A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 3 of the laws of 1995, amending the correction law and other laws relating to the incarceration fee, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 62 of the laws of 2011, amending the correction law and the executive law, relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and

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

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jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018, amending the criminal procedure law relating to the pre-criminal proceeding settlements in the City of New York, in relation to the effectiveness thereof (Part A); intentionally omitted (Part B); intentionally omitted (Part C); intentionally omitted (Part D); intentionally omitted (Part E); to amend the domestic relations law, in relation to the custody of children (Part F); Intentionally omitted (Part G); intentionally omitted (Part H); intentionally omitted (Part I); intentionally omitted (Part J); intentionally omitted (Part K); intentionally omitted (Part L); intentionally omitted (Part M); inten-
tionally omitted (Part N); intentionally omitted (Part O); to amend chapter 268 of the laws of 1996, amending the education law and the state finance law relating to providing a recruitment incentive and retention program for certain active members of the New York army national guard, New York air national guard, and New York naval militia, in relation to the effectiveness of such chapter (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); to amend the election law, in relation to expanding polling site hours of operation during early voting (Part S); intentionally omitted (Part T); intentionally omitted (Part U); intentionally omitted (Part V); intentionally omitted (Part W); intentionally omitted (Part X); intentionally omitted (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); intentionally omitted (Part BB); intentionally omitted (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); intentionally omitted (Part FF); intentionally omitted (Part GG); intentionally omitted (Part HH); intentionally omitted (Part II); intentionally omitted (Part JJ); intentionally omitted (Part KK); to amend the tax law, the state finance law and the public authorities law, in relation to aid and incentives for municipalities base level grants; and to repeal certain provisions of the state finance law and the tax law relating thereto (Part LL); intentionally omitted (Part MM); intentionally omitted (Part NN); intentionally omitted (Part OO); intentionally omitted (Part PP); to provide for the administration of certain funds and accounts related to the 2021-2022 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the New York state medical care facilities finance agency act, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend chapter 63 of the laws of 2005, relating to the composition and responsibilities of the New York state higher education capital matching grant board, in relation to increasing the amount of authorized matching capital grants in relation to housing program bonds and notes; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, in relation to the issuance of bonds and notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the New York state urban development corporation act, in relation to authorizing the dormitory authority of the state of New York and the urban development corporation to enter into line of credit facilities, and in relation to state-supported debt
issued during the 2022 fiscal year; to amend the public authorities law, in relation to childcare facilities development program; to amend the state finance law, in relation to payments of bonds; to amend the state finance law, in relation to the mental health services fund; to amend the public health law, in relation to secured hospital project bonds; to repeal paragraph c of subdivision 5 of section 89-b of the state finance law relating to the dedicated highway and bridge trust fund; to repeal subdivision (j) of section 92-dd of the state finance law relating to the HCRA resources fund; to repeal subdivision 3-a of the public health law relating to eligible secured hospital borrower; and providing for the repeal of certain provisions upon expiration thereof (Part QQ); to amend chapter 83 of the laws of 1995 amending the state finance law and other laws relating to bonds, notes and revenues, in relation to the effectiveness of certain provisions thereof (Part RR); to amend chapter 1 of the laws of 2005, amending the state finance law relating to restricting contacts in the procurement process and the recording of contacts relating thereto, in relation to the effectiveness thereof (Part SS); intentionally omitted (Part TT); intentionally omitted (Part UU); to amend the public service law, in relation to utility intervenor reimbursement; and to amend the state finance law, in relation to establishing the utility intervenor account (Part VV); to amend the public service law, in relation to creating the state office of the utility consumer advocate (Part WW); in relation to allowing local governments and political subdivisions to receive certain funds without the certification required by executive order 203 of 2020 (Part XX); and to provide a temporary retirement incentive for certain public employees (Subpart A); and to provide an age 55/25 years temporary retirement incentive for certain public employees (Subpart B) (Part YY)

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

1 Section 1. This act enacts into law major components of legislation necessary to implement the state public protection and general government budget for the 2021-2022 state fiscal year. Each component is wholly contained within a Part identified as Parts A through YY. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

13 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, as amended by section 1 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall remain in effect until September 1, [2021] 2023.
Section 3 of chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, as amended by section 2 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 3. This act shall take effect on the first day of November next succeeding the date on which it shall have become a law, and shall remain in effect until the first day of September, 2021, when it shall expire and be deemed repealed.

Section 3 of chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, as amended by section 3 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 3. This act shall take effect 60 days after it shall have become a law and shall remain in effect until September 1, 2021.

Section 20 of chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, as amended by section 4 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 20. This act shall take effect immediately except that section thirteen of this act shall expire and be of no further force or effect on and after September 1, 2021, and shall not apply to persons committed to the custody of the department after such date, and provided further that the commissioner of corrections and community supervision shall report each January first and July first during such time as the earned eligibility program is in effect, to the chairmen of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the standards in effect for earned eligibility during the prior six-month period, the number of inmates subject to the provisions of earned eligibility, the number who actually received certificates of earned eligibility during that period of time, the number of inmates with certificates who are granted parole upon their first consideration for parole, the number with certificates who are denied parole upon their first consideration, and the number of individuals granted and denied parole who did not have earned eligibility certificates.

Subdivision (q) of section 427 of chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, as amended by section 5 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

(q) the provisions of section two hundred eighty-four of this act shall remain in effect until September 1, 2021, and be applicable to all persons entering the program on or before August 31, 2021.

Section 10 of chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, as amended by section 6 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 10. This act shall take effect 30 days after it shall have become a law and shall remain in effect until September 1, 2021, and provided further that the commissioner of correctional services shall report each January first, and July first, to the chairman of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the number of eligible inmates in each facility under the custody
and control of the commissioner who have applied for participation in any program offered under the provisions of work release, furlough, or leave, and the number of such inmates who have been approved for participation.

§ 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994, relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994, enacting the state operations budget, as amended by section 7 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

(c) sections forty-one and forty-two of this act shall expire September 1, [2021] 2023; provided, that the provisions of section forty-two of this act shall apply to inmates entering the work release program on or after such effective date; and

§ 8. Subdivision h of section 74 of chapter 3 of the laws of 1995, amending the correction law and other laws relating to the incarceration fee, as amended by section 8 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

h. Section fifty-two of this act shall be deemed to have been in full force and effect on and after April 1, 1995; provided, however, that the provisions of section 189 of the correction law, as amended by section fifty-five of this act, subdivision 5 of section 60.35 of the penal law, as amended by section fifty-six of this act shall expire September 1, [2021] 2023, when upon such date the amendments to the correction law and penal law made by sections fifty-five and fifty-six of this act shall revert to and be read as if the provisions of this act had not been enacted; provided, however, that sections sixty-two, sixty-three and sixty-four of this act shall be deemed to have been in full force and effect on and after March 1, 1995 and shall be deemed repealed April 1, 1996 and upon such date the provisions of subsection (e) of section 9110 of the insurance law and subdivision 2 of section 89-d of the state finance law shall revert to and be read as set out in law on the date immediately preceding the effective date of sections sixty-two and sixty-three of this act;

§ 9. Subdivision (c) of section 49 of subpart A of part C of chapter 62 of the laws of 2011, amending the correction law and the executive law relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, as amended by section 9 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

(c) that the amendments to subdivision 9 of section 201 of the correction law as added by section thirty-two of this act shall remain in effect until September 1, [2021] 2023, when it shall expire and be deemed repealed;

§ 10. Subdivision (aa) of section 427 of chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, as amended by section 10 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

(aa) the provisions of sections three hundred eighty-two, three hundred eighty-three and three hundred eighty-four of this act shall expire on September 1, [2021] 2023;

§ 11. Section 12 of chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, as amended by section 11 of part A of chapter 55 of the laws of 2020, is amended to read as follows:
§ 12. This act shall take effect immediately, except that the provisions of sections one through ten of this act shall remain in full force and effect until September 1, [2021] 2023 on which date those provisions shall be deemed to be repealed.

§ 12. Subdivision (p) of section 406 of chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, as amended by section 12 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

(p) The amendments to section 1809 of the vehicle and traffic law made by sections three hundred thirty-seven and three hundred thirty-eight of this act shall not apply to any offense committed prior to such effective date; provided, further, that section three hundred forty-one of this act shall take effect immediately and shall expire November 1, 1993 at which time it shall be deemed repealed; sections three hundred forty-five and three hundred forty-six of this act shall take effect July 1, 1991; sections three hundred fifty-five, three hundred fifty-six, three hundred fifty-seven and three hundred fifty-nine of this act shall take effect immediately and shall expire June 30, 1995 and shall revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall take effect immediately and shall expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy, three hundred seventy-one, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall remain in effect until September 1, [2021] 2023, at which time they shall be deemed repealed; provided, however, that the mandatory surcharge provided in section three hundred seventy-four of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, [2021] 2023 and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is necessary to assure that all applicants for examination for admission to practice as an attorney and counsellor at law shall pay the increased examination fee provided for by the amendment made to section 465 of the judiciary law by section three hundred eighty of this act for any examination given on or after the effective date of this act notwithstanding that an applicant for such examination may have prepaid a lesser fee for such examination as required by the provisions of such section 465 as of the date prior to the effective date of this act; the provisions of section 306-a of the civil practice law and rules as added by section three hundred eighty-one of this act shall apply to all actions pending on or commenced on or after September 1, 1991, provided, however, that for the purposes of this section service of such summons made prior to
such date shall be deemed to have been completed on September 1, 1991; the provisions of section three hundred eighty-three of this act shall apply to all money deposited in connection with a cash bail or a partially secured bail bond on or after such effective date; and the provisions of sections three hundred eighty-four and three hundred eighty-five of this act shall apply only to jury service commenced during a judicial term beginning on or after the effective date of this act; provided, however, that nothing contained herein shall be deemed to affect the application, qualification, expiration or repeal of any provision of law amended by any section of this act and such provisions shall be applied or qualified or shall expire or be deemed repealed in the same manner, to the same extent and on the same date as the case may be as otherwise provided by law;

§ 13. Subdivision 8 of section 1809 of the vehicle and traffic law, as amended by section 13 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

8. The provisions of this section shall only apply to offenses committed on or before September first, two thousand twenty-three.

§ 14. Section 6 of chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, as amended by section 14 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 6. This act shall take effect on the first day of April next succeeding the date on which it shall have become a law; provided, however, that effective immediately, the addition, amendment or repeal of any rule or regulation necessary for the implementation of the foregoing sections of this act on their effective date is authorized and directed to be made and completed on or before such effective date and shall remain in full force and effect until the first day of September, [2021] 2023 when upon such date the provisions of this act shall be deemed repealed.

§ 15. Paragraph a of subdivision 6 of section 76 of chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, as amended by section 15 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

a. sections forty-three through forty-five of this act shall expire and be deemed repealed on September 1, [2021] 2023;

§ 16. Section 4 of part D of chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, as amended by section 16 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 4. This act shall take effect 120 days after it shall have become a law and shall remain in full force and effect until September 1, [2021] 2023, when upon such date it shall expire.

§ 17. Subdivision 2 of section 59 of chapter 222 of the laws of 1994, constituting the family protection and domestic violence intervention act of 1994, as amended by section 17 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

2. Subdivision 4 of section 140.10 of the criminal procedure law as added by section thirty-two of this act shall take effect January 1, 1996 and shall expire and be deemed repealed on September 1, [2021] 2023.

§ 18. Section 5 of chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, as amended by
section 18 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 5. This act shall take effect immediately and shall apply to all criminal actions and proceedings commenced prior to the effective date of this act but still pending on such date as well as all criminal actions and proceedings commenced on or after such effective date and its provisions shall expire on September 1, [2021] 2023, when upon such date the provisions of this act shall be deemed repealed.

§ 19. Subdivision d of section 74 of chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, as amended by section 19 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

d. Sections one-a through twenty, twenty-four through twenty-eight, thirty through thirty-nine, forty-two and forty-four of this act shall be deemed repealed on September 1, [2021] 2023;

§ 20. Section 2 of chapter 689 of the laws of 1993, amending the criminal procedure law relating to electronic court appearance in certain counties, as amended by section 20 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 2. This act shall take effect immediately, except that the provisions of this act shall be deemed to have been in full force and effect since July 1, 1992 and the provisions of this act shall expire September 1, [2021] 2023 when upon such date the provisions of this act shall be deemed repealed.

§ 21. Section 3 of chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, as amended by section 21 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 3. This act shall take effect immediately, except that section one of this act shall take effect on the first of January next succeeding the date on which it shall have become a law, and shall remain in effect until the first of September, [2021] 2023, upon which date this act shall be deemed repealed and have no further force and effect; provided that section one of this act shall only take effect with respect to any compacting state which has enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act and provided further that with respect to any such compacting state, upon the effective date of section one of this act, section 259-m of the executive law is hereby deemed REPEALED and section 259-mm of the executive law, as added by section one of this act, shall take effect; and provided further that with respect to any state which has not enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act, section 259-m of the executive law shall take effect and the provisions of section one of this act, with respect to any such state, shall have no force or effect until such time as such state shall adopt an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act in which case, with respect to such state, effective immediately, section 259-m of the executive law is deemed repealed and section 259-mm of the executive law, as added by section one of this act, shall take effect.

§ 22. Section 8 of part H of chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences,
for custody of federal prisoners and requiring the closing of certain correctional facilities, as amended by section 22 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 8. This act shall take effect immediately; provided, however that sections five and six of this act shall expire and be deemed repealed September 1, 2023.

§ 23. Section 3 of part C of chapter 152 of the laws of 2001, amending the military law relating to military funds of the organized militia, as amended by section 23 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 3. This act shall take effect immediately; provided however that the amendments made to subdivision 1 of section 221 of the military law by section two of this act shall expire and be deemed repealed September 1, 2023.

§ 24. Section 5 of chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, as amended by section 24 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 5. This act shall take effect immediately and shall remain in full force and effect until September 1, 2023, and provided further that the commissioner of correctional services shall report each January first and July first during such time as this legislation is in effect, to the chairmen of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the number of individuals who are released to community treatment facilities during the previous six-month period, including the total number for each date at each facility who are not residing within the facility, but who are required to report to the facility on a daily or less frequent basis.

§ 25. Section 2 of part F of chapter 55 of the laws of 2018, amending the criminal procedure law relating to pre-criminal proceeding settlements in the city of New York, as amended by section 25 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

§ 2. This act shall take effect immediately and shall remain in full force and effect until March 31, 2023, when it shall expire and be deemed repealed.

§ 26. This act shall take effect immediately, provided however that section twenty-five of this act shall be deemed to have been in full force and effect on and after March 31, 2021.

PART B

Intentionally Omitted

PART C

Intentionally Omitted

PART D

Intentionally Omitted

PART E

Intentionally Omitted
PART F

Section 1. Subdivision 1 of section 240 of the domestic relations law is amended by adding a new paragraph (k) to read as follows:

(k) In determining the best interests of the child, the court shall not: (1) consider the sex, sexual orientation, gender identity or gender expression of the parties; or (2) prohibit a party from undergoing gender reassignment.

§ 2. This act shall take effect immediately.

PART G

Intentionally omitted

PART H

Intentionally Omitted

PART I

Intentionally Omitted

PART J

Intentionally Omitted

PART K

Intentionally Omitted

PART L

Intentionally Omitted

PART M

Intentionally Omitted

PART N

Intentionally Omitted

PART O

Intentionally Omitted

PART P

Section 1. Section 5 of chapter 268 of the laws of 1996, amending the education law and the state finance law relating to providing a recruitment incentive and retention program for certain active members of the New York army national guard, New York air national guard, and New York naval militia, as amended by section 1 of part E of chapter 57 of the laws of 2016, is amended to read as follows:

§ 5. This act shall take effect January 1, 1997 and shall expire and be deemed repealed September 1, [2021] 2026; provided that any person
who has begun to receive the benefits of this act prior to its expiration and repeal shall be entitled to continue to receive the benefits of this act after its expiration and repeal until completion of a baccalaureate degree or cessation of status as an active member, whichever occurs first.

§ 2. This act shall take effect immediately.

PART Q

Intentionally Omitted

PART R

Intentionally Omitted

PART S

Section 1. Paragraphs (a), (b) and (c) of subdivision 4 of section 8-600 of the election law, as added by chapter 6 of the laws of 2019, are amended and a new paragraph (f) is added to read as follows:

(a) Polls shall be open for early voting for at least eight consecutive hours between seven o'clock in the morning and nine o'clock in the evening each week day during the early voting period.

(b) At least one polling place for early voting shall remain open until nine o'clock in the evening on at least two week days in each calendar week during the early voting period. If polling places for early voting are limited to voters from certain areas pursuant to subdivision three of this section, polling places that remain open until nine o'clock shall be designated such that any person entitled to vote early may vote until nine o'clock in the evening on at least two week days during the early voting period.

(c) Polls shall be open for early voting for at least five ten consecutive hours between nine o'clock in the morning and nine o'clock in the evening on each Saturday, Sunday and legal holiday during the early voting period.

(f) For voting hours, each county shall endeavor to assure that there is sufficient and accessible indoor space, equipment, broadband access as needed, and other resources designed to make such voting process convenient, safe and comfortable for the voting public.

§ 2. This act shall take effect immediately.

