

STATE OF NEW YORK

8005--B

IN SENATE

January 19, 2022

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend part E of chapter 55 of the laws of 2020, amending the state finance law relating to establishing the criminal justice discovery compensation fund; amending the criminal procedure law relating to monies recovered by county district attorneys before the filing of an accusatory instrument; and providing for the repeal of certain provisions upon expiration thereof, in relation to extending certain provisions relating thereto (Part A); intentionally omitted (Part B); intentionally omitted (Part C); to repeal subdivision 9 of section 201 of the correction law relating to the parole supervision fee (Part D); intentionally omitted (Part E); intentionally omitted (Part F); to amend the tax law, in relation to suspending the transfer of monies into the emergency services revolving loan fund from the public safety communications account (Part G); intentionally omitted (Part H); to amend the executive law, in relation to awarding reimbursement for certain items of essential personal property (Part I); to amend chapter 674 of the laws of 1993, amending the public buildings law relating to value limitations on contracts, in relation to extending the effectiveness thereof (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part M); intentionally omitted (Part N); intentionally omitted (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); to amend the civil service law, in relation to eligibility for shift pay differentials (Part U); intentionally omitted (Part V); to amend the general municipal law, in relation to streamlining the county-wide shared services initiative; and to repeal certain provisions of such law relating thereto (Part W); to amend the state finance law, the tax law and the public authorities law, in relation to providing aid and

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

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incentives for municipalities to towns and villages; and to repeal certain provisions of the tax law relating thereto (Part X); to provide for the administration of certain funds and accounts related to the 2022-2023 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 chapter 81 of the laws of 2002 relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of certain bonds & 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 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 private housing finance law, in relation to housing program bonds and notes; to amend 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, in relation to increasing the amount of authorized matching capital grants; to amend the New York state urban development corporation act, in relation to the nonprofit infrastructure capital investment program; to repeal subdivisions 4 and 5 of section 16 of part T of chapter 57 of the laws of 2007, relating to providing for the administration of certain funds and accounts related to the 2007-2008 budget; and providing for the repeal of certain provisions upon expiration thereof (Part Y); intentionally omitted (Part Z); to amend the criminal procedure law, the executive law and the correction law, in relation to the automatic sealing of certain convictions (Part AA); intentionally omitted (Part BB); to amend the public authorities law, in relation to transparency and accountability in Nassau county (Subpart A); to amend the public authorities law, in relation to membership on the Nassau health care corporation board (Subpart B) (Part CC); to amend the general municipal law and the public authorities law, in relation to county-wide shared services panels (Part DD); to amend the real property tax law, in relation to delinquent tax interest rates (Part EE); to amend the legislative law, in relation to establishing a legislative commission on the future of the Long Island Power Authority (Part FF); to amend the local finance law, in relation to financing of a certain litigation liability by the city of Long Beach (Part GG); to amend the family court act, in relation to the hours of operation for family courts; and providing for the repeal of such provisions upon expiration thereof (Part HH); to amend the general municipal law and the town law, in relation to authorizing fees and charges for emergency medical services (Part II); to amend the state finance law, in relation to the cost effectiveness of consultant contracts by state agencies and ensuring the efficient and effective

use of state tax dollars (Part JJ); to repeal section 54-m of the state finance law, relating to tying local share requirements associated with increasing the age of juvenile jurisdiction above fifteen years of age to the property tax cap (Part KK); to amend the county law and the judiciary law, in relation to entitled compensation for client representation (Part LL); and to amend the state finance law and the education law, in relation to restoring oversight of certain contracts by the comptroller; and to repeal certain provisions of the education law relating thereto (Part MM)

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
2 necessary to implement the state public protection and general govern-
3 ment budget for the 2022-2023 state fiscal year. Each component is whol-
4 ly contained within a Part identified as Parts A through MM. The effec-
5 tive date for each particular provision contained within such Part is
6 set forth in the last section of such Part. Any provision in any section
7 contained within a Part, including the effective date of the Part, which
8 makes a reference to a section "of this act", when used in connection
9 with that particular component, shall be deemed to mean and refer to the
10 corresponding section of the Part in which it is found. Section three of
11 this act sets forth the general effective date of this act.

12 PART A

13 Section 1. Section 3 of part E of chapter 55 of the laws of 2020,
14 amending the state finance law relating to establishing the criminal
15 justice discovery compensation fund; amending the criminal procedure law
16 relating to monies recovered by county district attorneys before the
17 filing of an accusatory instrument; and providing for the repeal of
18 certain provisions upon expiration thereof, is amended to read as
19 follows:

20 § 3. This act shall take effect immediately; provided, however, that
21 subdivision 2 of section 99-hh of the state finance law, as added by
22 section one of this act, shall expire and be deemed repealed March 31,
23 ~~2022~~ 2023, and provided, further that the amendments to section 95.00
24 of the criminal procedure law made by section two of this act shall not
25 affect the repeal of such section and shall be deemed repealed there-
26 with.

27 § 2. This act shall take effect immediately and shall be deemed to
28 have been in full force and effect on and after March 31, 2022.

29 PART B

30 Intentionally Omitted

31 PART C

32 Intentionally Omitted

33 PART D

1 Section 1. Subdivision 9 of section 201 of the correction law is
2 REPEALED.

3 § 2. This act shall take effect immediately.

4 PART E

5 Intentionally Omitted

6 PART F

7 Intentionally Omitted

8 PART G

9 Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax
10 law, as amended by section 1 of part I of chapter 55 of the laws of
11 2020, is amended to read as follows:

12 (b) The sum of one million five hundred thousand dollars must be
13 deposited into the New York state emergency services revolving loan fund
14 annually; provided, however, that such sums shall not be deposited for
15 state fiscal years two thousand eleven--two thousand twelve, two thou-
16 sand twelve--two thousand thirteen, two thousand fourteen--two thousand
17 fifteen, two thousand fifteen--two thousand sixteen, two thousand
18 sixteen--two thousand seventeen, two thousand seventeen--two thousand
19 eighteen, two thousand eighteen--two thousand nineteen, two thousand
20 nineteen--two thousand twenty, two thousand twenty--two thousand twen-
21 ty-one [~~and~~], two thousand twenty-one--two thousand twenty-two, two
22 thousand twenty-two--two thousand twenty-three, and two thousand twen-
23 ty-three--two thousand twenty-four;

24 § 2. This act shall take effect April 1, 2022.

25 PART H

26 Intentionally Omitted

27 PART I

28 Section 1. Intentionally Omitted.

29 § 2. Subdivision 9 of section 631 of the executive law, as amended by
30 chapter 487 of the laws of 2014, is amended to read as follows:

31 9. Any award made for the cost of repair or replacement of essential
32 personal property, including cash losses of essential personal property,
33 shall be limited to an amount of [~~five~~] twenty-five hundred dollars,
34 except that all cash losses of essential personal property shall be
35 limited to the amount of one hundred dollars. In the case of medically
36 necessary life-sustaining equipment which was lost or damaged as the
37 direct result of a crime, the award shall be limited to the amount of
38 ten thousand dollars.

39 § 3. This act shall take effect on the one hundred eightieth day after
40 it shall have become a law and apply to all claims filed on or after
41 such effective date.

42 PART J

1 Section 1. Section 3 of chapter 674 of the laws of 1993, amending the
2 public buildings law relating to value limitations on contracts, as
3 amended by section 2 of part HH of chapter 55 of the laws of 2019, is
4 amended to read as follows:

5 § 3. This act shall take effect immediately and shall remain in full
6 force and effect only until June 30, ~~2022~~ 2025.

7 § 2. This act shall take effect immediately.

8 PART K

9 Intentionally Omitted

10 PART L

11 Intentionally Omitted

12 PART M

13 Section 1. Section 5 of chapter 396 of the laws of 2010 amending the
14 alcoholic beverage control law relating to liquidator's permits and
15 temporary retail permits, as amended by chapter 375 of the laws of 2021,
16 is amended to read as follows:

17 § 5. This act shall take effect on the sixtieth day after it shall
18 have become a law[, ~~provided that paragraph (b) of subdivision 1 of~~
19 ~~section 97-a of the alcoholic beverage control law as added by section~~
20 ~~two of this act shall expire and be deemed repealed October 12, 2022~~].

21 § 2. This act shall take effect immediately.

22 PART N

23 Intentionally Omitted

24 PART O

25 Intentionally Omitted

26 PART P

27 Intentionally Omitted

28 PART Q

29 Intentionally Omitted

30 PART R

31 Intentionally Omitted

1 PART S

2 Intentionally Omitted

3 PART T

4 Intentionally Omitted

5 PART U

6 Section 1. Subdivision 6 of section 130 of the civil service law, as
7 amended by chapter 307 of the laws of 1979, is amended to read as
8 follows:

9 6. Shift pay differentials. Whenever the director finds that under
10 prevailing wage practices in private or other public employment in the
11 state, employees in a given occupation receive a higher rate of pay or
12 wage differential for a work shift other [~~than a normal day shift~~] than
13 that which is paid to employees in the same occupation [~~for a normal day~~
14 ~~shift~~], [~~he~~] the director may, subject to the approval of the director
15 of the budget, authorize a pay differential to be paid to those employ-
16 ees in positions in the same or related occupations in the state service
17 and who are [~~regularly~~] assigned to an equivalent or substantially
18 equivalent work shift, on a statewide basis, provided however, where the
19 director finds that in a particular geographical area or areas wage
20 practices would warrant a shift differential for employees in a partic-
21 ular occupation then the director may grant a work shift pay differen-
22 tial for such employees, subject to the approval of the director of the
23 budget. In determining whether to authorize a pay differential the
24 director shall consider the various duties on each shift, [~~other than~~
25 ~~the normal day shift,~~] in relation to the normal day shift. A pay
26 differential under this subdivision shall be a percentage of basic sala-
27 ry, an hourly rate, an annual rate, or a fixed dollar amount per pay
28 period, as prescribed in each case by the director of the classification
29 and compensation division subject to approval of the director of the
30 budget. Such differential shall be paid in addition to and shall not be
31 part of an employee's basic annual salary, and shall not affect or
32 impair any performance advancement payments, performance awards, longev-
33 ity payments or other rights or benefits to which an employee may be
34 entitled under the provisions of this chapter, provided, however, that
35 any differential payable pursuant to this subdivision shall be included
36 as compensation for retirement purposes. A pay differential shall be
37 terminated for any employee when [~~he~~] the employee ceases to be employed
38 in the work shift or position for which such pay differential was
39 authorized. A pay differential shall remain in effect until terminated
40 by the director of the classification and compensation division with the
41 consent of the director of the budget or until a new pay differential is
42 authorized pursuant to this subdivision. The director of the budget may
43 adopt such regulations as [~~he may deem~~] necessary to carry out the
44 provisions of this subdivision.

45 § 2. This act shall take effect immediately.

46 PART V

47 Intentionally Omitted

PART W

Section 1. Subdivision 8 of section 239-bb of the general municipal law, as amended by chapter 294 of the laws of 2021, is amended to read as follows:

8. For each county, new shared services actions [~~not included~~] in [~~a previously~~] an approved and submitted plan pursuant to this section or part BBB of chapter fifty-nine of the laws of two thousand seventeen, may be eligible for funding to match savings from such action, subject to available appropriation. Savings that are actually and demonstrably realized by the participating local governments are eligible for matching funding. For actions that are part of an approved plan transmitted to the secretary of state in accordance with paragraph b of subdivision seven of this section, savings achieved during either: (i) January first through December thirty-first from new actions implemented on or after January first through December thirty-first of the year immediately following an approved and transmitted plan, or (ii) July first of the year immediately following an approved and transmitted plan through June thirtieth of the subsequent year from new actions implemented July first of the year immediately following an approved plan through June thirtieth of the subsequent year may be eligible for matching funding. Only net savings between local governments for each action would be eligible for matching funding. Savings from internal efficiencies or any other action taken by a local government without the participation of another local government are not eligible for matching funding. Each county and all of the local governments within the county that are part of any action to be implemented as part of an approved plan must collectively apply for the matching funding by submitting one consolidated application per plan, and agree on the distribution and use of any matching funding in order to qualify for matching funding. Any such consolidated application shall be submitted to the department of state in such form and manner as directed by the department no later than December thirty-first of the second calendar year following plan adoption; provided, however, that for plans adopted prior to calendar year two thousand twenty, for which no application for matching funding has been submitted, one consolidated application per plan year may be submitted to the department no later than December thirty-first, two thousand twenty-two.

§ 2. Subdivision 4 of section 119-o of the general municipal law is REPEALED and a new subdivision 4 is added to read as follows:

4. Each school district and board of cooperative educational services shall join each county-wide shared services panel established pursuant to article twelve-I of this chapter for each county in which their district is located, and may further participate in any of the activities of such panel, with any participating county, town, city, village, fire district, fire protection district, or special improvement district participating in such panels. For cooperative agreements which involve functions, services, or provisions permitted by this section, school districts and boards of cooperative educational services shall be permitted to create and execute such agreements, when a part of the activity of such panel, without opinion or approval of the state education department.

§ 3. This act shall take effect immediately.

PART X

1 Section 1. Paragraph b of subdivision 10 of section 54 of the state
2 finance law is amended by adding a new subparagraph (vii) to read as
3 follows:

4 (vii) Notwithstanding subparagraph (i) of this paragraph, within
5 amounts appropriated in the state fiscal year commencing April first,
6 two thousand twenty-two, and annually thereafter, there shall be
7 apportioned and paid to each existing municipality as of April first,
8 two thousand twenty-two a base level grant in an amount equal to the aid
9 received by such municipality in the state fiscal year commencing April
10 first, two thousand eighteen; provided, however, and notwithstanding
11 any law to the contrary, in the state fiscal year commencing April
12 first, two thousand twenty-two, and annually thereafter, the town of
13 Palm Tree shall receive a base level grant of twenty-four thousand two
14 hundred thirteen dollars, and the village of Sagaponack shall receive a
15 base level grant of two thousand dollars, and the village of Woodbury
16 shall receive a base level grant of twenty-seven thousand dollars, and
17 the village of South Blooming Grove shall receive a base level grant of
18 nineteen thousand dollars; and provided further, that any additional
19 sums appropriated for this purpose shall be distributed on a pro-rata
20 basis to each municipality that is equal to the percentage of the funds
21 such municipalities receive pursuant to this section.

22 § 2. Paragraph 3 of subdivision (c) of section 1261 of the tax law, as
23 amended by section 1 of part NN of chapter 55 of the laws of 2020, is
24 amended to read as follows:

25 (3) However, the taxes, penalties and interest which (i) the county of
26 Nassau, (ii) the county of Erie, to the extent the county of Erie is
27 contractually or statutorily obligated to allocate and apply or pay net
28 collections to the city of Buffalo and to the extent that such county
29 has set aside net collections for educational purposes attributable to
30 the Buffalo school district, or the city of Buffalo or (iii) the county
31 of Erie is authorized to impose pursuant to section twelve hundred ten
32 of this article, other than such taxes in the amounts described, respec-
33 tively, in subdivisions one and two of section one thousand two hundred
34 sixty-two-e of this part, during the period that such section authorizes
35 Nassau county to establish special or local assistance programs there-
36 under, together with any penalties and interest related thereto, and
37 after the comptroller has reserved such refund fund and such costs,
38 shall, commencing on the next payment date after the effective date of
39 this sentence and of each month thereafter, until such date as (i) the
40 Nassau county interim finance authority shall have no obligations
41 outstanding, or (ii) the Buffalo fiscal stability authority shall cease
42 to exist, or (iii) the Erie county fiscal stability authority shall
43 cease to exist, be paid by the comptroller, respectively, to (i) the
44 Nassau county interim finance authority to be applied by the Nassau
45 county interim finance authority, or (ii) to the Buffalo fiscal stabili-
46 ty authority to be applied by the Buffalo fiscal stability authority, or
47 (iii) to the Erie county fiscal stability authority to be applied by the
48 Erie county fiscal stability authority, as the case may be, in the
49 following order of priority: first pursuant to the Nassau county interim
50 finance authority's contracts with bondholders or the Buffalo fiscal
51 stability authority's contracts with bondholders or the Erie county
52 fiscal stability authority's contracts with bondholders, respectively,
53 then to pay the Nassau county interim finance authority's operating
54 expenses not otherwise provided for or the Buffalo fiscal stability
55 authority's operating expenses not otherwise provided for or the Erie
56 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 authority, 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.

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

§ 4. 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.

§ 5. 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.

§ 6. 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.

§ 7. This act shall take effect July 1, 2022.

PART Y

Section 1. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5

1 of section 4 of the state finance law to the following funds and/or
2 accounts:

- 3 1. DOL-Child performer protection account (20401).
- 4 2. Local government records management account (20501).
- 5 3. Child health plus program account (20810).
- 6 4. EPIC premium account (20818).
- 7 5. Education - New (20901).
- 8 6. VLT - Sound basic education fund (20904).
- 9 7. Sewage treatment program management and administration fund
10 (21000).
- 11 8. Hazardous bulk storage account (21061).
- 12 9. Utility environmental regulatory account (21064).
- 13 10. Federal grants indirect cost recovery account (21065).
- 14 11. Low level radioactive waste account (21066).
- 15 12. Recreation account (21067).
- 16 13. Public safety recovery account (21077).
- 17 14. Environmental regulatory account (21081).
- 18 15. Natural resource account (21082).
- 19 16. Mined land reclamation program account (21084).
- 20 17. Great lakes restoration initiative account (21087).
- 21 18. Environmental protection and oil spill compensation fund (21200).
- 22 19. Public transportation systems account (21401).
- 23 20. Metropolitan mass transportation (21402).
- 24 21. Operating permit program account (21451).
- 25 22. Mobile source account (21452).
- 26 23. Statewide planning and research cooperative system account
27 (21902).
- 28 24. New York state thruway authority account (21905).
- 29 25. Mental hygiene program fund account (21907).
- 30 26. Mental hygiene patient income account (21909).
- 31 27. Financial control board account (21911).
- 32 28. Regulation of racing account (21912).
- 33 29. State university dormitory income reimbursable account (21937).
- 34 30. Criminal justice improvement account (21945).
- 35 31. Environmental laboratory reference fee account (21959).
- 36 32. Training, management and evaluation account (21961).
- 37 33. Clinical laboratory reference system assessment account (21962).
- 38 34. Indirect cost recovery account (21978).
- 39 35. Multi-agency training account (21989).
- 40 36. Bell jar collection account (22003).
- 41 37. Industry and utility service account (22004).
- 42 38. Real property disposition account (22006).
- 43 39. Parking account (22007).
- 44 40. Courts special grants (22008).
- 45 41. Asbestos safety training program account (22009).
- 46 42. Camp Smith billeting account (22017).
- 47 43. Batavia school for the blind account (22032).
- 48 44. Investment services account (22034).
- 49 45. Surplus property account (22036).
- 50 46. Financial oversight account (22039).
- 51 47. Regulation of Indian gaming account (22046).
- 52 48. Rome school for the deaf account (22053).
- 53 49. Seized assets account (22054).
- 54 50. Administrative adjudication account (22055).
- 55 51. New York City assessment account (22062).
- 56 52. Cultural education account (22063).

1 53. Local services account (22078).
2 54. DHCR mortgage servicing account (22085).
3 55. Housing indirect cost recovery account (22090).
4 56. DHCR-HCA application fee account (22100).
5 57. Low income housing monitoring account (22130).
6 58. Corporation administration account (22135).
7 59. New York State Home for Veterans in the Lower-Hudson Valley
8 account (22144).
9 60. Deferred compensation administration account (22151).
10 61. Rent revenue other New York City account (22156).
11 62. Rent revenue account (22158).
12 63. Transportation aviation account (22165).
13 64. Tax revenue arrearage account (22168).
14 65. New York state medical indemnity fund account (22240).
15 66. Behavioral health parity compliance fund (22246).
16 67. State university general income offset account (22654).
17 68. Lake George park trust fund account (22751).
18 69. State police motor vehicle law enforcement account (22802).
19 70. Highway safety program account (23001).
20 71. DOH drinking water program account (23102).
21 72. NYCCC operating offset account (23151).
22 73. Commercial gaming regulation account (23702).
23 74. Highway use tax administration account (23801).
24 75. New York state secure choice administrative account (23806).
25 76. New York state cannabis revenue fund (24800).
26 77. Fantasy sports administration account (24951).
27 78. Highway and bridge capital account (30051).
28 79. Aviation purpose account (30053).
29 80. State university residence hall rehabilitation fund (30100).
30 81. State parks infrastructure account (30351).
31 82. Clean water/clean air implementation fund (30500).
32 83. Hazardous waste remedial cleanup account (31506).
33 84. Youth facilities improvement account (31701).
34 85. Housing assistance fund (31800).
35 86. Housing program fund (31850).
36 87. Highway facility purpose account (31951).
37 88. New York racing account (32213).
38 89. Capital miscellaneous gifts account (32214).
39 90. Information technology capital financing account (32215).
40 91. New York environmental protection and spill remediation account
41 (32219).
42 92. Mental hygiene facilities capital improvement fund (32300).
43 93. Correctional facilities capital improvement fund (32350).
44 94. New York State Storm Recovery Capital Fund (33000).
45 95. OGS convention center account (50318).
46 96. Empire Plaza Gift Shop (50327).
47 97. Centralized services fund (55000).
48 98. Archives records management account (55052).
49 99. Federal single audit account (55053).
50 100. Civil service administration account (55055).
51 101. Civil service EHS occupational health program account (55056).
52 102. Banking services account (55057).
53 103. Cultural resources survey account (55058).
54 104. Neighborhood work project account (55059).
55 105. Automation & printing chargeback account (55060).
56 106. OFT NYT account (55061).

