STATE OF NEW YORK

2

Extraordinary Session

IN ASSEMBLY

September 1, 2021

Introduced by M. of A. BUDGET BILL -- (at request of the Budget) -- read once and referred to the Committee on Ways and Means

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

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

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

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

AID TO LOCALITIES 2021-22

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund	[~~1,675,578,000~~] **1,825,578,000**	189,624,345
Special Revenue Funds - Federal	[~~7,101,484,000~~] **7,351,484,000**	4,137,709,000
Special Revenue Funds - Other	19,900,000	500,000
Fiduciary Funds	10,000,000	0
All Funds	[~~8,806,962,000~~] **9,206,962,000**	4,327,833,345

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

LBD12030-04-1

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

General Fund
Local Assistance Account - 10000

[~~For supplemental costs associated with an emergency rental assistance program pursuant to a plan approved by the office of temporary and disability assistance and director of the budget. Such expenses shall be for costs exceeding any special revenue - federal appropriation made available for such purposes, or for providing assistance to households with incomes that exceed the limitations set forth in such program and with a household member in a priority population as provided for in such program, or for assistance to landlords.~~] For supplemental costs associated with an emergency rental assistance program pursuant to a plan approved by the office of temporary and disability assistance and director of the budget. Such expenses shall be (a) for forty-five days following the date when applications begin to be accepted, for providing assistance to households with incomes that exceed eighty percent of area median income but do not exceed one hundred percent of area median income, (b) after forty-five days following the date when applications begin to be accepted, for providing assistance to households with incomes that exceed eighty percent of area median income but do not exceed one hundred twenty percent of area median income, (c) for forty-five days following the date when applications begin to be accepted, for assistance to small landlords as defined in subdivision 12 of section 2 of subpart A of part BB of chapter 56 of the laws of 2021, of a unit charging rent that does not exceed one hundred fifty percent of the fair market rent by unit size, with rental arrears accrued by a tenant, if such landlord has used best efforts to contact and assist such tenant in applying for a program funded with emergency rental assistance dollars, without success, including instances in which such tenant has vacated while owing such rental arrears, or (d) after forty-five days following the date when applications begin to be accepted, for assistance to landlords of a unit

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

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

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

..... [~~100,000,000~~] 250,000,000

Program account subtotal .. [~~338,796,000~~] 488,796,000

Special Revenue Funds - Federal
Federal Miscellaneous Operating Grants Fund
CARES Emergency Rent - 25544

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

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

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

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

Notwithstanding any inconsistent provision of law, the budget director is hereby authorized to transfer any of the amount appropriated herein to state operations for administration of emergency rental assistance activities .... [~~**2,350,000,000**~~] **2,600,000,000**

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

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