PART T

Intentionally Omitted

PART U

Intentionally Omitted

PART V

Intentionally Omitted

PART W

Intentionally Omitted
PART X
Intentionally Omitted

PART Y
Intentionally Omitted

PART Z
Intentionally Omitted

PART AA
Intentionally Omitted

PART BB
Intentionally Omitted

PART CC
Intentionally Omitted

PART DD
Intentionally Omitted

PART EE
Intentionally Omitted

PART FF
Intentionally Omitted

PART GG
Intentionally Omitted

PART HH
Intentionally Omitted

PART II
Intentionally Omitted

PART JJ
Intentionally Omitted

PART KK
Intentionally Omitted
Section 1. Paragraph 3 of subdivision (c) of section 1261 of the tax law, as amended by section 1 of part NN of chapter 55 of the laws of 2020, is amended to read as follows:

(3) However, the taxes, penalties and interest which (i) the county of Nassau, (ii) the county of Erie, to the extent the county of Erie is contractually or statutorily obligated to allocate and apply or pay net collections to the city of Buffalo and to the extent that such county has set aside net collections for educational purposes attributable to the Buffalo school district, or the city of Buffalo or (iii) the county of Erie is authorized to impose pursuant to section twelve hundred ten of this article, other than such taxes in the amounts described, respectively, in subdivisions one and two of section one thousand two hundred sixty-two-e of this part, during the period that such section authorizes Nassau county to establish special or local assistance programs thereunder, together with any penalties and interest related thereto, and after the comptroller has reserved such refund fund and such costs, shall, commencing on the next payment date after the effective date of this sentence and of each month thereafter, until such date as (i) the Nassau county interim finance authority shall have no obligations outstanding, or (ii) the Buffalo fiscal stability authority shall cease to exist, or (iii) the Erie county fiscal stability authority shall cease to exist, be paid by the comptroller, respectively, to (i) the Nassau county interim finance authority to be applied by the Nassau county interim finance authority, or (ii) to the Buffalo fiscal stability authority to be applied by the Buffalo county fiscal stability authority, or (iii) to the Erie county fiscal stability authority to be applied by the Erie county fiscal stability authority, as the case may be, in the following order of priority: first pursuant to the Nassau county interim finance authority's contracts with bondholders or the Buffalo fiscal stability authority's contracts with bondholders or the Erie county fiscal stability authority's contracts with bondholders, respectively, then to pay the Nassau county interim finance authority's operating expenses not otherwise provided for or the Buffalo fiscal stability authority's operating expenses not otherwise provided for or the Erie county fiscal stability authority's operating expenses not otherwise provided for, respectively, then [(i) for the Nassau county interim finance authority to pay to the state as soon as practicable in the months of May and December each year, the amount necessary to fulfill the town and village distribution requirement on behalf of Nassau county pursuant to paragraph five-a of this subdivision, or (ii) for the Buffalo fiscal stability authority to pay to the state as soon as practicable in the months of May and December each year, the percentage of the amount necessary to fulfill the town and village distribution requirement on behalf of Erie county pursuant to paragraph five-a of this subdivision that equates to the percentage of the county net collections that the city of Buffalo and the Buffalo city school district, together, are due in the months of May and December each year, or (iii) for the Erie county fiscal stability authority to pay to the state as soon as practicable in the months of May and December each year, the amount necessary to fulfill the town and village distribution requirement on behalf of Erie county pursuant to paragraph five-a of this subdivision, less the amount being paid to the state by the Buffalo fiscal stability authority in each respective month, and then] (i) pursuant to the Nassau county interim finance authority's agreements
with the county of Nassau, which agreements shall require the Nassau
county interim finance authority to transfer such taxes, penalties and
interest remaining after providing for contractual or other obligations
of the Nassau county interim finance authority, and subject to any
agreement between such authority and the county of Nassau, to the county
of Nassau as frequently as practicable; or (ii) pursuant to the Buffalo
fiscal stability authority's agreements with the city of Buffalo, which
agreements shall require the Buffalo fiscal stability authority to
transfer such taxes, penalties and interest remaining after providing
for contractual or other obligations of the Buffalo fiscal stability
authority, and subject to any agreement between such authority and the
city of Buffalo, to the city of Buffalo or the city of Buffalo school
district, as the case may be, as frequently as practicable; or (iii)
pursuant to the Erie county fiscal stability authority's agreements with
the county of Erie, which agreements shall require the Erie county
fiscal stability authority to transfer such taxes, penalties and interest
remaining after providing for contractual or other obligations of
the Erie county fiscal stability authority, and subject to any agreement
between such authority and the county of Erie, to the county of Erie as
frequently as practicable. During the period that the comptroller is
required to make payments to the Nassau county interim finance authority
described in the previous sentence, the county of Nassau shall have no
right, title or interest in or to such taxes, penalties and interest
required to be paid to the Nassau county interim finance authority,
except as provided in such authority's agreements with the county of
Nassau. During the period that the comptroller is required to make
payments to the Buffalo fiscal stability authority described in the
second previous sentence, the city of Buffalo and such school district
shall have no right, title or interest in or to such taxes, penalties
and interest required to be paid to the Buffalo fiscal stability author-
ity, except as provided in such authority's agreements with the city of
Buffalo. During the period that the comptroller is required to make
payments to the Erie county fiscal stability authority described in the
third previous sentence, the county of Erie shall have no right, title
or interest in or to such taxes, penalties and interest required to be
paid to the Erie county fiscal stability authority, except as provided
in such authority's agreements with the county of Erie.

§ 2. Subparagraph (v) of paragraph b of subdivision 10 of section 54
of the state finance law, as added by section 1 of part PPP of chapter
59 of the laws of 2019, is amended to read as follows:
(v) Notwithstanding subparagraph (i) of this paragraph, within amounts
appropriated in the state fiscal year commencing April first, two thou-
sand [nineteen, and annually thereafter] twenty-one there shall be
apportioned and paid to each municipality which is a city a base level
grant in an amount equal to the prior year aid received by such [city,
and there shall be apportioned and paid to each municipality which is a
town or village a base level grant in accordance with clause two of this
subparagraph.

(A) When used in this subparagraph, unless otherwise expressly stated:
(two thousand eighteen--two thousand nineteen AIM funding" shall
mean the sum of the base level grant paid in the state fiscal year that
began April first, two thousand eighteen pursuant to this paragraph.
(B) "two thousand seventeen total expenditures" shall mean all funds
and total expenditures for a town or a village as reported to the state
comptroller for local fiscal years ended in two thousand seventeen.
(C) “AIM Reliance” shall mean two thousand eighteen—two thousand nineteen AIM funding calculated as a percentage of two thousand seventeen total expenditures, provided that, for a village which dissolved during the state fiscal year that began April first, two thousand eighteen—two thousand nineteen, the village’s two thousand eighteen—two thousand nineteen AIM funding shall be added to the existing two thousand eighteen—two thousand nineteen AIM funding of the town into which the village dissolved for purposes of this calculation.

(2) A base level grant equal to a town or village’s prior year aid only if such town or village’s AIM reliance equals two percent or greater as reported to and published by the state comptroller as of January tenth, two thousand nineteen municipality.

§ 3. Subparagraph (ix) of paragraph i of subdivision 10 of section 54 of the state finance law is REPEALED.

§ 4. Subparagraph (viii) of paragraph a of subdivision 10 of section 54 of the state finance law, as amended by section 1 of part PPP of chapter 59 of the laws of 2019, is amended to read as follows:

(viii) “Prior year aid” means for the state fiscal year commencing April first, two thousand nineteen twenty-one and in each state fiscal year thereafter, the base level grant received in the immediately preceding state fiscal year pursuant to paragraph b of this subdivision.

§ 5. Paragraph 5-a of subdivision (c) of section 1261 of the tax law is REPEALED.

§ 6. Subdivision 5 of section 3657 of the public authorities law, as amended by section 3 of part NN of chapter 55 of the laws of 2020, is amended to read as follows:

5. Tax revenues received by the authority pursuant to section twelve hundred sixty-one of the tax law, together with any other revenues received by the authority, shall be applied in the following order of priority: first pursuant to the authority's contracts with bondholders, then to pay the authority's operating expenses not otherwise provided for, then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law, and then, subject to the authority's agreements with the county, to transfer the balance of such tax revenues not required to meet contractual or other obligations of the authority to the county as frequently as practicable.

§ 7. Subdivision 5 of section 3865 of the public authorities law, as amended by section 4 of part NN of chapter 55 of the laws of 2020, is amended to read as follows:

5. Revenues of the authority shall be applied in the following order of priority: first to pay debt service or for set asides to pay debt service on the authority's bonds, notes, or other obligations and to replenish any reserve funds securing such bonds, notes or other obligations of the authority, in accordance with the provision of any indenture or bond resolution of the authority; then to pay the authority's operating expenses not otherwise provided for; then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law; and then, subject to the authority's agreement with the city, for itself or on behalf of the city's dependent school district and any other covered organization, to transfer as frequently as practicable the balance of revenues not required to meet contractual or other obligations of the authority to the city or the city's dependent school district as provided in subdivision seven of this section.
§ 8. Subdivision 5 of section 3965 of the public authorities law, as amended by section 5 of part NN of chapter 55 of the laws of 2020, is amended to read as follows:

5. Revenues of the authority shall be applied in the following order of priority: first to pay debt service or for set asides to pay debt service on the authority's bonds, notes, or other obligations and to replenish any reserve funds securing such bonds, notes or other obligations of the authority in accordance with the provision of indenture or bond resolution of the authority; then to pay the authority's operating expenses not otherwise provided for; [then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law;] and then, subject to the authority's agreements with the county for itself or on behalf of any covered organization to transfer as frequently as practicable the balance of revenues not required to meet contractual or other obligations of the authority to the county as provided in subdivision seven of this section.

§ 9. This act shall take effect immediately.

PART MM

Intentionally Omitted

PART NN

Intentionally Omitted

PART OO

Intentionally Omitted

PART PP

Intentionally Omitted

PART QQ

Section 1. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the following funds and/or accounts:

1. DOL-Child performer protection account (20401).
2. Local government records management account (20501).
3. Child health plus program account (20810).
4. EPIC premium account (20818).
5. Education - New (20901).
6. VLT - Sound basic education fund (20904).
7. Sewage treatment program management and administration fund (21000).
8. Hazardous bulk storage account (21061).
9. Utility environmental regulatory account (21064).
10. Federal grants indirect cost recovery account (21065).
11. Low level radioactive waste account (21066).
12. Recreation account (21067).
13. Public safety recovery account (21077).
14. Environmental regulatory account (21081).
15. Natural resource account (21082).
16. Mined land reclamation program account (21084).
17. Great lakes restoration initiative account (21087).
18. Environmental protection and oil spill compensation fund (21200).
19. Public transportation systems account (21401).
20. Metropolitan mass transportation (21402).
21. Operating permit program account (21451).
22. Mobile source account (21452).
23. Statewide planning and research cooperative system account (21902).
25. Mental hygiene program fund account (21907).
26. Mental hygiene patient income account (21909).
27. Financial control board account (21911).
28. Regulation of racing account (21912).
29. State university dormitory income reimbursable account (21937).
30. Criminal justice improvement account (21945).
31. Environmental laboratory reference fee account (21959).
32. Training, management and evaluation account (21961).
33. Clinical laboratory reference system assessment account (21962).
34. Indirect cost recovery account (21978).
35. Multi-agency training account (21989).
36. Bell jar collection account (22003).
37. Industry and utility service account (22004).
38. Real property disposition account (22006).
40. Courts special grants (22008).
41. Asbestos safety training program account (22009).
42. Camp Smith billeting account (22017).
43. Batavia school for the blind account (22032).
44. Investment services account (22034).
45. Surplus property account (22036).
46. Financial oversight account (22039).
47. Regulation of Indian gaming account (22046).
48. Rome school for the deaf account (22053).
49. Seized assets account (22054).
50. Administrative adjudication account (22055).
51. Federal salary sharing account (22056).
52. New York City assessment account (22062).
53. Cultural education account (22063).
54. Local services account (22078).
55. DHCR mortgage servicing account (22085).
56. Housing indirect cost recovery account (22090).
57. DHCR-HCA application fee account (22100).
58. Low income housing monitoring account (22130).
59. Corporation administration account (22135).
60. New York State Home for Veterans in the Lower-Hudson Valley account (22144).
61. Deferred compensation administration account (22151).
62. Rent revenue other New York City account (22156).
63. Rent revenue account (22158).
64. Tax revenue arrearage account (22168).
65. New York state medical indemnity fund account (22240).
66. Behavioral health parity compliance fund (22246).
67. State university general income offset account (22654).
68. Lake George park trust fund account (22751).
69. State police motor vehicle law enforcement account (22802).
1. Highway safety program account (23001).
2. DOH drinking water program account (23102).
3. NYCCC operating offset account (23151).
4. Commercial gaming regulation account (23702).
5. Highway use tax administration account (23801).
7. Highway and bridge capital account (30051).
8. Aviation purpose account (30053).
10. State parks infrastructure account (30351).
11. Clean water/clean air implementation fund (30500).
13. Youth facilities improvement account (31701).
14. Housing assistance fund (31800).
15. Housing program fund (31850).
17. Information technology capital financing account (32215).
18. New York racing account (32213).
19. Capital miscellaneous gifts account (32214).
20. New York environmental protection and spill remediation account (32219).
21. Mental hygiene facilities capital improvement fund (32300).
22. Correctional facilities capital improvement fund (32350).
24. OGS convention center account (50318).
25. Empire Plaza Gift Shop (50327).
27. Archives records management account (55052).
28. Federal single audit account (55053).
29. Civil service administration account (55055).
30. Civil service EHS occupational health program account (55056).
31. Banking services account (55057).
32. Cultural resources survey account (55058).
33. Neighborhood work project account (55059).
34. Automation & printing chargeback account (55060).
35. OPT NYT account (55061).
36. Data center account (55062).
37. Intrusion detection account (55066).
38. Domestic violence grant account (55067).
39. Centralized technology services account (55069).
40. Labor contact center account (55071).
41. Human services contact center account (55072).
42. Tax contact center account (55073).
43. Department of law civil recoveries account (55074).
44. Executive direction internal audit account (55251).
45. CIO Information technology centralized services account (55252).
46. Health insurance internal service account (55300).
47. Civil service employee benefits division administrative account (55301).
48. Correctional industries revolving fund (55350).
49. Employees health insurance account (60201).
50. Medicaid management information system escrow fund (60900).
51. New York state cannabis revenue fund.

§ 1-a. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of
section 4 of the state finance law to any account within the following federal funds, provided the comptroller has made a determination that sufficient federal grant award authority is available to reimburse such loans:

1. Federal USDA-food and nutrition services fund (25000).
2. Federal health and human services fund (25100).
4. Federal block grant fund (25250).
5. Federal miscellaneous operating grants fund (25300).
6. Federal unemployment insurance administration fund (25900).
7. Federal unemployment insurance occupational training fund (25950).

§ 2. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2022, up to the unencumbered balance or the following amounts:

Economic Development and Public Authorities:
1. $1,175,000 from the miscellaneous special revenue fund, underground facilities safety training account (22172), to the general fund.
2. An amount up to the unencumbered balance from the miscellaneous special revenue fund, business and licensing services account (21977), to the general fund.
3. $14,810,000 from the miscellaneous special revenue fund, code enforcement account (21904), to the general fund.
4. $3,000,000 from the general fund to the miscellaneous special revenue fund, tax revenue arrearage account (22168).

Education:
1. $2,520,000,000 from the general fund to the state lottery fund, education account (20901), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.
2. $746,000,000 from the general fund to the state lottery fund, VLT education account (20904), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.
3. $125,600,000 from the general fund to the New York state commercial gaming fund, commercial gaming revenue account (23701), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 97-nnnn of the state finance law that are in excess of the amounts deposited in such fund for purposes pursuant to section 1352 of the racing, pari-mutuel wagering and breeding law.
4. $6,000,000 from the interactive fantasy sports fund, fantasy sports education account (24950), to the state lottery fund, education account (20901), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law.
5. An amount up to the unencumbered balance from the charitable gifts trust fund, elementary and secondary education account (24901), to the general fund, for payment of general support for public schools pursuant to section 3609-a of the education law.
6. Moneys from the state lottery fund (20900) up to an amount deposited in such fund pursuant to section 1612 of the tax law in excess of the
A. 3005--B                         21

1 current year appropriation for supplemental aid to education pursuant to
2 section 92-c of the state finance law.
3 7. $300,000 from the New York state local government records manage-
4 ment improvement fund, local government records management account
5 (20501), to the New York state archives partnership trust fund, archives
6 partnership trust maintenance account (20351).
7 8. $900,000 from the general fund to the miscellaneous special revenue
8 fund, Batavia school for the blind account (22032).
9 9. $900,000 from the general fund to the miscellaneous special revenue
10 fund, Rome school for the deaf account (22053).
11 10. $343,400,000 from the state university dormitory income fund
12 (40350) to the miscellaneous special revenue fund, state university
13 dormitory income reimbursable account (21937).
14 11. $8,318,000 from the general fund to the state university income
15 fund, state university income offset account (22654), for the state's
16 share of repayment of the STIP loan.
17 12. $68,000,000 from the state university income fund, state universi-
18 ty hospitals income reimbursable account (22656) to the general fund for
19 hospital debt service for the period April 1, 2021 through March 31,
20 2022.
21 13. $7,850,000 from the miscellaneous special revenue fund, office of
22 the professions account (22051), to the miscellaneous capital projects
23 fund, office of the professions electronic licensing account (32222).
24 14. $24,000,000 from any of the state education department's special
25 revenue and internal service funds to the miscellaneous special revenue
26 fund, indirect cost recovery account (21978).
27 15. $4,200,000 from any of the state education department's special
28 revenue or internal service funds to the capital projects fund (30000).
29 16. $1,500,000 from the miscellaneous special revenue fund, office of
30 the professions account (22051), to the general fund from fees charged
31 to each non-licensee owner of a firm that is incorporating as a profes-
32 sional service corporation formed to lawfully engage in the practice of
33 public accountancy.
34 17. $12,500,000 from the School Capital Facilities Financing Reserve
35 Fund to the Capital Projects Fund account (30000), for excess debt
36 service reserve fund balances related to bonds that have been fully
37 retired. Such excess funds shall be used to support the development of
38 a modernized State aid data system for the education department.
39 Environmental Affairs:
40 1. $16,000,000 from any of the department of environmental conserva-
41 tion's special revenue federal funds, and/or federal capital funds, to
42 the environmental conservation special revenue fund, federal indirect
43 recovery account (21065).
44 2. $5,000,000 from any of the department of environmental conserva-
45 tion's special revenue federal funds, and/or federal capital funds, to
46 the conservation fund (21150) or Marine Resources Account (21151) as
47 necessary to avoid diversion of conservation funds.
48 3. $3,000,000 from any of the office of parks, recreation and historic
49 preservation capital projects federal funds and special revenue federal
50 funds to the miscellaneous special revenue fund, federal grant indirect
51 cost recovery account (22188).
52 4. $1,000,000 from any of the office of parks, recreation and historic
53 preservation special revenue federal funds to the miscellaneous capital
54 projects fund, I love NY water account (32212).
55 5. $28,000,000 from the general fund to the environmental protection
56 fund, environmental protection fund transfer account (30451).
6. $1,800,000 from the general fund to the hazardous waste remedial fund, hazardous waste oversight and assistance account (31505).
7. An amount up to or equal to the cash balance within the special revenue-other waste management & cleanup account (21053) to the capital projects fund (30000) for services and capital expenses related to the management and cleanup program as put forth in section 27-1915 of the environmental conservation law.
8. $1,800,000 from the miscellaneous special revenue fund, public service account (22011) to the miscellaneous special revenue fund, utility environmental regulatory account (21064).
9. $7,000,000 from the general fund to the enterprise fund, state fair account (50051).
10. $4,000,000 from the waste management & cleanup account (21053) to the general fund.
11. $3,000,000 from the waste management & cleanup account (21053) to the environmental protection fund transfer account (30451).
12. $100,000,000 from the general fund to the environmental protection fund.

Family Assistance:
1. $7,000,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and the general fund, in accordance with agreements with social services districts, to the miscellaneous special revenue fund, office of human resources development state match account (21967).
2. $4,000,000 from any of the office of children and family services or office of temporary and disability assistance special revenue federal funds to the miscellaneous special revenue fund, family preservation and support services and family violence services account (22082).
3. $18,670,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and any other miscellaneous revenues generated from the operation of office of children and family services programs to the general fund.
4. $175,000,000 from any of the office of temporary and disability assistance or department of health special revenue funds to the general fund.
5. $2,500,000 from any of the office of temporary and disability assistance special revenue funds to the miscellaneous special revenue fund, office of temporary and disability assistance program account (21980).
6. $35,000,000 from any of the office of children and family services, office of temporary and disability assistance, department of labor, and department of health special revenue federal funds to the office of children and family services miscellaneous special revenue fund, multi-agency training contract account (21989).
7. $205,000,000 from the miscellaneous special revenue fund, youth facility per diem account (22186), to the general fund.
8. $621,850 from the general fund to the combined gifts, grants, and bequests fund, WB Hoyt Memorial account (20128).
9. $5,000,000 from the miscellaneous special revenue fund, state central registry (22028), to the general fund.

General Government:
1. $1,566,000 from the miscellaneous special revenue fund, examination and miscellaneous revenue account (22065) to the general fund.
2. $12,000,000 from the general fund to the health insurance revolving fund (55300).
3. $292,400,000 from the health insurance reserve receipts fund (60550) to the general fund.
4. $150,000 from the general fund to the not-for-profit revolving loan fund (20650).
5. $150,000 from the not-for-profit revolving loan fund (20650) to the general fund.
6. $3,000,000 from the miscellaneous special revenue fund, surplus property account (22036), to the general fund.
7. $19,000,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the general fund.
8. $1,826,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the miscellaneous special revenue fund, authority budget office account (22138).
9. $1,000,000 from the agencies enterprise fund, parking services account (22007), to the general fund, for the purpose of reimbursing the costs of debt service related to state parking facilities.
10. $3,435,000 from the general fund to the centralized services fund, COPS account (55013).
11. $11,460,000 from the general fund to the agencies internal service fund, central technology services accounts (55069), for the purpose of enterprise technology projects.
12. $10,000,000 from the general fund to the agencies internal service fund, state data center account (55062).
13. $12,000,000 from the agencies enterprise fund, parking services account (22007), to the centralized services, building support services account (55018).
14. $30,000,000 from the general fund to the internal service fund, business services center account (55022).
15. $8,000,000 from the general fund to the internal service fund, building support services account (55018).
16. $1,500,000 from the agencies enterprise fund, special events account (20120), to the general fund.