1 107. Data center account (55062).
2 108. Intrusion detection account (55066).
3 109. Domestic violence grant account (55067).
4 110. Centralized technology services account (55069).
5 111. Labor contact center account (55071).
6 112. Human services contact center account (55072).
7 113. Tax contact center account (55073).
8 114. Department of law civil recoveries account (55074).
9 115. Executive direction internal audit account (55251).
10 116. CIO Information technology centralized services account (55252).
11 117. Health insurance internal service account (55300).
12 118. Civil service employee benefits division administrative account
13 (55301).
14 119. Correctional industries revolving fund (55350).
15 120. Employees health insurance account (60201).
16 121. Medicaid management information system escrow fund (60900).
17 § 1-a. The state comptroller is hereby authorized and directed to loan
18 money in accordance with the provisions set forth in subdivision 5 of
19 section 4 of the state finance law to any account within the following
20 federal funds, provided the comptroller has made a determination that
21 sufficient federal grant award authority is available to reimburse such
22 loans:
23 1. Federal USDA-food and nutrition services fund (25000).
24 2. Federal health and human services fund (25100).
25 3. Federal education fund (25200).
26 4. Federal block grant fund (25250).
27 5. Federal miscellaneous operating grants fund (25300).
28 6. Federal unemployment insurance administration fund (25900).
29 7. Federal unemployment insurance occupational training fund (25950).
30 8. Federal emergency employment act fund (26000).
31 9. Federal capital projects fund (31350).
32 § 2. Notwithstanding any law to the contrary, and in accordance with
33 section 4 of the state finance law, the comptroller is hereby authorized
34 and directed to transfer, upon request of the director of the budget, on
35 or before March 31, 2023, up to the unencumbered balance or the follow-
36 ing amounts:
37 Economic Development and Public Authorities:
38 1. \$1,175,000 from the miscellaneous special revenue fund, underground
39 facilities safety training account (22172), to the general fund.
40 2. An amount up to the unencumbered balance from the miscellaneous
41 special revenue fund, business and licensing services account (21977),
42 to the general fund.
43 3. \$14,810,000 from the miscellaneous special revenue fund, code
44 enforcement account (21904), to the general fund.
45 4. \$3,000,000 from the general fund to the miscellaneous special
46 revenue fund, tax revenue arrearage account (22168).
47 Education:
48 1. \$2,653,000,000 from the general fund to the state lottery fund,
49 education account (20901), as reimbursement for disbursements made from
50 such fund for supplemental aid to education pursuant to section 92-c of
51 the state finance law that are in excess of the amounts deposited in
52 such fund for such purposes pursuant to section 1612 of the tax law.
53 2. \$1,237,000,000 from the general fund to the state lottery fund, VLT
54 education account (20904), as reimbursement for disbursements made from
55 such fund for supplemental aid to education pursuant to section 92-c of

1 the state finance law that are in excess of the amounts deposited in
2 such fund for such purposes pursuant to section 1612 of the tax law.

3 3. \$156,000,000 from the general fund to the New York state commercial
4 gaming fund, commercial gaming revenue account (23701), as reimbursement
5 for disbursements made from such fund for supplemental aid to education
6 pursuant to section 97-nnnn of the state finance law that are in excess
7 of the amounts deposited in such fund for purposes pursuant to section
8 1352 of the racing, pari-mutuel wagering and breeding law.

9 4. \$513,000,000 from the general fund to the mobile sports wagering
10 fund, education account (24955), as reimbursement for disbursements made
11 from such fund for supplemental aid to education pursuant to section
12 92-c of the state finance law that are in excess of the amounts deposit-
13 ed in such fund for such purposes pursuant to section 1367 of the
14 racing, pari-mutuel wagering and breeding law.

15 5. \$7,000,000 from the interactive fantasy sports fund, fantasy sports
16 education account (24950), to the state lottery fund, education account
17 (20901), as reimbursement for disbursements made from such fund for
18 supplemental aid to education pursuant to section 92-c of the state
19 finance law.

20 6. An amount up to the unencumbered balance in the fund on March 31,
21 2023 from the charitable gifts trust fund, elementary and secondary
22 education account (24901), to the general fund, for payment of general
23 support for public schools pursuant to section 3609-a of the education
24 law.

25 7. Moneys from the state lottery fund (20900) up to an amount deposit-
26 ed in such fund pursuant to section 1612 of the tax law in excess of the
27 current year appropriation for supplemental aid to education pursuant to
28 section 92-c of the state finance law.

29 8. \$300,000 from the New York state local government records manage-
30 ment improvement fund, local government records management account
31 (20501), to the New York state archives partnership trust fund, archives
32 partnership trust maintenance account (20351).

33 9. \$900,000 from the general fund to the miscellaneous special revenue
34 fund, Batavia school for the blind account (22032).

35 10. \$900,000 from the general fund to the miscellaneous special reven-
36 ue fund, Rome school for the deaf account (22053).

37 11. \$343,400,000 from the state university dormitory income fund
38 (40350) to the miscellaneous special revenue fund, state university
39 dormitory income reimbursable account (21937).

40 12. \$8,318,000 from the general fund to the state university income
41 fund, state university income offset account (22654), for the state's
42 share of repayment of the STIP loan.

43 13. Intentionally omitted.

44 14. \$7,790,000 from the miscellaneous special revenue fund, office of
45 the professions account (22051), to the miscellaneous capital projects
46 fund, office of the professions electronic licensing account (32222).

47 15. \$24,000,000 from any of the state education department's special
48 revenue and internal service funds to the miscellaneous special revenue
49 fund, indirect cost recovery account (21978).

50 16. \$4,200,000 from any of the state education department's special
51 revenue or internal service funds to the capital projects fund (30000).

52 Environmental Affairs:

53 1. \$16,000,000 from any of the department of environmental conserva-
54 tion's special revenue federal funds, and/or federal capital funds, to
55 the environmental conservation special revenue fund, federal indirect
56 recovery account (21065).

2. \$5,000,000 from any of the department of environmental conservation's special revenue federal funds, and/or federal capital funds, to the conservation fund (21150) or Marine Resources Account (21151) as necessary to avoid diversion of conservation funds.

3. \$3,000,000 from any of the office of parks, recreation and historic preservation capital projects federal funds and special revenue federal funds to the miscellaneous special revenue fund, federal grant indirect cost recovery account (22188).

4. \$1,000,000 from any of the office of parks, recreation and historic preservation special revenue federal funds to the miscellaneous capital projects fund, I love NY water account (32212).

5. \$105,000,000 from the general fund to the environmental protection fund, environmental protection fund transfer account (30451).

6. \$6,000,000 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. Up to \$10,000,000 from the general fund to the miscellaneous special revenue fund, patron services account (22163).

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

1 department of health special revenue federal funds to the office of
2 children and family services miscellaneous special revenue fund, multi-
3 agency training contract account (21989).

4 7. \$205,000,000 from the miscellaneous special revenue fund, youth
5 facility per diem account (22186), to the general fund.

6 8. \$621,850 from the general fund to the combined gifts, grants, and
7 bequests fund, WB Hoyt Memorial account (20128).

8 9. Intentionally omitted.

9 10. \$900,000 from the general fund to the Veterans' Remembrance and
10 Cemetery Maintenance and Operation account (20201).

11 11. \$505,000,000 from the general fund to the housing program fund
12 (31850).

13 General Government:

14 1. \$12,000,000 from the general fund to the health insurance revolving
15 fund (55300).

16 2. \$292,400,000 from the health insurance reserve receipts fund
17 (60550) to the general fund.

18 3. \$150,000 from the general fund to the not-for-profit revolving loan
19 fund (20650).

20 4. \$150,000 from the not-for-profit revolving loan fund (20650) to the
21 general fund.

22 5. \$3,000,000 from the miscellaneous special revenue fund, surplus
23 property account (22036), to the general fund.

24 6. \$19,000,000 from the miscellaneous special revenue fund, revenue
25 arrearage account (22024), to the general fund.

26 7. \$1,826,000 from the miscellaneous special revenue fund, revenue
27 arrearage account (22024), to the miscellaneous special revenue fund,
28 authority budget office account (22138).

29 8. \$1,000,000 from the miscellaneous special revenue fund, parking
30 account (22007), to the general fund, for the purpose of reimbursing the
31 costs of debt service related to state parking facilities.

32 9. \$11,460,000 from the general fund to the agencies internal service
33 fund, central technology services account (55069), for the purpose of
34 enterprise technology projects.

35 10. \$10,000,000 from the general fund to the agencies internal service
36 fund, state data center account (55062).

37 11. \$12,000,000 from the miscellaneous special revenue fund, parking
38 account (22007), to the centralized services, building support services
39 account (55018).

40 12. \$30,000,000 from the general fund to the internal service fund,
41 business services center account (55022).

42 13. \$8,000,000 from the general fund to the internal service fund,
43 building support services account (55018).

44 14. \$1,500,000 from the combined expendable trust fund, plaza special
45 events account (20120), to the general fund.

46 15. \$50,000,000 from the general fund to the New York State cannabis
47 revenue fund (24800).

48 16. \$50,000,000 from the New York State cannabis revenue fund (24800)
49 to the general fund.

50 Health:

51 1. A transfer from the general fund to the combined gifts, grants and
52 bequests fund, breast cancer research and education account (20155), up
53 to an amount equal to the monies collected and deposited into that
54 account in the previous fiscal year.

55 2. A transfer from the general fund to the combined gifts, grants and
56 bequests fund, prostate cancer research, detection, and education

1 account (20183), up to an amount equal to the moneys collected and
2 deposited into that account in the previous fiscal year.

3 3. A transfer from the general fund to the combined gifts, grants and
4 bequests fund, Alzheimer's disease research and assistance account
5 (20143), up to an amount equal to the moneys collected and deposited
6 into that account in the previous fiscal year.

7 4. \$8,750,000 from the HCRA resources fund (20800) to the miscella-
8 neous special revenue fund, empire state stem cell trust fund account
9 (22161).

10 5. \$2,000,000 from the miscellaneous special revenue fund, certificate
11 of need account (21920), to the miscellaneous capital projects fund,
12 healthcare IT capital subfund (32216).

13 6. \$2,000,000 from the miscellaneous special revenue fund, vital
14 health records account (22103), to the miscellaneous capital projects
15 fund, healthcare IT capital subfund (32216).

16 7. \$6,000,000 from the miscellaneous special revenue fund, profes-
17 sional medical conduct account (22088), to the miscellaneous capital
18 projects fund, healthcare IT capital subfund (32216).

19 8. \$112,500,000 from the HCRA resources fund (20800) to the capital
20 projects fund (30000).

21 9. Intentionally omitted.

22 10. An amount up to the unencumbered balance from the charitable gifts
23 trust fund, health charitable account (24900), to the general fund, for
24 payment of general support for primary, preventive, and inpatient health
25 care, dental and vision care, hunger prevention and nutritional assist-
26 ance, and other services for New York state residents with the overall
27 goal of ensuring that New York state residents have access to quality
28 health care and other related services.

29 11. \$500,000 from the miscellaneous special revenue fund, New York
30 State cannabis revenue fund, to the miscellaneous special revenue fund,
31 environmental laboratory fee account (21959).

32 12. An amount up to the unencumbered balance from the public health
33 emergency charitable gifts trust fund to the general fund, for payment
34 of goods and services necessary to respond to a public health disaster
35 emergency or to assist or aid in responding to such a disaster.

36 13. \$500,000,000 from the general fund to the health care transforma-
37 tion fund (24850).

38 Labor:

39 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
40 penalty account (21923), to the child performer's protection fund, child
41 performer protection account (20401).

42 2. \$11,700,000 from the unemployment insurance interest and penalty
43 fund, unemployment insurance special interest and penalty account
44 (23601), to the general fund.

45 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
46 ment insurance special interest and penalty account (23601), and public
47 work enforcement account (21998), to the general fund.

48 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator
49 safety program fund (22252) to the miscellaneous special revenue fund,
50 DOL fee and penalty account (21923).

51 Mental Hygiene:

52 1. \$3,800,000 from the general fund, to the agencies internal service
53 fund, civil service EHS occupational health program account (55056).

54 2. Intentionally omitted.

55 3. Intentionally omitted.

56 4. Intentionally omitted.

1 Public Protection:

2 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
3 management account (21944), to the general fund.

4 2. \$2,587,000 from the general fund to the miscellaneous special
5 revenue fund, recruitment incentive account (22171).

6 3. Intentionally omitted.

7 4. \$2,000,000,000 from any of the division of homeland security and
8 emergency services special revenue federal funds to the general fund.

9 5. \$115,420,000 from the state police motor vehicle law enforcement
10 and motor vehicle theft and insurance fraud prevention fund, state
11 police motor vehicle enforcement account (22802), to the general fund
12 for state operation expenses of the division of state police.

13 6. \$136,130,000 from the general fund to the correctional facilities
14 capital improvement fund (32350).

15 7. \$5,000,000 from the general fund to the dedicated highway and
16 bridge trust fund (30050) for the purpose of work zone safety activities
17 provided by the division of state police for the department of transpor-
18 tation.

19 8. Intentionally omitted.

20 9. Intentionally omitted.

21 10. \$1,000,000 from the general fund to the agencies internal service
22 fund, neighborhood work project account (55059).

23 11. \$7,980,000 from the miscellaneous special revenue fund, finger-
24 print identification & technology account (21950), to the general fund.

25 12. \$1,100,000 from the state police motor vehicle law enforcement and
26 motor vehicle theft and insurance fraud prevention fund, motor vehicle
27 theft and insurance fraud account (22801), to the general fund.

28 13. \$14,400,000 from the general fund to the miscellaneous special
29 revenue fund, criminal justice improvement account (21945).

30 Transportation:

31 1. \$20,000,000 from the general fund to the mass transportation oper-
32 ating assistance fund, public transportation systems operating assist-
33 ance account (21401), of which \$12,000,000 constitutes the base need for
34 operations.

35 2. \$727,500,000 from the general fund to the dedicated highway and
36 bridge trust fund (30050).

37 3. \$244,250,000 from the general fund to the MTA financial assistance
38 fund, mobility tax trust account (23651).

39 4. \$5,000,000 from the miscellaneous special revenue fund, transpor-
40 tation regulation account (22067) to the dedicated highway and bridge
41 trust fund (30050), for disbursements made from such fund for motor
42 carrier safety that are in excess of the amounts deposited in the dedi-
43 cated highway and bridge trust fund (30050) for such purpose pursuant to
44 section 94 of the transportation law.

45 5. \$3,000,000 from the miscellaneous special revenue fund, traffic
46 adjudication account (22055), to the general fund.

47 6. \$5,000,000 from the miscellaneous special revenue fund, transpor-
48 tation regulation account (22067) to the general fund, for disbursements
49 made from such fund for motor carrier safety that are in excess of the
50 amounts deposited in the general fund for such purpose pursuant to
51 section 94 of the transportation law.

52 7. \$1,000,000 from the general fund, to the additional mass transpor-
53 tation assistance program to Montgomery County (53207).

54 8. \$53,583,017 from the general fund, to the mass transportation oper-
55 ating assistance fund, public transportation systems operating assist-
56 ance account (21401).

9. \$20,000,000 from the general fund, to the additional mass transportation assistance program, for additional public transportation systems eligible to receive operating assistance under the provisions of section 18-b of the transportation law, provided that payments from this appropriation shall be used to support the expansion of paratransit services.

10. \$650,000,000 from the general fund, to either the dedicated highway and bridge trust fund (30050) or the mass transportation operating assistance fund (21400).

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).

6. \$12,750,000,000 from the special revenue federal fund, ARPA-Fiscal Recovery Fund (25546) to the general fund, state purposes account (10050) to cover eligible costs incurred by the state.

§ 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, 2023:

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 \$13,694,000 from revenues credited to any of the department of health's special revenue funds, to the miscellaneous special revenue fund, administration account (21982).

7. Upon the request of the attorney general, up to \$4,000,000 from revenues credited to the federal health and human services fund, federal health and human services account (25117) or the miscellaneous special revenue fund, recoveries and revenue account (22041), to the miscella-

neous special revenue fund, litigation settlement and civil recovery account (22117).

8. Upon the request of the commission 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.

9. Upon the request of the commission 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. On or before March 31, 2023, 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 account (22653) for reimbursement of bondable equipment for further transfer to the state's general fund.

§ 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, 2023, 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, 2023, 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, 2023.

§ 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 \$1,575,144,816 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2022 through June 30, 2023 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

1 to \$48,834,000 from the general fund to the state university income
2 fund, state university general revenue offset account (22655) during the
3 period of July 1, 2022 to June 30, 2023 for general fund operating
4 support pursuant to subparagraph (4-b) of paragraph h of subdivision 2
5 of section three hundred fifty-five of the education law.

6 § 11. Notwithstanding any law to the contrary, and in accordance with
7 section 4 of the state finance law, the comptroller is hereby authorized
8 and directed to transfer, upon request of the director of the budget, up
9 to \$20,000,000 from the general fund to the state university income
10 fund, state university general revenue offset account (22655) during the
11 period of July 1, 2022 to June 30, 2023 to support operations at the
12 state university in accordance with the maintenance of effort pursuant
13 to subparagraph (4) of paragraph h of subdivision 2 of section 355 of
14 the education law.

15 § 12. Notwithstanding any law to the contrary, and in accordance with
16 section 4 of the state finance law, the comptroller is hereby authorized
17 and directed to transfer, upon request of the state university chancel-
18 lor or his or her designee, up to \$55,000,000 from the state university
19 income fund, state university hospitals income reimbursable account
20 (22656), for services and expenses of hospital operations and capital
21 expenditures at the state university hospitals; and the state university
22 income fund, Long Island veterans' home account (22652) to the state
23 university capital projects fund (32400) on or before June 30, 2023.

24 § 13. Notwithstanding any law to the contrary, and in accordance with
25 section 4 of the state finance law, the comptroller, after consultation
26 with the state university chancellor or his or her designee, is hereby
27 authorized and directed to transfer moneys, in the first instance, from
28 the state university collection fund, Stony Brook hospital collection
29 account (61006), Brooklyn hospital collection account (61007), and Syra-
30 cuse hospital collection account (61008) to the state university income
31 fund, state university hospitals income reimbursable account (22656) in
32 the event insufficient funds are available in the state university
33 income fund, state university hospitals income reimbursable account
34 (22656) to permit the full transfer of moneys authorized for transfer,
35 to the general fund for payment of debt service related to the SUNY
36 hospitals. Notwithstanding any law to the contrary, the comptroller is
37 also hereby authorized and directed, after consultation with the state
38 university chancellor or his or her designee, to transfer moneys from
39 the state university income fund to the state university income fund,
40 state university hospitals income reimbursable account (22656) in the
41 event insufficient funds are available in the state university income
42 fund, state university hospitals income reimbursable account (22656) to
43 pay hospital operating costs or to permit the full transfer of moneys
44 authorized for transfer, to the general fund for payment of debt service
45 related to the SUNY hospitals on or before March 31, 2023.

46 § 14. Intentionally omitted.

