

# STATE OF NEW YORK

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7483

2021-2022 Regular Sessions

## IN ASSEMBLY

May 11, 2021

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Introduced by M. of A. RA, ASHBY -- read once and referred to the  
Committee on Ways and Means

AN ACT to amend chapter 54 of the of the laws of 2021 enacting the capi-  
tal projects budget, in relation to making technical corrections ther-  
eto

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

1 Section 1. Section 1 of chapter 54 of the laws of 2021, enacting the  
2 capital projects budget, is amended by repealing the items hereinbelow  
3 set forth in brackets and by adding to such section the other items  
4 underscored in this section.

5 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

6 STATE AND MUNICIPAL FACILITIES PROGRAM

7 CAPITAL PROJECTS 2021-22

8 STATE AND MUNICIPAL FACILITIES PROGRAM (CCP)

9 Capital Projects Funds - Other  
10 Capital Projects Fund - 30000  
11 State and Municipal Facilities Purpose

12 For payment of the capital costs of  
13 construction, improvement, rehabilitation  
14 or reconstruction of facilities owned by  
15 eligible entities; the acquisition of  
16 capital facilities and assets by eligible  
17 entities, including fixed capital assets;  
18 the acquisition by eligible entities of

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

LBD10977-01-1

1 equipment and other capital assets,  
2 including vehicles, in support of health,  
3 safety, technology, or innovation; the  
4 acquisition by an eligible entity of capi-  
5 tal assets with a useful life of not less  
6 than ten years purchased for the sole  
7 purpose of preserving and protecting  
8 infrastructure that is owned, controlled  
9 or appurtenant to an eligible entity,  
10 including but not limited to heavy duty  
11 road maintenance and construction vehi-  
12 cles, pavers, snow plows, street sweepers  
13 and heavy duty fire, emergency response  
14 and law enforcement vehicles; economic  
15 development projects sponsored by the  
16 state or municipal corporations, as  
17 defined in section 2 of the general munic-  
18 ipal law, that will create or retain jobs  
19 in New York state as certified by the  
20 commissioner of the department of economic  
21 development; or environmental projects  
22 sponsored by the state or municipal corpo-  
23 rations as defined in section 2 of the  
24 general municipal law. Eligible entities  
25 shall consist of the state; municipal  
26 corporations as defined in section 2 of  
27 the general municipal law; sanitation  
28 districts; special districts as defined in  
29 subdivision 16 of section 102 of the real  
30 property tax law; water and sewer  
31 districts; the Metropolitan Transportation  
32 Authority or any other public benefit  
33 corporation established pursuant to titles  
34 11, 11-A, 11-B, 11-C, or 11-D of the  
35 public authorities law; a public benefit  
36 corporation as defined in section 4 of  
37 chapter 1016 of the laws of 1969; a  
38 college or university established pursuant  
39 to section 352 of the education law,  
40 section 6203 of the education law or  
41 section 6302 of the education law; an  
42 independent not-for-profit institution of  
43 higher education as defined in subdivision  
44 2 of section 6401 of the education law;  
45 public school districts; public housing  
46 authorities; public libraries and library  
47 systems chartered by the regents of the  
48 state of New York or established by an act  
49 of the legislature; public park conservan-  
50 cies or not-for-profit corporations organ-  
51 ized for the purpose of investing in parks  
52 owned by the state or municipal corpo-  
53 rations, as defined in section 2 of the  
54 general municipal law; not-for-profit fire  
55 districts, fire commissions, fire compa-  
56 nies, fire departments, volunteer rescue

1 and ambulance squads; special act school  
2 districts, schools for the blind and deaf  
3 and other students with disabilities  
4 subject to article 85 of the education  
5 law, and private schools for students with  
6 disabilities authorized pursuant to chap-  
7 ter 853 of the laws of 1976; ~~and~~ any  
8 other not-for-profit corporation or other  
9 not-for-profit entity; and any facilities  
10 that host veterans organizations, includ-  
11 ing but not limited to Veterans of Foreign  
12 Wars posts, American Legion facilities, or  
13 any other physical facility in which  
14 members of a bonafide veterans organiza-  
15 tion lease, own or otherwise utilize such  
16 facility.

17 Costs may include, but shall not be limited  
18 to engineering services, construction,  
19 project management, right-of-way acquisi-  
20 tion, and work appurtenant and ancillary  
21 thereto. No funds from this appropriation  
22 may be used as a required match or be  
23 considered a local share to other state  
24 programs or to leverage state aid or  
25 grants including but not limited to the  
26 apportionment of aid under the education  
27 law. Notwithstanding any provision of law  
28 to the contrary, funds appropriated herein  
29 may be subject to the approval of the  
30 director of the budget, be (i) inter-  
31 changed, (ii) transferred from this appro-  
32 priation to any other appropriation or any  
33 state department, agency or public benefit  
34 corporation, or (iii) suballocated to any  
35 other state department, agency or public  
36 benefit corporation, to achieve this  
37 purpose (SM0121SM) (80001) ..... 385,000,000

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