Health:
1. A transfer from the general fund to the combined gifts, grants and bequests fund, breast cancer research and education account (20155), up to an amount equal to the monies collected and deposited into that account in the previous fiscal year.
2. A transfer from the general fund to the combined gifts, grants and bequests fund, prostate cancer research, detection, and education account (20183), up to an amount equal to the moneys collected and deposited into that account in the previous fiscal year.
3. A transfer from the general fund to the combined gifts, grants and bequests fund, Alzheimer’s disease research and assistance account (20143), up to an amount equal to the moneys collected and deposited into that account in the previous fiscal year.
4. $20,294,000 from the HCRA resources fund (20800) to the miscellaneous special revenue fund, empire state stem cell trust fund account (22161).
5. $2,000,000 from the miscellaneous special revenue fund, certificate of need account (21920), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).
6. $2,000,000 from the miscellaneous special revenue fund, vital health records account (22103), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).
7. $6,000,000 from the miscellaneous special revenue fund, professional medical conduct account (22088), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).
8. $91,304,000 from the HCRA resources fund (20800) to the capital projects fund (30000).
9. $6,550,000 from the general fund to the medical marihuana trust fund, health operation and oversight account (23755).
10. An amount up to the unencumbered balance from the charitable gifts trust fund, health charitable account (24900), to the general fund, for payment of general support for primary, preventive, and inpatient health care, dental and vision care, hunger prevention and nutritional assistance, and other services for New York state residents with the overall goal of ensuring that New York state residents have access to quality health care and other related services.
11. $500,000 from the miscellaneous special revenue fund, New York State cannabis revenue fund, to the miscellaneous special revenue fund, environmental laboratory fee account (21959).
12. An amount up to the unencumbered balance from the public health emergency charitable gifts trust fund to the general fund, for payment of goods and services necessary to respond to a public health disaster emergency or to assist or aid in responding to such a disaster.
13. $2,585,000 from the miscellaneous special revenue fund, patient safety center account (22140), to the general fund.
14. $1,000,000 from the miscellaneous special revenue fund, nursing home receivership account (21925), to the general fund.
15. $133,000 from the miscellaneous special revenue fund, quality of care account (21915), to the general fund.
16. $2,200,000 from the miscellaneous special revenue fund, adult home quality enhancement account (22091), to the general fund.

Labor:
1. $600,000 from the miscellaneous special revenue fund, DOL fee and penalty account (21923), to the child performer's protection fund, child performer protection account (20401).
2. $11,700,000 from the unemployment insurance interest and penalty fund, unemployment insurance special interest and penalty account (23601), to the general fund.
3. $50,000,000 from the DOL fee and penalty account (21923), unemployment insurance special interest and penalty account (23601), and public work enforcement account (21998), to the general fund.

Mental Hygiene:
1. $10,000,000 from the general fund, to the miscellaneous special revenue fund, federal salary sharing account (22056).
2. $3,800,000 from the general fund, to the agencies internal service fund, civil service EHS occupational health program account (55056).
3. $3,000,000 from the chemical dependence service fund, substance abuse services fund account (22700), to the mental hygiene capital improvement fund (32305).

Public Protection:
1. $1,350,000 from the miscellaneous special revenue fund, emergency management account (21944), to the general fund.
2. $2,587,000 from the general fund to the miscellaneous special revenue fund, recruitment incentive account (22171).
3. $22,773,000 from the general fund to the correctional industries revolving fund, correctional industries internal service account (55350).
4. $2,000,000,000 from any of the division of homeland security and emergency services special revenue federal funds to the general fund.

5. $11,149,000 from the miscellaneous special revenue fund, criminal justice improvement account (21945), to the general fund.

6. $115,420,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, state police motor vehicle enforcement account (22802), to the general fund for state operation expenses of the division of state police.

7. $131,500,000 from the general fund to the correctional facilities capital improvement fund (32350).

8. $5,000,000 from the general fund to the dedicated highway and bridge trust fund (30050) for the purpose of work zone safety activities provided by the division of state police for the department of transportation.

9. $10,000,000 from the miscellaneous special revenue fund, statewide public safety communications account (22123), to the capital projects fund (30000).

10. Intentionally omitted.

11. $1,000,000 from the general fund to the agencies internal service fund, neighborhood work project account (55059).

12. $7,980,000 from the miscellaneous special revenue fund, fingerprint identification & technology account (21950), to the general fund.

13. $1,100,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, motor vehicle theft and insurance fraud account (22801), to the general fund.

14. $40,330,000 from the miscellaneous special revenue fund, statewide public safety communications account (22123), to the general fund.

Transportation:

1. $20,000,000 from the general fund to the mass transportation operating assistance fund, public transportation systems operating assistance account (21401), of which $12,000,000 constitutes the base need for operations.

2. $727,500,000 from the general fund to the dedicated highway and bridge trust fund (30050).

3. $244,250,000 from the general fund to the MTA financial assistance fund, mobility tax trust account (23651).

4. $5,000,000 from the miscellaneous special revenue fund, transportation regulation account (22067) to the dedicated highway and bridge trust fund (30050), for disbursements made from such fund for motor carrier safety that are in excess of the amounts deposited in the dedicated highway and bridge trust fund (30050) for such purpose pursuant to section 94 of the transportation law.

5. $3,000,000 from the miscellaneous special revenue fund, traffic adjudication account (22055), to the general fund.

6. $8,557,000 from the mass transportation operating assistance fund, metropolitan mass transportation operating assistance account (21402), to the capital projects fund (30000).

7. $5,000,000 from the miscellaneous special revenue fund, transportation regulation account (22067) to the general fund, for disbursements made from such fund for motor carrier safety that are in excess of the amounts deposited in the general fund for such purpose pursuant to section 94 of the transportation law.

8. Intentionally omitted.

9. Intentionally omitted.

10. Intentionally omitted.

11. Intentionally omitted.
12. Intentionally omitted.
13. Intentionally omitted.

Miscellaneous:
1. $250,000,000 from the general fund to any funds or accounts for the purpose of reimbursing certain outstanding accounts receivable balances.
2. $500,000,000 from the general fund to the debt reduction reserve fund (40000).
3. $450,000,000 from the New York state storm recovery capital fund (33000) to the revenue bond tax fund (40152).
4. $15,500,000 from the general fund, community projects account GG (10256), to the general fund, state purposes account (10050).
5. $100,000,000 from any special revenue federal fund to the general fund, state purposes account (10050).

§ 3. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, on or before March 31, 2022:
1. Upon request of the commissioner of environmental conservation, up to $12,745,400 from revenues credited to any of the department of environmental conservation special revenue funds, including $4,000,000 from the environmental protection and oil spill compensation fund (21200), and $1,834,600 from the conservation fund (21150), to the environmental conservation special revenue fund, indirect charges account (21060).
2. Upon request of the commissioner of agriculture and markets, up to $3,000,000 from any special revenue fund or enterprise fund within the department of agriculture and markets to the general fund, to pay appropriate administrative expenses.
3. Upon request of the commissioner of agriculture and markets, up to $2,000,000 from the state exposition special fund, state fair receipts account (50051) to the miscellaneous capital projects fund, state fair capital improvement account (32208).
4. Upon request of the commissioner of the division of housing and community renewal, up to $6,221,000 from revenues credited to any division of housing and community renewal federal or miscellaneous special revenue fund to the miscellaneous special revenue fund, housing indirect cost recovery account (22090).
5. Upon request of the commissioner of the division of housing and community renewal, up to $5,500,000 may be transferred from any miscellaneous special revenue fund account, to any miscellaneous special revenue fund.
6. Upon request of the commissioner of health up to $13,225,000 from revenues credited to any of the department of health's special revenue funds, to the miscellaneous special revenue fund, administration account (21982).

§ 4. On or before March 31, 2022, the comptroller is hereby authorized and directed to deposit earnings that would otherwise accrue to the general fund that are attributable to the operation of section 98-a of the state finance law, to the agencies internal service fund, banking services account (55057), for the purpose of meeting direct payments from such account.

§ 5. Notwithstanding any law to the contrary, upon the direction of the director of the budget and upon requisition by the state university of New York, the dormitory authority of the state of New York is directed to transfer, up to $22,000,000 in revenues generated from the sale of notes or bonds, the state university income fund general revenue
§ 6. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2022, up to $16,000,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Buffalo.

§ 7. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2022, up to $6,500,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Albany.

§ 8. Notwithstanding any law to the contrary, the state university chancellor or his or her designee is authorized and directed to transfer estimated tuition revenue balances from the state university collection fund (61000) to the state university income fund, state university general revenue offset account (22655) on or before March 31, 2022.

§ 9. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $1,107,134,300 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2021 through June 30, 2022 to support operations at the state university.

§ 10. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $20,000,000 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2021 to June 30, 2022 to support operations at the state university in accordance with the maintenance of effort pursuant to subparagraph (4) of paragraph h of subdivision 2 of section 355 of the education law.

§ 11. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the state university chancellor or his or her designee, up to $55,000,000 from the state university income fund, state university hospitals income reimbursable account (22656), for services and expenses of hospital operations and capital expenditures at the state university hospitals; and the state university income fund, Long Island veterans' home account (22652) to the state university capital projects fund (32400) on or before June 30, 2022.

§ 12. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller, after consultation with the state university chancellor or his or her designee, is hereby authorized and directed to transfer moneys, in the first instance, from the state university collection fund, Stony Brook hospital collection account (61006), Brooklyn hospital collection account (61007), and Syra-
cuse hospital collection account (61008) to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals. Notwithstanding any law to the contrary, the comptroller is also hereby authorized and directed, after consultation with the state university chancellor or his or her designee, to transfer moneys from the state university income fund to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to pay hospital operating costs or to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals on or before March 31, 2022.

§ 13. Notwithstanding any law to the contrary, upon the direction of the director of the budget and the chancellor of the state university of New York or his or her designee, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer moneys from the state university dormitory income fund (40350) to the state university residence hall rehabilitation fund (30100), and from the state university residence hall rehabilitation fund (30100) to the state university dormitory income fund (40350), in an amount not to exceed $80 million from each fund.

§ 14. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $250 million from the unencumbered balance of any special revenue fund or account, agency fund or account, internal service fund or account, enterprise fund or account, or any combination of such funds and accounts, to the general fund. The amounts transferred pursuant to this authorization shall be in addition to any other transfers expressly authorized in the 2021-22 budget. Transfers from federal funds, debt service funds, capital projects funds, the community projects fund, or funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 15. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $100 million from any non-general fund or account, or combination of funds and accounts, to the miscellaneous special revenue fund, technology financing account (22207), the miscellaneous capital projects fund, the federal capital projects account (31350), information technology capital financing account (32215), or the centralized technology services account (55069), for the purpose of consolidating technology procurement and services. The amounts transferred to the miscellaneous special revenue fund, technology financing account (22207) pursuant to this authorization shall be equal to or less than the amount of such moneys intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the technology financing account shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule or permanent statute, and
shall be transferred to the technology financing account pursuant to a
schedule agreed upon by the affected agency commissioner. Transfers from
funds that would result in the loss of eligibility for federal benefits
or federal funds pursuant to federal law, rule, or regulation as assen-
ted to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
1951 are not permitted pursuant to this authorization.
§ 16. Notwithstanding any law to the contrary, and in accordance with
section 4 of the state finance law, the comptroller is hereby authorized
and directed to transfer, at the request of the director of the budget,
up to $400 million from any non-general fund or account, or combination
of funds and accounts, to the general fund for the purpose of consol-
idating technology procurement and services. The amounts transferred
pursuant to this authorization shall be equal to or less than the amount
of such monies intended to support information technology costs which
are attributable, according to a plan, to such account made in pursuance
to an appropriation by law. Transfers to the general fund shall be
completed from amounts collected by non-general funds or accounts pursu-
ant to a fund deposit schedule. Transfers from funds that would result
in the loss of eligibility for federal benefits or federal funds pursuant
to federal law, rule, or regulation as assented to in chapter 683 of
the laws of 1938 and chapter 700 of the laws of 1951 are not permitted
pursuant to this authorization.
§ 17. Notwithstanding any provision of law to the contrary, as deemed
feasible and advisable by its trustees, the power authority of the state
of New York is authorized and directed to transfer to the state treasury
to the credit of the general fund up to $20,000,000 for the state fiscal
year commencing April 1, 2021, the proceeds of which will be utilized to
support energy-related state activities.
§ 18. Notwithstanding any provision of law, rule or regulation to the
contrary, the New York state energy research and development authority
is authorized and directed to transfer $913,000 to the state treasury to
the credit of the general fund on or before March 31, 2022.
§ 19. Notwithstanding any provision of law, rule or regulation to the
contrary, the New York state energy research and development authority
is authorized and directed to transfer five million dollars to the cred-
it of the Environmental Protection Fund on or before March 31, 2022 from
proceeds collected by the authority from the auction or sale of carbon
dioxide emission allowances allocated by the department of environmental
conservation.
§ 20. Subdivision 5 of section 97-rrr of the state finance law, as
amended by section 20 of part JJ of chapter 56 of the laws of 2020, is
amended to read as follows:
5. Notwithstanding the provisions of section one hundred seventy-one-a
of the tax law, as separately amended by chapters four hundred eighty-
one and four hundred eighty-four of the laws of nineteen hundred eight-
y-one, and notwithstanding the provisions of chapter ninety-four of the
laws of two thousand eleven, or any other provisions of law to the
contrary, during the fiscal year beginning April first, two thousand
[twenty] twenty-one, the state comptroller is hereby authorized and
directed to deposit to the fund created pursuant to this section from
amounts collected pursuant to article twenty-two of the tax law and
pursuant to a schedule submitted by the director of the budget, up to
[$2,073,116,000] $621,503,000, as may be certified in such schedule as
necessary to meet the purposes of such fund for the fiscal year begin-
ing April first, two thousand [twenty] twenty-one.
§ 21. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2022, the following amounts from the following special revenue accounts to the capital projects fund (30000), for the purposes of reimbursement to such fund for expenses related to the maintenance and preservation of state assets:

1. $43,000 from the miscellaneous special revenue fund, administrative program account (21982).
2. $1,478,000 from the miscellaneous special revenue fund, helen hayes hospital account (22140).
3. $366,000 from the miscellaneous special revenue fund, New York city veterans' home account (22141).
4. $513,000 from the miscellaneous special revenue fund, New York state home for veterans' and their dependents at oxford account (22142).
5. $159,000 from the miscellaneous special revenue fund, western New York veterans' home account (22143).
6. $323,000 from the miscellaneous special revenue fund, New York state for veterans in the lower-hudson valley account (22144).
7. $2,550,000 from the miscellaneous special revenue fund, patron services account (22163).
8. $7,502,241 from the miscellaneous special revenue fund, state university general income reimbursable account (22653).
9. $135,656,957 from the miscellaneous special revenue fund, state university revenue offset account (22655).
10. $49,329,802 from the state university dormitory income fund, state university dormitory income fund (40350).
11. $1,000,000 from the miscellaneous special revenue fund, litigation settlement and civil recovery account (22117).

§ 22. Intentionally omitted.

§ 23. The opening paragraph of subdivision 3 of section 93-b of the state finance law, as amended by section 1 of part M of chapter 57 of the laws of 2016, is amended to read as follows:

Notwithstanding any other provisions of law to the contrary, commencing on April first, two thousand fifteen, and continuing through March thirty-first, two thousand twenty-five, the comptroller is hereby authorized to transfer monies from the dedicated infrastructure investment fund to the general fund, and from the general fund to the dedicated infrastructure investment fund, in an amount determined by the director of the budget to the extent moneys are available in the fund; provided, however, that the comptroller is only authorized to transfer monies from the dedicated infrastructure investment fund to the general fund in the event of an economic downturn as described in paragraph (a) of this subdivision; and/or to fulfill disallowances and/or settlements related to over-payments of federal medicare and medicaid revenues in excess of one hundred million dollars from anticipated levels, as determined by the director of the budget and described in paragraph (b) of this subdivision.

§ 24. Notwithstanding any other law, rule, or regulation to the contrary, the state comptroller is hereby authorized and directed to use any balance remaining in the mental health services fund debt service appropriation, after payment by the state comptroller of all obligations required pursuant to any lease, sublease, or other financing arrangement between the dormitory authority of the state of New York as successor to the New York state medical care facilities finance agency, and the facilities development corporation pursuant to chapter 83 of the laws of 1995 and the department of mental hygiene for the purpose of making
payments to the dormitory authority of the state of New York for the
amount of the earnings for the investment of monies deposited in the
mental health services fund that such agency determines will or may have
to be rebated to the federal government pursuant to the provisions of
the internal revenue code of 1986, as amended, in order to enable such
agency to maintain the exemption from federal income taxation on the
interest paid to the holders of such agency's mental services facilities
improvement revenue bonds. Annually on or before each June 30th, such
agency shall certify to the state comptroller its determination of the
amounts received in the mental health services fund as a result of the
investment of monies deposited therein that will or may have to be
rebated to the federal government pursuant to the provisions of the
internal revenue code of 1986, as amended.

