

STATE OF NEW YORK

8429--A

IN SENATE

February 28, 2022

Introduced by Sens. RYAN, JORDAN -- read twice and ordered printed, and when printed to be committed to the Committee on Libraries -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

4 1. State aid shall be provided for up to fifty percent of the total
5 project approved costs, excluding feasibility studies, plans or similar
6 activities, for projects for the installation and infrastructure of
7 broadband services, and for the acquisition of vacant land and the
8 acquisition, construction, renovation or rehabilitation, including
9 leasehold improvements, of buildings of public libraries and library
10 systems chartered by the regents of the state of New York or established
11 by act of the legislature subject to the limitations provided in subdivi-
12 sion six of this section and upon approval by the commissioner, except
13 that state aid may be provided for up to seventy-five percent of the
14 total project approved costs for buildings of public libraries that are
15 located in an economically disadvantaged community and that state aid
16 may be provided for up to ninety percent of the total project approved
17 costs for buildings of public libraries that are located in an econom-
18 ically distressed community. Provided however that the state liability
19 for aid paid pursuant to this section shall be limited to funds appro-
20 priated for such purpose. Aid shall be provided on approved expenses
21 incurred during the period commencing July first and ending June thirti-
22 eth for up to [~~four~~] six years, or until the project is completed,
23 whichever occurs first. Provided, however, that public libraries that

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

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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 emergency 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. Subdivision 1 of section 273-a of the education law, as amended by chapter 480 of the laws of 2015, 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, 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 four of this section and upon approval by the commissioner. 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 ~~three~~ 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. Forty percent of such aid shall be payable in the next state fiscal year. The remaining ten percent shall be payable upon project completion.

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

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

9 § 5. This act shall take effect immediately; provided, that the amend-
10 ments to subdivision 1 of section 273-a of the education law made by
11 section one of this act shall be subject to the expiration and reversion
12 of such subdivision pursuant to section 2 of chapter 120 of the laws of
13 2020, as amended, when upon such date the provisions of section two of
14 this act shall take effect; and provided, further that the amendments to
15 subdivision 1 of section 273-a of the education law made by section two
16 of this act shall be subject to the expiration and reversion of such
17 section pursuant to section 2 of chapter 498 of the laws of 2011, when
18 upon such date the provisions of section three of this act shall take
19 effect.