47 § 15. Notwithstanding any law to the contrary, and in accordance with
48 section 4 of the state finance law, the comptroller is hereby authorized
49 and directed to transfer, at the request of the director of the budget,
50 up to \$700 million from the unencumbered balance of any special revenue
51 fund or account, agency fund or account, internal service fund or
52 account, enterprise fund or account, or any combination of such funds
53 and accounts, to the general fund. The amounts transferred pursuant to
54 this authorization shall be in addition to any other transfers expressly
55 authorized in the 2022-23 budget. Transfers from federal funds, debt
56 service funds, capital projects funds, the community projects fund, or

1 funds that would result in the loss of eligibility for federal benefits
2 or federal funds pursuant to federal law, rule, or regulation as assent-
3 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
4 1951 are not permitted pursuant to this authorization.

5 § 16. Notwithstanding any law to the contrary, and in accordance with
6 section 4 of the state finance law, the comptroller is hereby authorized
7 and directed to transfer, at the request of the director of the budget,
8 up to \$100 million from any non-general fund or account, or combination
9 of funds and accounts, to the miscellaneous special revenue fund, tech-
10 nology financing account (22207), the miscellaneous capital projects
11 fund, the federal capital projects account (31350), information technol-
12 ogy capital financing account (32215), or the centralized technology
13 services account (55069), for the purpose of consolidating technology
14 procurement and services. The amounts transferred to the miscellaneous
15 special revenue fund, technology financing account (22207) pursuant to
16 this authorization shall be equal to or less than the amount of such
17 monies intended to support information technology costs which are
18 attributable, according to a plan, to such account made in pursuance to
19 an appropriation by law. Transfers to the technology financing account
20 shall be completed from amounts collected by non-general funds or
21 accounts pursuant to a fund deposit schedule or permanent statute, and
22 shall be transferred to the technology financing account pursuant to a
23 schedule agreed upon by the affected agency commissioner. Transfers from
24 funds that would result in the loss of eligibility for federal benefits
25 or federal funds pursuant to federal law, rule, or regulation as assent-
26 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
27 1951 are not permitted pursuant to this authorization.

28 § 17. Notwithstanding any law to the contrary, and in accordance with
29 section 4 of the state finance law, the comptroller is hereby authorized
30 and directed to transfer, at the request of the director of the budget,
31 up to \$400 million from any non-general fund or account, or combination
32 of funds and accounts, to the general fund for the purpose of consol-
33 idating technology procurement and services. The amounts transferred
34 pursuant to this authorization shall be equal to or less than the amount
35 of such monies intended to support information technology costs which
36 are attributable, according to a plan, to such account made in pursuance
37 to an appropriation by law. Transfers to the general fund shall be
38 completed from amounts collected by non-general funds or accounts pursu-
39 ant to a fund deposit schedule. Transfers from funds that would result
40 in the loss of eligibility for federal benefits or federal funds pursu-
41 ant to federal law, rule, or regulation as assented to in chapter 683 of
42 the laws of 1938 and chapter 700 of the laws of 1951 are not permitted
43 pursuant to this authorization.

44 § 18. Notwithstanding any provision of law to the contrary, as deemed
45 feasible and advisable by its trustees, the power authority of the state
46 of New York is authorized and directed to transfer to the state treasury
47 to the credit of the general fund up to \$20,000,000 for the state fiscal
48 year commencing April 1, 2022, the proceeds of which will be utilized to
49 support energy-related state activities.

50 § 19. Intentionally omitted.

51 § 20. Intentionally omitted.

52 § 21. Subdivision 5 of section 97-rrr of the state finance law, as
53 amended by section 20 of part JJJ of chapter 59 of the laws of 2021, is
54 amended to read as follows:

55 5. Notwithstanding the provisions of section one hundred seventy-one-a
56 of the tax law, as separately amended by chapters four hundred eighty-

one and four hundred eighty-four of the laws of nineteen hundred eighty-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-one~~] twenty-two, 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 [~~\$1,979,457,000~~] \$1,830,985,000, as may be certified in such schedule as necessary to meet the purposes of such fund for the fiscal year beginning April first, two thousand [~~twenty-one~~] twenty-two.

§ 22. 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, 2023, 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. \$456,000 from the miscellaneous special revenue fund, New York city veterans' home account (22141).

4. \$570,000 from the miscellaneous special revenue fund, New York state home for veterans' and their dependents at oxford account (22142).

5. \$170,000 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).

§ 23. Subdivision 8 of section 53 of the state finance law, as amended by chapter 58 of the laws of 1982, is amended to read as follows:

8. Notwithstanding the foregoing provisions of this section, in addition to the restrictions set forth therein, the governor may authorize a transfer to the general fund, to a capital projects fund, or to a fund established to account for revenues from the federal government only after the approval of:

(1) the temporary president of the senate or the [~~chairman~~] chair of the senate finance committee (the "senate"); and

(2) the speaker of the assembly or the [~~chairman~~] chair of the assembly ways and means committee (the "assembly").

§ 24. Subdivision 6 of section 4 of the state finance law, as amended by section 25 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

6. Notwithstanding any law to the contrary, at the beginning of the state fiscal year, the state comptroller is hereby authorized and directed to receive for deposit to the credit of a fund and/or an

1 account such monies as are identified by the director of the budget as
2 having been intended for such deposit to support disbursements from such
3 fund and/or account made in pursuance of an appropriation by law. As
4 soon as practicable upon enactment of the budget, the director of the
5 budget shall, but not less than three days following preliminary
6 submission to the chairs of the senate finance committee and the assem-
7 bly ways and means committee, file with the state comptroller an iden-
8 tification of specific monies to be so deposited. Any subsequent change
9 regarding the monies to be so deposited shall be filed by the director
10 of the budget, as soon as practicable, but not less than three days
11 following preliminary submission to the chairs of the senate finance
12 committee and the assembly ways and means committee.

13 All monies identified by the director of the budget to be deposited to
14 the credit of a fund and/or account shall be consistent with the intent
15 of the budget for the then current state fiscal year as enacted by the
16 legislature.

17 The provisions of this subdivision shall expire on March thirty-first,
18 [~~two thousand twenty-two~~] two thousand twenty-three.

19 § 25. Subdivision 4 of section 40 of the state finance law, as amended
20 by section 26 of part JJ of chapter 56 of the laws of 2020, is amended
21 to read as follows:

22 4. Every appropriation made from a fund or account to a department or
23 agency shall be available for the payment of prior years' liabilities in
24 such fund or account for fringe benefits, indirect costs, and telecommu-
25 nications expenses and expenses for other centralized services fund
26 programs without limit. Every appropriation shall also be available for
27 the payment of prior years' liabilities other than those indicated
28 above, but only to the extent of one-half of one percent of the total
29 amount appropriated to a department or agency in such fund or account.

30 The provisions of this subdivision shall expire March thirty-first,
31 [~~two thousand twenty-two~~] two thousand twenty-three.

32 § 26. Subdivision 2 of section 92-cc of the state finance law, as
33 amended by section 12-a of part I of chapter 60 of the laws of 2015, is
34 amended to read as follows:

35 2. Such fund shall have a maximum balance not to exceed [~~five~~] fifteen
36 per centum of the aggregate amount projected to be disbursed from the
37 [~~general fund~~] state operating funds during the fiscal year immediately
38 following the then-current fiscal year. At the request of the director
39 of the budget, the state comptroller shall transfer monies to the rainy
40 day reserve fund up to and including an amount equivalent to [~~seventy-~~
41 ~~five one hundredths of one~~] three per centum of the aggregate amount
42 projected to be disbursed from the [~~general fund~~] state operating funds
43 during the then-current fiscal year, unless such transfer would increase
44 the rainy day reserve fund to an amount in excess of [~~five~~] fifteen per
45 centum of the aggregate amount projected to be disbursed from the
46 [~~general fund~~] state operating funds during the fiscal year immediately
47 following the then-current fiscal year, in which event such transfer
48 shall be limited to such amount as will increase the rainy day reserve
49 fund to such [~~five~~] fifteen per centum limitation.

50 § 27. Paragraph (c) of subdivision 4 of section 99-aa of the state
51 finance law, as added by section 22-d of part XXX of chapter 59 of the
52 laws of 2017, is amended to read as follows:

53 (c) At the request of the director of the budget, the state comp-
54 troller shall transfer monies from the general fund to the trust fund up
55 to and including an amount equivalent to one and fifty one-hundredths of

1 one per centum of the total actuarial accrued liability included in the
2 state of New York comprehensive annual financial report.

3 § 28. Subdivision 4 of section 89-h of the state finance law, as
4 amended by chapter 92 of the laws of 2021, is amended to read as
5 follows:

6 4. The moneys of the medical cannabis trust fund, following appropri-
7 ation by the legislature, shall be allocated upon a certificate of
8 approval of availability by the director of the budget as follows: (a)
9 Twenty-two and five-tenths percent of the monies shall be transferred to
10 the counties in New York state in which the medical cannabis was manu-
11 factured and allocated in proportion to the gross sales originating from
12 medical cannabis manufactured in each such county; (b) twenty-two and
13 five-tenths percent of the moneys shall be transferred to the counties
14 in New York state in which the medical cannabis was dispensed and allo-
15 cated in proportion to the gross sales occurring in each such county;
16 (c) five percent of the monies shall be transferred to the office of
17 addiction services and supports, which shall use that revenue for addi-
18 tional drug abuse prevention, counseling and treatment services; (d)
19 five percent of the revenue received by the department shall be trans-
20 ferred to the division of criminal justice services, which shall use
21 that revenue for a program of discretionary grants to state and local
22 law enforcement agencies that demonstrate a need relating to article
23 three of the cannabis law; said grants could be used for personnel costs
24 of state and local law enforcement agencies; and (e) forty-five percent
25 of the monies shall be ~~transferred~~ deposited to the New York state
26 cannabis revenue fund. For purposes of this subdivision, the city of New
27 York shall be deemed to be a county.

28 § 29. Notwithstanding any other law, rule, or regulation to the
29 contrary, the state comptroller is hereby authorized and directed to use
30 any balance remaining in the mental health services fund debt service
31 appropriation, after payment by the state comptroller of all obligations
32 required pursuant to any lease, sublease, or other financing arrangement
33 between the dormitory authority of the state of New York as successor to
34 the New York state medical care facilities finance agency, and the
35 facilities development corporation pursuant to chapter 83 of the laws of
36 1995 and the department of mental hygiene for the purpose of making
37 payments to the dormitory authority of the state of New York for the
38 amount of the earnings for the investment of monies deposited in the
39 mental health services fund that such agency determines will or may have
40 to be rebated to the federal government pursuant to the provisions of
41 the internal revenue code of 1986, as amended, in order to enable such
42 agency to maintain the exemption from federal income taxation on the
43 interest paid to the holders of such agency's mental services facilities
44 improvement revenue bonds. Annually on or before each June 30th, such
45 agency shall certify to the state comptroller its determination of the
46 amounts received in the mental health services fund as a result of the
47 investment of monies deposited therein that will or may have to be
48 rebated to the federal government pursuant to the provisions of the
49 internal revenue code of 1986, as amended.

50 § 30. Subdivision 1 of section 16 of part D of chapter 389 of the laws
51 of 1997, relating to the financing of the correctional facilities
52 improvement fund and the youth facility improvement fund, as amended by
53 section 25 of part JJJ of chapter 59 of the laws of 2021, is amended to
54 read as follows:

55 1. Subject to the provisions of chapter 59 of the laws of 2000, but
56 notwithstanding the provisions of section 18 of section 1 of chapter 174

1 of the laws of 1968, the New York state urban development corporation is
2 hereby authorized to issue bonds, notes and other obligations in an
3 aggregate principal amount not to exceed [~~nine billion one hundred thirty-nine million six hundred nineteen thousand dollars \$9,139,619,000~~]
4 nine billion five hundred two million seven hundred thirty-nine thousand
5 dollars \$9,502,739,000, and shall include all bonds, notes and other
6 obligations issued pursuant to chapter 56 of the laws of 1983, as
7 amended or supplemented. The proceeds of such bonds, notes or other
8 obligations shall be paid to the state, for deposit in the correctional
9 facilities capital improvement fund to pay for all or any portion of the
10 amount or amounts paid by the state from appropriations or reappropriations
11 made to the department of corrections and community supervision
12 from the correctional facilities capital improvement fund for capital
13 projects. The aggregate amount of bonds, notes or other obligations
14 authorized to be issued pursuant to this section shall exclude bonds,
15 notes or other obligations issued to refund or otherwise repay bonds,
16 notes or other obligations theretofore issued, the proceeds of which
17 were paid to the state for all or a portion of the amounts expended by
18 the state from appropriations or reappropriations made to the department
19 of corrections and community supervision; provided, however, that upon
20 any such refunding or repayment the total aggregate principal amount of
21 outstanding bonds, notes or other obligations may be greater than [~~nine~~
22 ~~billion one hundred thirty-nine million six hundred nineteen thousand~~
23 ~~dollars \$9,139,619,000~~] nine billion five hundred two million seven
24 hundred thirty-nine thousand dollars \$9,502,739,000, only if the present
25 value of the aggregate debt service of the refunding or repayment bonds,
26 notes or other obligations to be issued shall not exceed the present
27 value of the aggregate debt service of the bonds, notes or other obligations
28 so to be refunded or repaid. For the purposes hereof, the present
29 value of the aggregate debt service of the refunding or repayment
30 bonds, notes or other obligations and of the aggregate debt service of
31 the bonds, notes or other obligations so refunded or repaid, shall be
32 calculated by utilizing the effective interest rate of the refunding or
33 repayment bonds, notes or other obligations, which shall be that rate
34 arrived at by doubling the semi-annual interest rate (compounded semi-
35 annually) necessary to discount the debt service payments on the refunding
36 or repayment bonds, notes or other obligations from the payment
37 dates thereof to the date of issue of the refunding or repayment bonds,
38 notes or other obligations and to the price bid including estimated
39 accrued interest or proceeds received by the corporation including estimated
40 accrued interest from the sale thereof.

42 § 31. Subdivision (a) of section 27 of part Y of chapter 61 of the
43 laws of 2005, relating to providing for the administration of certain
44 funds and accounts related to the 2005-2006 budget, as amended by
45 section 26 of part JJJ of chapter 59 of the laws of 2021, is amended to
46 read as follows:

47 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
48 notwithstanding any provisions of law to the contrary, the urban development
49 corporation is hereby authorized to issue bonds or notes in one
50 or more series in an aggregate principal amount not to exceed [~~three~~
51 ~~hundred seventy-four million six hundred thousand dollars \$374,600,000~~]
52 four hundred twenty-six million one hundred thousand dollars
53 \$426,100,000, excluding bonds issued to finance one or more debt service
54 reserve funds, to pay costs of issuance of such bonds, and bonds or
55 notes issued to refund or otherwise repay such bonds or notes previously
56 issued, for the purpose of financing capital projects including IT

1 initiatives for the division of state police, debt service and leases;
2 and to reimburse the state general fund for disbursements made therefor.
3 Such bonds and notes of such authorized issuer shall not be a debt of
4 the state, and the state shall not be liable thereon, nor shall they be
5 payable out of any funds other than those appropriated by the state to
6 such authorized issuer for debt service and related expenses pursuant to
7 any service contract executed pursuant to subdivision (b) of this
8 section and such bonds and notes shall contain on the face thereof a
9 statement to such effect. Except for purposes of complying with the
10 internal revenue code, any interest income earned on bond proceeds shall
11 only be used to pay debt service on such bonds.

12 § 32. Subdivision 3 of section 1285-p of the public authorities law,
13 as amended by section 27 of part JJJ of chapter 59 of the laws of 2021,
14 is amended to read as follows:

15 3. The maximum amount of bonds that may be issued for the purpose of
16 financing environmental infrastructure projects authorized by this
17 section shall be [~~seven billion one hundred thirty million ten thousand~~
18 ~~dollars \$7,130,010,000~~] eight billion sixty-two million six hundred ten
19 thousand dollars \$8,062,610,000, exclusive of bonds issued to fund any
20 debt service reserve funds, pay costs of issuance of such bonds, and
21 bonds or notes issued to refund or otherwise repay bonds or notes previ-
22 ously issued. Such bonds and notes of the corporation shall not be a
23 debt of the state, and the state shall not be liable thereon, nor shall
24 they be payable out of any funds other than those appropriated by the
25 state to the corporation for debt service and related expenses pursuant
26 to any service contracts executed pursuant to subdivision one of this
27 section, and such bonds and notes shall contain on the face thereof a
28 statement to such effect.

29 § 33. Subdivision (a) of section 48 of part K of chapter 81 of the
30 laws of 2002, relating to providing for the administration of certain
31 funds and accounts related to the 2002-2003 budget, as amended by
32 section 28 of part JJJ of chapter 59 of the laws of 2021, is amended to
33 read as follows:

34 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
35 notwithstanding the provisions of section 18 of the urban development
36 corporation act, the corporation is hereby authorized to issue bonds or
37 notes in one or more series in an aggregate principal amount not to
38 exceed [~~three hundred forty-seven million five hundred thousand dollars~~
39 ~~\$347,500,000~~] three hundred eighty-three million five hundred thousand
40 dollars \$383,500,000, excluding bonds issued to fund one or more debt
41 service reserve funds, to pay costs of issuance of such bonds, and bonds
42 or notes issued to refund or otherwise repay such bonds or notes previ-
43 ously issued, for the purpose of financing capital costs related to
44 homeland security and training facilities for the division of state
45 police, the division of military and naval affairs, and any other state
46 agency, including the reimbursement of any disbursements made from the
47 state capital projects fund, and is hereby authorized to issue bonds or
48 notes in one or more series in an aggregate principal amount not to
49 exceed [~~one billion three hundred eight million six hundred eighty-six~~
50 ~~thousand dollars \$1,308,686,000~~] one billion five hundred ninety-one
51 million nine hundred eighty-six thousand dollars \$1,591,986,000, exclud-
52 ing bonds issued to fund one or more debt service reserve funds, to pay
53 costs of issuance of such bonds, and bonds or notes issued to refund or
54 otherwise repay such bonds or notes previously issued, for the purpose
55 of financing improvements to State office buildings and other facilities
56 located statewide, including the reimbursement of any disbursements made

1 from the state capital projects fund. Such bonds and notes of the corpo-
2 ration shall not be a debt of the state, and the state shall not be
3 liable thereon, nor shall they be payable out of any funds other than
4 those appropriated by the state to the corporation for debt service and
5 related expenses pursuant to any service contracts executed pursuant to
6 subdivision (b) of this section, and such bonds and notes shall contain
7 on the face thereof a statement to such effect.

8 § 34. Paragraph (c) of subdivision 19 of section 1680 of the public
9 authorities law, as amended by section 29 of part JJJ of chapter 59 of
10 the laws of 2021, is amended to read as follows:

11 (c) Subject to the provisions of chapter fifty-nine of the laws of two
12 thousand, the dormitory authority shall not issue any bonds for state
13 university educational facilities purposes if the principal amount of
14 bonds to be issued when added to the aggregate principal amount of bonds
15 issued by the dormitory authority on and after July first, nineteen
16 hundred eighty-eight for state university educational facilities will
17 exceed [~~fifteen billion five hundred fifty-five million eight hundred~~
18 ~~sixty-four thousand dollars \$15,555,864,000~~] sixteen billion three
19 hundred seventy-one million eight hundred sixty-four thousand dollars
20 \$16,371,864,000; provided, however, that bonds issued or to be issued
21 shall be excluded from such limitation if: (1) such bonds are issued to
22 refund state university construction bonds and state university
23 construction notes previously issued by the housing finance agency; or
24 (2) such bonds are issued to refund bonds of the authority or other
25 obligations issued for state university educational facilities purposes
26 and the present value of the aggregate debt service on the refunding
27 bonds does not exceed the present value of the aggregate debt service on
28 the bonds refunded thereby; provided, further that upon certification by
29 the director of the budget that the issuance of refunding bonds or other
30 obligations issued between April first, nineteen hundred ninety-two and
31 March thirty-first, nineteen hundred ninety-three will generate long
32 term economic benefits to the state, as assessed on a present value
33 basis, such issuance will be deemed to have met the present value test
34 noted above. For purposes of this subdivision, the present value of the
35 aggregate debt service of the refunding bonds and the aggregate debt
36 service of the bonds refunded, shall be calculated by utilizing the true
37 interest cost of the refunding bonds, which shall be that rate arrived
38 at by doubling the semi-annual interest rate (compounded semi-annually)
39 necessary to discount the debt service payments on the refunding bonds
40 from the payment dates thereof to the date of issue of the refunding
41 bonds to the purchase price of the refunding bonds, including interest
42 accrued thereon prior to the issuance thereof. The maturity of such
43 bonds, other than bonds issued to refund outstanding bonds, shall not
44 exceed the weighted average economic life, as certified by the state
45 university construction fund, of the facilities in connection with which
46 the bonds are issued, and in any case not later than the earlier of
47 thirty years or the expiration of the term of any lease, sublease or
48 other agreement relating thereto; provided that no note, including
49 renewals thereof, shall mature later than five years after the date of
50 issuance of such note. The legislature reserves the right to amend or
51 repeal such limit, and the state of New York, the dormitory authority,
52 the state university of New York, and the state university construction
53 fund are prohibited from covenanting or making any other agreements with
54 or for the benefit of bondholders which might in any way affect such
55 right.

