, two thousand seventeen through July first, two thousand nineteen and are unable to complete such projects due to the state disaster emer-

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

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gency declared pursuant to executive order number two hundred two of two thousand twenty, as amended, shall be provided an additional twelve months from the statutory project end date to complete such projects. Fifty percent of such aid shall be payable to each system or library upon approval of the application by the department. Forty percent of such aid shall be payable in the next state fiscal year. The remaining ten percent shall be payable upon project completion.

§ 2. Subdivision 1 of section 273-a of the education law, as amended by section 2 of chapter 563 of the laws of 2021, is amended to read as follows:

1. State aid shall be provided for up to fifty percent of the total project approved costs, excluding feasibility studies, plans or similar activities, for projects for the installation and infrastructure of broadband services, and for the acquisition of vacant land and the acquisition, construction, renovation or rehabilitation, including leasehold improvements, of buildings of public libraries and library systems chartered by the regents of the state of New York or established by act of the legislature subject to the limitations provided in subdivision six of this section and upon approval by the commissioner, except that state aid may be provided for up to seventy-five percent of the total project approved costs for buildings of public libraries that are located in an economically disadvantaged community and that state aid may be provided for up to ninety percent of the total project approved costs for buildings of public libraries that are located in an economically distressed community. Provided however that the state liability for aid paid pursuant to this section shall be limited to funds appropriated for such purpose. Aid shall be provided on approved expenses incurred during the period commencing July first and ending June thirtieth for up to [~~four~~] **six** years, or until the project is completed, whichever occurs first. Fifty percent of such aid shall be payable to each system or library upon approval of the application by the department. Forty percent of such aid shall be payable in the next state fiscal year. The remaining ten percent shall be payable upon project completion.

§ 3. Section 2 of chapter 120 of the laws of 2020, amending the education law, relating to state aid for library construction, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed July 1, [~~2023~~] **2024**; provided, however, that the amendments to subdivision 1 of section 273-a of the education law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

§ 4. This act shall take effect immediately; provided, that the amendments to subdivision 1 of section 273-a of the education law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 2 of chapter 120 of the laws of 2020, as amended, when upon such date the provisions of section two of this act shall take effect; and provided, further, that the amendments to subdivision 1 of section 273-a of the education law made by sections one and two of this act shall not affect the expiration of such section and shall be deemed to expire therewith.