

STATE OF NEW YORK

2

Extraordinary Session

IN SENATE

September 1, 2021

Introduced by BUDGET BILL -- (at request of the Budget) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

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:

1 Section 1. Section 1 of chapter 53 of the laws of 2021, enacting the
2 aid to localities 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 DEPARTMENT OF FAMILY ASSISTANCE
6 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

7 AID TO LOCALITIES 2021-22

8 For payment according to the following schedule:

9		APPROPRIATIONS	REAPPROPRIATIONS
10	General Fund	[1,675,578,000]	189,624,345
11		<u>1,825,578,000</u>	
12	Special Revenue Funds - Federal	[7,101,484,000]	4,137,709,000
13		<u>7,351,484,000</u>	
14	Special Revenue Funds - Other	19,900,000	500,000
15	Fiduciary Funds	10,000,000	0
16		-----	-----
17	All Funds	[8,806,962,000]	4,327,833,345
18		<u>9,206,962,000</u>	

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

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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 earli-
er 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 assem-
bly 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 emer-
gency rental assistance activities

..... [100,000,000]	<u>250,000,000</u>

Program account subtotal .. [338,796,000]	<u>488,796,000</u>

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 instabili-
ty, and earns up to eighty percent of area
median income as determined by the United
States department of housing and urban

1 development. Such assistance shall be
 2 prioritized for those who are unemployed
 3 for at least 90 days and those earning up
 4 to fifty percent of area median income as
 5 determined by the United States department
 6 of housing and urban development. Such
 7 assistance shall support the payment of up
 8 to 12 months of rental arrears due at the
 9 time of application and up to 3 months of
 10 prospective rent and other purposes set
 11 forth in Public Law No. 116-260, Public
 12 Law 117-2, or any other federal funds made
 13 available for this purpose. Notwithstand-
 14 ing any inconsistent provision of law,
 15 twenty-five million dollars of the funds
 16 appropriated herein shall be available to
 17 provide legal services or attorney's fees
 18 to tenants related to eviction proceedings
 19 and maintaining housing stability pursuant
 20 to a plan approved by the commissioner of
 21 the office of temporary and disability
 22 assistance. The plan for such funds shall
 23 grant priority to areas where access to
 24 free legal assistance for such services is
 25 not already provided. To the extent prac-
 26 ticable, such expenses shall be paid from
 27 funds otherwise available for administra-
 28 tive purposes. Funds may also be used to
 29 support a hardship fund for undocumented
 30 workers.

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

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

45 Notwithstanding any inconsistent provision
 46 of law, the budget director is hereby
 47 authorized to transfer any of the amount
 48 appropriated herein to state operations
 49 for administration of emergency rental
 50 assistance activities [~~2,350,000,000~~ 2,600,000,000

51 -----
 52 Program account subtotal [~~2,350,000,000~~ 2,600,000,000
 53 -----

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