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 the education law, in relation to school contracts for excellence; to amend the education law, in relation to foundation aid; to amend the education law, in relation to maintenance of equity aid; to amend the education law, in relation to building aid and the New York state energy research and development authority P-12 schools clean green schools initiative; to amend the education law, in relation to modifying the length of school sessions; to amend the education law, in relation to supplemental public excess cost aid; to amend the education law, in relation to academic enhancement aid; to amend the education law, in relation to high tax aid; to amend the education law, in relation to extending the statewide universal full-day pre-kindergarten program; to amend the education law, in relation to state aid adjustments; to amend chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to reimbursement for the 2022-2023 school year, withholding a portion of employment preparation education aid and in relation to the effectiveness thereof; to amend chapter 169 of the laws of 1994, relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets, in relation to the effectiveness thereof; to amend chapter 147 of the laws of 2001, amending the education law relating to conditional appointment of school district, charter school or BOCES employees, in relation to the effectiveness thereof; to amend chapter 425 of the laws of 2002, amending the education law relating to the provision of supplemental educational services, attendance at a safe public school and the suspension of pupils who bring a firearm to or possess a firearm at a school, in relation to making certain provisions thereof permanent; to amend the No Child Left Behind Act of 2001, in relation to making the provisions thereof permanent; to amend chapter 121 of the laws of 1996, relating to authorizing the Roosevelt union free school district.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [−] is old law to be omitted.
to finance deficits by the issuance of serial bonds, in relation to the amounts of such apportionments; to amend part B of chapter 57 of the laws of 2008 amending the education law relating to the universal prekindergarten program, in relation to the effectiveness thereof; to amend chapter 552 of the laws of 1995, amending the education law relating to contracts for the transportation of school children, in relation to the effectiveness thereof; providing for school bus driver training grants; providing for special apportionment for salary expenses; providing for special apportionment for public pension accruals; to amend the education law, in relation to permitting the city school district of the city of Rochester to make certain purchases from the board of cooperative educational services of the supervisory district serving its geographic region; providing for set-asides from the state funds which certain districts are receiving from the total foundation aid; providing for support of public libraries; and providing for the repeal of certain provisions upon expiration thereof (Part A); to amend the education law, in relation to the reconciliation process for special education schools and replacing the current rate-setting methodology; to amend the education law, in relation to the salary of certain teachers providing instruction in career and technical education to school age students; to amend the education law, in relation to aid for career education; to amend part A of chapter 56 of the laws of 2021, relating to funding from the elementary and secondary school emergency relief fund allocated by the American rescue plan act of 2021, in relation to school funding plans; to amend the education law, in relation to the additional apportionment of building aid for certain projects; to amend the education law, in relation to computation of pupil counts and related factors; to repeal section 3614 of the education law, in relation to statements of total funding allocations; to amend the education law, in relation to reserve funds for 4201 schools; to amend part A of chapter 56 of the laws of 2021, relating to funding from the elementary and secondary school emergency relief fund allocated by the American rescue plan act of 2021, in relation to school funding plans; to amend the education law, in relation to the community school act; to authorize the Peekskill city school district to apply to the commissioner of education to receive an apportionment; and making an appropriation therefor (Part A-1); to amend the education law and the local finance law, in relation to zero-emission school buses (Subpart A); to amend the transportation law, in relation to the purchase of zero-emission buses; and to amend the public authorities law and the general municipal law, in relation to the procurement of electric-powered buses, vehicles or other related equipment (Subpart B); and to amend the executive law, in relation to purchasing or leasing of zero emission vehicles for state-owned vehicle fleets; and to amend the public authorities law, in relation to creating a zero emission transit and school bus roadmap for the state (Subpart C) (Part B); intentionally omitted (Part C); to amend the education law, in relation to state appropriations for reimbursement of tuition credits (Part D); to amend the education law, in relation to the expansion of the part-time tuition assistance program (Part E); to amend the education law, in relation to eligibility requirements and conditions for tuition assistance program awards; and
to repeal certain provisions of the education law relating to the ban on incarcerated individuals to be eligible to receive state aid (Part F); to amend the education law, in relation to establishing the amount awarded for the excelsior scholarship (Part G); to amend the education law, in relation to including certain apprenticeships in the definition of "eligible educational institution" for the New York state college choice tuition savings program (Part H); intentionally omitted (Part I); to amend the education law, in relation to registration of a new curriculum or program of study offered by a not-for-profit college or university (Part J); to amend the business corporation law, the partnership law and the limited liability company law, in relation to certified public accountants (Part K); to amend the social services law, in relation to expanding child care assistance (Part L); intentionally omitted (Part M); to amend part C of chapter 83 of the laws of 2002, amending the executive law and other laws relating to funding for children and family services, in relation to extending the effectiveness thereof (Part N); to amend the social services law, in relation to reimbursement for a portion of the costs of social services districts for care provided to foster children in institutions, group residences, group homes, and agency operated boarding homes (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); to amend the executive law, in relation to increasing the amount of reimbursement the division of veterans' affairs shall provide to local veterans' service agencies for the cost of maintenance of such agencies (Part R); to amend the social services law, in relation to increasing the standards of monthly need for aged, blind and disabled persons living in the community (Part S); to amend part W of chapter 54 of the laws of 2016 amending the social services law relating to the powers and duties of the commissioner of social services relating to the appointment of a temporary operator, in relation to the effectiveness thereof (Part T); to amend the social services law, in relation to the public benefits and requirements; and to repeal certain provisions of such law relating thereto (Part U); intentionally omitted (Part V); intentionally omitted (Part W); intentionally omitted (Part X); to utilize reserves in the mortgage insurance fund for various housing purposes (Part Z); intentionally omitted (Part AA); intentionally omitted (Part BB); intentionally omitted (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); intentionally omitted (Part FF); to amend the executive law, the public authorities law and the county law, in relation to requiring certain documents and forms to be provided in multiple languages (Part GG); to amend the retirement and social security law, in relation to waiving approval and income limitations on retirees employed in a school district or a board of cooperative educational services; and providing for the repeal of such provisions upon expiration thereof (Part HH); intentionally omitted (Part II); to amend the labor law, in relation to employer contributions to the unemployment insurance fund and the unemployment insurance maximum benefit rate (Part JJ); to amend the education law, in relation to mandatory university fees (Part KK); to amend the education law, in relation to increasing the income eligibility threshold for the tuition assistance program (Part LL); to amend the public housing law, in relation to establishing the housing access voucher program (Part NN); to amend the social services law, in relation to the low-income home energy