§ 25. Subdivision 1 of section 16 of part D of chapter 389 of the laws
of 1997, relating to the financing of the correctional facilities
improvement fund and the youth facility improvement fund, as amended by
section 28 of part JJ of chapter 56 of the laws of 2020, is amended to
read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but
notwithstanding the provisions of section 18 of section 1 of chapter 174
of the laws of 1968, the New York state urban development corporation is
hereby authorized to issue bonds, notes and other obligations in an
aggregate principal amount not to exceed [eight billion eight hundred
seventeen million two hundred ninety-nine thousand dollars
$8,817,299,000] nine billion one hundred thirty-nine million six hundred
nineteen thousand dollars $9,139,619,000, and shall include all bonds,
notes and other obligations issued pursuant to chapter 56 of the laws of
1983, as amended or supplemented. The proceeds of such bonds, notes or
other obligations shall be paid to the state, for deposit in the correc-
tional facilities capital improvement fund to pay for all or any portion
of the amount or amounts paid by the state from appropriations or rea-
propriations made to the department of corrections and community super-
vision from the correctional facilities capital improvement fund for
capital projects. The aggregate amount of bonds, notes or other obli-
gations authorized to be issued pursuant to this section shall exclude
bonds, notes or other obligations issued to refund or otherwise repay
bonds, notes or other obligations theretofore issued, the proceeds of
which were paid to the state for all or a portion of the amounts
expended by the state from appropriations or reappropriations made to
the department of corrections and community supervision; provided,
however, that upon any such refunding or repayment the total aggregate
principal amount of outstanding bonds, notes or other obligations may be
greater than [eight billion eight hundred seventeen million two hundred
ninety-nine thousand dollars $8,817,299,000] nine billion one hundred
thirty-nine million six hundred nineteen thousand dollars $9,139,619,000,
only if the present value of the aggregate debt service
of the refunding or repayment bonds, notes or other obligations to be
issued shall not exceed the present value of the aggregate debt service
of the bonds, notes or other obligations so to be refunded or repaid.
For the purposes hereof, the present value of the aggregate debt service
of the refunding or repayment bonds, notes or other obligations and of
the aggregate debt service of the bonds, notes or other obligations so
refunded or repaid, shall be calculated by utilizing the effective
interest rate of the refunding or repayment bonds, notes or other obli-
gations, which shall be that rate arrived at by doubling the semi-annual
interest rate (compounded semi-annually) necessary to discount the debt
service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

§ 26. Subdivision (a) of section 27 of part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, as amended by section 29 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any provisions of law to the contrary, the urban development corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [three hundred twenty-three million one hundred thousand dollars $323,100,000] three hundred seventy-four million six hundred thousand dollars $374,600,000, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital projects including IT initiatives for the division of state police, debt service and leases; and to reimburse the state general fund for disbursements made therefor. Such bonds and notes of such authorized issuer shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to such authorized issuer for debt service and related expenses pursuant to any service contract executed pursuant to subdivision (b) of this section and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 27. Subdivision 3 of section 1285-p of the public authorities law, as amended by section 30 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

3. The maximum amount of bonds that may be issued for the purpose of financing environmental infrastructure projects authorized by this section shall be [six billion three hundred seventy-four million ten thousand dollars $6,374,010,000] seven billion one hundred thirty million ten thousand dollars $7,130,010,000, exclusive of bonds issued to fund any debt service reserve funds, pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay bonds or notes previously issued. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision one of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

§ 28. Subdivision (a) of section 48 of part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, as amended by section 31 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000 but notwithstanding the provisions of section 18 of the urban development
corporation act, the corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed \( \text{three hundred fourteen million dollars} \ (\$314,000,000) \), \( \text{three hundred forty-seven million five hundred thousand dollars} \ (\$347,500,000) \), excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital costs related to homeland security and training facilities for the division of state police, the division of military and naval affairs, and any other state agency, including the reimbursement of any disbursements made from the state capital projects fund, and is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed \( \text{one billion one hundred fifteen million eight hundred thousand dollars} \ (\$1,115,800,000) \), \( \text{one billion two hundred seventy-eight million eight hundred thousand dollars} \ (\$1,278,800,000) \), excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing improvements to State office buildings and other facilities located statewide, including the reimbursement of any disbursements made from the state capital projects fund. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision (b) of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

§ 29. Paragraph (c) of subdivision 19 of section 1680 of the public authorities law, as amended by section 32 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, the dormitory authority shall not issue any bonds for state university educational facilities purposes if the principal amount of bonds to be issued when added to the aggregate principal amount of bonds issued by the dormitory authority on and after July first, nineteen eighty-eight for state university educational facilities will exceed \( \text{fourteen billion seven hundred forty-one million eight hundred sixty-four thousand dollars} \ (\$14,741,864,000) \); provided, however, that bonds issued or to be issued shall be excluded from such limitation if: (1) such bonds are issued to refund state university construction bonds and state university construction notes previously issued by the housing finance agency; or (2) such bonds are issued to refund bonds of the authority or other obligations issued for state university educational facilities purposes and the present value of the aggregate debt service on the refunding bonds does not exceed the present value of the aggregate debt service on the bonds refunded thereby; provided, further that upon certification by the director of the budget that the issuance of refunding bonds or other obligations issued between April first, nineteen ninety-two and March thirty-first, nineteen hundred ninety-three will generate long term economic benefits to the state, as assessed on a present value basis, such issuance will be deemed to have met the present value test noted above. For purposes of this subdivision, the present value of the aggregate debt service of the refunding bonds and the aggregate debt
service of the bonds refunded, shall be calculated by utilizing the true
interest cost of the refunding bonds, which shall be that rate arrived
at by doubling the semi-annual interest rate (compounded semi-annually)
necessary to discount the debt service payments on the refunding bonds
from the payment dates thereof to the date of issue of the refunding
bonds to the purchase price of the refunding bonds, including interest
accrued thereon prior to the issuance thereof. The maturity of such
bonds, other than bonds issued to refund outstanding bonds, shall not
exceed the weighted average economic life, as certified by the state
university construction fund, of the facilities in connection with which
the bonds are issued, and in any case not later than the earlier of
thirty years or the expiration of the term of any lease, sublease or
other agreement relating thereto; provided that no note, including
renewals thereof, shall mature later than five years after the date of
issuance of such note. The legislature reserves the right to amend or
repeal such limit, and the state of New York, the dormitory authority,
the state university of New York, and the state university construction
fund are prohibited from covenanting or making any other agreements with
or for the benefit of bondholders which might in any way affect such
right.
§ 29-a. Paragraph (b) of subdivision 3 of section 1 and clause (B) of
subparagraph (iii) of paragraph (j) of subdivision 4 of section 1 of
part D of chapter 63 of the laws of 2005 relating to the composition and
responsibilities of the New York state higher education capital matching
grant board, as amended by section 7 of part K of chapter 39 of the laws
of 2019, are amended to read as follows:
(b) Within amounts appropriated therefor, the board is hereby author-
ized and directed to award matching capital grants totaling three
hundred thirty million dollars, [$300,000,000]. Each
college shall be eligible for a grant award amount as determined by the
calculations pursuant to subdivision five of this section. In addition,
such colleges shall be eligible to compete for additional funds pursuant
to paragraph (h) of subdivision four of this section.
(B) The dormitory authority shall not issue any bonds or notes in an
amount in excess of three hundred thirty million dollars, [$300,000,000]
$330,000,000 for the purposes of this section; excluding bonds or notes
issued to fund one or more debt service reserve funds, to pay costs of
issuance of such bonds, and bonds or notes issued to refund or otherwise
repay such bonds or notes previously issued. Except for purposes of
complying with the internal revenue code, any interest on bond proceeds
shall only be used to pay debt service on such bonds.
§ 30. Paragraph (c) of subdivision 14 of section 1680 of the public
authorities law, as amended by section 33 of part JJ of chapter 56 of
the laws of 2020, is amended to read as follows:
(c) Subject to the provisions of chapter fifty-nine of the laws of two
thousand, (i) the dormitory authority shall not deliver a series of
bonds for city university community college facilities, except to refund
or to be substituted for or in lieu of other bonds in relation to city
university community college facilities pursuant to a resolution of the
dormitory authority adopted before July first, nineteen hundred eighty-
five or any resolution supplemental thereto, if the principal amount of
bonds so to be issued when added to all principal amounts of bonds
previously issued by the dormitory authority for city university commu-
nity college facilities, except to refund or to be substituted in lieu
of other bonds in relation to city university community college facil-
ties will exceed the sum of four hundred twenty-five million dollars and
(ii) the dormitory authority shall not deliver a series of bonds issued for city university facilities, including community college facilities, pursuant to a resolution of the dormitory authority adopted on or after July first, nineteen hundred eighty-five, except to refund or to be substituted for or in lieu of other bonds in relation to city university facilities and except for bonds issued pursuant to a resolution supplemental to a resolution of the dormitory authority adopted prior to July first, nineteen hundred eighty-five, if the principal amount of bonds so issued pursuant to any such resolution, except bonds issued to refund or to be substituted for or in lieu of other bonds in relation to city university facilities, will exceed nine billion two hundred twenty-two million seven hundred thirty-two thousand dollars $9,222,732,000. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the city university, and the fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

§ 31. Subdivision 10-a of section 1680 of the public authorities law, as amended by section 34 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

10-a. Subject to the provisions of chapter fifty-nine of the laws of two thousand, but notwithstanding any other provision of the law to the contrary, the maximum amount of bonds and notes to be issued after March thirty-first, two thousand two, on behalf of the state, in relation to any locally sponsored community college, shall be one billion fifty-one million six hundred forty thousand dollars $1,051,640,000. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance and to refund any outstanding bonds and notes, issued on behalf of the state, relating to a locally sponsored community college.

§ 32. Subdivision 1 of section 17 of part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by section 35 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed eight hundred forty million three hundred fifteen thousand dollars $840,315,000, which authorization increases the aggregate principal amount of bonds, notes and other obligations authorized by section 40 of chapter 209 of the laws of 1996, and shall include all bonds, notes and other obligations issued pursuant to chapter 211 of the laws of 1990, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the youth facilities improvement fund, to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the office of children and family services from the youth facilities improvement fund for capital projects. The aggregate amount of bonds, notes and other obligations authorized to be issued pursuant to this section shall exclude bonds,
notes or other obligations issued to refund or otherwise repay bonds, 
notes or other obligations theretofore issued, the proceeds of which 
were paid to the state for all or a portion of the amounts expended by 
the state from appropriations or reappropriations made to the office of 
children and family services; provided, however, that upon any such 
refunding or repayment the total aggregate principal amount of outstand-
ing bonds, notes or other obligations may be greater than eight hundred 
foury million three hundred fifteen thousand dollars $840,315,000 
eight hundred seventy-six million fifteen thousand dollars $876,015,000, only 
if the present value of the aggregate debt service of the refunding or 
repayment bonds, notes or other obligations to be issued shall not 
exceed the present value of the aggregate debt service of the bonds, 
notes or other obligations so to be refunded or repaid. For the purposes 
hereof, the present value of the aggregate debt service of the refunding 
or repayment bonds, notes or other obligations and of the aggregate debt 
service of the bonds, notes or other obligations so refunded or repaid, 
shall be calculated by utilizing the effective interest rate of the 
refunding or repayment bonds, notes or other obligations, which shall be 
that rate arrived at by doubling the semi-annual interest rate 
(compounded semi-annually) necessary to discount the debt service 
payments on the refunding or repayment bonds, notes or other obligations 
from the payment dates thereof to the date of issue of the refunding or 
repayment bonds, notes or other obligations and to the price bid includ-
ing estimated accrued interest or proceeds received by the corporation 
including estimated accrued interest from the sale thereof.

§ 33. Paragraph b of subdivision 2 of section 9-a of section 1 of 
chapter 392 of the laws of 1973, constituting the New York state medical 
care facilities finance agency act, as amended by section 36 of part JJ 
of chapter 56 of the laws of 2020, is amended to read as follows:
b. The agency shall have power and is hereby authorized from time to 
time to issue negotiable bonds and notes in conformity with applicable 
provisions of the uniform commercial code in such principal amount as, 
in the opinion of the agency, shall be necessary, after taking into 
account other moneys which may be available for the purpose, to provide 
sufficient funds to the facilities development corporation, or any 
successor agency, for the financing or refinancing of or for the design, 
construction, acquisition, reconstruction, rehabilitation or improvement 
of mental health services facilities pursuant to paragraph a of this 
subdivision, the payment of interest on mental health services improve-
ment bonds and mental health services improvement notes issued for such 
purposes, the establishment of reserves to secure such bonds and notes, 
the cost or premium of bond insurance or the costs of any financial 
mechanisms which may be used to reduce the debt service that would be 
payable by the agency on its mental health services facilities improve-
ment bonds and notes and all other expenditures of the agency incident 
to and necessary or convenient to providing the facilities development 
corporation, or any successor agency, with funds for the financing or 
refinancing of or for any such design, construction, acquisition, recon-
struction, rehabilitation or improvement and for the refunding of mental 
hygiene improvement bonds issued pursuant to section 47-b of the private 
housing finance law; provided, however, that the agency shall not issue 
mental health services facilities improvement bonds and mental health 
facilities improvement notes in an aggregate principal amount 
exceeding nine billion nine hundred twenty-seven million two hundred 
seventy-six thousand dollars $9,927,276,000] ten billion four hundred 
seventy-six million seven hundred seventy-three thousand dollars
$10,476,773,000, excluding mental health services facilities improvement bonds and mental health services facilities improvement notes issued to refund outstanding mental health services facilities improvement bonds and mental health services facilities improvement notes; provided, however, that upon any such refunding or repayment of mental health services facilities improvement bonds and/or mental health services facilities improvement notes the total aggregate principal amount of outstanding mental health services facilities improvement bonds and mental health facilities improvement notes may be greater than [nine billion nine hundred twenty-seven million two hundred seventy-six thousand dollars $9,927,276,000] ten billion four hundred seventy-six million seven hundred seventy-three thousand dollars $10,476,773,000, only if, except as hereinafter provided with respect to mental health services facilities bonds and mental health services facilities notes issued to refund mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law, the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the authority including estimated accrued interest from the sale thereof. Such bonds, other than bonds issued to refund outstanding bonds, shall be scheduled to mature over a term not to exceed the average useful life, as certified by the facilities development corporation, of the projects for which the bonds are issued, and in any case shall not exceed thirty years and the maximum maturity of notes or any renewals thereof shall not exceed five years from the date of the original issue of such notes. Notwithstanding the provisions of this section, the agency shall have the power and is hereby authorized to issue mental health services facilities improvement bonds and/or mental health services facilities improvement notes to refund outstanding mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law and the amount of bonds issued or outstanding for such purposes shall not be included for purposes of determining the amount of bonds issued pursuant to this section. The director of the budget shall allocate the aggregate principal authorized to be issued by the agency among the office of mental health, office for people with developmental disabilities, and the office of addiction services and supports, in consultation with their respective commissioners to finance bondable appropriations previously approved by the legislature.

§ 33-a. Paragraph a of subdivision 2 of section 1680 of the public authorities law, as amended by section 25 of part II of chapter 59 of the laws of 2004, is amended to read as follows:

a. The dormitory authority is hereby authorized and empowered upon application of the educational institution concerned to acquire, design,
construct, reconstruct, rehabilitate and improve, or otherwise provide
and furnish and equip dormitories and attendant facilities for any
educational institution, provided that any contract undertaken or
financed by the dormitory authority for any construction, recon-
struction, rehabilitation or improvement of any building or structure
commenced after September first, nineteen hundred seventy-four for the
Gananda school district or the Gananda educational facilities corpo-
ration, or any agency, board or commission therein, or any official
thereof, shall comply with the provisions of section one hundred one of
the general municipal law and the specifications for such contract may
provide for assignment of responsibility for coordination of any of the
contracts for such work to a single responsible and qualified person,
firm or corporation; provided, however, that all contracts for
construction of buildings on behalf of Queens Hospital Center shall be
in conformity with the provisions of section one hundred one of the
general municipal law; provided that any contracts for the construction,
reconstruction, rehabilitation or improvement of any public work project
undertaken by the dormitory authority of any facility for the aged for
any political subdivision of the state or any district therein or agen-
cy, department, board or commission thereof, or any official thereof,
shall comply with the provisions of section one hundred thirty-five of
the state finance law; and provided further that any contract undertaken
or financed by the dormitory authority for any construction, recon-
struction, rehabilitation or improvement of any building commenced after
January first, nineteen hundred eighty-nine for the department of health
shall comply with the provisions of section one hundred thirty-five of
the state finance law.

Each educational institution defined in subdivision one of this
section, except the department of health of the state of New York,
shall, when authorized by an appropriate resolution adopted by its
governing board or, when permitted, adopted by an appropriate committee
of such governing board, have power: (i) to convey or cause to be
conveyed to the authority real property or rights in real property
required in connection with the construction and financing of a dormito-
ry by the authority for such educational institution; or (ii) to enter
into agreements or leases or both with the dormitory authority pursuant
to subdivision sixteen of section sixteen hundred seventy-eight of this
title and to paragraph e of this subdivision, or both, or, in the case
of the department of health of the state of New York, providing that
legislation or appropriations which specifies the facilities to be
acquired, constructed, reconstructed, rehabilitated or improved for the
department of health of the state of New York and the total estimated
costs for each such facility, not to exceed [four] five hundred [nine-
by-five] ninety-eight million two hundred twenty-six thousand dollars
($598,226,000) in the aggregate, shall have been approved by the legis-
lature, the commissioner of health shall have power: (i) to convey or
cause to be conveyed to the authority real property or rights in real
property required in connection with the construction and financing of a
dormitory by the authority for such educational institution; or (ii) to
enter into agreements or leases or both with the dormitory authority pursuant
to subdivision sixteen of section sixteen hundred seventy-eight of this
title and to paragraph e of this subdivision or both. The educa-
tional institution for which such dormitory and attendant facility is
intended to be provided shall approve the plans and specifications and
location of such dormitory and attendant facility. The dormitory author-
ity shall have the same power and authority in respect to such dormito-
ries and attendant facilities provided pursuant to this subdivision that it has relative to other dormitories.

§ 34. Subdivision (a) of section 28 of part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, as amended by section 37 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any provisions of law to the contrary, one or more authorized issuers as defined by section 68-a of the state finance law are hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed $157,000,000, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital projects for public protection facilities in the Division of Military and Naval Affairs, debt service and leases; and to reimburse the state general fund for disbursements made therefor. Such bonds and notes of such authorized issuer shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to such authorized issuer for debt service and related expenses pursuant to any service contract executed pursuant to subdivision (b) of this section and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 35. Section 53 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 38 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

§ 53. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the acquisition of equipment, including but not limited to the creation or modernization of information technology systems and related research and development equipment, health and safety equipment, heavy equipment and machinery, the creation or improvement of security systems, and laboratory equipment and machinery, the creation or improvement of security systems, and laboratory equipment and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed $293,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any
interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the urban development corporation in undertaking the financing for project costs for the acquisition of equipment, including but not limited to the creation or modernization of information technology systems and related research and development equipment, health and safety equipment, heavy equipment and machinery, the creation or improvement of security systems, and laboratory equipment and other state costs associated with such capital projects, the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the urban development corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the urban development corporation agree, so as to annually provide to the dormitory authority and the urban development corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or any payments made or to be made thereunder may be assigned and pledged by the dormitory authority and the urban development corporation as security for its bonds and notes, as authorized by this section.

§ 36. Subdivision (b) of section 11 of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, as amended by section 39 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

(b) Any service contract or contracts for projects authorized pursuant to sections 10-c, 10-f, 10-g and 80-b of the highway law and section 14-k of the transportation law, and entered into pursuant to subdivision (a) of this section, shall provide for state commitments to provide annually to the thruway authority a sum or sums, upon such terms and conditions as shall be deemed appropriate by the director of the budget, to fund, or fund the debt service requirements of any bonds or any obligations of the thruway authority issued to fund or to reimburse the state for funding such projects having a cost not in excess of $11,349,875,000 cumulatively by the end of fiscal year 2020-21.

§ 37. Subdivision 1 of section 1689-i of the public authorities law, as amended by section 40 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

1. The dormitory authority is authorized to issue bonds, at the request of the commissioner of education, to finance eligible library construction projects pursuant to section two hundred seventy-three-a of the education law, in amounts certified by such commissioner not to exceed a total principal amount of $299,000,000.
§ 38. Section 44 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 41 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

§ 44. Issuance of certain bonds or notes. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, high tech innovation and economic development infrastructure program, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and development facility in Clinton county, upstate revitalization initiative projects, downstate revitalization initiative, market New York projects, fairground buildings, equipment or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and public spaces fund, water infrastructure in the city of Auburn and town of Owasso, a life sciences laboratory public health initiative, not-for-profit pounds, shelters and humane societies, arts and cultural facilities improvement program, restore New York's communities initiative, heavy equipment, economic development and infrastructure projects, Roosevelt Island operating corporation capital projects, Lake Ontario regional projects, Pennsylvania station and other transit projects and other state costs associated with such projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [ten billion three hundred thirty-four million eight hundred fifty-one thousand dollars $10,334,851,000] ten billion nine hundred thirty-one million two hundred two thousand dollars $10,931,202,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the corporation in undertaking the financing for project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering,
projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, New York State Capital Assistance Program for Transportation, infrastructure, and economic development, high tech innovation and economic development infrastructure program, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and development facility in Clinton county, upstate revitalization initiative projects, downstate revitalization initiative, market New York projects, fairground buildings, equipment or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and public spaces fund, water infrastructure in the city of Auburn and town of Owasco, a life sciences laboratory public health initiative, not-for-profit pounds, shelters and humane societies, arts and cultural facilities improvement program, restore New York's communities initiative, heavy equipment, economic development and infrastructure projects, Roosevelt Island operating corporation capital projects, Lake Ontario regional projects, Pennsylvania station and other transit projects and other state costs associated with such projects the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the corporation agree, so as to annually provide to the dormitory authority and the corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or any payments made or to be made thereunder may be assigned and pledged by the dormitory authority and the corporation as security for its bonds and notes, as authorized by this section.