§ 35. Paragraph (c) of subdivision 14 of section 1680 of the public authorities law, as amended by section 30 of part JJJ of chapter 59 of the laws of 2021, 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 community college facilities, except to refund or to be substituted in lieu of other bonds in relation to city university community college facilities 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 to be issued when added to the principal amount of bonds previously 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 six hundred sixty one million thirty thousand dollars \$9,661,030,000]~~ ten billion one hundred eight million six hundred twenty-eight thousand dollars \$10,108,628,000. 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.

§ 36. Subdivision 10-a of section 1680 of the public authorities law, as amended by section 31 of part JJJ of chapter 59 of the laws of 2021, 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 sixty six million two hundred fifty seven thousand dollars \$1,066,257,000]~~ one billion one hundred thirty-three million one hundred forty thousand dollars \$1,133,140,000. 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.

§ 37. 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 32 of part JJJ of chapter 59 of the laws of 2021, 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

1 hereby authorized to issue bonds, notes and other obligations in an
2 aggregate principal amount not to exceed [~~eight hundred seventy six~~
3 ~~million fifteen thousand dollars \$876,015,000~~] nine hundred eleven
4 million seven hundred fifteen thousand dollars \$911,715,000, which
5 authorization increases the aggregate principal amount of bonds, notes
6 and other obligations authorized by section 40 of chapter 309 of the
7 laws of 1996, and shall include all bonds, notes and other obligations
8 issued pursuant to chapter 211 of the laws of 1990, as amended or
9 supplemented. The proceeds of such bonds, notes or other obligations
10 shall be paid to the state, for deposit in the youth facilities improve-
11 ment fund, to pay for all or any portion of the amount or amounts paid
12 by the state from appropriations or reappropriations made to the office
13 of children and family services from the youth facilities improvement
14 fund for capital projects. The aggregate amount of bonds, notes and
15 other obligations authorized to be issued pursuant to this section shall
16 exclude bonds, notes or other obligations issued to refund or otherwise
17 repay bonds, notes or other obligations theretofore issued, the proceeds
18 of which were paid to the state for all or a portion of the amounts
19 expended by the state from appropriations or reappropriations made to
20 the office of children and family services; provided, however, that upon
21 any such refunding or repayment the total aggregate principal amount of
22 outstanding bonds, notes or other obligations may be greater than [~~eight~~
23 ~~hundred seventy six million fifteen thousand dollars \$876,015,000~~] nine
24 hundred eleven million seven hundred fifteen thousand dollars
25 \$911,715,000, only if the present value of the aggregate debt service of
26 the refunding or repayment bonds, notes or other obligations to be
27 issued shall not exceed the present value of the aggregate debt service
28 of the bonds, notes or other obligations so to be refunded or repaid.
29 For the purposes hereof, the present value of the aggregate debt service
30 of the refunding or repayment bonds, notes or other obligations and of
31 the aggregate debt service of the bonds, notes or other obligations so
32 refunded or repaid, shall be calculated by utilizing the effective
33 interest rate of the refunding or repayment bonds, notes or other obli-
34 gations, which shall be that rate arrived at by doubling the semi-annual
35 interest rate (compounded semi-annually) necessary to discount the debt
36 service payments on the refunding or repayment bonds, notes or other
37 obligations from the payment dates thereof to the date of issue of the
38 refunding or repayment bonds, notes or other obligations and to the
39 price bid including estimated accrued interest or proceeds received by
40 the corporation including estimated accrued interest from the sale ther-
41 eof.

42 § 38. Paragraph b of subdivision 2 of section 9-a of section 1 of
43 chapter 392 of the laws of 1973, constituting the New York state medical
44 care facilities finance agency act, as amended by section 33 of part JJJ
45 of chapter 59 of the laws of 2021, is amended to read as follows:

46 b. The agency shall have power and is hereby authorized from time to
47 time to issue negotiable bonds and notes in conformity with applicable
48 provisions of the uniform commercial code in such principal amount as,
49 in the opinion of the agency, shall be necessary, after taking into
50 account other moneys which may be available for the purpose, to provide
51 sufficient funds to the facilities development corporation, or any
52 successor agency, for the financing or refinancing of or for the design,
53 construction, acquisition, reconstruction, rehabilitation or improvement
54 of mental health services facilities pursuant to paragraph a of this
55 subdivision, the payment of interest on mental health services improve-
56 ment bonds and mental health services improvement notes issued for such

1 purposes, the establishment of reserves to secure such bonds and notes,
2 the cost or premium of bond insurance or the costs of any financial
3 mechanisms which may be used to reduce the debt service that would be
4 payable by the agency on its mental health services facilities improve-
5 ment bonds and notes and all other expenditures of the agency incident
6 to and necessary or convenient to providing the facilities development
7 corporation, or any successor agency, with funds for the financing or
8 refinancing of or for any such design, construction, acquisition, recon-
9 struction, rehabilitation or improvement and for the refunding of mental
10 hygiene improvement bonds issued pursuant to section 47-b of the private
11 housing finance law; provided, however, that the agency shall not issue
12 mental health services facilities improvement bonds and mental health
13 services facilities improvement notes in an aggregate principal amount
14 exceeding [~~ten billion four hundred seventy-six million seven hundred~~
15 ~~seventy-three thousand dollars \$10,476,773,000~~] ten billion nine hundred
16 thirty-two million six hundred thirty-three thousand dollars
17 \$10,932,633,000, excluding mental health services facilities improvement
18 bonds and mental health services facilities improvement notes issued to
19 refund outstanding mental health services facilities improvement bonds
20 and mental health services facilities improvement notes; provided,
21 however, that upon any such refunding or repayment of mental health
22 services facilities improvement bonds and/or mental health services
23 facilities improvement notes the total aggregate principal amount of
24 outstanding mental health services facilities improvement bonds and
25 mental health facilities improvement notes may be greater than [~~ten~~
26 ~~billion four hundred seventy-six million seven hundred seventy-three~~
27 ~~thousand dollars \$10,476,773,000~~] ten billion nine hundred thirty-two
28 million six hundred thirty-three thousand dollars \$10,932,633,000, only
29 if, except as hereinafter provided with respect to mental health
30 services facilities bonds and mental health services facilities notes
31 issued to refund mental hygiene improvement bonds authorized to be
32 issued pursuant to the provisions of section 47-b of the private housing
33 finance law, the present value of the aggregate debt service of the
34 refunding or repayment bonds to be issued shall not exceed the present
35 value of the aggregate debt service of the bonds to be refunded or
36 repaid. For purposes hereof, the present values of the aggregate debt
37 service of the refunding or repayment bonds, notes or other obligations
38 and of the aggregate debt service of the bonds, notes or other obli-
39 gations so refunded or repaid, shall be calculated by utilizing the
40 effective interest rate of the refunding or repayment bonds, notes or
41 other obligations, which shall be that rate arrived at by doubling the
42 semi-annual interest rate (compounded semi-annually) necessary to
43 discount the debt service payments on the refunding or repayment bonds,
44 notes or other obligations from the payment dates thereof to the date of
45 issue of the refunding or repayment bonds, notes or other obligations
46 and to the price bid including estimated accrued interest or proceeds
47 received by the authority including estimated accrued interest from the
48 sale thereof. Such bonds, other than bonds issued to refund outstanding
49 bonds, shall be scheduled to mature over a term not to exceed the aver-
50 age useful life, as certified by the facilities development corporation,
51 of the projects for which the bonds are issued, and in any case shall
52 not exceed thirty years and the maximum maturity of notes or any
53 renewals thereof shall not exceed five years from the date of the
54 original issue of such notes. Notwithstanding the provisions of this
55 section, the agency shall have the power and is hereby authorized to
56 issue mental health services facilities improvement bonds and/or mental

1 health services facilities improvement notes to refund outstanding
2 mental hygiene improvement bonds authorized to be issued pursuant to the
3 provisions of section 47-b of the private housing finance law and the
4 amount of bonds issued or outstanding for such purposes shall not be
5 included for purposes of determining the amount of bonds issued pursuant
6 to this section. The director of the budget shall allocate the aggregate
7 principal authorized to be issued by the agency among the office of
8 mental health, office for people with developmental disabilities, and
9 the office of addiction services and supports, in consultation with
10 their respective commissioners to finance bondable appropriations previ-
11 ously approved by the legislature.

12 § 39. Subdivision (a) of section 28 of part Y of chapter 61 of the
13 laws of 2005, relating to providing for the administration of certain
14 funds and accounts related to the 2005-2006 budget, as amended by
15 section 34 of part JJJ of chapter 59 of the laws of 2021, is amended to
16 read as follows:

17 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
18 notwithstanding any provisions of law to the contrary, one or more
19 authorized issuers as defined by section 68-a of the state finance law
20 are hereby authorized to issue bonds or notes in one or more series in
21 an aggregate principal amount not to exceed [~~one hundred seventy-two~~
22 ~~million dollars \$172,000,000~~] one hundred ninety-seven million dollars
23 \$197,000,000, excluding bonds issued to finance one or more debt service
24 reserve funds, to pay costs of issuance of such bonds, and bonds or
25 notes issued to refund or otherwise repay such bonds or notes previously
26 issued, for the purpose of financing capital projects for public
27 protection facilities in the Division of Military and Naval Affairs,
28 debt service and leases; and to reimburse the state general fund for
29 disbursements made therefor. Such bonds and notes of such authorized
30 issuer shall not be a debt of the state, and the state shall not be
31 liable thereon, nor shall they be payable out of any funds other than
32 those appropriated by the state to such authorized issuer for debt
33 service and related expenses pursuant to any service contract executed
34 pursuant to subdivision (b) of this section and such bonds and notes
35 shall contain on the face thereof a statement to such effect. Except for
36 purposes of complying with the internal revenue code, any interest
37 income earned on bond proceeds shall only be used to pay debt service on
38 such bonds.

39 § 40. Section 53 of section 1 of chapter 174 of the laws of 1968,
40 constituting the New York state urban development corporation act, as
41 amended by section 35 of part JJJ of chapter 59 of the laws of 2021, is
42 amended to read as follows:

43 § 53. 1. Notwithstanding the provisions of any other law to the
44 contrary, the dormitory authority and the urban development corporation
45 are hereby authorized to issue bonds or notes in one or more series for
46 the purpose of funding project costs for the acquisition of equipment,
47 including but not limited to the creation or modernization of informa-
48 tion technology systems and related research and development equipment,
49 health and safety equipment, heavy equipment and machinery, the creation
50 or improvement of security systems, and laboratory equipment and other
51 state costs associated with such capital projects. The aggregate princi-
52 pal amount of bonds authorized to be issued pursuant to this section
53 shall not exceed [~~two hundred ninety-three million dollars \$293,000,000~~]
54 three hundred ninety-three million dollars \$393,000,000, excluding bonds
55 issued to fund one or more debt service reserve funds, to pay costs of
56 issuance of such bonds, and bonds or notes issued to refund or otherwise

1 repay such bonds or notes previously issued. Such bonds and notes of the
2 dormitory authority and the urban development corporation shall not be a
3 debt of the state, and the state shall not be liable thereon, nor shall
4 they be payable out of any funds other than those appropriated by the
5 state to the dormitory authority and the urban development corporation
6 for principal, interest, and related expenses pursuant to a service
7 contract and such bonds and notes shall contain on the face thereof a
8 statement to such effect. Except for purposes of complying with the
9 internal revenue code, any interest income earned on bond proceeds shall
10 only be used to pay debt service on such bonds.

11 2. Notwithstanding any other provision of law to the contrary, in
12 order to assist the dormitory authority and the urban development corpo-
13 ration in undertaking the financing for project costs for the acquisi-
14 tion of equipment, including but not limited to the creation or modern-
15 ization of information technology systems and related research and
16 development equipment, health and safety equipment, heavy equipment and
17 machinery, the creation or improvement of security systems, and labora-
18 tory equipment and other state costs associated with such capital
19 projects, the director of the budget is hereby authorized to enter into
20 one or more service contracts with the dormitory authority and the urban
21 development corporation, none of which shall exceed thirty years in
22 duration, upon such terms and conditions as the director of the budget
23 and the dormitory authority and the urban development corporation agree,
24 so as to annually provide to the dormitory authority and the urban
25 development corporation, in the aggregate, a sum not to exceed the prin-
26 cipal, interest, and related expenses required for such bonds and notes.
27 Any service contract entered into pursuant to this section shall provide
28 that the obligation of the state to pay the amount therein provided
29 shall not constitute a debt of the state within the meaning of any
30 constitutional or statutory provision and shall be deemed executory only
31 to the extent of monies available and that no liability shall be
32 incurred by the state beyond the monies available for such purpose,
33 subject to annual appropriation by the legislature. Any such contract or
34 any payments made or to be made thereunder may be assigned and pledged
35 by the dormitory authority and the urban development corporation as
36 security for its bonds and notes, as authorized by this section.

37 § 41. Subdivision (b) of section 11 of chapter 329 of the laws of
38 1991, amending the state finance law and other laws relating to the
39 establishment of the dedicated highway and bridge trust fund, as amended
40 by section 36 of part JJJ of chapter 59 of the laws of 2021, is amended
41 to read as follows:

42 (b) Any service contract or contracts for projects authorized pursuant
43 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
44 14-k of the transportation law, and entered into pursuant to subdivision
45 (a) of this section, shall provide for state commitments to provide
46 annually to the thruway authority a sum or sums, upon such terms and
47 conditions as shall be deemed appropriate by the director of the budget,
48 to fund, or fund the debt service requirements of any bonds or any obli-
49 gations of the thruway authority issued to fund or to reimburse the
50 state for funding such projects having a cost not in excess of [~~twelve~~
51 ~~billion two hundred sixty million five hundred twenty-eight thousand~~
52 ~~dollars \$12,260,528,000~~] thirteen billion three hundred three million
53 eight hundred eighty-one thousand dollars \$13,303,881,000 cumulatively
54 by the end of fiscal year [~~2021-22~~] 2022-23. For purposes of this
55 subdivision, such projects shall be deemed to include capital grants to
56 cities, towns and villages for the reimbursement of eligible capital

costs of local highway and bridge projects within such municipality, where allocations to cities, towns and villages are based on the total number of New York or United States or interstate signed touring route miles for which such municipality has capital maintenance responsibility, and where such eligible capital costs include the costs of construction and repair of highways, bridges, highway-railroad crossings, and other transportation facilities for projects with a service life of ten years or more.

§ 42. Subdivision 1 of section 1689-i of the public authorities law, as amended by section 37 of part JJJ of chapter 59 of the laws of 2021, 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 [~~two hundred ninety-nine million dollars \$299,000,000~~] three hundred thirty million dollars \$330,000,000.

§ 43. 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 38 of part JJJ of chapter 59 of the laws of 2021, 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 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 aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~eleven billion two hundred seventy-nine million two hundred two thousand dollars \$11,279,202,000~~] thirteen billion fifty-one million nine hundred two thousand dollars \$13,051,902,000, excluding bonds

1 issued to fund one or more debt service reserve funds, to pay costs of
2 issuance of such bonds, and bonds or notes issued to refund or otherwise
3 repay such bonds or notes previously issued. Such bonds and notes of the
4 dormitory authority and the corporation shall not be a debt of the
5 state, and the state shall not be liable thereon, nor shall they be
6 payable out of any funds other than those appropriated by the state to
7 the dormitory authority and the corporation for principal, interest, and
8 related expenses pursuant to a service contract and such bonds and notes
9 shall contain on the face thereof a statement to such effect. Except for
10 purposes of complying with the internal revenue code, any interest
11 income earned on bond proceeds shall only be used to pay debt service on
12 such bonds.

13 2. Notwithstanding any other provision of law to the contrary, in
14 order to assist the dormitory authority and the corporation in undertak-
15 ing the financing for project costs for the regional economic develop-
16 ment council initiative, the economic transformation program, state
17 university of New York college for nanoscale and science engineering,
18 projects within the city of Buffalo or surrounding environs, the New
19 York works economic development fund, projects for the retention of
20 professional football in western New York, the empire state economic
21 development fund, the clarkson-trudeau partnership, the New York genome
22 center, the cornell university college of veterinary medicine, the olym-
23 pic regional development authority, projects at nano Utica, onondaga
24 county revitalization projects, Binghamton university school of pharma-
25 cy, New York power electronics manufacturing consortium, regional
26 infrastructure projects, New York State Capital Assistance Program for
27 Transportation, infrastructure, and economic development, high tech
28 innovation and economic development infrastructure program, high tech-
29 nology manufacturing projects in Chautauqua and Erie county, an indus-
30 trial scale research and development facility in Clinton county, upstate
31 revitalization initiative projects, downstate revitalization initiative,
32 market New York projects, fairground buildings, equipment or facilities
33 used to house and promote agriculture, the state fair, the empire state
34 trail, the moynihan station development project, the Kingsbridge armory
35 project, strategic economic development projects, the cultural, arts and
36 public spaces fund, water infrastructure in the city of Auburn and town
37 of Owasco, a life sciences laboratory public health initiative, not-for-
38 profit pounds, shelters and humane societies, arts and cultural facili-
39 ties improvement program, restore New York's communities initiative,
40 heavy equipment, economic development and infrastructure projects,
41 Roosevelt Island operating corporation capital projects, Lake Ontario
42 regional projects, Pennsylvania station and other transit projects and
43 other state costs associated with such projects the director of the
44 budget is hereby authorized to enter into one or more service contracts
45 with the dormitory authority and the corporation, none of which shall
46 exceed thirty years in duration, upon such terms and conditions as the
47 director of the budget and the dormitory authority and the corporation
48 agree, so as to annually provide to the dormitory authority and the
49 corporation, in the aggregate, a sum not to exceed the principal, inter-
50 est, and related expenses required for such bonds and notes. Any service
51 contract entered into pursuant to this section shall provide that the
52 obligation of the state to pay the amount therein provided shall not
53 constitute a debt of the state within the meaning of any constitutional
54 or statutory provision and shall be deemed executory only to the extent
55 of monies available and that no liability shall be incurred by the state
56 beyond the monies available for such purpose, subject to annual appro-

1 priation by the legislature. Any such contract or any payments made or
2 to be made thereunder may be assigned and pledged by the dormitory
3 authority and the corporation as security for its bonds and notes, as
4 authorized by this section.

5 § 44. Subdivision 1 of section 386-b of the public authorities law, as
6 amended by section 39 of part JJJ of chapter 59 of the laws of 2021, is
7 amended to read as follows:

8 1. Notwithstanding any other provision of law to the contrary, the
9 authority, the dormitory authority and the urban development corporation
10 are hereby authorized to issue bonds or notes in one or more series for
11 the purpose of financing peace bridge projects and capital costs of
12 state and local highways, parkways, bridges, the New York state thruway,
13 Indian reservation roads, and facilities, and transportation infrastruc-
14 ture projects including aviation projects, non-MTA mass transit
15 projects, and rail service preservation projects, including work appur-
16 tenant and ancillary thereto. The aggregate principal amount of bonds
17 authorized to be issued pursuant to this section shall not exceed [~~eight~~
18 ~~billion eight hundred thirty nine million nine hundred sixty three thou-~~
19 ~~sand dollars \$8,839,963,000~~] twelve billion two hundred twelve million
20 eight hundred sixty-three thousand dollars \$12,212,863,000, excluding
21 bonds issued to fund one or more debt service reserve funds, to pay
22 costs of issuance of such bonds, and to refund or otherwise repay such
23 bonds or notes previously issued. Such bonds and notes of the authori-
24 ty, the dormitory authority and the urban development corporation shall
25 not be a debt of the state, and the state shall not be liable thereon,
26 nor shall they be payable out of any funds other than those appropriated
27 by the state to the authority, the dormitory authority and the urban
28 development corporation for principal, interest, and related expenses
29 pursuant to a service contract and such bonds and notes shall contain on
30 the face thereof a statement to such effect. Except for purposes of
31 complying with the internal revenue code, any interest income earned on
32 bond proceeds shall only be used to pay debt service on such bonds.