assistance program (Subpart A); directing the office of temporary and
disability assistance to conduct a public outreach program regarding
utilities assistance (Subpart B) (Part OO); and to amend the social
services law, in relation to the powers of a social services official
to receive and dispose of a deed, mortgage or lien (Part PP)

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

1. Section 1. This act enacts into law major components of legislation
necessary to implement the state education, labor, housing and family
assistance budget for the 2022-2023 state fiscal year. Each component is
wholly contained within a Part identified as Parts A through PP. The
effective date for each particular provision contained within such Part
is set forth in the last section of such Part. Any provision in any
section contained within a Part, including the effective date of the
Part, which makes a reference to a section "of this act", when used in
connection with that particular component, shall be deemed to mean and
refer to the corresponding section of the Part in which it is found.

Section three of this act sets forth the general effective date of this
act.

PART A

Section 1. Paragraph e of subdivision 1 of section 211-d of the educa-
tion law, as amended by section 1 of part A of chapter 56 of the laws of
2021, is amended to read as follows:

e. Notwithstanding paragraphs a and b of this subdivision, a school
district that submitted a contract for excellence for the two thousand
eight--two thousand nine school year shall submit a contract for excel-
lence for the two thousand nine--two thousand ten school year in
conformity with the requirements of subparagraph (vi) of paragraph a of
subdivision two of this section unless all schools in the district are
identified as in good standing and provided further that, a school
district that submitted a contract for excellence for the two thousand
nine--two thousand ten school year, unless all schools in the district
are identified as in good standing, shall submit a contract for excel-
lence for the two thousand eleven--two thousand twelve school year which
shall, notwithstanding the requirements of subparagraph (vi) of para-
graph a of subdivision two of this section, provide for the expenditure
of an amount which shall be not less than the product of the amount
approved by the commissioner in the contract for excellence for the two
thousand nine--two thousand ten school year, multiplied by the
district's gap elimination adjustment percentage and provided further
that, a school district that submitted a contract for excellence for the
two thousand eleven--two thousand twelve school year, unless all schools
in the district are identified as in good standing, shall submit a
contract for excellence for the two thousand twelve--two thousand thir-
teen school year which shall, notwithstanding the requirements of
subparagraph (vi) of paragraph a of subdivision two of this section,
provide for the expenditure of an amount which shall be not less than
the amount approved by the commissioner in the contract for excellence
for the two thousand eleven--two thousand twelve school year and
provided further that, a school district that submitted a contract for
excellence for the two thousand twelve--two thousand thirteen school
year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand thirteen--two thousand fourteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twelve--two thousand thirteen school year and provided further that, a school district that submitted a contract for excellence for the two thousand thirteen--two thousand fourteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand fourteen--two thousand fifteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand fourteen--two thousand fifteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand fifteen--two thousand sixteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand sixteen--two thousand seventeen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand sixteen--two thousand seventeen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand seventeen--two thousand eighteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand eighteen--two thousand nineteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand eighteen--two thousand nineteen school year, unless all schools
in the district are identified as in good standing, shall submit a
contract for excellence for the two thousand nineteen--two thousand
twenty school year which shall, notwithstanding the requirements of
paragraph (vi) of subdivision two of this section, provide for the expenditure of an amount which shall be not less than