§ 38-a. Paragraph (b) of subdivision 5 of section 1680-g of the public authorities law, as amended by section 44 of part H of chapter 56 of the laws of 2000, is amended to read as follows:

(b) The dormitory authority shall not issue any bonds or notes in an amount in excess of [thirty] thirty-one million two hundred thousand dollars $31,200,000 for the purposes of this section; excluding bonds or notes issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Except for purposes of complying with the internal revenue code, any interest on bond proceeds shall only be used to pay debt service on such bonds.
§ 39. Subdivision 1 of section 386-b of the public authorities law, as amended by section 42 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of financing peace bridge projects and capital costs of state and local highways, parkways, bridges, the New York state thruway, Indian reservation roads, and facilities, and transportation infrastructure projects including aviation projects, non-MTA mass transit projects, and rail service preservation projects, including work appurtenant and ancillary thereto. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [six billion nine hundred forty-two million four hundred sixty-three thousand dollars $6,942,463,000] nine billion two hundred seventy-four million, nine hundred sixty-three thousand dollars $9,274,963,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 40. Paragraph (a) of subdivision 2 of section 47-e of the private housing finance law, as amended by section 43 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

(a) Subject to the provisions of chapter fifty-nine of the laws of two thousand, in order to enhance and encourage the promotion of housing programs and thereby achieve the stated purposes and objectives of such housing programs, the agency shall have the power and is hereby authorized from time to time to issue negotiable housing program bonds and notes in such principal amount as shall be necessary to provide sufficient funds for the repayment of amounts disbursed (and not previously reimbursed) pursuant to law or any prior year making capital appropriations or reappropriations for the purposes of the housing program; provided, however, that the agency may issue such bonds and notes in an aggregate principal amount not exceeding [six billion five hundred thirty-one million five hundred twenty-three thousand dollars $6,311,523,000] seven billion eight hundred eleven million six hundred thousand dollars $7,811,607,000, plus a principal amount of bonds issued to fund the debt service reserve fund in accordance with the debt service reserve fund requirement established by the agency and to fund any other reserves that the agency reasonably deems necessary for the security or marketability of such bonds and to provide for the payment of fees and other charges and expenses, including underwriters' discount, trustee and rating agency fees, bond insurance, credit enhancement and liquidity enhancement related to the issuance of such bonds and notes. No reserve fund securing the housing program bonds shall be entitled or eligible to receive state funds apportioned or appropriated to maintain or restore such reserve fund at or to a particular level, except to the extent of any deficiency resulting directly or
indirectly from a failure of the state to appropriate or pay the agreed amount under any of the contracts provided for in subdivision four of this section.

§ 41. Subdivision 1 of section 50 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 44 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs undertaken by or on behalf of the state education department, special act school districts, state-supported schools for the blind and deaf, approved private special education schools, non-public schools, community centers, day care facilities, residential camps, day camps, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed one hundred fifty-five million dollars $155,000,000, two hundred twenty-six million dollars $226,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 42. Subdivision 1 of section 47 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 45 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the office of information technology services, department of law, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed eight hundred thirty million fifty-four thousand dollars, $830,054,000, nine hundred forty-nine million two hundred fifty-four thousand dollars $949,254,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.
§ 43. Paragraph (b) of subdivision 1 of section 385 of the public authorities law, as amended by section 1 of part G of chapter 60 of the laws of 2005, is amended to read as follows:

(b) The authority is hereby authorized, as additional corporate purposes thereof solely upon the request of the director of the budget: (i) to issue special emergency highway and bridge trust fund bonds and notes for a term not to exceed thirty years and to incur obligations secured by the moneys appropriated from the dedicated highway and bridge trust fund established in section eighty-nine-b of the state finance law; (ii) to make available the proceeds in accordance with instructions provided by the director of the budget from the sale of such special emergency highway and bridge trust fund bonds, notes or other obligations, net of all costs to the authority in connection therewith, for the purposes of financing all or a portion of the costs of activities for which moneys in the dedicated highway and bridge trust fund established in section eighty-nine-b of the state finance law are authorized to be utilized or for the financing of disbursements made by the state for the activities authorized pursuant to section eighty-nine-b of the state finance law; and (iii) to enter into agreements with the commissioner of transportation pursuant to section ten-e of the highway law with respect to financing for any activities authorized pursuant to section eighty-nine-b of the state finance law, or agreements with the commissioner of transportation pursuant to sections ten-f and ten-g of the highway law in connection with activities on state highways pursuant to these sections, and (iv) to enter into service contracts, contracts, agreements, deeds and leases with the director of the budget or the commissioner of transportation and project sponsors and others to provide for the financing by the authority of activities authorized pursuant to section eighty-nine-b of the state finance law, and each of the director of the budget and the commissioner of transportation are hereby authorized to enter into service contracts, contracts, agreements, deeds and leases with the authority, project sponsors or others to provide for such financing. The authority shall not issue any bonds or notes in an amount in excess of eighteen billion one hundred fifty million dollars $18,150,000,000, plus a principal amount of bonds or notes: (A) to fund capital reserve funds; (B) to provide capitalized interest; and, (C) to fund other costs of issuance. In computing for the purposes of this subdivision, the aggregate amount of indebtedness evidenced by bonds and notes of the authority issued pursuant to this section, as amended by a chapter of the laws of nineteen hundred ninety-six, there shall be excluded the amount of bonds or notes issued that would constitute interest under the United States Internal Revenue Code of 1986, as amended, and the amount of indebtedness issued to refund or otherwise repay bonds or notes.

§ 44. Subdivision 1 of section 386-a of the public authorities law, as amended by section 44 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities as defined in subdivision seventeen of section twelve hundred sixty-one of this chapter or other capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed two billion one hundred seventy-nine million eight hundred fifty-six thousand dollars.
$2,179,856,000] twelve billion five hundred fifteen million eight hundred fifty-six thousand dollars $12,515,856,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 45. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new section 57 to read as follows:

§ 57. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the Empire Station Complex project, and such project shall be deemed a capital work or purpose for purposes of subdivision 3 of section 67-b of the state finance law. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed one billion three hundred million dollars $1,300,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the urban development corporation in undertaking the financing for project costs for the Empire Station Complex project, the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the urban development corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the urban development corporation agree, so as to annually provide to the dormitory authority and the urban development corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or...
any payments made or to be made thereunder may be assigned and pledged by the dormitory authority and the urban development corporation as security for its bonds and notes, as authorized by this section.

§ 46. Intentionally omitted.

§ 47. Intentionally omitted.

§ 48. The section heading and subdivision 1 of section 56 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as added by section 49-c of part JJ of chapter 56 of the laws of 2020, are amended to read as follows:

State-supported debt; [2021] 2022. 1. [In light of the significant impact that the global spread of the COVID-19 coronavirus disease is having and is expected to continue to have on the health and welfare of individuals in the state as well as on the financial condition of the state, and notwithstanding any other provision of law to the contrary, the dormitory authority of the state of New York and the urban development corporation are each authorized to issue state-supported debt pursuant to article 5-C of the state finance law to assist the state to manage its financing needs during its 2021 fiscal year, without regard to any restrictions, limitations and requirements contained in article 5-B of the state finance law, other than subdivision 4 of section 67-b of such article, and such state-supported debt shall be deemed to be issued for an authorized purpose within the meaning of subdivision 2 of section 68-a of the state finance law for all purposes of article 5-C of the state finance law. Furthermore, any] Any bonds issued directly by the state for the purpose of refunding or refinancing outstanding bonds of the sales tax asset receivable corporation as well as outstanding secured hospital project bonds during the state's [2021] 2022 fiscal year shall be issued without regard to any restrictions, limitations and requirements contained in [article 5-B of the state finance law, other than subdivision 4 of section 67-b of such article] the state finance law. [For so long as any state-supported debt issued during the state's 2021 fiscal year shall remain outstanding, including any state-supported debt issued to refund state-supported debt issued during such fiscal year, the restrictions, limitations and requirements contained in article 5-B of the state finance law, other than subdivision 4 of section 67-b of such article, shall not apply.] Any bonds issued directly by the state as part of the state's contribution to the MTA 2015-19 capital plan during the state's 2022 fiscal year shall be issued without regard to any restrictions, limitations and requirements contained in subdivisions 2 and 4 of section 67-b of the state finance law. For so long as any state supported debt issued during the state's 2022 fiscal year to refund or refinance outstanding bonds of the sales tax asset receivable corporation or outstanding secured hospital project bonds remain outstanding, the restrictions, limitations and requirements contained in subdivision 2 of section 67-b of the state finance law shall not apply. Furthermore, so long as state supported debt issued during the state's 2022 fiscal year for the state's contribution to the MTA 2015-19 capital plan remain outstanding, the restrictions, limitations and requirements contained in subdivisions 2 and 4 of section 67-b of the state finance law shall not apply.

§ 49. Section 3238-a of the public authorities law, as amended by section 1 of part V of chapter 63 of the laws of 2003, is amended to read as follows:

§ 3238-a. Payment to city of New York. 1. Notwithstanding any inconsistent provision of law, the corporation shall transfer to the city of New York one hundred seventy million dollars from the resources of the
A. 3005--B                         48

corporation  pursuant  to section thirty-two hundred thirty-nine of this
title[ __Such payment ]; provided, however, that on and after July first,
two thousand twenty, the obligation of the corporation to make such
transfer shall be conditioned on any bonds issued by the sales tax asset
receivables corporation that are secured by the corporation's payments
described in this subdivision being outstanding in accordance with the
trust indenture under which they were issued, while any such bonds are
outstanding such payments shall be made during each city fiscal year.
Such payments from the corporation shall be made from the fund estab-
lished by section ninety-two-r of the state finance law and in accord-
ance with the provisions thereof.

2. The city of New York, acting by the mayor alone, may assign all or
any portion of such amount to any not-for-profit corporation incorpo-
rated pursuant to section fourteen hundred eleven of the not-for-profit
corporation law and, upon such assignment, the amount so assigned shall
be the property of such not-for-profit corporation for all purposes.
Following notice from the city of New York to the corporation and the
comptroller of such assignment, such payment shall be made directly to
the city's assignee. If such not-for-profit corporation issues bonds
and/or notes, the state does hereby pledge and agree with the holders of
any issue of bonds and/or notes secured by such a pledge that the state
will not limit or alter the rights vested in such not-for-profit corpo-
rations to fulfill the terms of any agreements made with such holders or
in any way impair the rights and remedies of such holders or the securi-
ity for such bonds and/or notes until such bonds and/or notes, together
with the interest thereon and all costs and expenses in connection with
any action or proceeding by or on behalf of such holders, are fully paid
and discharged. The foregoing pledge and agreement may be included in
any agreement with the holders of such bonds or notes. Nothing contained
in this section shall be deemed to restrict the right of the state to
amend, modify, repeal or otherwise alter statutes imposing or relating
to the taxes subject to such assignment, but such taxes shall in all
events continue to be so payable, as assigned, so long as any such taxes
are imposed.

3. The state may, at any time, provide proceeds of state supported
debt, as defined in subdivision one of section sixty-seven-a of the
state finance law, or other available monies, to the trustee for the
bonds of the sales tax asset receivable corporation secured by the
corporation's payments described in subdivision one of this section in
an amount sufficient to fully pay and discharge such bonds by means of a
legal defeasance of all such outstanding bonds in accordance with the
trust indenture under which they were issued. Upon any such legal defea-
sance of such bonds, the corporation's obligation contained in subdivi-
sion one of this section to transfer funds to the city of New York shall
be deemed satisfied and fully discharged.

4. Notwithstanding any inconsistent provision of law, the dormitory
authority of the state of New York and the New York state urban develop-
ment corporation are hereby authorized to issue bonds in one or more
series pursuant to article five-C or article five-F of the state finance
law in an aggregate principal amount sufficient to (i) finance the legal
defeasance of all of the outstanding bonds of the sales tax asset
receivable corporation secured by the corporation's payments described
in subdivision one of this section, (ii) one or more related debt
service reserve funds, and (iii) costs of issuance attributable to such
bonds, and the issuance of such bonds is hereby determined to be for an
"authorized purpose", as defined in subdivision two of section sixty-

eight-a and subdivision two of section sixty-nine-m of the state finance law, as the case may be.
§ 50. Paragraph a of subdivision 5 of section 89-b of the state finance law, as amended by section 11 of part C of chapter 57 of the laws of 2014, is amended to read as follows:
a. Moneys in the dedicated highway and bridge trust fund shall, following appropriation by the legislature, be utilized for: reconstruction, replacement, reconditioning, restoration, rehabilitation and preservation of state, county, town, city and village roads, highways, parkways, and bridges thereon, to restore such facilities to their intended functions; construction, reconstruction, enhancement and improvement of state, county, town, city, and village roads, highways, parkways, and bridges thereon, to address current and projected capacity problems including costs for traffic mitigation activities; aviation projects authorized pursuant to section fourteen-j of the transportation law and for payments to the general debt service fund of amounts equal to amounts required for service contract payments related to aviation projects as provided and authorized by section three hundred eighty-six of the public authorities law; programs to assist small and minority and women-owned firms engaged in transportation construction and reconstruction projects, including a revolving fund for working capital loans, and a bonding guarantee assistance program in accordance with provisions of this chapter; matching federal grants or apportionments to the state for highway, parkway and bridge capital projects; the acquisition of real property and interests therein required or expected to be required in connection with such projects; preventive maintenance activities necessary to ensure that highways, parkways and bridges meet or exceed their optimum useful life; expenses of control of snow and ice on state highways by the department of transportation including but not limited to personal services, nonpersonal services and fringe benefits, payment of emergency aid for control of snow and ice in municipalities pursuant to section fifty-five of the highway law, expenses of control of snow and ice on state highways by municipalities pursuant to section twelve of the highway law, and for expenses of arterial maintenance agreements with cities pursuant to section three hundred forty-nine of the highway law; personal services, nonpersonal services, and fringe benefit costs of the department of transportation for bus safety inspection activities, rail safety inspection activities, and truck safety inspection activities; costs of the department of motor vehicles, including but not limited to personal and nonpersonal services; costs of engineering and administrative services of the department of transportation, including but not limited to fringe benefits; the contract services provided by private firms in accordance with section fourteen of the transportation law; personal services and nonpersonal services, for activities including but not limited to the preparation of designs, plans, specifications and estimates; construction management and supervision activities; costs of appraisals, surveys, testing and environmental impact statements for transportation projects; expenses in connection with buildings, equipment, materials and facilities used or useful in connection with the maintenance, operation, and repair of highways, parkways and bridges thereon; and project costs for: construction, reconstruction, improvement, reconditioning and preservation of rail freight facilities and intercity rail passenger facilities and equipment; construction, reconstruction, improvement, reconditioning and preservation of state, municipal and privately owned ports; construction, reconstruction, improvement, reconditioning and preservation -
tion of municipal airports; privately owned airports and aviation capital facilities, excluding airports operated by the state or operated by a bi-state municipal corporate instrumentality for which federal funding is not available provided the project is consistent with an approved airport layout plan; and construction, reconstruction, enhancement, improvement, replacement, reconditioning, restoration, rehabilitation and preservation of state, county, town, city and village roads, highways, parkways and bridges; and construction, reconstruction, improvement, reconditioning and preservation of fixed ferry facilities of municipal and privately owned ferry lines for transportation purposes, and the payment of debt service required on any bonds, notes or other obligations and related expenses for highway, parkway, bridge and project costs for: construction, reconstruction, improvement, reconditioning and preservation of rail freight facilities and intercity rail passenger facilities and equipment; construction, reconstruction, improvement, reconditioning and preservation of state, municipal and privately owned ports; construction, reconstruction, improvement, reconditioning and preservation of municipal airports; privately owned airports and aviation capital facilities, excluding airports operated by the state or operated by a bi-state municipal corporate instrumentality for which federal funding is not available provided the project is consistent with an approved airport layout plan; construction, reconstruction, enhancement, improvement, replacement, reconditioning, restoration, rehabilitation and preservation of state, county, town, city and village roads, highways, parkways and bridges; and construction, reconstruction, improvement, reconditioning and preservation of fixed ferry facilities of municipal and privately owned ferry lines for transportation purposes, purposes authorized on or after the effective date of this section. Beginning with disbursements made on and after the first day of April, nineteen hundred ninety-three, moneys in such fund shall be available to pay such costs or expenses made pursuant to appropriations or reappropriations made during the state fiscal year which began on the first of April, nineteen hundred ninety-two. Beginning the first day of April, nineteen hundred ninety-three, moneys in such fund shall also be used for transfers to the general debt service fund and the [revenue bond tax] general fund of amounts equal to that respectively required for service contract and financing agreement payments as provided and authorized by section three hundred eighty of the public authorities law, section eleven of chapter three hundred twenty-nine of the laws of nineteen hundred ninety-one, as amended, and sections sixty-eight-c and sixty-nine-o of this chapter.

§ 51. Paragraph c of subdivision 5 of section 89-b of the state finance law is REPEALED.

§ 52. Subdivision 5 of section 97-f of the state finance law, as amended by section 49 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

5. The comptroller shall from time to time, but in no event later than the fifteenth day of each month, pay over for deposit in the mental hygiene general fund state operations account, including moneys pursuant to subdivision eight of this section, all moneys in the mental health services fund in excess of the amount of money required to be maintained on deposit in the mental health services fund. Subject to subdivision nine of this section, the amount required to be maintained in such fund shall be (i) twenty percent of the amount of the next payment coming due relating to the mental health services facilities improvement program under any agreement between the facilities development corporation and
the New York state medical care facilities finance agency multiplied by
the number of months from the date of the last such payment with respect
to payments under any such agreement required to be made semi-annually,
plus (ii) those amounts specified in any such agreement with respect to
payments required to be made other than semi-annually, including for
variable rate bonds, interest rate exchange or similar agreements or
other financing arrangements permitted by law. Concurrently with the
making of any such payment, the facilities development corporation shall
deliver to the comptroller, the director of the budget and the New York
state medical care facilities finance agency a certificate stating the
aggregate amount to be maintained on deposit in the mental health
services fund to comply in full with the provisions of this subdivision.

§ 53. Subdivision 8 of section 97-f of the state finance law, as
amended by section 49 of part TTT of chapter 59 of the laws of 2019, is
amended to read as follows:

8. [In addition to the amounts required to be maintained on deposit in
the mental health services fund pursuant to subdivision five of this
section and subject to subdivision nine of this section, the fund shall
maintain on deposit an amount equal to the debt service and other cash
requirements on mental health services facilities bonds issued by
authorized issuers pursuant to sections sixty-eight-b and sixty-nine-n
of this chapter. The amount required to be maintained in such fund shall
be (i) twenty percent of the amount of the next payment coming due
related to mental health services facilities bonds issued by an author-
ized issuer multiplied by the number of months from the date of the last
such payment with respect to payments required to be made semi-annually,
plus (ii) those amounts specified in any financing agreement between the
issuer and the state, acting through the director of the budget, with
respect to payments required to be made other than semi-annually,
including for variable rate bonds, interest rate exchange or similar
agreements or other financing arrangements permitted by law. Concur-
rently with the making of any such payment, the facilities development
corporation shall deliver to the comptroller, the director of the budget
and the New York state medical care facilities finance agency a certif-
icate stating the aggregate amount to be maintained on deposit in the
mental health services fund to comply in full with the provisions of
this subdivision.