33 § 45. Paragraph (a) of subdivision 2 of section 47-e of the private
34 housing finance law, as amended by section 40 of part JJJ of chapter 59
35 of the laws of 2021, is amended to read as follows:

36 (a) Subject to the provisions of chapter fifty-nine of the laws of two
37 thousand, in order to enhance and encourage the promotion of housing
38 programs and thereby achieve the stated purposes and objectives of such
39 housing programs, the agency shall have the power and is hereby author-
40 ized from time to time to issue negotiable housing program bonds and
41 notes in such principal amount as shall be necessary to provide suffi-
42 cient funds for the repayment of amounts disbursed (and not previously
43 reimbursed) pursuant to law or any prior year making capital appropri-
44 ations or reappropriations for the purposes of the housing program;
45 provided, however, that the agency may issue such bonds and notes in an
46 aggregate principal amount not exceeding [~~seven billion five hundred~~
47 ~~forty five million one hundred seven thousand dollars \$7,545,107,000~~]
48 thirteen billion one hundred twenty-eight million five hundred eleven
49 thousand dollars \$13,128,511,000, plus a principal amount of bonds
50 issued to fund the debt service reserve fund in accordance with the debt
51 service reserve fund requirement established by the agency and to fund
52 any other reserves that the agency reasonably deems necessary for the
53 security or marketability of such bonds and to provide for the payment
54 of fees and other charges and expenses, including underwriters'
55 discount, trustee and rating agency fees, bond insurance, credit
56 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.

§ 46. 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 41 of part JJJ of chapter 59 of the laws of 2021, 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, Native American Indian Nation schools, 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 [~~two hundred thirty six million dollars \$236,000,000~~] three hundred one million seven hundred thousand dollars \$301,700,000, 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.

§ 47. 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 42 of part JJJ of chapter 59 of the laws of 2021, 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 [~~nine hundred seventy four million two hundred fifty four thousand dollars \$974,254,000~~] one billion one hundred twenty-five million sixty-six thousand dollars \$1,125,066,000 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

1 service contract and such bonds and notes shall contain on the face
2 thereof a statement to such effect. Except for purposes of complying
3 with the internal revenue code, any interest income earned on bond
4 proceeds shall only be used to pay debt service on such bonds.

5 § 48. Paragraph (b) of subdivision 1 of section 385 of the public
6 authorities law, as amended by section 43 of part JJJ of chapter 59 of
7 the laws of 2021, is amended to read as follows:

8 (b) The authority is hereby authorized, as additional corporate
9 purposes thereof solely upon the request of the director of the budget:

10 (i) to issue special emergency highway and bridge trust fund bonds and
11 notes for a term not to exceed thirty years and to incur obligations
12 secured by the moneys appropriated from the dedicated highway and bridge
13 trust fund established in section eighty-nine-b of the state finance
14 law; (ii) to make available the proceeds in accordance with instructions
15 provided by the director of the budget from the sale of such special
16 emergency highway and bridge trust fund bonds, notes or other obli-
17 gations, net of all costs to the authority in connection therewith, for
18 the purposes of financing all or a portion of the costs of activities
19 for which moneys in the dedicated highway and bridge trust fund estab-
20 lished in section eighty-nine-b of the state finance law are authorized
21 to be utilized or for the financing of disbursements made by the state
22 for the activities authorized pursuant to section eighty-nine-b of the
23 state finance law; and (iii) to enter into agreements with the commis-
24 sioner of transportation pursuant to section ten-e of the highway law
25 with respect to financing for any activities authorized pursuant to
26 section eighty-nine-b of the state finance law, or agreements with the
27 commissioner of transportation pursuant to sections ten-f and ten-g of
28 the highway law in connection with activities on state highways pursuant
29 to these sections, and (iv) to enter into service contracts, contracts,
30 agreements, deeds and leases with the director of the budget or the
31 commissioner of transportation and project sponsors and others to
32 provide for the financing by the authority of activities authorized
33 pursuant to section eighty-nine-b of the state finance law, and each of
34 the director of the budget and the commissioner of transportation are
35 hereby authorized to enter into service contracts, contracts, agree-
36 ments, deeds and leases with the authority, project sponsors or others
37 to provide for such financing. The authority shall not issue any bonds
38 or notes in an amount in excess of [~~eighteen billion one hundred fifty~~
39 ~~million dollars \$18,150,000,000~~] nineteen billion seven hundred seven-
40 ty-six million nine hundred twenty thousand dollars \$19,776,920,000,
41 plus a principal amount of bonds or notes: (A) to fund capital reserve
42 funds; (B) to provide capitalized interest; and, (C) to fund other costs
43 of issuance. In computing for the purposes of this subdivision, the
44 aggregate amount of indebtedness evidenced by bonds and notes of the
45 authority issued pursuant to this section, as amended by a chapter of
46 the laws of nineteen hundred ninety-six, there shall be excluded the
47 amount of bonds or notes issued that would constitute interest under the
48 United States Internal Revenue Code of 1986, as amended, and the amount
49 of indebtedness issued to refund or otherwise repay bonds or notes.

50 § 49. Subdivision 1 of section 386-a of the public authorities law, as
51 amended by section 44 of part JJJ of chapter 59 of the laws of 2021, is
52 amended to read as follows:

53 1. Notwithstanding any other provision of law to the contrary, the
54 authority, the dormitory authority and the urban development corporation
55 are hereby authorized to issue bonds or notes in one or more series for
56 the purpose of assisting the metropolitan transportation authority in

1 the financing of transportation facilities as defined in subdivision
2 seventeen of section twelve hundred sixty-one of this chapter or other
3 capital projects. The aggregate principal amount of bonds authorized to
4 be issued pursuant to this section shall not exceed twelve billion five
5 hundred fifteen million eight hundred fifty-six thousand dollars
6 \$12,515,856,000, excluding bonds issued to fund one or more debt service
7 reserve funds, to pay costs of issuance of such bonds, and to refund or
8 otherwise repay such bonds or notes previously issued. Such bonds and
9 notes of the authority, the dormitory authority and the urban develop-
10 ment corporation shall not be a debt of the state, and the state shall
11 not be liable thereon, nor shall they be payable out of any funds other
12 than those appropriated by the state to the authority, the dormitory
13 authority and the urban development corporation for principal, interest,
14 and related expenses pursuant to a service contract and such bonds and
15 notes shall contain on the face thereof a statement to such effect.
16 Except for purposes of complying with the internal revenue code, any
17 interest income earned on bond proceeds shall only be used to pay debt
18 service on such bonds. Notwithstanding any other provision of law to the
19 contrary, including the limitations contained in subdivision four of
20 section sixty-seven-b of the state finance law, (A) any bonds and notes
21 issued prior to April first, two thousand [~~twenty-two~~] twenty-three
22 pursuant to this section may be issued with a maximum maturity of fifty
23 years, and (B) any bonds issued to refund such bonds and notes may be
24 issued with a maximum maturity of fifty years from the respective date
25 of original issuance of such bonds and notes.

26 § 50. Subdivision 1 of section 1680-r of the public authorities law,
27 as amended by section 47 of part JJJ of chapter 59 of the laws of 2021,
28 is amended to read as follows:

29 1. Notwithstanding the provisions of any other law to the contrary,
30 the dormitory authority and the urban development corporation are hereby
31 authorized to issue bonds or notes in one or more series for the purpose
32 of funding project costs for the capital restructuring financing program
33 for health care and related facilities licensed pursuant to the public
34 health law or the mental hygiene law and other state costs associated
35 with such capital projects, the health care facility transformation
36 programs, the essential health care provider program, and other health
37 care capital project costs. The aggregate principal amount of bonds
38 authorized to be issued pursuant to this section shall not exceed [~~three~~
39 ~~billion fifty-three million dollars \$3,053,000,000~~] five billion fifty-
40 three million dollars \$5,053,000,000, excluding bonds issued to fund one
41 or more debt service reserve funds, to pay costs of issuance of such
42 bonds, and bonds or notes issued to refund or otherwise repay such bonds
43 or notes previously issued. Such bonds and notes of the dormitory
44 authority and the urban development corporation shall not be a debt of
45 the state, and the state shall not be liable thereon, nor shall they be
46 payable out of any funds other than those appropriated by the state to
47 the dormitory authority and the urban development corporation for prin-
48 cipal, interest, and related expenses pursuant to a service contract and
49 such bonds and notes shall contain on the face thereof a statement to
50 such effect. Except for purposes of complying with the internal revenue
51 code, any interest income earned on bond proceeds shall only be used to
52 pay debt service on such bonds.

53 § 51. Subdivision 1 of section 1680-k of the public authorities law,
54 as amended by section 62 of part BBB of chapter 59 of the laws of 2018,
55 is amended to read as follows:

1 1. Subject to the provisions of chapter fifty-nine of the laws of two
2 thousand, but notwithstanding any provisions of law to the contrary, the
3 dormitory authority is hereby authorized to issue bonds or notes in one
4 or more series in an aggregate principal amount not to exceed [~~forty~~
5 ~~million seven hundred fifteen thousand dollars~~] forty-one million eight
6 hundred thirty thousand dollars \$41,830,000 excluding bonds issued to
7 finance one or more debt service reserve funds, to pay costs of issuance
8 of such bonds, and bonds or notes issued to refund or otherwise repay
9 such bonds or notes previously issued, for the purpose of financing the
10 construction of the New York state agriculture and markets food labora-
11 tory. Eligible project costs may include, but not be limited to the cost
12 of design, financing, site investigations, site acquisition and prepara-
13 tion, demolition, construction, rehabilitation, acquisition of machinery
14 and equipment, and infrastructure improvements. Such bonds and notes of
15 such authorized issuers shall not be a debt of the state, and the state
16 shall not be liable thereon, nor shall they be payable out of any funds
17 other than those appropriated by the state to such authorized issuers
18 for debt service and related expenses pursuant to any service contract
19 executed pursuant to subdivision two of this section and such bonds and
20 notes shall contain on the face thereof a statement to such effect.
21 Except for purposes of complying with the internal revenue code, any
22 interest income earned on bond proceeds shall only be used to pay debt
23 service on such bonds.

24 § 52. Paragraph (b) of subdivision 3 and clause (B) of subparagraph
25 (iii) of paragraph (j) of subdivision 4 of section 1 of part D of chap-
26 ter 63 of the laws of 2005 relating to the composition and responsibil-
27 ities of the New York state higher education capital matching grant
28 board, as amended by section 7 of part K of chapter 39 of the laws of
29 2019, are amended to read as follows:

30 (b) Within amounts appropriated therefor, the board is hereby author-
31 ized and directed to award matching capital grants totaling [~~three~~
32 ~~hundred million dollars, \$300,000,000~~] three hundred sixty million
33 dollars, \$360,000,000. Each college shall be eligible for a grant award
34 amount as determined by the calculations pursuant to subdivision five of
35 this section. In addition, such colleges shall be eligible to compete
36 for additional funds pursuant to paragraph (h) of subdivision four of
37 this section.

38 (B) The dormitory authority shall not issue any bonds or notes in an
39 amount in excess of [~~three hundred million dollars, \$300,000,000~~] three
40 hundred sixty million dollars, \$360,000,000 for the purposes of this
41 section; excluding bonds or notes issued to fund one or more debt
42 service reserve funds, to pay costs of issuance of such bonds, and bonds
43 or notes issued to refund or otherwise repay such bonds or notes previ-
44 ously issued. Except for purposes of complying with the internal revenue
45 code, any interest on bond proceeds shall only be used to pay debt
46 service on such bonds.

47 § 53. Subdivision 1 of section 51 of section 1 of chapter 174 of the
48 laws of 1968, constituting the New York state urban development corpo-
49 ration act, as amended by section 42-c of part XXX of chapter 59 of the
50 laws of 2017, is amended to read as follows:

51 1. Notwithstanding the provisions of any other law to the contrary,
52 the dormitory authority and the urban development corporation are hereby
53 authorized to issue bonds or notes in one or more series for the purpose
54 of funding project costs for the nonprofit infrastructure capital
55 investment program and other state costs associated with such capital
56 projects. The aggregate principal amount of bonds authorized to be

1 issued pursuant to this section shall not exceed [~~one hundred twenty~~
2 ~~million dollars~~] one hundred seventy million dollars \$170,000,000,
3 excluding bonds issued to fund one or more debt service reserve funds,
4 to pay costs of issuance of such bonds, and bonds or notes issued to
5 refund or otherwise repay such bonds or notes previously issued. Such
6 bonds and notes of the dormitory authority and the urban development
7 corporation shall not be a debt of the state, and the state shall not be
8 liable thereon, nor shall they be payable out of any funds other than
9 those appropriated by the state to the dormitory authority and the urban
10 development corporation for principal, interest, and related expenses
11 pursuant to a service contract and such bonds and notes shall contain on
12 the face thereof a statement to such effect. Except for purposes of
13 complying with the internal revenue code, any interest income earned on
14 bond proceeds shall only be used to pay debt service on such bonds.

15 § 53-a. Notwithstanding the provisions of any other law to the contra-
16 ry, the dormitory authority and the urban development corporation are
17 hereby authorized to issue bonds or notes in one or more series for the
18 purpose of funding project costs for the child care facilities develop-
19 ment program and other state costs associated with such capital
20 projects. The aggregate principal amount of bonds authorized to be
21 issued pursuant to this section shall not exceed two hundred million
22 dollars \$200,000,000, excluding bonds issued to fund one or more debt
23 service reserve funds, to pay costs of issuance of such bonds, and bonds
24 or notes issued to refund or otherwise repay such bonds or notes previ-
25 ously issued. Such bonds and notes of the dormitory authority and the
26 urban development corporation shall not be a debt of the state, and the
27 state shall not be liable thereon, nor shall they be payable out of any
28 funds other than those appropriated by the state to the dormitory
29 authority and the urban development corporation for principal, interest,
30 and related expenses pursuant to a service contract and such bonds and
31 notes shall contain on the face thereof a statement to such effect.
32 Except for purposes of complying with the internal revenue code, any
33 interest income earned on bond proceeds shall only be used to pay debt
34 service on such bonds.

35 § 54. Intentionally omitted.

36 § 55. Intentionally omitted.

37 § 56. Section 1 of chapter 174 of the laws of 1968, constituting the
38 New York state urban development corporation act, is amended by adding a
39 new section 58 to read as follows:

40 § 58. Gateway project. 1. Findings and declaration of need. The state
41 of New York finds and determines that providing funding for the passen-
42 ger rail transportation project commonly known as the gateway project,
43 is needed to preserve and improve the functionality and strengthen the
44 resiliency of long-distance and commuter rail infrastructure between the
45 state of New York and the state of New Jersey.

46 2. Definitions. When used in this section:

47 "Commission" shall mean the gateway development commission, a bi-state
48 commission and a body corporate and politic established by the state of
49 New Jersey and the state of New York, acting in the public interest and
50 exercising essential governmental functions in accordance with the Gate-
51 way development commission act, and any successor thereto.

52 "Federal transportation loan" shall mean one or more loans made to the
53 commission to finance the Hudson tunnel project under or pursuant to any
54 U.S. Department of Transportation program or act, including but not
55 limited to the Railroad Rehabilitation & Improvement Financing Program

1 or the Transportation Infrastructure Finance and Innovation Act, which
2 loan or loans are related to the state capital commitment.

3 "Gateway development commission act" shall mean chapter 108 of the
4 laws of New York, 2019, as amended.

5 "Gateway project" shall mean the Hudson tunnel project.

6 "Hudson tunnel project" shall mean the project consisting of
7 construction of a tunnel connecting the states of New York and New
8 Jersey and the completion of certain ancillary facilities including
9 construction of concrete casing at Hudson Yards in Manhattan, New York
10 and the rehabilitation of the existing North River Tunnels.

11 "State capital commitment" shall mean an aggregate principal amount
12 not to exceed \$2,350,000,000, plus any interest costs, including capi-
13 talized interest, and related expenses and fees payable by the state of
14 New York to the commission under one or more service contracts or other
15 agreements pursuant to this section, as well as any expenses of the
16 state incurred in connection therewith.

17 "Related expenses and fees" shall mean commitment fees and other
18 ancillary costs, expenses and fees incurred, and to become due and paya-
19 ble, by the commission in connection with the Federal transportation
20 loan.

21 3. Notwithstanding any other provision of law to the contrary, in
22 order to provide for the payment for the state capital commitment, the
23 director of the budget is hereby authorized to enter into one or more
24 service contracts or other agreements with the commission, none of which
25 shall exceed the maximum duration of the Federal transportation loan,
26 upon such terms and conditions as the director of the budget and commis-
27 sion agree, so as to provide to the commission, for each state fiscal
28 year, a sum not to exceed the amount required for the payment of the
29 state capital commitment for such fiscal year. Any such service contract
30 or other agreement shall provide that the obligation of the state to pay
31 the amount therein provided shall not constitute a debt of the state
32 within the meaning of any constitutional or statutory provision and
33 shall be deemed executory only to the extent of monies available, that
34 no liability shall be incurred by the state beyond the monies available
35 for such purpose, and that such obligation is subject to annual appro-
36 priation by the legislature. Any such service contract or other agree-
37 ment and any payments made or to be made thereunder may be assigned and
38 pledged by the commission as security for the repayment by the commis-
39 sion of the Federal transportation loan.

40 4. The director of the budget is also authorized to enter into such
41 other agreements and to take or cause to be taken such additional
42 actions as are necessary or desirable to effectuate the purposes of the
43 transactions contemplated by the state capital commitment provided for
44 herein and the service contract or other agreement authorized by subdi-
45 vision 3 of this section.

46 § 57. Subdivisions 4 and 5 of section 16 of part T of chapter 57 of
47 the laws of 2007, relating to providing for the administration of
48 certain funds and accounts related to the 2007-2008 budget, are
49 REPEALED.

50 § 58. This act shall take effect immediately and shall be deemed to
51 have been in full force and effect on and after April 1, 2022; provided,
52 however, that the provisions of sections one, one-a, two, three, four,
53 five, six, seven, eight, thirteen, fifteen, sixteen, seventeen, eigh-
54 teen, twenty-two, and twenty-three of this act shall expire March 31,
55 2023 when upon such date the provisions of such sections shall be deemed
56 repealed; provided, further, that the amendments to section 89-h of the

1 state finance law made by section twenty-eight of this act shall not
2 affect the repeal of such section and shall be deemed repealed there-
3 with.

4 PART Z

5 Intentionally Omitted

6 PART AA

7 Section 1. The criminal procedure law is amended by adding a new
8 section 160.57 to read as follows:

9 § 160.57 Automatic sealing of convictions.

10 1. Convictions for certain traffic infractions and violations or any
11 crime defined in the laws of this state shall be sealed in accordance
12 with paragraph (c) of this subdivision as follows:

13 (a) Convictions for subdivision one of section eleven hundred ninety-
14 two of the vehicle and traffic law shall be sealed after three years.

15 (b) Criminal convictions for misdemeanors and felonies shall be sealed
16 upon satisfaction of the following conditions:

17 (i) at least three years have passed from the imposition of sentence
18 on the defendant's most recent misdemeanor conviction in this state and
19 at least seven years have passed since the imposition of sentence on the
20 defendant's most recent felony conviction in this state;

21 (ii) the defendant does not have a criminal charge pending in this
22 state;

23 (iii) the defendant is not currently under the supervision of any
24 probation or parole department for the eligible conviction; and

25 (iv) the conviction is not defined as a sex offense under section one
26 hundred sixty-eight-a of the correction law.

27 (c) Where a conviction is eligible for sealing pursuant to this para-
28 graph before, on, or after the effective date of this section, the divi-
29 sion of criminal justice services shall immediately notify the office of
30 court administration, the court of conviction, and the heads of all
31 appropriate police and sheriff departments that the conviction is
32 sealed.