the amount approved by the commissioner in the contract for excellence
for the two thousand eighteen--two thousand nineteen school year; and
provided further that, a school district that submitted a contract for
excellence for the two thousand nineteen--two thousand twenty school
year, unless all schools in the district are identified as in good
standing, shall submit a contract for excellence for the two thousand
twenty--two thousand twenty-one school year which shall, notwithstanding
the requirements of subdivision two of this section, provide for the expenditure of an amount which shall be not less than
the amount approved by the commissioner in the contract for excellence
for the two thousand nineteen--two thousand twenty school
year; and provided further that, a school district that submitted a contract for
excellence for the two thousand twenty--two thousand twenty-one school
year, unless all schools in the district are identified as in good
standing, shall submit a contract for excellence for the two thousand
twenty-one--two thousand twenty-two school year which shall, notwithstanding
the requirements of subdivision two of this section, provide for the expenditure of an amount which shall be not less than
the amount approved by the commissioner in the contract for excellence
for the two thousand twenty-one--two thousand twenty-two school year.

For purposes of this paragraph, the "gap elimination adjustment percent-
age" shall be calculated as the sum of one minus the quotient of the sum
of the school district's net gap elimination adjustment for two thousand
ten--two thousand eleven computed pursuant to chapter fifty-three of the
laws of two thousand ten, making appropriations for the support of
government, plus the school district's gap elimination adjustment for
two thousand eleven--two thousand twelve as computed pursuant to chapter fifty-three of the
laws of two thousand ten, making appropriations for the support of
the local assistance budget, including support for
general support for public schools, divided by the total aid for adjust-
ment computed pursuant to chapter fifty-three of the laws of two thou-
sand eleven, making appropriations for the local assistance budget,
including support for general support for public schools. Provided,
further, that such amount shall be expended to support and maintain
allowable programs and activities approved in the two thousand nine--two
thousand ten school year or to support new or expanded allowable
programs and activities in the current year.

§ 2. Subdivision 4 of section 3602 of education law is amended by
adding a new paragraph j to read as follows:

j. Foundation aid payable in the two thousand twenty-two--two thousand
twenty-three school year. Notwithstanding any provision of law to the
contrary, foundation aid payable in the two thousand twenty-two--two
thousand twenty-three school year shall be equal to the sum of the total
foundation aid base computed pursuant to paragraph j of subdivision one
of this section plus the greater of (a) the product of the phase-in
foundation increase factor as computed pursuant to subparagraph (ii) of
paragraph b of this subdivision multiplied by the positive difference,
if any, of (i) total foundation aid computed pursuant to paragraph a of
this subdivision less (ii) the total foundation aid base computed pursuant
base computed pursuant to paragraph j of subdivision one of this
section, or (b) the prod-
uct of three hundredths (0.03) multiplied by the total foundation aid

§ 3. Section 3602 of the education law is amended by adding a new
subsection 4-a to read as follows:

 4-a. Foundation Aid Maintenance of Equity Aid. 1. For purposes of
this subdivision the following terms shall be defined as follows:

  a. "High-need LEAs" shall mean local educational agencies with (1) the
highest percentage of economically disadvantaged students as calculated
based on the most recent small area income and poverty estimates
provided by the United States census bureau and (2) the cumulative sum
of local educational agency enrollment for the base year is greater than
or equal to the product of five-tenths (0.5) and the statewide total of
such enrollment.

  b. "Highest-poverty LEAs" shall mean local educational agencies with
(1) the highest percentage of economically disadvantaged students as
calculated based on the most recent small area income and poverty esti-
mates provided by the United States census bureau and (2) the cumulative
sum of local educational agency enrollment for the base year is greater
than or equal to the product of two-tenths (0.2) and the statewide total
of such enrollment.