No later than five days prior to the payment to be made by the state
comptroller on such mental health services facilities bonds pursuant to
sections ninety-two-z and ninety-two-h of this article, the] The amount
of [such] payment on such mental health services facilities bonds pursu-
ant to sections ninety-two-z and ninety-two-h of this article, shall be
transferred by the state comptroller from the mental health services
fund to the [revenue bond tax fund established by section ninety-two-w
of this article and the sales tax revenue bond fund established by
section ninety-two-h of this article] mental hygiene general fund state
operation account. The accumulation of moneys pursuant to this subdivi-
sion and subsequent transfer to the [revenue bond tax fund and the sales
tax revenue bond fund] mental hygiene general fund state operation
account shall be subordinate in all respects to payments to be made to
the New York state medical care facilities finance agency and to any
pledge or assignment pursuant to subdivision six of this section.

§ 54. Subdivision 9 of section 97-f of the state finance law, as added
by section 49 of part TTT of chapter 59 of the laws of 2019, is amended
to read as follows:
§ 55. Subdivision (j) of section 92-dd of the state finance law is repealed.

§ 56. Subdivision 3-a of section 2872 of the public health law is repealed and a new subdivision 3-a is added to read as follows:

3-a. "Secured hospital project bonds" shall mean outstanding bonds issued on behalf of a not-for-profit hospital corporation organized under the laws of this state, which hospital has previously been designated by the commissioner and the public health council to be eligible to receive distributions from the reimbursement pools established pursuant to paragraph (c) of subdivision nine of section twenty-eight hundred seven-a of this chapter, or any successor pool or pools established to serve a substantially similar purpose to such pools.

§ 57. Section 2874 of the public health law is amended by adding a new subdivision 5 to read as follows:

5. The dormitory authority of the state of New York and the New York state urban development corporation are each hereby authorized to issue bonds in one or more series pursuant to article 5-C or article 5-F of the state finance law for the purpose of refunding outstanding secured hospital project bonds, as defined in subdivision three-a of section twenty-eight hundred seventy-two of this article, and to finance one or more related debt service reserve funds and to pay costs of issuance attributable to such refunding bonds.

§ 58. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2021; provided, however, that the provisions of sections one, one-a, two, three, four, five, six, seven, eight, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty-one, and twenty-two of this act shall expire March 31, 2022 when upon such date the provisions of such sections shall be deemed repealed; and provided further that the amendments to section 3238-a of the public authorities law made by section forty-nine of this act shall be subject to the repeal of such section and shall expire and be deemed repealed therewith.

PART RR

Section 1. Subdivision 5 of section 362 of chapter 83 of the laws of 1995 amending the state finance law and other laws relating to bonds, notes and revenues, as amended by section 1 of part F of chapter 57 of the laws of 2016, is amended to read as follows:

5. Sections thirty-one through forty-two of this act shall take effect on the thirtieth day after it shall have become a law and shall be deemed to have been in full force and effect on and after April 1, 1995; provided that section 163 of the state finance law, as added by section thirty-three of this act shall remain in full force and effect until June 30, [2024] 2026 at which time it shall expire and be deemed
repealed. Contracts executed prior to the expiration of such section 163 shall remain in full force and effect until the expiration of any such contract notwithstanding the expiration of certain provisions of this act.

§ 2. This act shall take effect immediately.

PART SS

Section 1. Section 16 of chapter 1 of the laws of 2005, amending the state finance law relating to restricting contacts in the procurement process and the recording of contacts relating thereto, as amended by section 2 of part F of chapter 57 of the laws of 2016, is amended to read as follows:

§ 16. This act shall take effect immediately; provided, however, that sections one, six, eight, nine, ten, eleven and fifteen of this act shall take effect January 1, 2006; and provided, however, the amendments to paragraph f of subdivision 9 of section 163 of the state finance law made by section fifteen of this act shall not affect the repeal of such section and shall be deemed repealed therewith; provided, further, that the amendments to article 1-A of the legislative law, made by this act, shall not affect the repeal of such article pursuant to chapter 2 of the laws of 1999, as amended, and shall be deemed repealed therewith; provided, further, that sections thirteen and fourteen of this act shall take effect January 1, 2006 and shall be deemed repealed July 31, 2021; provided, further, that effective immediately, the advisory council on procurement lobbying created pursuant to section twelve of this act shall be constituted no later than sixty days following the effective date of this act, provided that effective sixty days following the effective date of this act, the advisory council on procurement lobbying shall be authorized to establish model guidelines and to add, amend and/or repeal any rules or regulations necessary for the implementation of its duties under sections twelve and thirteen of this act, and the advisory council authorized to make and complete such model guidelines on or before the effective date of section thirteen of this act; provided, further, that procurement contracts for which bid solicitations have been issued prior to the effective date of this act shall be awarded pursuant to the provisions of law in effect at the time of issuance.

§ 2. Intentionally omitted.

§ 3. Intentionally omitted.

§ 4. This act shall take effect immediately.

PART TT

Intentionally Omitted

PART UU

Intentionally Omitted

PART VV

Section 1. The public service law is amended by adding a new section 24-c to read as follows:

§ 24-c. Utility intervenor reimbursement. 1. As used in this section, the following terms shall have the following meanings:
(a) "Compensation" means payment from the utility intervenor account fund established by section ninety-seven-bbb of the state finance law, for all or part, as determined by the department, of reasonable advocate's fees, reasonable expert witness fees, and other reasonable costs for preparation and participation in a proceeding.

(b) "Participant" means a group of persons that apply jointly for an award of compensation under this section and who represent the interests of a significant number of residential or small business customers, or a not-for-profit organization in this state authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential or small business utility customers. For purposes of this section, a participant does not include a non-profit organization or other organization whose principal interests are the welfare of a public utility or its investors or employees, or the welfare of one or more businesses or industries which receive utility service ordinarily and primarily for use in connection with the profit-seeking manufacture, sale, or distribution of goods or services.

(c) "Other reasonable costs" means reasonable out-of-pocket expenses directly incurred by a participant that are directly related to the contentions or recommendations made by the participant that resulted in a substantial contribution.

(d) "Party" means any interested party, respondent public utility, or commission staff in a hearing or proceeding.

(e) "Proceeding" means a complaint, or investigation, rulemaking, or other formal proceeding before the commission, or alternative dispute resolution procedures in lieu of formal proceedings as may be sponsored or endorsed by the commission, provided however such proceedings shall be limited to those relating to public utilities that distribute and deliver gas, electricity, or steam within this state and having annual revenues in excess of two hundred million dollars arising under and proceeding pursuant to the following articles of this chapter: (1) the regulation of the price of gas and electricity, pursuant to article four of this chapter; (2) the regulation of the price of steam, pursuant to article four-A of this chapter; (3) the submetering, remetering or resale of electricity to residential premises, pursuant to sections sixty-five and sixty-six of this chapter, and pursuant to regulations regarding the submetering, remetering, or resale of electricity adopted by the commission; and (4) such sections of this chapter as are applicable to a proceeding in which the commission makes a finding on the record that the public interest requires the reimbursement of utility intervenor fees pursuant to this section.

(f) "Significant financial hardship" means that the participant will be unable to afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation.

(g) "Small business" means a business with a gross annual revenue of two hundred fifty thousand dollars or less.

(h) "Substantial contribution" means that, in the judgment of the department, the participant's application may substantially assist the commission in making its decision because the decision may adopt in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations that will be presented by the participant.

2. A participant may apply for an award of compensation under this section in a proceeding in which such participant has sought active party status as defined by the department. The department shall deter-
mine appropriate procedures for accepting and responding to such applications. At the time of application, such participant shall serve on every party to the proceeding notice of intent to apply for an award of compensation.

An application shall include:

(a) A statement of the nature and extent and the factual and legal basis of the participant's planned participation in the proceeding as far as it is possible to describe such participation with reasonable specificity at the time the application is filed.

(b) At minimum, a reasonably detailed description of anticipated advocates and expert witness fees and other costs of preparation and participation that the participant expects to request as compensation.

(c) If participation or intervention will impose a significant financial hardship and the participant seeks payment in advance to an award of compensation in order to initiate, continue or complete participation in the hearing or proceeding, such participant must include evidence of such significant financial hardship in its application.

(d) Any other requirements as required by the department.

3. (a) Within thirty days after the filing of an application the department shall issue a decision that determines whether or not the participant may make a substantial contribution to the final decision in the hearing or proceeding. If the department finds that the participant requesting compensation may make a substantial contribution, the department shall describe this substantial contribution and determine the amount of compensation to be paid pursuant to subdivision four of this section.

(b) Notwithstanding subdivision four of this section, if the department finds that the participant has a significant financial hardship, the department may direct the public utility or utilities subject to the proceeding to pay all or part of the compensation to the department to be provided to the participant prior to the end of the proceeding. In the event that the participant discontinues its participation in the proceeding without the consent of the department, the department shall be entitled to, in whole or in part, recover any payments made to such participant to be refunded to the public utility or utilities that provided such payment.

(c) The computation of compensation pursuant to paragraph (a) of this subdivision shall take into consideration the market rates paid to persons of comparable training and experience who offer similar services. The compensation awarded may not, in any case, exceed the comparable market rate for services paid by the department or the public utility, whichever is greater, to persons of comparable training and experience who are offering similar services.

(d) Any compensation awarded to a participant and not used by such participant shall be returned to the department for refund to the public utility or utilities that provided such payment.

(e) The department shall require that participants seeking payment maintain an itemized record of all expenditures incurred as a result of such proceeding.

(i) The department may use the itemized record of expenses to verify the claim of financial hardship by a participant seeking payment pursuant to paragraph (c) of subdivision two of this section.

(ii) The department may use the record of expenditures in determining, after the completion of a proceeding, if any unused funds remain.
(iii) The department shall preserve the confidentiality of the participant's records in making any audit or determining the availability of funds after the completion of a proceeding.

(f) In the event that the department finds that two or more participants' applications have substantially similar interests, the department may require such participants to apply jointly in order to receive compensation.

4. Any compensation pursuant to this section shall be paid at the conclusion of the proceeding by the public utility or utilities subject to the proceeding within thirty days. Such compensation shall be remitted to the department which shall then remit such compensation to the participant.

5. The department shall deny any award to any participant who attempts to delay or obstruct the orderly and timely fulfillment of the department's responsibilities.

§ 2. The state finance law is amended by adding a new section 97-bbbbb to read as follows:

§ 97-bbbbb. Utility intervenor account. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a fund to be known as the utility intervenor account.

2. Such account shall consist of all utility intervenor reimbursement monies received from utilities pursuant to section twenty-four-c of the public service law.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.

PART WW

Section 1. The public service law is amended by adding a new article 1-A to read as follows:

ARTICLE 1-A

THE STATE OFFICE OF THE UTILITY CONSUMER ADVOCATE

Section 28-a. Definitions. When used in this article: (a) "Department" means the department of public service.

(b) "Commission" means the public service commission.

(c) "Residential utility customer" means any person who is sold or offered for sale residential utility service by a utility company.

(d) "Utility company" means any person or entity operating an agency for public service, including, but not limited to, those persons or entities subject to the jurisdiction, supervision and regulations prescribed by or pursuant to the provisions of this chapter.

§ 28-b. Establishment of the state office of the utility consumer advocate. There is established the state office of the utility consumer advocate to represent the interests of residential utility customers. The utility consumer advocate shall be appointed by the governor to a term of six years, upon the advice and consent of the senate. The utility consumer advocate shall possess knowledge and experience in matters affecting residential utility customers and shall be responsible for the direction, control, and operation of the state office of the utility.
consumer advocate, including its hiring of staff and retention of experts for analysis and testimony in proceedings. The utility consumer advocate shall not be removed for cause, but may be removed only after notice and opportunity to be heard, and only for permanent disability, malfeasance, a felony, or conduct involving moral turpitude. Exercise of independent judgment in advocating positions on behalf of residential utility customers shall not constitute cause for removal of the utility consumer advocate.

§ 28-c. Powers of the state office of the utility consumer advocate. The state office of the utility consumer advocate shall have the power and duty to: (a) initiate, intervene in, or participate on behalf of residential utility customers in any proceedings before the commission, the federal energy regulatory commission, the federal communications commission, federal, state and local administrative and regulatory agencies, and state and federal courts in any matter or proceeding that may substantially affect the interests of residential utility customers, including, but not limited to, a proposed change of rates, charges, terms and conditions of service, the adoption of rules, regulations, guidelines, orders, standards or final policy decisions where the utility consumer advocate deems such initiation, intervention or participation to be necessary or appropriate;

(b) represent the interests of residential utility customers of the state before federal, state and local administrative and regulatory agencies engaged in the regulation of energy, telecommunications, water, and other utility services, and before state and federal courts in actions and proceedings to review the actions of utilities or orders of utility regulatory agencies. Any action or proceeding brought by the utility consumer advocate before a court or an agency shall be brought in the name of the state office of the utility consumer advocate. The utility consumer advocate may join with a residential utility customer or group of residential utility customers in bringing an action;

(c) (i) in addition to any other authority conferred upon the utility consumer advocate, he or she is authorized, and it shall be his or her duty to represent the interests of residential utility customers as a party, or otherwise participate for the purpose of representing the interests of such customers before any agencies or courts. He or she may initiate proceedings if in his or her judgment doing so may be necessary in connection with any matter involving the actions or regulation of public utility companies whether on appeal or otherwise initiated. The utility consumer advocate may monitor all cases before regulatory agencies in the United States, including the federal communications commission and the federal energy regulatory commission that affect the interests of residential utility customers of the state and may formally participate in those proceedings which in his or her judgment warrants such participation.

(ii) the utility consumer advocate shall exercise his or her independent discretion in determining the interests of residential utility customers that will be advocated in any proceeding, and determining whether to participate in or initiate any proceeding and, in so determining, shall consider the public interest, the resources available, and the substantiality of the effect of the proceeding on the interest of residential utility customers;

(d) request and receive from any state or local authority, agency, department or division of the state or political subdivision such assistance, personnel, information, books, records, other documentation and cooperation necessary to perform its duties; and
(e) enter into cooperative agreements with other government offices to efficiently carry out its work.

§ 28-d. Reports. On July first, two thousand twenty-two and annually thereafter, the state office of the utility consumer advocate shall issue a report to the governor and the legislature, and make such report available to the public free of charge on a publicly available website, containing, but not limited to, the following information:
(a) all proceedings that the state office of the utility consumer advocate participated in and the outcome of such proceedings, to the extent of such outcome and if not confidential;
(b) estimated savings to residential utility consumers that resulted from intervention by the state office of the utility consumer advocate; and
(c) policy recommendations and suggested statutory amendments that the state office of the utility consumer advocate deems necessary.

§ 2. This act shall take effect on the first of April next succeeding the date on which it shall have become a law.

PART XX

Section 1. Notwithstanding the provisions of executive order 203 of 2020 that authorized the director of the division of the budget to condition receipt of future appropriated state or federal funds by a local government or political subdivision upon the filing of a certification with the director of the division of the budget as required by executive order 203 of 2020, such certification shall not be required to receive appropriated state or federal funds by any local government or political subdivision.

§ 2. This act shall take effect immediately.

PART YY

Section 1. This act enacts into law components of legislation that would enable public employers to offer a temporary retirement incentive to their employees, as well as to provide an age 55/25 years temporary incentive for certain public employees. Each component is wholly contained within a Subpart identified as Subparts A and B. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found, unless noted otherwise. The benefits of this act shall not be applicable to anyone who first became a member of a public retirement system of the state on or after January first, two thousand ten.

§ 2. Legislative findings. The legislature finds and declares that the retirement benefits provided for in this act are designed to achieve cost-savings for public employers and to avoid layoffs of public employees in this time of fiscal need. Therefore, the retirement incentive benefit provided for in Subpart A of this act and the age 55/25 years retirement benefit provided for in Subpart B of this act are intended only to be temporary in nature for employees who are eligible to receive and qualify for the applicable benefit during the applicable time periods specified within each Subpart. Further, nothing in this act shall be construed to create an expectation of a future or continuing retirement
benefit for any public employee who is not eligible to receive and qualify for the retirement benefits in this act during the applicable time periods.

**SUBPART A**

Section 1. Definitions. As used in this act, unless the context clearly requires otherwise:

a. "Retirement system" means the New York state and local employees' retirement system, the New York state teachers' retirement system, the New York city teachers' retirement system, the New York city board of education retirement system or the New York city employees' retirement system, exclusive of the retirement plans established pursuant to sections 13-156 and 13-157 of the administrative code of the city of New York.

b. "Teachers' retirement system" means the New York state teachers' retirement system or the New York city teachers' retirement system.

c. "Optional retirement program" means the programs established pursuant to the provisions of section 181, 391 or 6251 of the education law; or continued pursuant to section 3 of chapter 980 of the laws of 1962.

d. "State employer" means (a) the executive branch of the state, (b) the state-operated institutions of the state university of New York, (c) the statutory and contract colleges operated pursuant to section 357 of the education law, (d) the state university construction fund (hereinafter referred to in this act as the "fund"), (e) a cooperative extension association (hereinafter referred to in this act as the "association"), (f) the city university of New York as defined in subdivision 2 of section 6202 of the education law, (g) the unified court system, (h) the senate, (i) the assembly, and (j) joint legislative employers.

e. (a) "Participating employer" means an employer, other than a state employer, which participates in a retirement system; such term shall include a community college operating under the program of the state university of New York.

(b) "Educational employer" means a participating employer which is a school district, a board of cooperative educational services, a vocational education and extension board, an institution for the instruction of the deaf and of the blind as enumerated in section 4201 of the education law, or a school district as enumerated in section 1 of chapter 566 of the laws of 1967, as amended.

f. "Eligible employee" means a person who is a member of a retirement system or a participant in an optional retirement program who is an employee in the executive branch of a state employer or an employee of a state employer or a participating employer which makes an election under this section or section four of this act, but such term shall not include the following persons:

(a) elected officials, judges or justices appointed to or serving in a court of record and acting village justices;

(b) chief administrative officers of participating employers which participate in a teachers' retirement system;

(c) officers described in sections 4, 41-a, 46, 61, 70, 70-a, 169 (including those officers whose salary is established pursuant to salary plans under subdivision 3 of section 169), 180 and subdivision 1 of section 41 of the executive law and any agency or department head appointed by the governor, comptroller or attorney general;

(d) appointed members of boards or commissions any of whose members are appointed by the governor or by another state officer or body;
(e) nonjudicial officers and employees of the unified court system unless the chief administrator of the courts elects as provided herein, which election shall cover only nonjudicial officers and employees holding positions in any title in the classified service of the unified court system;

(f) officers or employees of the senate unless the senate adopts a resolution authorizing the temporary president to file the election as provided in this subdivision;

(g) officers or employees of the assembly unless the assembly adopts a resolution authorizing the speaker of the assembly to file the election as provided in this subdivision; and

(h) officers or employees of joint legislative employers unless:

(i) with respect to officers or employees of the legislative library, legislative messenger service, legislative health service, legislative ethics commission, the legislative bill drafting commission, and the joint line of the legislative task force on demographic research and reapportionment, the senate and assembly adopt a concurrent resolution authorizing the temporary president of the senate and the speaker of the assembly to jointly file an election as provided in this subdivision;

(ii) with respect to officers or employees of components of the senate as identified pursuant to section 90 of the legislative law, the senate adopts a resolution authorizing the temporary president to file an election for officers or employees of those components designated in such resolution; and

(iii) with respect to officers or employees of components of the assembly as identified pursuant to section 90 of the legislative law, the assembly adopts a resolution authorizing the speaker of the assembly to file an election for officers or employees of those components designated in such resolution.