33 (d) Records of convictions sealed pursuant to this paragraph shall not
34 be accessed, made available to any person or public or private agency,
35 or used by any state agency covered by subdivision three of this section
36 except for:

37 (i) the defendant and such defendant's attorney;

38 (ii) any court or prosecutor for the purposes of a pending criminal
39 action;

40 (iii) qualified agencies, as defined in subdivision nine of section
41 eight hundred thirty-five of the executive law, and federal and state
42 law enforcement agencies, when acting within the scope of their law
43 enforcement duties;

44 (iv) the court, prosecutor, and defense counsel if the defendant
45 becomes a witness in a criminal proceeding, or the claimant and respond-
46 ent if the defendant becomes a witness in a civil proceeding;

47 (v) when an individual is a defendant in a criminal action and the
48 sealed records of conviction of a third-party are integral to their
49 defense. In such instances, use of sealed records shall be requested
50 upon ex parte motion in any superior court, or in any district court,
51 city court or the criminal court of the city of New York provided that

1 such court is where the action is pending. The applicant must demon-
2 strate to the satisfaction of the court that the records will be used
3 for the purpose of this subparagraph;

4 (vi) entities that are required by state or federal law to request a
5 fingerprint-based check of criminal history information, provided,
6 however, that every person whose information is retrieved pursuant to
7 this paragraph shall be furnished with a copy of such information and
8 afforded an opportunity to explain or contest the information to the
9 entity;

10 (vii) any prospective employer of a police officer or peace officer as
11 those terms are defined in subdivisions thirty-three and thirty-four of
12 section 1.20 of this chapter, in relation to an application for employ-
13 ment as a police officer, provided, however, that every person who is an
14 applicant shall be furnished with a copy of all records obtained under
15 this paragraph and afforded an opportunity to make an explanation there-
16 to;

17 (viii) any federal, state or local officer or agency with responsibil-
18 ity for the issuance of licenses to possess a firearm, rifle or shotgun
19 or with responsibility for conducting background checks before transfer
20 or sale of a firearm or explosive, when the officer or agency is acting
21 pursuant to such responsibility. This includes the criminal justice
22 information services division of the federal bureau of investigation,
23 for the purposes of responding to queries to the national instant back-
24 ground check system regarding attempts to purchase or otherwise take
25 possession of firearms, rifles or shotguns, as defined in 18 U.S.C. §
26 921 (A)(3);

27 (ix) for the purposes of civilian investigation or evaluation of a
28 civilian complaint or civil action concerning law enforcement or prose-
29 cution actions, upon ex parte motion in any superior court, or in any
30 district court, city court or the criminal court of the city of New York
31 provided that such court sealed the record; the applicant must demon-
32 strate to the satisfaction of the court that the records will be used
33 for the purposes of this subparagraph; and

34 (x) for information provided to an individual or entity pursuant to
35 paragraph (e) of subdivision four of section eight hundred thirty-seven
36 of the executive law or for bona fide research purposes provided all
37 identifying information is removed.

38 (e) Where the sealing required by this paragraph has not taken place,
39 or where supporting court records cannot be located or have been
40 destroyed, and a defendant or their attorney submits notification of
41 such fact to the division of criminal justice services, as prescribed in
42 subdivision twenty-three of section eight hundred thirty-seven of the
43 executive law, within thirty days of such notice to the division, the
44 conviction shall be sealed as set forth in this subdivision.

45 2. In calculating the time periods under this section, any period of
46 time during which the defendant was incarcerated shall be excluded and
47 such time period shall be extended by a period equal to the time served
48 under such incarceration.

49 3. Where a conviction is eligible for sealing pursuant to this section
50 before, on, or after the effective date of this section, the commission-
51 er of the division of criminal justice services shall immediately notify
52 the office of court administration, the court of conviction and the
53 heads of all appropriate police departments, prosecutors' offices and
54 law enforcement agencies that the conviction is sealed. Upon receipt of
55 such notification, records of or relating to such conviction shall be
56 immediately sealed.

1 (a) Any state agency that possesses information, records, documents or
2 papers related to the eligible conviction shall seal them as follows:

3 (i) Every photograph of such defendant and photographic plates or
4 proof, and all palmprints, fingerprints and retina scans taken or made
5 of such individual pursuant to the provisions of this article in regard
6 to the eligible conviction, and all duplicates, reproductions, and
7 copies thereof, except a digital fingerprint that is on file with the
8 division of criminal justice services for a conviction that has not been
9 sealed pursuant to this section shall be marked as sealed by the divi-
10 sion of criminal justice services and by any police department,
11 prosecutor's office or law enforcement agency having any such photo-
12 graph, photographic plate or proof, palmprint, fingerprints or retina
13 scan in its possession or under its control by conspicuously indicating
14 on the face of the record or at the beginning of the digitized file of
15 the record that the record has been designated as sealed. Where finger-
16 prints subject to the provisions of this section have been received by
17 the division of criminal justice services and have been filed by the
18 division as digital images, such images may remain unsealed, provided
19 that a fingerprint card of the individual is on file with the division
20 which was not sealed pursuant to this section.

21 (ii) Every official record and paper and duplicates and copies there-
22 of, including, but not limited to, judgments and orders of a court but
23 not including published court decisions or opinions or records and
24 briefs on appeal, relating to the conviction, on file with the agency
25 shall be marked as sealed by conspicuously indicating on the face of the
26 record or at the beginning of the digitized file of the record that the
27 record has been designated as sealed.

28 (b) Third-party agencies shall seal information and all records, docu-
29 ments and papers relating to the eligible conviction as follows:

30 (i) Every police department, prosecutor's office or law enforcement
31 agency, including the division of criminal justice services, which tran-
32 smitted or otherwise forwarded to any agency of the United States or of
33 any other state or jurisdiction outside of this state copies of any such
34 photographs, photographic plates or proofs, palmprints, fingerprints or
35 retina scans, shall forthwith formally inform such agency in writing
36 that the matter has been sealed and request in writing that all such
37 copies be marked as sealed by conspicuously indicating on the face of
38 the record or at the beginning of the digitized file of the record that
39 the record has been designated as sealed.

40 (ii) Every official record and paper and duplicates and copies there-
41 of, including, but not limited to, judgments and orders of a court but
42 not including published court decisions or opinions or records and
43 briefs on appeal, relating to the conviction, on file with the agency
44 shall be marked as sealed by conspicuously indicating on the face of the
45 record or at the beginning of the digitized file of the record that the
46 record has been designated as sealed.

47 4. (a) Nothing in this section requires the destruction of DNA infor-
48 mation maintained in the New York state DNA database of such individual
49 pursuant to the provisions of the executive law in regard to the eligi-
50 ble conviction.

51 (b) Nothing in this section requires the sealing or destruction of
52 records maintained by the department of motor vehicles, and nothing in
53 this section shall be construed to contravene the vehicle and traffic
54 law, the federal driver's privacy protection act (18 U.S.C 2721 et.
55 seq.), or the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C.
56 31311).

1 (c) The division of criminal justice services is authorized to
2 disclose a conviction that is sealed pursuant to this section to enti-
3 ties that are required by federal law, or by rules and regulations
4 promulgated by a self-regulatory organization created under federal law,
5 to consider sealed convictions. Such entities must certify to the divi-
6 sion that they are required by federal law, or by rules and regulations
7 promulgated by a self-regulatory organization that has been created
8 under federal law, to make an inquiry about or consider records sealed
9 pursuant to this section for purposes of employment, licensing, or
10 clearance. To the extent permitted by federal law, a record sealed
11 pursuant to this section may not be considered a conviction that would
12 prohibit the employment, licensing or clearance of the defendant.

13 (d) Nothing in this section shall prohibit entities required by feder-
14 al law, or by rules and regulations promulgated by a self-regulatory
15 organization that has been created under federal law, from making an
16 inquiry about or considering an applicant's criminal history for
17 purposes of employment, licensing, or clearance from inquiring into
18 convictions sealed pursuant to this section.

19 (e) In any civil action, an official record of a conviction that has
20 been sealed pursuant to this section may not be introduced as evidence
21 of negligence against a person or entity that provided employment,
22 contract labor or services, volunteer work, licensing, tenancy, a home
23 purchase, a mortgage, an education, a loan, or insurance if such record
24 was sealed and was not provided to the person or entity by or on behalf
25 of a governmental entity in accordance with this section in response to
26 such person's or entity's authorized and timely request for conviction
27 history information.

28 (f) A person or entity described in this subdivision, acting reason-
29 ably and in good faith, may not have a duty to investigate the fact of a
30 prior conviction that has been sealed pursuant to this section.

31 5. No defendant shall be required or permitted to waive eligibility
32 for sealing pursuant to this section as part of a plea of guilty,
33 sentence or any agreement related to a conviction for a violation of the
34 laws of this state. Any such waiver is void and unenforceable.

35 6. Sealing as set forth in subdivision three of this section is with-
36 out prejudice to a defendant or their attorney seeking further relief
37 pursuant to section 440.10 of this chapter. Nothing in this section
38 shall diminish or abrogate any rights or remedies otherwise available to
39 the defendant.

40 7. All records for a conviction subject to sealing under this section
41 where the conviction was entered on or before the effective date of this
42 section shall receive the appropriate relief promptly and, in any event,
43 no later than two years after such effective date.

44 8. A conviction which is sealed pursuant to this section is included
45 within the definition of a conviction for the purposes of any criminal
46 proceeding in which the fact of a prior conviction would enhance a
47 penalty or is an element of the offense charged.

48 9. Any defendant claiming to be aggrieved by a violation of this
49 section shall have a cause of action in any court of appropriate juris-
50 isdiction for damages, including punitive damages, and such other remedies
51 as may be appropriate. The provisions of this article shall also be
52 enforceable by the division of human rights pursuant to the powers and
53 procedures set forth in article fifteen of the executive law.

54 § 2. Subdivision 3 of section 845-d of the executive law, as added by
55 section 1 of subpart N of part II of chapter 55 of the laws of 2019, is
56 amended to read as follows:

1 3. Nothing in this section shall authorize the division to provide
2 criminal history information that is not otherwise authorized by law or
3 that is sealed pursuant to section 160.50, 160.55, 160.57, 160.58 or
4 160.59 of the criminal procedure law.

5 § 3. Section 837 of the executive law is amended by adding a new
6 subdivision 23 to read as follows:

7 23. Promulgate a standardized form for use by individuals to notify
8 the division of criminal justice services of convictions subject to
9 sealing under section 160.57 of the criminal procedure law, but for
10 which the division has not taken the requisite action for related
11 records.

12 § 4. Subdivision 16 of section 296 of the executive law, as amended by
13 section 2 of subpart 0 of part II of chapter 55 of the laws of 2019, is
14 amended to read as follows:

15 16. It shall be an unlawful discriminatory practice, unless specif-
16 ically required or permitted by statute, for any person, agency, bureau,
17 corporation or association, including the state and any political subdivi-
18 sion thereof, to make any inquiry about, whether in any form of appli-
19 cation or otherwise, or to act upon adversely to the individual
20 involved, any arrest or criminal accusation of such individual not then
21 pending against that individual which was followed by a termination of
22 that criminal action or proceeding in favor of such individual, as
23 defined in subdivision two of section 160.50 of the criminal procedure
24 law, or by an order adjourning the criminal action in contemplation of
25 dismissal, pursuant to section 170.55, 170.56, 210.46, 210.47, or 215.10
26 of the criminal procedure law, or by a youthful offender adjudication,
27 as defined in subdivision one of section 720.35 of the criminal proce-
28 dure law, or by a conviction for a violation sealed pursuant to section
29 160.55 of the criminal procedure law or by a conviction which is sealed
30 pursuant to section 160.59 or 160.58 of the criminal procedure law, or
31 by a conviction which is sealed pursuant to section 160.57 of the crimi-
32 nal procedure law, in connection with the licensing, housing, employ-
33 ment, including volunteer positions, or providing of credit or insurance
34 to such individual; provided, further, that no person shall be required
35 to divulge information pertaining to any arrest or criminal accusation
36 of such individual not then pending against that individual which was
37 followed by a termination of that criminal action or proceeding in favor
38 of such individual, as defined in subdivision two of section 160.50 of
39 the criminal procedure law, or by an order adjourning the criminal
40 action in contemplation of dismissal, pursuant to section 170.55 or
41 170.56, 210.46, 210.47 or 215.10 of the criminal procedure law, or by a
42 youthful offender adjudication, as defined in subdivision one of section
43 720.35 of the criminal procedure law, or by a conviction for a violation
44 sealed pursuant to section 160.55 of the criminal procedure law, or by a
45 conviction which is sealed pursuant to section 160.58 or 160.59 of the
46 criminal procedure law, or by a conviction which is sealed pursuant to
47 section 160.57 of the criminal procedure law. An individual required or
48 requested to provide information in violation of this subdivision may
49 respond as if the arrest, criminal accusation, or disposition of such
50 arrest or criminal accusation did not occur. The provisions of this
51 subdivision shall not apply to the licensing activities of governmental
52 bodies in relation to the regulation of guns, firearms and other deadly
53 weapons or in relation to an application for employment as a police
54 officer or peace officer as those terms are defined in subdivisions
55 thirty-three and thirty-four of section 1.20 of the criminal procedure
56 law; provided further that the provisions of this subdivision shall not

1 apply to an application for employment or membership in any law enforce-
2 ment agency with respect to any arrest or criminal accusation which was
3 followed by a youthful offender adjudication, as defined in subdivision
4 one of section 720.35 of the criminal procedure law, or by a conviction
5 for a violation sealed pursuant to section 160.55 of the criminal proce-
6 dure law, or by a conviction which is sealed pursuant to section 160.58
7 or 160.59 of the criminal procedure law, or by a conviction which is
8 sealed pursuant to section 160.57 of the criminal procedure law. For
9 purposes of this subdivision, an action which has been adjourned in
10 contemplation of dismissal, pursuant to section 170.55 or 170.56,
11 210.46, 210.47 or 215.10 of the criminal procedure law, shall not be
12 considered a pending action, unless the order to adjourn in contem-
13 plation of dismissal is revoked and the case is restored to the calendar
14 for further prosecution.

15 § 5. Section 9 of the correction law, as added by section 2 of part 00
16 of chapter 56 of the laws of 2010, the section heading as amended by
17 chapter 322 of the laws of 2021, is amended to read as follows:

18 § 9. Access to information of incarcerated individuals via the inter-
19 net. Notwithstanding any provision of law to the contrary, any informa-
20 tion relating to the conviction of a person[~~, except for a person~~
21 ~~convicted of an offense that would make such person ineligible for merit~~
22 ~~time under section eight hundred three of this chapter or an offense for~~
23 ~~which registration as a sex offender is required as set forth in subdi-~~
24 ~~vision two or three of section one hundred sixty-eight-a of this chap-~~
25 ~~ter,~~] that is posted on a website maintained by or for the department,
26 under article six of the public officers law, may be posted on such
27 website for a period not to exceed [~~five~~] three years after the expira-
28 tion of such person's sentence of imprisonment and at the conclusion of
29 any period of parole or post-release supervision[~~, provided, however,~~
30 ~~that in the case of a person who has been committed to the department on~~
31 ~~more than one occasion, the department may post conviction information~~
32 ~~relating to any prior commitment on such website for a period not to~~
33 ~~exceed five years after the expiration of such person's sentence of~~
34 ~~imprisonment and any period of parole or post-release supervision aris-~~
35 ~~ing from the most recent commitment to the department].~~

36 § 6. Severability. If any provision of this act or the application
37 thereof to any person, corporation or circumstances is held invalid,
38 such invalidity shall not affect other provisions or applications of the
39 act which can be given effect without the invalid provision or applica-
40 tion, and to this end the provisions of this act are declared to be
41 severable.

42 § 7. This act shall take effect on the one hundred twentieth day after
43 it shall have become a law.

44 PART BB

45 Intentionally Omitted

46 PART CC

47 Section 1. This act enacts into law components of legislation relat-
48 ing to transparency and accountability in the county of Nassau. Each
49 component is wholly contained within a Subpart identified as Subparts A
50 and B. The effective date for each particular provision contained within
51 such Subpart is set forth in the last section of such Subpart. Any

1 provision in any section contained within a Subpart, including the
2 effective date of the Subpart, which makes reference to a section "of
3 this act", when used in connection with that particular component,
4 shall be deemed to mean and refer to the corresponding section of the
5 Subpart in which it is found. Section three of this act sets forth the
6 general effective date of this act.

7 SUBPART A

8 Section 1. This act shall be known and may be cited as the "Nassau
9 county transparency and accountability act of 2022".

10 § 2. Subdivision 7 of section 3653 of the public authorities law, as
11 added by chapter 84 of the laws of 2000, is amended to read as follows:

12 7. At least annually, commencing no more than one year after the date
13 on which authority bonds are first issued, the authority shall report to
14 the county executive, county legislature, the county comptroller, the
15 director of the budget, the speaker of the assembly, the temporary pres-
16 ident of the senate and the state comptroller on the costs financed by
17 the authority and the amount of such financing for each such cost over
18 the past year.

19 § 3. Subdivisions 2, 3, 4, 5, 6 and 7 of section 3668 of the public
20 authorities law are renumbered subdivisions 4, 5, 6, 7, 8 and 9 and two
21 new subdivisions 2 and 3 are added to read as follows:

22 2. conduct audits of the Nassau county industrial development agency
23 established pursuant to section nine hundred twenty-two of the general
24 municipal law, the Nassau county off-track betting corporation estab-
25 lished pursuant to article five of the racing, pari-mutuel wagering and
26 breeding law, and the Nassau university medical center established
27 pursuant to section three thousand four hundred two of this chapter;
28 provided, however, that such audits shall to be completed no later than
29 December thirty-first, two thousand twenty-two, and shall continue on a
30 biennial basis for subsequent years thereafter. The authority shall make
31 its audit findings publicly available on its website and provide copies
32 of its respective reports to the governor, temporary president of the
33 senate, speaker of the assembly, and authorities budget office;

34 3. investigate, within the county and covered organizations, potential
35 violations of the provisions of this chapter, fiscal mismanagement or
36 systemic negligence; provided further that the authority shall provide
37 an annual report to the governor, temporary president of the senate,
38 speaker of the assembly, and authorities budget office detailing such
39 investigations;

40 § 4. This act shall take effect immediately.

41 SUBPART B

42 Section 1. Paragraph (b) of subdivision 1 of section 3402 of the
43 public authorities law, as added by chapter 9 of the laws of 1997, is
44 amended to read as follows:

45 (b) The corporation shall be governed by [~~fifteen~~] twenty-one voting
46 directors, [~~eight~~] ten of whom shall be appointed by the governor with
47 eight appointed as provided in paragraph (c) of this subdivision, two of
48 whom shall be appointed by the temporary president of the senate, two of
49 whom shall be appointed by the speaker of the assembly, three of whom
50 shall be appointed by the county executive for initial terms of two
51 years, and four of whom shall be appointed by the county legislature for
52 initial terms of three years.

§ 2. Paragraph (a) of subdivision 2 of section 3402 of the public authorities law, as added by chapter 9 of the laws of 1997, is amended to read as follows:

(a) The ~~[county—executive]~~ governor shall designate one of the ~~[fifteen]~~ twenty-one voting directors as the chairperson of the board. The chairperson shall preside over all meetings of the board and shall have such other duties as the voting directors may direct.

§ 3. Subdivision 4 of section 3402 of the public authorities law, as added by chapter 9 of the laws of 1997, is amended to read as follows:

4. The board of directors shall select the chief executive officer subject to the approval of the ~~[county—executive]~~ governor and shall determine the salary and benefits of the chief executive officer of the corporation. The chief executive officer shall serve at the pleasure of the board of directors provided, however, that removal without cause shall not prejudice the contract rights, if any, of the chief executive officer.

§ 4. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part 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 part 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.

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

PART DD

Section 1. Subdivision 12 of section 239-bb of the general municipal law, as added by chapter 577 of the laws of 2021, is amended to read as follows:

12. Notwithstanding any other provision of law to the contrary, the ~~[entity]~~ entities created pursuant to title five-A and five-B of article five of the public authorities law shall be eligible for one million dollars each in each state fiscal year beginning with state fiscal year two thousand twenty-one--two thousand twenty-two; provided, however, that such monies shall be derived from the appropriation dedicated to the matching funds program pursuant to subdivision eight of this section and provided further, that such funding for such entity shall not be subject to the requirements of subdivision eight of this section related to savings.

§ 2. Title 5-A of article 5 of the public authorities law, as added by chapter 575 of the laws of 2021, is renumbered title 5-B and sections 1114-a through 1114-s, as added by chapter 575 of the laws of 2021, are renumbered sections 1114-aa through 1114-ss.

§ 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the same date and in the same manner as chapter 577 of the laws of 2021, takes effect; provided; further, that section two of this act shall take effect on the same date and in the same manner as chapter 575 of the laws of 2021, takes effect.

