

# STATE OF NEW YORK

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7397

2021-2022 Regular Sessions

## IN ASSEMBLY

May 6, 2021

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Introduced by M. of A. SILLITTI, ENGLEBRIGHT -- (at request of the Environmental Facilities Corporation) -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to water pollution control revolving fund agreements

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

1 Section 1. Paragraph a of subdivision 3 of section 17-1909 of the  
2 environmental conservation law, as amended by chapter 250 of the laws of  
3 2018, is amended to read as follows:

4 a. The corporation is authorized to promulgate regulations, developed  
5 in consultation with the commissioner and the director of the division  
6 of the budget, for the purpose of carrying out its responsibilities  
7 under this section, including establishing criteria and standards for  
8 determining the amount of financial assistance to a municipality for an  
9 eligible project. To the extent financial assistance to a municipality  
10 for an eligible project is provided as a loan from the proceeds of bonds  
11 or notes of the corporation, the amount of an allocation applicable to  
12 the portion of such eligible project financed with such loan shall be,  
13 subject to such maximum financial limitations as may otherwise be neces-  
14 sary and prescribed by the commissioner and the director of the division  
15 of the budget, thirty-three and one-third percent of the principal  
16 amount of such loan outstanding at any time for such eligible project,  
17 to the extent reasonably practicable, and subject to such deviation as  
18 may be necessary, in connection with the administration and investment  
19 of moneys in the fund, unless allocations in differing amounts are  
20 necessary to preclude a determination by the commissioner or the corpo-  
21 ration pursuant to paragraph e of subdivision eight of this section or  
22 unless an allocation in a differing amount is required for an innovative  
23 technology demonstration project; provided, however, that in the case of  
24 any municipality which has, during the period commencing on June first,

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

LBD09557-01-1

1 nineteen hundred ninety-two and ending on September thirtieth, two thou-  
2 sand [~~twenty-one~~ twenty-four, (i) submitted an application for finan-  
3 cial assistance in the form of such a loan for an eligible project,  
4 which application has been accepted by the corporation, (ii) closed on  
5 such loan, and (iii) commenced construction of such eligible project,  
6 the allocation applicable to the portion of such project financed with  
7 such loan shall be, subject to maximum financial limitations as may  
8 otherwise be necessary and prescribed by the commissioner and the direc-  
9 tor of the division of the budget, fifty percent of the principal  
10 balance outstanding on such loan at any time for such eligible project,  
11 to the extent reasonably practicable, and subject to such deviation as  
12 may be necessary, in connection with the administration and investment  
13 of moneys in the fund, unless allocations in differing amounts are  
14 necessary to preclude a determination by the commissioner or the corpo-  
15 ration pursuant to paragraph e of subdivision eight of this section or  
16 unless an allocation in a differing amount is required for an innovative  
17 technology demonstration project.

18 § 2. The closing paragraph of subdivision 8 of section 17-1909 of the  
19 environmental conservation law, as amended by chapter 250 of the laws of  
20 2018, is amended to read as follows:

21 The interest rate charged on any loan made by the corporation pursuant  
22 to this subdivision shall be no more than two-thirds of the market rate  
23 of interest otherwise applicable thereto, provided, however, that in the  
24 case of any municipality which has, during the period commencing on June  
25 first, nineteen hundred ninety-two and ending on September thirtieth,  
26 two thousand [~~twenty-one~~ twenty-four, (i) submitted an application for  
27 financial assistance in the form of a loan from the corporation pursuant  
28 to this subdivision, for an eligible project, which application has been  
29 accepted by the corporation, (ii) closed on such loan, and (iii)  
30 commenced construction of such eligible project, the interest rate  
31 charged on such loan shall be no more than one-half of the market rate  
32 otherwise applicable thereto.

33 § 3. This act shall take effect immediately.