Any election under paragraphs (e) through (h) of this subdivision to make available the retirement incentive program provided by this act shall be in writing and filed with the state comptroller not later than ninety days after the effective date of this act. Notwithstanding any other provision of this act, each such filing shall specify the commencement date and the length of the open period. Only one open period shall be made available for employees covered by elections under paragraphs (e) through (h) of this subdivision.

For the purposes of such paragraphs (f), (g) or (h) of this subdivision, an employee of the legislature shall be as such term is defined in section 7-a, 7-b or 7-d of the legislative law or by any other provision of law which classifies employees of an entity to be legislative employees for all purposes, but shall not include senators or members of the assembly. The term "joint legislative employer" shall mean legislative commissions, committees, task forces, councils or similar bodies whose membership is comprised of both senators and assembly members, or which consist of commissioners, or the majority of whose membership is appointed by one or more of the following: the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, and/or the minority leader of the assembly. The temporary president of the senate and the speaker of the assembly shall be the joint legislative employer of the employees of the legislature referred to in sections 7-a and 7-b of the legislative law.

"Eligible title" means any title where a certain number of positions in that title, as identified by agency, department, work location or appointing authority, college or campus, as the case may be, would otherwise be identified for layoff but for this act because of economy,
consolidation or abolition of functions, curtailment of activities or otherwise. However, an eligible title can also include a title as identified by agency, department, work location or appointing authority in which positions would not be eliminated but into which employees in titles affected by layoff can be transferred or reassigned pursuant to the civil service law, rule or regulation. The determination of eligible titles shall be made by: (a) the appointing authority, subject to the approval of the director of state operations for titles within the executive branch, (b) the board of trustees for the state university (including the association) subject to the approval of the director of state operations, the fund, the city university of New York and of each community college operating under the program of the state university, (c) the person or persons who elect under paragraphs (e) through (h) of subdivision f of this section to offer the retirement incentive provided by this act, and (d) the chief executive officer or other comparable official for participating employers other than the community colleges.

h. "College faculty" means an employee, not in the classified service, of a state employer described in paragraphs (b), (c), (d), (e) and (f) of subdivision d of this section or of a community college who is a member of a teachers' retirement system, the New York state and local employees' retirement system or a participant in an optional retirement program.

i. "Active service" means service while being paid on the payroll, provided that (a) a leave of absence with pay shall be deemed active service; (b) other approved leave without pay not to exceed twelve weeks from February 1, 2021 and the commencement of the designated open period; and (c) the period of time subsequent to the June 2021 school term and on or before August 31, 2021 for a teacher (or other employee employed on a school-year basis) who is otherwise in active service on February 1, 2021 shall be deemed active service.

j. "Open period" means the period beginning with the commencement date as defined in subdivision k of this section and shall not be more than ninety days nor less than thirty days in length, as specified by the director of state operations or by a participating employer pursuant to section four of this act, by the appropriate board of trustees for the state university (including the association), the fund, the city university of New York or a community college operating under a program of the state university or by a state employer described in paragraphs (g), (h), (i) and (j) of subdivision d of this section; provided however that any such period shall not extend beyond September 30, 2021 for the executive branch of a state employer described in paragraphs (a) and (b) of subdivision d of this section (except for college faculty), not beyond December 31, 2021 for participating employers, college faculty for a state employer described in paragraph (b) of subdivision d of this section, state employers described in paragraphs (c), (d) and (e) of subdivision d of this section, not beyond January 31, 2022 for college faculty of an employer described in paragraph (f) of subdivision d of this section, and not beyond August 31, 2021 for educational employers. For the purposes of retirement pursuant to this act, a service retirement application must be filed with the appropriate retirement system not less than fourteen days prior to the effective date of retirement to become effective, unless a shorter period of time is permitted under law.

k. "Commencement date" means the first day the retirement incentive authorized by this act shall be made available, which shall mean a date on or after the effective date of this act to be determined by the
director of state operations for the executive branch of the state, and which date shall occur no later than thirty days before September 30, 2021 or for any participating employer a date on or after the effective date of this act. For any other state employer, such term shall mean a date on or after the effective date of this act and shall occur no later than thirty days before September 30, 2021. The director of state operations shall notify the head of the appropriate retirement system of the date of each open period applicable to employees of the executive branch or of a state employer prior to the commencement date.

§ 2. The determination of whether a title shall be considered eligible shall consider whether the reduction of a specific number of positions within a title would unacceptably:

   a. Directly result in a reduction of the level of service required or mandated to protect and care for clients of the state or a participating employer or to assure public health and safety;
   b. Endanger the health or safety of employees of the state or a participating employer; or
   c. Clearly result in a loss of significant revenue to the state or a participating employer or result in substantially increased overtime or contractual costs. However, upon the determination of the director of state operations, with respect to employees of the executive branch of a state employer, any titles may be determined eligible if the vacancies created can be controlled by the use of transfer or reassignment provisions of the civil service law, rules or regulations or other deployment of state employees.

§ 3. a. Eligibility for inclusion in the retirement incentive provided by section six of this act shall be determined: (a) by seniority: for participating employers and for state employers described in paragraphs (a), (b), (c), (d), (e) and (f) of subdivision d of section one of this act, other than for college faculty; seniority shall mean the date of original permanent appointment in the civil service of the state adjusted to include veteran's credits for those entitled to receive such credits pursuant to sections 80, 80-a and 85, if applicable, of the civil service law, as established in the official records of the department of civil service, regardless of the jurisdictional classification of the position or the status of the incumbent; (b) by seniority, as applicable for the unified court system; (c) for state employers described in paragraphs (h), (i) and (j) of subdivision d of section one of this act as determined by the person or persons who make the election to offer the retirement incentive; and (d) for college faculty, by the board of trustees of the state university, city university and of each community college operating under the program of the state university.

   b. All eligible employees serving in eligible titles desiring to avail themselves of the retirement incentive provided by section six of this act shall provide written notice to his or her employer on or before the twenty-first day preceding the end of the open period, or before the end of the applicable open period as such open period is determined by the director of state operations. Failure to provide such written notice shall render the employee ineligible for the retirement incentive provided by this act.

§ 4. a. On or before August 31, 2021, a participating employer or a state employer described in paragraphs (b), (c), (d), (e) and (f) of subdivision d of section one of this act may elect to provide its employees the retirement incentive authorized by this act by (a) the enactment of a local law or (b) in the case of a participating employer which is not so empowered to act by local law or a state employer
described in paragraphs (b), (c), (d), (e) and (f) of subdivision d of section one of this act, by the adoption of a resolution of its govern-
ing body; provided however, no local law or resolution enacted pursuant
to this section shall in any manner supersede any local charter,
provided further, that for an educational employer such election must be
made by July 30, 2021. The local law or resolution shall specify the
commencement date of the program and the length of the open period. For
a community college operating under the program of state university of
New York, such election shall be made by the board of trustees of such
community college subject to the approval of its sponsor. A copy of such
law or resolution shall be filed with the appropriate retirement system
or systems, and, if applicable, on forms provided by such system. The
local law or resolution shall be accompanied by the affidavit of the
chief executive officer or other comparable official certifying to the
information contained in subdivision b of this section.

b. Notwithstanding any other provision of law, the benefits provided
by this act shall not be made available to any person who (a) has
received any retirement incentive authorized by any provision of state
law, or (b) who receives, has received or is eligible to receive a
payment in a lump sum or in another form from a retirement incentive
pursuant to the provisions of a collective bargaining agreement or by
other arrangement with his or her employer, unless such person files a
written statement with his or her employer, a copy of which shall be
forwarded to the appropriate retirement system, that he or she agrees to
waive any right to such payment. A participating employer who makes an
election pursuant to this section and who offers or has offered a
retirement incentive pursuant to the provisions of a collective bargain-
ing agreement or by other arrangement shall prepare, and file with each
retirement system, a list containing the names and social security
numbers of all persons described in this subdivision. A participating
employer is authorized to exempt persons in its employ from the
provisions of paragraph (b) of this subdivision. Such exemption shall be
made part of the election made pursuant to this section.

c. Notwithstanding any other provision of this act to the contrary,
the mayor of the city of New York may declare employees of the community
colleges of the city university of New York ineligible for the retire-
ment incentive provided by this act by filing such notification with the
chancellor of the city university of New York, with copies to the chair
of the senate finance committee, the chair of the assembly ways and
means committee and the director of the budget, in writing, no later
than the thirtieth day next succeeding the effective date of this act.

§ 5. Notwithstanding any other provision of law, any eligible employee
serving in an eligible title who:

a. has been continuously in the active service of a state employer or
of a participating employer from February 1, 2021 to the date immediate-
ly prior to the commencement date of the applicable open period;

b. files an application for service retirement (or files the appropri-
ate application and authorization form with the optional retirement
program and a duly acknowledged retirement incentive form for such
program with the appropriate personnel office) that is effective during
the open period; and

c. is otherwise eligible for a service retirement as of the effective
date of the application for retirement shall be entitled to the retire-
ment incentive provided in section six of this act. If not otherwise
eligible for a service retirement, the following person shall be deemed
to satisfy the eligibility condition of this section: a person who is at
least age fifty with ten or more years service as of the effective date of retirement (other than a member of a retirement plan which provides for half-pay pension upon completion of twenty-five years or less service without regard to age); a member of a retirement plan which provides for half-pay pension upon completion of twenty-five years of service without regard to age who has not accrued, excluding additional credit granted pursuant to this act, the minimum number of years of service required to retire with an allowance equal to fifty percent of final average salary under such plan, but has, with the inclusion of the additional credit provided under this act, accrued such number of years of credit; or a participant in an optional retirement plan at least fifty years of age with ten years of service on an annual salary basis with his or her employer as of the date of retirement.

§ 6. Notwithstanding any other provision of law, an eligible employee serving in an eligible title who is:

a. A member of a retirement system and who is entitled to a retirement incentive pursuant to section five of this act shall receive a retirement incentive of one-twelfth of a year of additional retirement credit for each year of pension service credited as of the date of retirement, up to a maximum of three years of retirement service credit at the time of retirement, provided, however, that service credit provided under the provisions of sections 902 and 911 of the retirement and social security law shall not be included when calculating the additional retirement credit awarded pursuant to this act. For the New York city teachers' retirement system, the New York city employees' retirement system and the New York city board of education retirement system such incentive shall be available for all purposes, including fulfilling the qualifying service requirements of plan A and C, if applicable.

An eligible employee who is covered by the provisions of article 15 of the retirement and social security law shall retire under the provisions of article 15 of the retirement and social security law. The amount of such benefit for an eligible employee who is covered by article 15 of the retirement and social security law and retires under the provisions of this section (other than a member with thirty or more years of service in the New York state and local employees' retirement system or a teachers' retirement system) shall be reduced by six percent for each of the first two years by which retirement precedes age sixty-two, plus a further reduction of three percent for each year by which retirement precedes age sixty, provided, however, the foregoing reductions shall not apply: (i) in any case where an eligible employee can retire after twenty-five years of service with immediate payability prior to the age of sixty-two pursuant to section 604-b of the retirement and social security law or (ii) to any time period subsequent to the point at which an eligible employee can retire for service without reduction of his or her service retirement allowance pursuant to article 16 of the retirement and social security law. Such reduction shall be prorated for partial years. The amount of such benefit for an eligible employee with thirty or more years of service who is a member of the New York state and local employees' retirement system or a teachers' retirement system or an eligible employee who is a participant in the optional twenty-five year early retirement program for certain New York city members governed by section 604-c of the retirement and social security law, as added by chapter 96 of the laws of 1995 or a twenty-five year participant in the age fifty-five retirement program governed by section 604-i of the retirement and social security law, with twenty-five or more years of service and who is covered by article 15 of the retirement and social
security law shall be reduced by five percent for each year by which retirement pursuant to this section precedes age fifty-five. The amount of such benefit for an eligible New York city employee with five or more years of service and who is a participant in the age fifty-seven retirement program governed by section 604-d of the retirement and social security law shall be reduced by one-thirtieth for the first two years by which retirement precedes age fifty-seven plus a further reduction of one-twentieth for each year by which retirement precedes age fifty-five. Such reduction shall be prorated for partial years. There shall be no reduction for an eligible New York city employee in a physically taxing position with twenty-five or more years of service and who is a participant (i) in the optional twenty-five year early retirement program for certain members governed by section 604-c of the retirement and social security law, as added by chapter 96 of the laws of 1995, or (ii) in the age fifty-seven retirement program governed by section 604-d of the retirement and social security law.

An eligible employee serving in an eligible title who is covered by article 11 of the retirement and social security law shall retire under the provisions of such article. The amount of such benefit for an eligible employee covered by article 11 of the retirement and social security law other than a member of a teachers' retirement system or a member of the New York state and local employees' retirement system with thirty or more years of service, a participant in the optional age fifty-five improved benefit retirement program for certain New York city employees governed by section 445-d of the retirement and social security law, as added by chapter 96 of the laws of 1995, with twenty-five or more years of service, or a participant in the optional age fifty-five retirement program for New York city teachers and certain other members governed by section 445-i of the retirement and social security law, with twenty-five or more years of service and who is covered by article 11 of the retirement and social security law shall be reduced by five percent for each year by which retirement pursuant to this section precedes age fifty-five. Such reduction shall be prorated for partial years. There shall be no reduction for an eligible New York city employee in a physically taxing position and who is a participant...
in the optional age fifty-five improved benefit retirement program for

1. in the optional age fifty-five improved benefit retirement program for
certain New York city employees governed by section 445-d of the retire-
cement and social security law, as added by chapter 96 of the laws of
1995, with twenty-five or more years of service.

2. An eligible employee serving in an eligible title who is not covered
by article 11 or 15 of the retirement and social security law shall
retire under the provisions of the plan by which he or she is covered.
The amount of such benefit shall be reduced by five percent for each
year by which retirement pursuant to this section precedes age fifty-
five, provided, however, the foregoing reductions shall not apply: (i)
in any case where an eligible employee can retire pursuant to a plan
which permits retirement for service with immediate payability, exclu-
sive of this act, prior to the age of fifty-five or (ii) to any time
period subsequent to the point at which an eligible employee can retire
for service without reduction of his or her service retirement allowance
pursuant to article 16 of the retirement and social security law. Such

3. reduction shall be prorated for partial years.

4. An eligible employee serving in an eligible title who participates in
a retirement plan which provides for a retirement allowance equal to
fifty percent of final average salary upon the completion of twenty-five
years of service without regard to age and who is otherwise eligible to
retire shall retire under the provisions of such plan. Such employee
shall, at the time of retirement, be credited with one-twelfth of a year
of additional retirement service credit for each year of service credit-
ed under such plan as of the date of retirement, up to a maximum of
three years of retirement service credit, subject to the provisions of
subdivision b of this section. If such employee has not accrued, exclud-
ing additional credit granted pursuant to this act, the minimum number
of years of service required to retire with an allowance equal to fifty
percent of final average salary under such plan, but has, with the
inclusion of the additional credit provided under this act, accrued such
number of years of credit, the benefit payable shall be the percentage
of final average salary that would ordinarily be applicable to such
individual upon retirement with such amount of credit (including incen-
tive credit), reduced by five per centum per year for each year by which
the number of years of service otherwise required to retire with an
allowance equal to fifty percent of final average salary under such plan
exceeds the amount of service credited to such employee under such plan
at retirement (excluding the additional retirement incentive service
credit provided pursuant to this act). Such reduction shall be prorated
for partial years.

b. A participant in an optional retirement program who is entitled to
a retirement incentive pursuant to section five of this act shall
receive an additional employer contribution equal to an amount, which
shall be calculated as follows: (one-twelfth for each year of service)
multiplied by (fifteen percent) multiplied by (the employee's earnable
annual salary rate in effect on March 1, 2021 or the effective date of
this act if the employee retires prior to March 1, 2021), such amount
not to exceed forty-five percent of such salary rate. Such contribution
shall be made to the employee's retirement annuity under the optional
retirement program up to the maximum contribution allowable under
section 415 of the internal revenue code. Any contribution in excess of
that limit shall be contributed by the employer to an internal revenue
code section 403(b) contract on behalf of the employee to the extent it
can be contributed on a before-tax basis under the maximum limits
allowed under the internal revenue code. Contributions in excess of that
amount shall be paid in cash to the participant in three equal installments during a twenty-four month period commencing on such eligible employee's effective date of retirement. Provided, however, if the employee is employed by the city university of New York and in the active service of such employer on October 1, 2021 or the effective date of this act if the employee retires prior to October 1, 2021, the employee’s earnable annual salary rate shall be the annual salary rate in effect on such applicable date.

§ 7. a. An employee of a state employer, other than the city university of New York, who retires pursuant to this act may defer calculation of the value of accumulated sick leave credits, if any, and participation in the state health insurance plan.

b. Notwithstanding any other provision of law, any termination pay or leave arising from accrued sick leave or accrued annual leave for an eligible employee who has elected the retirement incentive provided by this act and who is a member of the New York city teachers' retirement system employed by the board of education of the city of New York shall be paid in three equal installments during a twenty-four month period commencing on such eligible employee's effective date of retirement.

c. An employee of the city of New York or the city university of New York, as defined in subdivision 2 of section 6202 of the education law, who retires under the retirement incentive provided by this act, who is eligible for terminal leave pursuant to an applicable collective bargaining agreement or a personnel policy or rule or retirement leave pursuant to section 3107 of the education law or who has an accrued annual leave balance on the effective date of retirement shall be paid in three equal installments two months, fourteen months and twenty-four months following such eligible employee's effective date of retirement.

§ 8. a. With respect to employees of the executive branch of a state employer, any position, other than a position supported by special revenue funds, vacated as a result of an eligible employee in an eligible title receiving the retirement incentive provided by section six of this act shall be eliminated unless such position is identified by the director of state operations as one into which another state employee can be appointed, transferred or reassigned pursuant to the civil service law, rules or regulations, in which case the former position of the state employee so appointed, transferred or reassigned shall be eliminated.

b. The director of state operations shall direct the department of civil service to prepare a report designating the title, grade level, salary, and classification, according to appointing authority, (i) of each position which is eliminated pursuant to subdivision a of this section, (ii) of each position into which another state employee was appointed, transferred, or reassigned and the former position of such state employee, and (iii) of each position which is eliminated as a result of an appointment, transfer or reassignment referred to in paragraph (ii) of this subdivision. Such report shall be available no later than ninety days after the last date of the open period related to such positions.