PART EE

Section 1. Subdivision 1 of section 924-a of the real property tax law, as amended by chapter 26 of the laws of 2003, is amended to read as follows:

1. The amount of interest to be added on all taxes received after the interest free period and all delinquent taxes shall be one-twelfth the rate of interest as determined pursuant to subdivision two or two-a of this section rounded to the nearest one-hundredth of a percentage point, except as otherwise provided by a general or special law, or a local law adopted by a city pursuant to the municipal home rule law or any special law. Such interest shall be added for each month or fraction thereof until such taxes are paid; provided however, that notwithstanding any provision of general, special, or local law or resolution to the contrary, beginning in all local fiscal years commencing in calendar year two thousand twenty-two and thereafter, in no case shall the interest rate exceed seven and one-half per centum per annum of delinquent tax payments due on owner occupied residential real property containing three or fewer dwelling units; and provided further that this limitation shall apply to units held in condominium form; and provided further that such limitation shall apply to all buildings held in cooperative form regardless of owner occupancy status; and provided further that this limitation shall not apply to real property that is vacant and abandoned, as defined in subdivision two of section thirteen hundred nine of the real property actions and proceedings law, which was listed on the statewide vacant and abandoned property electronic registry, as defined in section thirteen hundred ten of the real property actions and proceedings law, and remains on such registry. This subdivision shall supersede any local tax act, code, law, rule, regulation, ordinance or resolution setting an interest rate above seven and one-half per centum per annum of delinquent tax payments due on owner occupied residential real property containing three or fewer dwelling units.

§ 2. This act shall take effect immediately.

PART FF

Section 1. The legislative law is amended by adding a new section 83-n to read as follows:

§ 83-n. Legislative commission on the future of the Long Island Power Authority. 1. The legislature hereby finds and declares that chapter 517 of the laws of 1986 created the Long Island Power Authority (LIPA). Said authority was created, in part, because the decisions by LILCO, the private utility that provided electricity to Long Island and part of Queens, "to commence construction of the Shoreham nuclear power plant and thereafter to continue such construction were imprudent". Further, the legislature found in chapter 517 of the laws of 1986 that "a situation threatening the economy, health and safety exists in the service area". One of the two express purposes of the act was the closure of the Shoreham nuclear power plant. In 1992, LIPA bought the Shoreham nuclear power plant. The plant was fully decommissioned in 1994.

The second purpose of such chapter 517 was to replace LILCO with a publicly owned power authority. The legislature found that "There is a lack of confidence that the needs of the residents and of commerce and industry in the service area for electricity can be supplied in a reliable, efficient and economic manner by the Long Island lighting company (hereinafter referred to as "LILCO")" and "Such matters of state concern best can be dealt with by replacing such investor owned utility with a publicly owned power authority."

1 In 1995, LIPA replaced LILCO as the electric company for its service
2 area. However, LIPA was never established as a true "publicly owned
3 power authority" as originally envisioned by the State Legislature.
4 Rather, since 1995, LIPA has opted for a third-party management model
5 whereby LIPA contracts its responsibility to manage the utility to a
6 private, investor owned utility company.

7 LIPA is the only utility in the nation that is operated under a third-
8 party management model. This model has repeatedly failed its customers.
9 There has been a lack of transparency, oversight, and accountability.
10 This failure has been most dramatically evidenced in the unacceptable
11 storm response by LIPA and its third-party contractors during Superstorm
12 Sandy in 2012 and Tropical Storm Isaias in 2020.

13 After more than 25 years of unsatisfactory management under the third-
14 party management model, a better alternative must be implemented. That
15 inquiry must begin with the original intent of chapter 517, whereby LIPA
16 was to directly manage and operate the utility as a true public power
17 utility. Initial investigations by LIPA after Tropical Storm Isaias in
18 2020-2021 indicate that both ratepayer savings and increased management
19 efficiencies could be achieved through the public power model.

20 Consequently, it is the purpose of this section to implement the
21 original vision for LIPA intended by chapter 517 of the laws of 1986, as
22 a publicly owned power company. The legislature hereby creates a
23 commission to provide the legislature with the specific actions, legis-
24 lation, and timeline necessary to restructure LIPA into a true publicly
25 owned power authority. The public must participate in that process so
26 that the new LIPA becomes transparent with proper oversight and account-
27 ability. The legislative commission shall submit its final report to the
28 legislature no later than April first, two thousand twenty-three.

29 2. A legislative commission is hereby established to investigate and
30 report to the legislature on the establishment of a public power model
31 for the operation of LIPA, whereby the authority would directly operate
32 the utility as a true public power authority. The commission shall
33 report to the legislature on the specific actions, legislation, and
34 timeline necessary to restructure LIPA into a true publicly owned power
35 authority. The commission shall consider: (a) the method of governance
36 of the public authority; (b) improved transparency, accountability, and
37 public involvement; (c) improved reliability of the system; (d) the
38 impact on electric rates; (e) improved storm response; (f) the powers
39 required by LIPA to more effectively operate the utility; (g) the over-
40 sight role of the department of public service and the public service
41 commission over LIPA's operation; (h) the impact on existing bonded
42 indebtedness; (i) improved long term energy planning; (j) compliance
43 with the goals of the New York state climate leadership and community
44 protection act; (k) increased reliance on renewable energy sources to
45 produce electricity; (l) taxation and payments in lieu of taxes; (m) the
46 special needs of communities that are or have been impacted by the
47 siting of power generating facilities; and (n) any other matter relevant
48 to the establishment of a public power model for the operation of LIPA.
49 In its report to the legislature, the commission shall provide for the
50 implementation of the public power model by LIPA no later than December
51 thirty-first, two thousand twenty-five.

52 3. The commission shall consist of eight members to be appointed as
53 follows: three members of the senate shall be appointed by the temporary
54 president of the senate; three members of the assembly shall be
55 appointed by the speaker of the assembly; one member of the senate shall
56 be appointed by the minority leader of the senate; and one member of the

1 assembly shall be appointed by the minority leader of the assembly. Any
2 vacancy that occurs in the commission shall be filled in the same manner
3 in which the original appointment was made. Co-chairs of the commission
4 shall be designated by the temporary president of the senate and the
5 speaker of the assembly, respectively. No member, officer, or employee
6 of the commission shall be disqualified from holding any other public
7 office or employment, nor shall he or she forfeit any such office or
8 employment by reason of his or her appointment hereunder, notwithstanding
9 the provisions of any general, special, or local law, ordinance, or
10 city charter.

11 4. The commission shall establish an advisory committee to actively
12 assist and advise the commission in the preparation of the public power
13 report required to be prepared pursuant to this section. The committee
14 shall consist of not more than fifteen members which shall include but
15 not be limited to representatives of organizations and institutions
16 representing business, labor, local government, Indian nations and
17 tribes, economic development, environmental, energy, social justice,
18 consumer, civic, school districts or higher education interests. The
19 committee by a majority vote shall elect a chairperson. The commission
20 shall meet periodically with the advisory committee, make available
21 working draft and other documents, and shall provide services to the
22 advisory committee as are necessary and appropriate to carry out its
23 functions under this section. Members of the advisory committee shall be
24 residents of the service area.

25 5. The commission may employ and at pleasure remove such personnel as
26 it may deem necessary for the performance of the commission's functions
27 and fix their compensation within the amount appropriated therefor. The
28 commission may hold public and private hearings and otherwise have all
29 of the powers of a legislative committee under this chapter. The members
30 of the commission shall receive no compensation for their services,
31 except as provided pursuant to section five-a of this chapter, but shall
32 be allowed their actual and necessary expenses incurred in the perform-
33 ance of their duties hereunder.

34 6. Employees of the commission shall be considered to be employees of
35 the legislature for all purposes.

36 7. The commission may request and shall receive from any subdivision,
37 department, board, bureau, commission, office, agency or other instru-
38 mentality of the state or of any political subdivision thereof, includ-
39 ing but not limited to the department of public service and the public
40 service commission, such facilities, assistance and data as it deems
41 necessary or desirable for the proper execution of its powers and
42 duties. The office of the state comptroller may, at its discretion,
43 provide to the commission such facilities, assistance, and data as may
44 be requested by the commission.

45 8. The commission is hereby authorized and empowered to make and sign
46 any agreements, and to do and perform any acts that may be necessary,
47 desirable or proper to carry out the purposes and objectives set forth
48 in this section.

49 9. The commission shall hold at least one public hearing with a public
50 comment period in each of the counties comprising the service area of
51 the Long Island Power Authority on the establishment of public power by
52 September thirtieth, two thousand twenty-two and before issuing a draft
53 report.

54 10. No later than December thirty-first, two thousand twenty-two, the
55 commission shall issue a draft report to the members of the legislature
56 regarding the establishment of a public power model for the Long Island

1 Power Authority. The commission shall hold at least one public hearing
2 with a public comment period in each of the counties comprising the
3 service area of the Long Island Power Authority on the draft report no
4 later than February fifteenth, two thousand twenty-three and before
5 issuing a final report.

6 11. No later than February first, two thousand twenty-three, the comp-
7 troller shall have the discretion to review the draft report and issue
8 to the legislature any recommendations relative to the findings
9 contained in the draft report which relates to the establishment of a
10 public power model for the Long Island Power Authority.

11 12. No later than April first, two thousand twenty-three, the commis-
12 sion shall issue a final report to the members of the legislature
13 regarding the establishment of a public power model for the Long Island
14 Power Authority. Such report shall provide any legislation required to
15 implement the public power model.

16 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
17 sion, section or part of this act shall be adjudged by any court of
18 competent jurisdiction to be invalid, such judgment shall not affect,
19 impair, or invalidate the remainder thereof, but shall be confined in
20 its operation to the clause, sentence, paragraph, subdivision, section
21 or part thereof directly involved in the controversy in which such judg-
22 ment shall have been rendered. It is hereby declared to be the intent of
23 the legislature that this act would have been enacted even if such
24 invalid provisions had not been included herein.

25 § 3. This act shall take effect immediately; provided, however, that
26 the amendments to article 5-A of the legislative law made by section one
27 of this act shall survive the repeal of such article as provided in
28 section 13 of chapter 141 of the laws of 1994, as amended.

29 PART GG

30 Section 1. Paragraph a of section 11.00 of the local finance law is
31 amended by adding a new subdivision 109 to read as follows:

32 109. Payment of a final judgment or a compromised or settled claim
33 against the city of Long Beach in the case of Matter of Haberman v.
34 Zoning Board of Appeals of City of Long Beach decided in the Nassau
35 County Supreme Court (Index # 001138/04) on January eleventh, two thou-
36 sand twenty-one, thirty years; provided however, that such bonds shall
37 not exceed an aggregate amount of one hundred two million dollars. To
38 facilitate the marketing of any issue of bonds to finance such object or
39 purpose, the city of Long Beach may, notwithstanding any limitations on
40 private sales of bonds provided by law, and subject to approval by the
41 state comptroller of the terms and conditions of such sale:

42 (a) arrange for the underwriting of such bonds at private sale through
43 negotiated agreement, compensation for such underwriting to be provided
44 by negotiated fee or by sale of such bonds to an underwriter at a price
45 less than the sum of par value of, and the accrued interest on, such
46 obligations; or

47 (b) arrange for the private sale of its bonds through negotiated
48 agreement, compensation for such sale to be provided by negotiated fee,
49 if required. The cost of such underwriting or private placement shall be
50 deemed a preliminary cost for purposes of this section.

51 § 2. This act shall take effect immediately.

52 PART HH

1 Section 1. Subdivision (a) of section 161 of the family court act is
2 amended to read as follows:

3 (a) The days and hours the court is open shall be as provided by rule
4 of court; provided, that the chief administrator of the courts shall
5 require that the court remain open until midnight at least one night a
6 week in at least two counties in the city of New York, effective January
7 first, two thousand twenty-three, and in at least three counties in such
8 city, effective January first, two thousand twenty-four. When a court
9 remains open until midnight on a day as provided herein, the chief
10 administrator shall determine the classes of cases that may be heard in
11 such court after five o'clock p.m. and such classes of cases may be
12 heard by the court until midnight on such day; except that, where such
13 classes include cases in which petitions are filed pursuant to articles
14 three, six, eight, and ten of this act, the clerk of such court shall
15 accept such petitions until eleven o'clock p.m. on such day.

16 § 2. Not later than December 1, 2024, the chief administrator of the
17 courts shall submit to the legislature, the governor, and the chief
18 judge of the state a report evaluating the use of family court in the
19 counties wherein the chief administrator, pursuant to subdivision (a) of
20 section 161 of the family court act, as amended pursuant to section one
21 of this act, has required that the court remain open until midnight.

22 § 3. This act shall take effect immediately and shall expire April 1,
23 2025 when upon such date the provisions of this act shall be deemed
24 repealed.

25 PART II

26 Section 1. Subdivision 4 of section 209-b of the general municipal
27 law, as amended by chapter 476 of the laws of 2018, is amended to read
28 as follows:

29 4. Fees and charges [~~prohibited~~] authorized. [~~Emergency~~] (a) Subject
30 to the restrictions set forth in paragraph (d) of this subdivision,
31 emergency and general ambulance service, including emergency medical
32 service as defined in section three thousand one of the public health
33 law, authorized pursuant to this section [~~shall~~] may be furnished with-
34 out cost to the person served; provided, however, that the authorities
35 having control of a fire department or fire company that have authorized
36 such fire department or fire company to provide such service or services
37 may fix a schedule of fees or charges to be paid by persons requesting
38 such service or services. The authorities having control of a fire
39 department or fire company may provide for the collection of fees and
40 charges or may formulate rules and regulations for the collection there-
41 of by the fire department or fire company. When fees and charges are
42 authorized pursuant to this subdivision, the fees and charges collected
43 shall be disbursed in accordance with a written contract entered into
44 between the authority having control of a fire department or fire compa-
45 ny and the fire department or fire company itself. The acceptance by
46 any firefighter of any personal remuneration or gratuity, directly or
47 indirectly, from a person served shall be a ground for his or her expul-
48 sion or suspension as a member of the fire department or fire company.

49 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
50 sion, a basic life support service which establishes a schedule of fees
51 for service shall enter into a contract with a provider or providers of
52 advanced life support services to provide such advanced life support
53 services. Such contract shall at a minimum establish the fees for
54 advanced life support services and the means by which said provider will

1 be reimbursed when the ambulance service bills for emergency medical
2 service.

3 (c) An emergency and general ambulance service, including emergency
4 medical service as defined in section three thousand one of the public
5 health law, authorized pursuant to this section which does not issue a
6 bill for its services and which requests an Advanced Life Support (ALS)
7 intercept from another ambulance service furnishing service in an area
8 that is designated as a rural area by any law or regulation of the
9 state, or that is located in a rural census tract of a metropolitan
10 statistical area (as determined under the most recent Goldsmith Modifi-
11 cation), shall pay the ambulance service providing the ALS intercept an
12 ALS Rural Intercept Fee at rates negotiated between the providers of
13 such services. In the absence of any agreed upon rates, the service
14 receiving such ALS intercept shall pay the service providing the ALS
15 intercept for such services at the usual and customary charge, which
16 shall not be excessive or unreasonable.

17 (d) An emergency and general ambulance service, including emergency
18 medical service as defined in section three thousand one of the public
19 health law, authorized pursuant to this section to fix a schedule of
20 fees or charges to be paid by persons requesting such service or
21 services, may apply such fees and charges only within such service's
22 primary response territory as assigned and evidenced by a valid ambu-
23 lance service certificate issued by the commissioner of health pursuant
24 to section three thousand five of the public health law, on or before
25 January first, two thousand twenty-two.

26 (e) An emergency and general ambulance service, including emergency
27 medical service as defined in section three thousand one of the public
28 health law, authorized pursuant to this section shall not directly issue
29 a bill for its services to any uninsured recipient of such services.

30 § 2. Paragraph (e) of subdivision 1 of section 122-b of the general
31 municipal law, as amended by chapter 303 of the laws of 1980, is amended
32 to read as follows:

33 (e) ~~[No]~~ A contract ~~[shall]~~ may be entered into pursuant to the
34 provisions of this section for the services of an emergency rescue and
35 first aid squad of a fire department or fire company which is subject to
36 the provisions of section two hundred nine-b of ~~[the general municipal~~
37 ~~law]~~ this chapter;

38 § 3. Subdivision 1 of section 184 of the town law, as amended by chap-
39 ter 599 of the laws of 1994, is amended to read as follows:

40 1. Whenever the town board shall have established or extended a fire
41 protection district pursuant to the provisions of this article, the town
42 board shall provide for the furnishing of fire protection within the
43 district and for that purpose may (a) contract with any city, village,
44 fire district or incorporated fire company maintaining adequate and
45 suitable apparatus and appliances for the furnishing of fire protection
46 in such district or (b) may acquire by gift or purchase such apparatus
47 and appliances for use in such district and may contract with any city,
48 village, fire district or incorporated fire company for operation, main-
49 tenance, and repair of the same and for the furnishing of fire
50 protection in such district, or both. The contract may also provide for
51 the furnishing of (1) emergency service in case of accidents, calamities
52 or other emergencies in connection with which the services of firefight-
53 ers would be required and (2) general ambulance service subject, howev-
54 er, to the provisions of section two hundred nine-b of the general
55 municipal law. In the event that the fire department or fire company
56 furnishing fire protection within the district pursuant to contract does

1 not maintain and operate an ambulance then a separate contract may be
2 made for the furnishing within the district of emergency ambulance
3 service or general ambulance service, or both, with any city, village or
4 fire district the fire department of which, or with an incorporated fire
5 company having its headquarters outside the district which, maintains
6 and operates an ambulance subject, however, in the case of general ambu-
7 lance service, to the provisions of section two hundred nine-b of the
8 general municipal law, or with an ambulance service, certified or regis-
9 tered pursuant to article thirty of the public health law[~~, which is not~~
10 ~~organized under the provisions of section two hundred nine-b of the~~
11 ~~general municipal law~~]. Any such contract with any such ambulance
12 service permitted herein shall be subject to the provisions of this
13 section.

14 § 4. This act shall take effect on the ninetieth day after it shall
15 have become a law and shall apply to health care claims submitted on or
16 after such date.

17 PART JJ

18 Section 1. Section 163 of the state finance law is amended by adding
19 a new subdivision 16 to read as follows:

20 16. Consultant services. a. Before a state agency enters into a
21 contract for consultant services which is anticipated to cost more than
22 one million dollars in a twelve month period the state agency shall
23 conduct a cost comparison review to determine whether the services to be
24 provided by the consultant can be performed at equal or lower cost by
25 utilizing state employees, unless the contract meets one of the
26 exceptions set forth in paragraph g of this subdivision. As used in this
27 section, the term "consultant services" shall mean any contract entered
28 into by a state agency for analysis, evaluation, research, training,
29 data processing, computer programming, the design, development and
30 implementation of technology, communications or telecommunications
31 systems or the infrastructure pertaining thereto, including hardware and
32 software, engineering including inspection and professional design
33 services, health services, mental health services, accounting, auditing,
34 or similar services and such services that are substantially similar to
35 and in lieu of services provided, in whole or in part, by state employ-
36 ees, but shall not include legal services or services in connection with
37 litigation including expert witnesses and shall not include contracts
38 for construction of public works. For purposes of this subdivision, the
39 costs of performing the services by state employees shall include any
40 salary, pension costs, all other benefit costs, costs that are required
41 for equipment, facilities and all other overhead. The costs of consult-
42 ant services shall include the total cost of the contract including
43 costs that are required for equipment, facilities and all other overhead
44 and any continuing state costs directly associated with a contractor
45 providing a contracted function including, but not limited to, those
46 costs for inspection, supervision, monitoring of the contractor's work
47 and any pro rata share of existing costs or expenses, including adminis-
48 trative salaries and benefits, rent, equipment costs, utilities and
49 materials. The cost comparison shall be expressed where feasible as an
50 hourly rate, or where such a calculation is not feasible, as a total
51 estimated cost for the anticipated term of the contract.

52 b. Prior to entering any consultation services contract for the priva-
53 tization of a state service that is not currently privatized, the state

1 agency shall develop a cost comparison review in accordance with the
2 provisions of paragraph a of this subdivision.

3 c. (i) If such cost comparison review identifies a cost savings to the
4 state of ten percent or more, and such consultant services contract will
5 not diminish the quality of such service, the state agency shall develop
6 a business plan, in accordance with the provisions of paragraph d of
7 this subdivision, in order to evaluate the feasibility of entering any
8 such contract and to identify the potential results, effectiveness and
9 efficiency of such contract.

10 (ii) If such cost comparison review identifies a cost savings of less
11 than ten percent to the state and such consultant services contract will
12 not diminish the quality of such service, the state agency may develop a
13 business plan, in order to evaluate the feasibility of entering any such
14 contract and to identify the potential results, effectiveness and effi-
15 ciency of such contract, provided there is a significant public policy
16 reason to enter into such consultant services contract.