  c. "Eligible districts" shall mean school districts defined as high-
need LEAs or highest-poverty LEAs in the current year which are subject
to the state level maintenance of equity requirement in the American
Rescue Plan Act of 2021, Section 2004, Part 1, Subtitle A, Title II,
(Public Law 117-2) for the current year.

  d. "State funding" shall mean any apportionment provided pursuant to
sections seven hundred one, seven hundred eleven, seven hundred fifty-
one, and seven hundred fifty-three of this chapter plus apportionments
pursuant to subdivisions four, five-a, ten, twelve, and sixteen of this
section.

  e. "Local Educational Agency Enrollment" shall mean the unduplicated
count of all children registered to receive educational services in
grades kindergarten through twelve, including children in ungraded
programs, as registered on the date prior to November first that is
specified by the commissioner as the enrollment reporting date, regis-
tered in a local educational agency as defined pursuant to section 7801
of title 20 of the United States Code.

  2. Eligible districts shall receive an apportionment of foundation aid
maintenance of equity aid in the current year if the commissioner, in
consultation with the director of the budget, determines the district
would otherwise receive a reduction in state funding on a per pupil
basis inconsistent with the federal state level maintenance of equity
requirement. This apportionment shall be equal to the amount necessary
to ensure compliance with the federal state level maintenance of equity
requirement. This apportionment shall be paid in the current year
pursuant to section thirty-six hundred nine-a of this part.
§ 4. Clause (ii) of paragraph j of subdivision 1 of section 3602 of the education law, as amended by section 11 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

(ii) For aid payable in the two thousand eight--two thousand nine school year and thereafter, the total foundation aid base shall equal the total amount a district was eligible to receive in the base year pursuant to subdivision four of this section plus foundation aid maintenance of equity aid pursuant to subdivision four-a of this section.

§ 5. Section 3602-b of the education law is amended by adding a new subdivision 3 to read as follows:

3. a. In addition to apportionments calculated pursuant to subdivisions one and two of this section, each school district employing fewer than eight teachers defined as eligible pursuant to paragraph one of subdivision four-a of section thirty-six hundred two of this part shall receive an additional apportionment of public money in the current year if the commissioner, in consultation with the director of the budget, determines the district would otherwise receive a reduction in state funding, as defined in subparagraph d of paragraph one of subdivision four-a of section thirty-six hundred two of this part, on a per pupil basis inconsistent with the federal state level maintenance of equity requirement.

b. The maintenance of equity aid shall be equal to the amount necessary to ensure compliance with the federal state level maintenance of equity requirement in the American Rescue Plan Act of 2021, Section 2004, Part 1, Subtitle A, Title II, (Public Law 117-2) for the current year.

§ 6. Section 3602 of the education law is amended by adding a new subdivision 6-i to read as follows:

6-i. Building aid and the New York state energy research and development authority P-12 schools: clean green schools initiative. 1. For aid payable in the school years two thousand twenty-two--two thousand twenty-three and thereafter, notwithstanding any provision of law to the contrary, the apportionment to any district under subdivision six, six-a, six-b, six-c, six-e, six-f, or six-h of this section for capital outlays for school building projects for energy efficiency shall not exclude grants authorized pursuant to the New York state energy research and development authority P-12 schools: clean green schools initiative from aidable expenditures, provided that the sum of apportionments for these projects calculated pursuant to subdivision six, six-a, six-b, six-c, six-e, six-f, or six-h of this section and such grants shall not exceed the actual project expenditures.

2. The New York state energy research and development authority shall provide a list of energy efficiency grants awarded to each school district to the commissioner no later than one month prior to the end of each calendar year and each school year. This list shall include the capital construction project or projects funded by the grants, the award amounts of each individual project grant, the district receiving such grants, the schools receiving such grants, the date on which the grant was received, and any other information necessary for the calculation of aid pursuant to subdivision six, six-a, six-b, six-c, six-e, six-f, or six-h of this section.