§ 9. Notwithstanding any inconsistent provision of section eight of this act or any other provision of law:

a. A participating employer or a state employer described in paragraphs (b) through (e) of subdivision d of section one of this act shall not be required to eliminate the positions of eligible employees in eligible titles receiving the retirement incentive provided by section six of this act if such employer can demonstrate that it will achieve a
A. 3005--B

compensation savings such that the total amount of base salary paid for the two-year period subsequent to the effective date of retirement for such eligible employees in eligible titles to those new hires, if any, who otherwise would not have been hired by such employer after the effective date of this act but for the retirement incentive provided herein shall be no more than one-half of the total amount of base salary that would have been paid to such eligible employees from their date of retirement for such two-year period. Each such employer shall make available its plans for achieving these savings.

b. The city of New York or the city university of New York, as defined in subdivision 2 of section 6202 of the education law, shall not be required to eliminate the positions of eligible employees in eligible titles receiving the retirement incentive provided by section six of this act if such participating employer can demonstrate that it will achieve a compensation or equivalent headcount savings such that the total amount of compensation including benefits paid for the two-year period subsequent to the effective date of retirement for such eligible employees in eligible titles to those new hires, if any, who otherwise would not have been hired by such employer after the effective date of this act but for the retirement incentive provided herein shall be no more than one-half of the total amount of base salary that would have been paid to such eligible employees from their date of retirement for such two-year period. For purposes of this subdivision, the "city of New York" shall mean the city of New York or a participating employer a majority of the members of whose governing body are: (a) appointed by the mayor of the city of New York or other citywide elected official, a borough president of the city of New York, or any combination thereof; (b) designated by virtue of their city of New York office or position or their office or position with a participating employer whose governing board is described in paragraph (a) of this subdivision; or (c) appointed or designated by any combination of the foregoing. Each such employer shall make available its plans for achieving these savings.

c. To the extent any transfer of personnel between the state employer described in paragraph (a) of subdivision d of section one of this act and the state employer described in paragraph (b) of subdivision d of section one of this act occurs pursuant to a voluntary transfer of state personnel, or otherwise, the provisions of subdivision a of this section with respect to achieving savings shall be applicable. Nothing herein shall be construed to impair the authority of the director of state operations pursuant to subdivision g of section one or section two of this act.

§ 10. Nothing in this act shall be used to provide benefits that shall exceed the limits contained in section 415 of the internal revenue code. Provided, however, any service retirement benefit which has been reduced because of section 415 of the internal revenue code shall be increased when (and consistent with) the dollar limits in section 415 of the internal revenue code are adjusted by the internal revenue service for cost of living increases. Such increases shall not increase the benefit in excess of the service retirement benefit otherwise payable.

§ 11. Any eligible employee who retires pursuant to the provisions of this act and enters or reenters public service as defined in subdivision e of section 210 of the retirement and social security law and joins or rejoins any public retirement system of the state as defined in subdivision 6 of section 152 of the retirement and social security law or elects to participate in an optional retirement program shall if the additional benefit was provided pursuant to: (a) subdivision a of
section six of this act, forfeit the additional benefit authorized by
this act at the time of his or her subsequent retirement; or (b) subdi-
vision b of section six of this act, repay to the state or participating
employer such additional contribution together with the appropriate
interest as determined by the state comptroller.

§ 12. Notwithstanding any other provision of law, if the service
retirement benefit of a member of a retirement system is subject to a
maximum retirement benefit, the additional benefit authorized by this
act will be computed by multiplying the final average salary times the
number of years of service credit granted by section six of this act
times the benefit fraction of the plan under which such member retires.

§ 13. The provisions of section 430 of the retirement and social secu-
rity law shall not apply to any benefit or benefit improvement provided
by this act.

§ 14. The pension benefit costs of subdivision a of section six of
this act shall be paid by employers as provided by applicable law for
each retirement system covered by this act over a period not to exceed
five years commencing in the state fiscal year ending March 31, 2023.

§ 15. Where an employee is eligible to receive the benefit authorized
under section six and the retirement benefit provided for under section
five of subpart B of part YY of the chapter of the laws of 2021 which
added this subpart, such employee may elect a section under which he or
she will participate.

§ 16. This act shall take effect immediately.

SUBPART B

Section 1. Definitions. As used in this act, unless the context clear-
ly requires otherwise:
a. "Retirement system" means the New York state and local employees'
retirement system, the New York state teachers' retirement system, the
New York city teachers' retirement system, the New York city board of
education retirement system or the New York city employees' retirement
system, exclusive of the retirement plans established pursuant to
sections 13-156 and 13-157 of the administrative code of the city of New
York.
b. "Teachers' retirement system" means the New York state teachers'
retirement system or the New York city teachers' retirement system.
c. "State employer" means (a) the executive branch of the state, (b)
the state-operated institutions of the state university of New York, (c)
the statutory and contract colleges operated pursuant to section 357 of
the education law, (d) the state university construction fund (herein-
after referred to in this act as the "fund"), (e) a cooperative exten-
sion association (hereinafter referred to in this act as the "associa-
tion"), and (f) the city university of New York as defined in
subdivision 2 of section 6202 of the education law, (g) the unified
court system, (h) the senate, (i) the assembly, and (j) joint legisla-
tive employers.
d. (a) "Participating employer" means an employer, other than a state
employer, which participates in a retirement system; such term shall
include a community college operating under the program of state univer-
sity of New York.
(b) "Educational employer" means a participating employer which is a
school district, a board of cooperative educational services, a voca-
tional education and extension board, an institution for the instruction
of the deaf and of the blind as enumerated in section 4201 of the educa-
tion law, or a school district as enumerated in section 1 of chapter 566 of the laws of 1967, as amended.

e. "Eligible employee" means a person who is a member of a retirement system who is an employee in the executive branch of a state employer or an employee of a state employer or a participating employer who has attained age fifty-five and has at least twenty-five years of creditable service in a retirement system, but such term shall not include the following persons:

(a) elected officials, judges or justices appointed to or serving in court of record and acting village justices;
(b) chief administrative officers of participating employers which participate in a teachers' retirement system;
(c) officers described in sections 4, 41-a, 46, 61, 70, 70-a, 169 (including those officers whose salary is established pursuant to salary plans under subdivision 3 of section 169), 180 and subdivision 1 of section 41 of the executive law and any agency or department head appointed by the governor, comptroller or attorney general;
(d) appointed members of boards or commissions any of whose members are appointed by the governor or by another state officer or body;
(e) nonjudicial officers and employees of the unified court system unless the chief administrator of the courts elects as provided herein, which election shall cover only nonjudicial officers and employees holding positions in any title in the classified service of the unified court system;
(f) officers or employees of the senate unless the senate adopts a resolution authorizing the temporary president to file the election as provided in this subdivision;
(g) officers or employees of the assembly unless the assembly adopts a resolution authorizing the speaker of the assembly to file the election as provided in this subdivision; and
(h) officers or employees of joint legislative employers unless:
(i) with respect to officers or employees of the legislative library, legislative messenger service, legislative health service, legislative ethics committee, the legislative bill drafting commission, and the joint line of the legislative task force on demographic research and reapportionment, the senate and assembly adopt a concurrent resolution authorizing the temporary president of the senate and the speaker of the assembly to jointly file an election as provided in this subdivision;
(ii) with respect to officers or employees of components of the senate as identified pursuant to section 90 of the legislative law, the senate adopts a resolution authorizing the temporary president to file an election for officers or employees of those components designated in such resolution; and
(iii) with respect to officers or employees of components of the assembly as identified pursuant to section 90 of the legislative law, the assembly adopts a resolution authorizing the speaker of the assembly to file an election for officers or employees of those components designated in such resolution.

Any election under paragraphs (e) through (h) of this subdivision to make available the retirement incentive provided by this act shall be in writing and filed with the state comptroller not later than ninety days after the effective date of this act. Notwithstanding any other provision of this act, each such filing shall specify the commencement date of the open period.

For the purposes of such paragraph (f), (g) or (h) of this subdivision, an employee of the legislature shall be as such term is defined in
section 7-a, 7-b or 7-d of the legislative law or by any other provision of law which classifies employees of an entity to be legislative employees for all purposes, but shall not include senators or members of the assembly. The term "joint legislative employer" shall mean legislative commissions, committees, task forces, councils or similar bodies whose membership is comprised of both senators and assembly members, or which consist of commissioners, or the majority of whose membership is appointed by one or more of the following: the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, and/or the minority leader of the assembly. The temporary president of the senate and the speaker of the assembly shall be the joint legislative employer of the employees of the legislature referred to in sections 7-a and 7-b of the legislative law.

f. "College faculty" means an employee, not in the classified service, of a state employer described in paragraphs (b), (c), (d), (e) and (f) of subdivision c of this section or of a community college who is a member of a teachers' retirement system, or the New York state and local employees' retirement system.

g. "Active service" means service while being paid on the payroll, provided that (a) a leave of absence with pay shall be deemed active service; (b) other approved leave without pay not to exceed twelve weeks from February 1, 2021 and the commencement of the designated open period; and (c) the period of time subsequent to the June 2021 school term and on or before August 31, 2021 for a teacher (or other employee employed on a school-year basis) who is otherwise in active service on the effective date of this act shall be deemed active service.

h. "Open period" means the period beginning with the commencement date as defined in subdivision i of this section and shall be ninety days in length; provided however that there shall be only one such open period and any such period shall not extend beyond September 30, 2021 for a state employer and December 31, 2021 for a participating employer. For educational employers who make election after June 1, 2021, the open period shall begin immediately after such election, and shall not extend beyond August 31, 2021. For the purposes of retirement pursuant to this act, a service retirement application must be filed with the appropriate retirement system not less than fourteen days prior to the effective date of retirement to become effective, unless a shorter period of time is permitted under law.

i. "Commencement date" means the first day the retirement benefit mandated by this act shall be made available, which shall mean a date or dates on or after the effective date of this act to be determined by the director of state operations for the executive branch of the state, or for any other state employer or any participating employer which elects to participate pursuant to section three of this act a date on or after the effective date of this act; provided, however, that for an educational employer which elects to participate pursuant to section three of this act, the commencement date shall be June 1, 2021; or immediately after election of the retirement incentive for educational employers who elect after June 1, 2021 and provided, further that for participating employers which elect to participate pursuant to section three of this act, except the city of New York and participating employers which are not empowered to act by local law, the commencement date shall be October 1, 2021. The director of state operations shall notify the head of the appropriate retirement system of the date of the open period applicable to employees of the executive branch or of a state employer prior to the commencement date.
§ 2. a. A state employer which elects to participate pursuant to section three of this act, participating employer which is not empowered to act by local law which elects to participate pursuant to section three of this act, or the city of New York, if it elects to participate pursuant to section three of this act shall establish a commencement date for the retirement benefit established under section five of this act in the following manner: (a) for the executive branch, the director of state operations shall establish the commencement date in writing to the appropriate retirement system; (b) for state employers described in paragraphs (b), (c), (d), (e) and (f) of subdivision c of section one of this act and participating employers that are not empowered to act by local law, its governing body shall adopt a resolution establishing a commencement date; (c) for state employers described in paragraphs (g), (h), (i) and (j) of subdivision c of section one of this act, the person or persons who make the election to offer the retirement incentive pursuant to subpart A of part YY of the chapter of the laws of 2021 added this subpart shall establish a commencement date in writing to the appropriate retirement system; and (d) for the city of New York, the chief executive officer shall issue an executive order establishing the commencement date, provided, however, no executive order, in the case of the city of New York issued pursuant to this section, shall in any manner supersede any local charter. A copy of any such resolution or executive order in the case of the city of New York shall be filed with the appropriate retirement system or systems, and, if applicable, on forms provided by such system. The resolution or executive order in the case of the city of New York shall be accompanied by the affidavit of the chief executive officer or other comparable official certifying the commencement date.

b. A state employer, participating employer which is not empowered to act by local law which elects to participate pursuant to section three of this act, or the city of New York if it elects to participate pursuant to section three of this act shall be required to establish a commencement date under paragraph a of this subdivision for the retirement benefit established under section five of this act. In the event that a state employer, participating employer which is not empowered to act by local law which elects to participate pursuant to section three of this act, or the city of New York if it elects to participate pursuant to section three of this act fails to establish a commencement date for the retirement benefit established under section five of this act, the commencement date for the eligible employees of a state employer shall be July 1, 2021. The commencement date for the eligible employees of all other employers referenced in this subdivision shall be September 1, 2021.

§ 3. On or before September 1, 2021, a participating employer or a state employer described in paragraphs (b), (c), (d), (e) and (f) of subdivision c of section one of this act may elect to provide its employees the retirement incentive authorized by this act by (a) the enactment of a local law or (b) in the case of a participating employer which is not so empowered to act by local law or a state employer described in paragraphs (b), (c), (d), (e) and (f) of subdivision c of section one of this act, by the adoption of a resolution of its governing body; provided however, no local law or resolution enacted pursuant to this section shall in any manner supersede any local charter, provided further, that for an educational employer such election must be made by July 1, 2021. For a community college operating under the program of state university of New York, such election shall be made by
the board of trustees of such community college subject to the approval of its sponsor. A copy of such law or resolution shall be filed with the appropriate retirement system or systems, and, if applicable, on forms provided by such system. The local law or resolution shall be accompanied by the affidavit of the chief executive officer or other comparable official certifying the validity of such local law or resolution. The executive branch of the state shall be deemed to have made an election under this section upon its enactment.

§ 4. Notwithstanding any other provision of law, any eligible employee who (a) has been continuously in the active service of a state employer or of a participating employer from February 1, 2021 to the date immediately prior to the commencement date of the applicable open period, (b) files an application for service retirement that is effective during the open period, and (c) is otherwise eligible for a service retirement as of the effective date of the application for retirement shall be entitled to the retirement benefit provided in section five of this act.

§ 5. a. Notwithstanding any other provision of law, an eligible employee who is: (a) a member of a retirement system and (b) who is entitled to a retirement benefit pursuant to section four of this act may retire during the open period without the reduction of his or her retirement benefit that would otherwise be imposed by article 11 or 15 of the retirement and social security law if he or she has attained the age of fifty-five and has completed at least twenty-five or more years of creditable service. An eligible employee who is covered by the provisions of articles 11 and 15 of the retirement and social security law shall retire under the provisions of articles 11 and 15 of the retirement and social security law.

b. The director of state operations, the chief executive officer of the city of New York, or chief executive officer or governing board, as appropriate, of the participating employer may deny participation in the retirement benefit provided by subdivision a of this section if the director of state operations, the chief executive officer of New York city or the chief executive officer or governing board of the participating employer makes a determination that the employee holds a position that is deemed critical to the maintenance of public health and safety.

c. Where an employee is eligible for the retirement benefit under this section and the retirement incentive authorized pursuant to section six of subpart A of part YY of the chapter of the laws of 2021 which added this subpart, such employee shall elect a section under which he or she will participate. The benefits provided by subdivision a of this section shall not be conditioned upon a state or participating employer making the benefits of section six of subpart A of this part available to employees in their employ. Further, the benefits provided by subdivision a of this section shall not be available in conjunction with the benefits of section six of subpart A of part YY of the chapter of the laws of 2021 which added this subpart.

d. The action of the director of state operations, the chief executive officer of the city of New York, or chief executive officer or governing board, as appropriate, of the participating employer in denying the retirement benefit provided for in subdivision a of this section to any individual shall be subject to review in the manner provided for in article 78 of the civil practice law and rules. Such action for review pursuant to article seventy-eight of the civil practice law and rules shall only be commenced by the individual that was denied the retirement benefit provided by subdivision a of this section.
e. After making any such determination under subdivision b of this section, the director of state operations, the chief executive officer of the city of New York and the chief executive officer or governing board, as appropriate, of the participating employer shall notify the appropriate retirement system or teachers' retirement system of its determination.

§ 6. The pension benefit costs of section five of this act shall be paid by employers as provided by applicable law for each retirement system covered by this act over a period not to exceed five years commencing in the state fiscal year ending March 31, 2023.

§ 7. This act shall take effect immediately.

§ 3. Severability clause. If any clause, sentence, paragraph, subdivision, section or subpart of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or subpart thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 4. This act shall take effect immediately; provided, however, that the applicable effective date of Subparts A and B of this act shall be as specifically set forth in the last section of such Subparts.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:
This bill would provide a temporary retirement incentive for fiscal year 2021-2022 for eligible members of the New York State Teachers' Retirement System (NYSTRS).

Subpart A of the retirement incentive would provide certain eligible employees of employers who elect to participate a retirement incentive of one-twelfth of a year of additional service credit per year of accrued service credit up to a maximum of three additional years. To be eligible, a member must be eligible to retire, or have attained age 50 or greater, with at least ten years of service. Members subject to an early retirement reduction and less than age 55 at retirement will have their benefit further reduced by 3% per year prior to age 55. Members not subject to an early retirement reduction and less than age 55 at retirement will have their benefit reduced by 5% per year prior to age 55.

Subpart B of the retirement incentive would permit eligible Tier 2, 3 and 4 members of employers who elect to participate to retire without early retirement reductions upon attainment of at least age 55 with 25 years of service. Currently 30 years of service are required.

In order to receive either the Subpart A or Subpart B benefit, an eligible member of an employer who has elected to participate must retire during the employer's designated open period. For Subpart A, such open period shall be at least 30 but not more than 90 days in length and for educational employers, shall not extend beyond August 31, 2021. For Subpart B, the open period shall begin immediately after the election to participate and shall not extend beyond August 31, 2021. Members may not receive a benefit under both Subpart A and Subpart B. Employers participating in Subpart A or Subpart B (or both) would pay the cost of the retirement incentive over a period not to exceed five years, beginning in the state fiscal year ending March 31, 2023.

It is not possible to accurately forecast the total cost to the New York State Teachers' Retirement System employers electing to participate in this retirement incentive because the number of eligible members
electing to retire under the incentive, their ages and the amount of service credited cannot be readily estimated. The Subpart A cost, measured as the increase in the present value of benefit per participating member, however, will range from 5% to approximately 250% of final average salary, depending on the member's age, years of service, and tier at retirement. The Subpart B cost per participating member will range from 3% to approximately 200% of final average salary, depending on the member's age, years of service, and tier at retirement. The potential number of members eligible to benefit under Subpart A is much greater than under Subpart B.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Comprehensive Annual Financial Report (CAFR). System assets are as reported in the System's financial statements, and can also be found in the CAFR. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report.

The source of this estimate is Fiscal Note 2021-9 dated February 3, 2021 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2021 Legislative Session. I, Richard A. Young, am the Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would provide additional service credit (one-twelfth of a year for each year of non-sick leave, non-Article 19 service credited as of the date of retirement, up to a maximum of three years) for certain members of the New York State and Local Employees' Retirement System, New York State Teachers Retirement System, New York City Teachers Retirement System, New York City Board of Education and the New York City Employees' Retirement System. Further, for certain members who are not otherwise eligible for a service retirement benefit, this bill would provide the ability to retire with reductions. This benefit would be available to only targeted positions.

In addition, this bill would eliminate the early retirement reductions at 25 years of service instead of at 30 years of service for retirement during a specified 90 day period for Tier 2, 3 and 4 members of the New York State and Local Employees' Retirement System, New York State Teachers Retirement System, New York City Teachers Retirement System, New York City Board of Education and the New York City Employees' Retirement System. Employers electing this provision can declare health and safety positions to be ineligible.

Retiring members may not receive both the additional service credit and the elimination of the early retirement reductions at 25 years of service instead of at 30 years of service.

If this bill is enacted, insofar as it affects the New York State and Local Employees' Retirement System (ERS), the additional cost for each member who receives these benefits will vary depending on the member's age, years of service, retirement plan and final average salary.

We anticipate that the per-member cost (at retirement) of the additional service credit benefit will average approximately 65% of a member's final average salary. This cost will be borne by each employer electing the incentive over a period not to exceed five years commencing with a payment in the State fiscal year ending March 31, 2023.
We anticipate that the per-member cost (at retirement) of the elimination of the early retirement reductions at 25 years of service instead of at 30 years of service will average approximately 115% of a member's final average salary. This cost will be borne by each employer electing the incentive over a period not to exceed five years commencing with a payment in the State fiscal year ending March 31, 2023.

Summary of relevant resources:
Membership data as of March 31, 2020 was used in measuring the impact of the proposed change, the same data used in the April 1, 2020 actuarial valuation. Distributions and other statistics can be found in the 2020 Report of the Actuary and the 2020 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2020 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated December 30, 2020, and intended for use only during the 2021 Legislative Session, is Fiscal Note No. 2021-7, prepared by the Actuary for the New York State and Local Retirement System.