17 (iii) If any such proposed consultant services contract would result
18 in the layoff, transfer or reassignment of fifty or more state agency
19 employees, after consulting with the potentially affected bargaining
20 units, if any, the state agency shall notify the state employees of such
21 bargaining unit, after such cost comparison review is completed. Such
22 state agency shall provide an opportunity for said employees to reduce
23 the costs of conducting the operations to be privatized and provide
24 reasonable resources for the purpose of encouraging and assisting such
25 state employees to organize and submit a bid to provide the services
26 that are the subject of the potential consultant services contract.

27 d. Any business plan developed by a state agency for the purpose of
28 complying with paragraph c of this subdivision shall include: (i) the
29 cost comparison review as described in paragraph b of this subdivision,
30 (ii) a detailed description of the service or activity that is the
31 subject of such business plan, (iii) a description and analysis of the
32 state agency's current performance of such service or activity, (iv) the
33 goals to be achieved through the proposed consultant services contract
34 and the rationale for such goals, (v) a description of available options
35 for achieving such goals, (vi) an analysis of the advantages and disad-
36 vantages of each option, including, at a minimum, potential performance
37 improvements and risks attendant to termination of the contract or
38 rescission of such contract, (vii) a description of the current market
39 for the services or activities that are the subject of such business
40 plan, (viii) an analysis of the quality of services as gauged by stand-
41 ardized measures and key performance requirements including compen-
42 sation, turnover, and staffing ratios, (ix) a description of the specif-
43 ic results based performance standards that shall, at a minimum be met,
44 to ensure adequate performance by any party performing such service or
45 activity, (x) the projected time frame for key events from the beginning
46 of the procurement process through the expiration of a contract, if
47 applicable, (xi) a specific and feasible contingency plan that addresses
48 contractor nonperformance and a description of the tasks involved in and
49 costs required for implementation of such plan, and (xii) a transition
50 plan, if appropriate, for addressing changes in the number of agency
51 personnel, affected business processes, employee transition issues, and
52 communications with affected stakeholders, such as agency clients and
53 members of the public, if applicable. Such transition plan shall contain
54 a reemployment and retraining assistance plan for employees who are not
55 retained by the state or employed by the contractor. If any part of such
56 business plan is based upon evidence that the state agency is not suffi-

1 ciently staffed to provide the services required by the consultant
2 services contract, the state agency shall also include within such busi-
3 ness plan a recommendation for remediation of the understaffing to allow
4 such services to be provided directly by the state agency in the future.

5 e. Upon the completion of such business plan, the state agency shall
6 submit the business plan to the state comptroller.

7 f. (i) Not later than sixty days after receipt of any business plan,
8 the state comptroller shall transmit a report detailing its review,
9 evaluation and disposition regarding such business plan to the state
10 agency that submitted such cost comparison review. Such sixty-day period
11 may be extended for an additional thirty days upon a showing of good
12 cause.

13 (ii) The state comptroller's report shall include the business plan
14 prepared by the state agency, the reasons for approval or disapproval,
15 any recommendations or other information to assist the state agency in
16 determining if additional steps are necessary to move forward with a
17 consultant services contract.

18 (iii) If the state comptroller does not act on a business plan submit-
19 ted by a state agency within ninety days of receipt of such business
20 plan, such business plan shall be deemed approved.

21 g. A cost comparison shall not be required if the contracting agency
22 demonstrates:

23 (i) the services are incidental to the purchase of real or personal
24 property; or

25 (ii) the contract is necessary in order to avoid a conflict of inter-
26 est on the part of the agency or its employees; or

27 (iii) the services are of such a highly specialized nature that it is
28 not feasible to utilize state employees to perform them or require
29 special equipment that is not feasible for the state to purchase or
30 lease; or

31 (iv) the services are of such an urgent nature that it is not feasible
32 to utilize state employees; or

33 (v) the services are anticipated to be short term and are not likely
34 to be extended or repeated after the contract is completed; or

35 (vi) a quantifiable improvement in services that cannot be reasonably
36 duplicated; or

37 (vii) the contract is awarded to businesses certified pursuant to
38 article fifteen-A of the executive law.

39 h. Nothing in this section shall be deemed to authorize a state agency
40 to enter into a contract which is otherwise prohibited by law.

41 i. All documents related to the cost comparison and business plan
42 required by this subdivision and the determinations made pursuant to
43 paragraph g of this subdivision shall be public records subject to
44 disclosure pursuant to article six of the public officers law.

45 § 2. On or before December 31, 2023 the state comptroller shall
46 prepare a report, to be delivered to the governor, the temporary presi-
47 dent of the senate and the speaker of the assembly. Such report shall
48 include, but need not be limited to, an analysis of the effectiveness of
49 the cost comparison review program and an analysis of the cost savings
50 associated with performing such cost comparison.

51 § 3. This act shall take effect on the ninetieth day after it shall
52 have become a law and shall apply to all contracts solicited or entered
53 into by state agencies after the effective date of this act; provided,
54 however, the amendments to section 163 of the state finance law made by
55 section one of this act shall not affect the repeal of such section and
56 shall be deemed repealed therewith.

1 PART KK

2 Section 1. Section 54-m of the state finance law is REPEALED.
3 § 2. This act shall take effect immediately.

4 PART LL

5 Section 1. Section 722-b of the county law, as amended by section 2 of
6 part J of chapter 62 of the laws of 2003, is amended to read as follows:
7 § 722-b. Compensation and reimbursement for representation. 1. All
8 counsel assigned in accordance with a plan of a bar association conform-
9 ing to the requirements of section seven hundred twenty-two of this
10 article whereby the services of private counsel are rotated and coordi-
11 nated by an administrator shall at the conclusion of the representation
12 receive:

13 (a) for representation of a person entitled to representation by law
14 who is initially charged with a misdemeanor or lesser offense and no
15 felony, compensation for such misdemeanor or lesser offense represen-
16 tation at a rate of [~~sixty~~] one hundred twenty dollars per hour for time
17 expended in court or before a magistrate, judge or justice, and [~~sixty~~]
18 one hundred twenty dollars per hour for time reasonably expended out of
19 court, and shall receive reimbursement for expenses reasonably incurred;
20 and

21 (b) for representation of a person in all other cases governed by this
22 article, including all representation in an appellate court, compen-
23 sation at a rate of [~~seventy-five~~] one hundred fifty dollars per hour
24 for time expended in court before a magistrate, judge or justice and
25 [~~seventy-five~~] one hundred fifty dollars per hour for time reasonably
26 expended out of court, and shall receive reimbursement for expenses
27 reasonably incurred.

28 2. [~~Except as provided in this section, compensation for time expended~~
29 ~~in providing representation.~~

30 ~~(a) pursuant to paragraph (a) of subdivision one of this section shall~~
31 ~~not exceed two thousand four hundred dollars, and~~

32 ~~(b) pursuant to paragraph (b) of subdivision one of this section shall~~
33 ~~not exceed four thousand four hundred dollars]~~ Hourly compensation to be
34 received pursuant to paragraphs (a) and (b) of subdivision one of this
35 section shall be subject to an annual cost of living increase. Such cost
36 of living increase shall be calculated as the current rate of inflation
37 as determined by the consumer price index, as computed by the federal
38 bureau of labor statistics.

39 3. [~~For representation on an appeal, compensation and reimbursement~~
40 ~~shall be fixed by the appellate court. For all other representation,~~
41 ~~compensation and reimbursement shall be fixed by the trial court judge.~~
42 ~~In extraordinary circumstances a trial or appellate court may provide~~
43 ~~for compensation in excess of the foregoing limits and for payment of~~
44 ~~compensation and reimbursement for expenses before the completion of the~~
45 ~~representation.~~

46 4.] Each claim for compensation and reimbursement shall be supported
47 by a sworn statement specifying the time expended, services rendered,
48 expenses incurred and reimbursement or compensation applied for or
49 received in the same case from any other source. No counsel assigned
50 hereunder shall seek or accept any fee for representing the party for
51 whom he or she is assigned without approval of the court as herein
52 provided.

§ 2. Section 722-e of the county law, as amended by section 11 of part VVV of chapter 59 of the laws of 2017, is amended to read as follows:

§ 722-e. Expenses. 1. All expenses for providing counsel and services other than counsel hereunder shall be a county charge or in the case of a county wholly located within a city a city charge to be paid out of an appropriation for such purposes. Provided, however, that any such additional expenses incurred for the provision of counsel and services as a result of the implementation of a plan established pursuant to subdivision four of section eight hundred thirty-two of the executive law, including any interim steps taken to implement such plan, shall be reimbursed by the state to the county or city providing such services. Such plans shall be submitted by the office of indigent legal services to the director of the division of budget for review and approval. However, the director's approval shall be limited solely to the plan's projected fiscal impact of the required appropriation for the implementation of such plan, and his or her approval shall not be unreasonably withheld. The state shall appropriate funds sufficient to provide for the reimbursement required by this section.

2. All expenses for providing counsel and services pursuant to paragraph (a) of subdivision one of section seven hundred twenty-two-b of this article in excess of sixty dollars per hour and paragraph (b) of subdivision one of section seven hundred twenty-two-b of this article in excess of seventy-five dollars per hour shall be funded by the state.

§ 3. Subdivision 3 of section 35 of the judiciary law, as amended by section 5 of part J of chapter 62 of the laws of 2003, is amended to read as follows:

3. No counsel assigned pursuant to this section shall seek or accept any fee for representing the person for whom he or she is assigned without approval of the court as herein provided. Whenever it appears that such person is financially able to obtain counsel or make partial payment for the representation, counsel may report this fact to the court and the court may terminate the assignment or authorize payment, as the interests of justice may dictate, to such counsel. Counsel assigned hereunder shall at the conclusion of the representation receive compensation at a rate of [~~seventy-five~~] one hundred fifty dollars per hour for time expended in court, and [~~seventy-five~~] one hundred fifty dollars per hour for time reasonably expended out of court, and shall receive reimbursement for expenses reasonably incurred. For representation upon a hearing, compensation and reimbursement shall be fixed by the court wherein the hearing was held [~~and such compensation shall not exceed four thousand four hundred dollars. For representation in an appellate court, compensation and reimbursement shall be fixed by such court and such compensation shall not exceed four thousand four hundred dollars. In extraordinary circumstances the court may provide for compensation in excess of the foregoing limits~~].

§ 4. Section 35 of the judiciary law is amended by adding two new subdivisions 9 and 10 to read as follows:

9. Hourly compensation to be received pursuant to subdivision three of this section shall be subject to an annual cost of living increase. Such cost of living increase shall be calculated as the current rate of inflation as determined by the consumer price index, as computed by the federal bureau of labor statistics.

10. All expenses for providing counsel and services pursuant to subdivision three of this section shall be funded by the state.

§ 5. This act shall take effect January 1, 2023. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation

1 necessary for the implementation of this act on its effective date are
2 authorized to be made and completed on or before such effective date.

PART MM

4 Section 1. Paragraph (a) of subdivision 2 of section 112 of the state
5 finance law, as amended by chapter 257 of the laws of 2021, is amended
6 to read as follows:

7 (a) Before any contract made for or by any state agency, department,
8 board, officer, commission, or institution, except the office of general
9 services or its customer agencies serviced by the office of general
10 services business services center, shall be executed or become effec-
11 tive, whenever such contract exceeds fifty thousand dollars in amount
12 and before any contract made for or by the office of general services,
13 whether for itself or for its customer agencies serviced by the office
14 of general services business services center, shall be executed or
15 become effective, whenever such contract exceeds eighty-five thousand
16 dollars in amount, it shall first be approved by the comptroller and
17 filed in his or her office[, ~~with the exception of contracts established~~
18 ~~as a centralized contract through the office of general services and~~
19 ~~purchase orders or other procurement transactions issued under such~~
20 ~~centralized contracts. The~~]. Provided, however, that the comptroller
21 shall make a final written determination with respect to approval of
22 such contract within ninety days of the submission of such contract to
23 his or her office unless the comptroller shall notify, in writing, the
24 state agency, department, board, officer, commission, or institution,
25 prior to the expiration of the ninety day period, and for good cause, of
26 the need for an extension of not more than fifteen days, or a reasonable
27 period of time agreed to by such state agency, department, board, offi-
28 cer, commission, or institution and provided, further, that such written
29 determination or extension shall be made part of the procurement record
30 pursuant to paragraph f of subdivision one of section one hundred
31 sixty-three of this chapter.

32 § 2. Subdivision 5 of section 355 of the education law is REPEALED and
33 a new subdivision 5 is added to read as follows:

34 5. Notwithstanding the provisions of subdivision two of section one
35 hundred twelve and sections one hundred fifteen, one hundred sixty-one,
36 and one hundred sixty-three of the state finance law and section three
37 of the New York state printing and public documents law or any other law
38 to the contrary, the state university trustees are authorized and
39 empowered to:

40 a. (i) purchase materials, proprietary electronic information
41 resources including but not limited to academic, professional, and
42 industry journals, reference handbooks and manuals, research tracking
43 tools, indexes and abstracts equipment and supplies, including computer
44 equipment and motor vehicles, where the amount for a single purchase
45 does not exceed fifty thousand dollars, (ii) execute contracts for
46 services and construction contracts to an amount not exceeding fifty
47 thousand dollars, and (iii) contract for printing to an amount not
48 exceeding fifty thousand dollars, without prior approval by any other
49 state officer or agency, but subject to rules and regulations of the
50 state comptroller not otherwise inconsistent with the provisions of this
51 section and in accordance with the guidelines promulgated by the state
52 university board of trustees after consultation with the state comp-
53 troller. In addition, the trustees, after consultation with the commis-
54 sioner of general services, are authorized to annually negotiate with

1 the state comptroller increases in the aforementioned dollar limits and
2 the exemption of any articles, categories of articles, services, or
3 commodities from these limits;

4 b. establish cash advance accounts for the purpose of purchasing mate-
5 rials, supplies, or services, for cash advances for travel expenses and
6 per diem allowances, or for advance payment of wages and salary. The
7 account may be used to purchase such materials, supplies, or services
8 where the amount of a single purchase does not exceed one thousand
9 dollars, in accordance with such guidelines as shall be prescribed by
10 the state university trustees after consultation with the state comp-
11 troller;

12 c. establish guidelines in consultation with the commissioner of
13 general services authorizing participation by the state university in
14 programs administered by the office of general services for the purchase
15 of available New York state food products. The commissioner of general
16 services shall provide assistance to the state university necessary to
17 enable the university to participate in these programs; and

18 d. award contract extensions for campus transportation without compet-
19 itive bidding where such contracts were secured either through compet-
20 itive bidding or through evaluation of proposals however such extensions
21 may be rejected if the amount to be paid to the contractor in any year
22 of such proposed extension fails to reflect any decrease in the regional
23 consumer price index for the New York, New York-Northeastern, New Jersey
24 area, based upon the consumer price index for all urban consumers
25 (CPI-U) during the preceding twelve-month period. At the time of any
26 contract extension, consideration shall be given to any competitive
27 proposal offered by a public transportation agency. Such contract may be
28 increased for each year of the contract extension by an amount not to
29 exceed the regional consumer price index increase for the New York, New
30 York-Northeastern, New Jersey area, based upon the consumer price index
31 for all urban consumers (CPI-U), during the preceding twelve-month peri-
32 od, provided it has been satisfactorily established by the contractor
33 that there has been at least an equivalent increase in the amount of his
34 cost of operation, during the period of the contract.

35 Guidelines promulgated by the state university board of trustees
36 shall, to the extent practicable, require that competitive proposals be
37 solicited for purchases, and shall include requirements that purchases
38 and contracts authorized under this section be at the lowest available
39 price, including consideration of prices available through other state
40 agencies, consistent with quality requirements, and as will best promote
41 the public interest. Such purchases may be made directly from any
42 contractor pursuant to any contract for commodities let by the office of
43 general services or any other state agency.

44 § 3. Subdivision 6 of section 355 of the education law is REPEALED and
45 a new subdivision 6 is added to read as follows:

46 6. To enter into any contract or agreement deemed necessary or advis-
47 able after consultation with appropriate state agencies for carrying out
48 the objects and purposes of the state university without prior review or
49 approval by any state officer or agency other than the state comptroller
50 and the attorney general including contracts with non-profit corpo-
51 rations organized by officers, employees, alumni or students of the
52 state university for the furtherance of its objects and purposes.
53 Contracts or agreements entered into with the federal government to
54 enable participation in federal student loan programs, including any and
55 all instruments required thereunder, shall not be subject to the
56 requirements of section forty-one of the state finance law; provided,

1 however, that the state shall not be liable for any portion of any
2 defaults which it has agreed to assume pursuant to any such agreement in
3 an amount in excess of money appropriated or otherwise lawfully avail-
4 able therefor at the time the liability for payment arises.

5 § 4. Paragraph b of subdivision 16 of section 355 of the education law
6 is REPEALED and a new paragraph b is added to read as follows:

7 b. (i) Notwithstanding the provisions of subdivision two of section
8 one hundred twelve of the state finance law relating to the dollar
9 threshold requiring the comptroller's approval of contracts and subdivi-
10 sion six of section one hundred sixty-three of the state finance law,
11 authorize contracts for the purchase of goods and services for state
12 university health care facilities:

13 (A) for any contract which does not exceed seventy-five thousand
14 dollars; or

15 (B) for joint or group purchasing arrangements which do not exceed
16 seventy-five thousand dollars without prior approval by any other state
17 officer or agency in accordance with procedures and requirements found
18 in paragraph a of subdivision five of this section.

19 (ii) contracts authorized hereunder shall be subject to article four-
20 teen of the civil service law and the applicable provisions of agree-
21 ments between the state and employee organizations pursuant to article
22 fourteen of the civil service law. The trustees are authorized to nego-
23 tiate annually with the state comptroller increases in the aforemen-
24 tioned dollar limits.

25 § 5. Subdivision 12 of section 373 of the education law is REPEALED
26 and a new subdivision 12 is added to read as follows:

27 12. To make and execute contracts, lease agreements, and all other
28 instruments necessary or convenient for the exercise of its corporate
29 powers and the fulfillment of its corporate purposes under this article;

30 § 6. Subdivision a of section 6218 of the education law is REPEALED
31 and a new subdivision a is added to read as follows:

32 a. Notwithstanding the provisions of subdivision two of section one
33 hundred twelve and sections one hundred fifteen, one hundred sixty-one
34 and one hundred sixty-three of the state finance law and section three
35 of the New York state printing and public documents law or any other law
36 to the contrary, the city university trustees are authorized and
37 empowered to:

38 (i) purchase materials; proprietary electronic information resources,
39 including, but not limited to, academic, professional and industry jour-
40 nals, reference handbooks and manuals, research tracking tools, indexes
41 and abstracts; and equipment and supplies, including computer equipment
42 and motor vehicles, where the amount for a single purchase does not
43 exceed fifty thousand dollars, (ii) execute contracts for services to an
44 amount not exceeding fifty thousand dollars, and (iii) contract for
45 printing to an amount not exceeding fifty thousand dollars, without
46 prior approval by any other state officer or agency, but subject to
47 rules and regulations of the state comptroller not otherwise inconsis-
48 tent with the provisions of this section and in accordance with the
49 guidelines promulgated by the city university board of trustees after
50 consultation with the state comptroller. In addition, the trustees are
51 authorized to annually negotiate with the state comptroller increases in
52 the aforementioned dollar limits and the exemption of any articles,
53 categories of articles, services, or commodities from these limits.
54 Guidelines promulgated by the city university board of trustees shall,
55 to the extent practicable, require that competitive proposals be solici-
56 ted for purchases, and shall include requirements that purchases and

1 contracts authorized under this section be at the lowest available
2 price.

3 § 7. Subdivision a-1 of section 6218 of the education law is REPEALED.

4 § 8. Section 6283 of the education law is REPEALED.

5 § 9. This act shall take effect immediately.

6 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
7 sion, section or part of this act shall be adjudged by any court of
8 competent jurisdiction to be invalid, such judgment shall not affect,
9 impair, or invalidate the remainder thereof, but shall be confined in
10 its operation to the clause, sentence, paragraph, subdivision, section
11 or part thereof directly involved in the controversy in which such judg-
12 ment shall have been rendered. It is hereby declared to be the intent of
13 the legislature that this act would have been enacted even if such
14 invalid provisions had not been included herein.

15 § 3. This act shall take effect immediately provided, however, that
16 the applicable effective date of Parts A through MM of this act shall be
17 as specifically set forth in the last section of such Parts.