§ 7. Paragraph a of subdivision 4 of section 3204 of the education law is amended to read as follows:

a. A full time day school or class, except as otherwise prescribed, shall be in session for not less than one hundred [ninety] eighty days
each year, [inclusive] exclusive of legal holidays that occur during the
term of said school and exclusive of Saturdays.
§ 8. Paragraph s of subdivision 1 of section 3602 of the education
law, as amended by section 11 of part B of chapter 57 of the laws of
2007, is amended to read as follows:
s. "Extraordinary needs count" shall mean the sum of the product of
the [limited English proficiency] English language learner count multi-
plied by fifty percent, plus, the poverty count and the sparsity count.
§ 9. Subdivision 6 of section 3602 of the education law is amended by
adding a new paragraph k to read as follows:
k. Final cost report penalties. (1) All acts done and proceedings
heretofore had and taken or caused to be had and taken by school
districts and by all its officers or agents relating to or in connection
with final building cost reports required to be filed with the depart-
ment for approved building projects for which a certificate of substan-
tial completion was and/or is issued on or after April first, nineteen
hundred ninety-five, where a final cost report was not submitted by June
thirty-first of the school year in which the certificate of substantial
completion of the project was issued by the architect or engineer, or
six months after issuance of such certificate, whichever was later, and
all acts incidental thereto are hereby legalized, validated, ratified
and confirmed, notwithstanding any failure to comply with the approval
and filing provisions of the education law or any other law or any other
statutory authority, rule or regulation, in relation to any omission,
error, defect, irregularity or illegality in such proceedings had and
taken.
(2) The department is hereby directed to consider the approved costs
of the aforementioned projects as valid and proper obligations of such
school districts and shall not recover on or after July first, two thou-
sand thirteen any penalty arising from the late filing of a final cost
report, provided that any amounts already so recovered on or after July
first, two thousand thirteen shall be deemed a payment of moneys due
for prior years pursuant to paragraph c of subdivision five of section
thirty-six hundred four of this part and shall be paid to the appropri-
ate district pursuant to such provision, provided that:
(a) such school district submitted the late or missing final building
cost report to the commissioner;
(b) such cost report is approved by the commissioner;
(c) all state funds expended by the school district, as documented in
such cost report, were properly expended for such building project in
accordance with the terms and conditions for such project as approved by
the commissioner; and
(d) the failure to submit such report in a timely manner was an inadvertent administrative or ministerial oversight by the school district,
and there is no evidence of any fraudulent or other improper intent by
such district.
§ 10. Section 3625 of the education law is amended by adding a new
subdivision 5 to read as follows:
5. Transportation contract penalties. a. All acts done and proceedings
heretofore had and taken or caused to be had and taken relating to or in
connection with a transportation contract, and all acts incidental here-
to are hereby legalized, validated, ratified and confirmed, notwithstanding any failure to comply with the contract award, approval and
filing provisions of the education law, the general municipal law or any
other law or any other statutory authority, rule or regulation, other than those filing provisions defined in paragraph a of subdivision five
of section thirty-six hundred four of this article, in relation to any
omission, error, defect, irregularity or illegality in such proceeding
had and taken.

b. The department is hereby directed to consider the aforementioned
contracts for transportation aid as valid and proper obligations and
shall not recover from such school districts any penalty arising from
the failure to submit a transportation contract in a timely manner,
provided that any amounts already so recovered shall be deemed a payment
of moneys due for prior years pursuant to paragraph c of subdivision
five of section thirty-six hundred four of this article and shall be
paid to the school district pursuant to such provision, provided that:

(1) such school district submitted the contract to the commissioner
and such contract is for services in the two thousand twelve--two thou-
sand thirteen school year or thereafter;

(2) such contract is approved by the commissioner;

(3) all state funds expended by the school district were properly
expended for such transportation as approved by the commissioner; and

(4) the failure to execute or submit such contract in a timely manner
was an inadvertent administrative or ministerial oversight by the school
district, and there is no evidence of any fraudulent or other improper
intent by such district.

§ 11. Subdivision 2 of section 3625 of the education law, as amended
by chapter 474 of the laws of 1996, is amended to read as follows:

2. Filing of transportation contracts. Every transportation contract
shall be filed with the department within one hundred twenty days of the
commencement of service under such contract. No transportation expense
shall be allowed for a period greater than one hundred twenty days prior
to the filing of any contract for the transportation of pupils with the
education department. No contract shall be considered filed unless it
bears an original signature, in the case of a written document, or a
certification, in the case of an approved electronic form, of the super-
intendent of a school district or the designee of the superintendent and
the sole trustee or president of the board of education of the school
district. The final approval of any such contract by the commissioner
shall not, however, obligate the state to allow transportation expense
in an amount greater than the amount that would be allowed under the
provisions of this part. The state, acting through the department of
audit and control, may examine any and all accounts of the contractor in
connection with a contract for the transportation of pupils, and every
such contract shall contain the following provision: "The contractor
hereby consents to an audit of any and all financial records relating to
this contract by the department of audit and control."

§ 11-a. Subdivision 1 of section 3625 of the education law, as amended
by section 47 of part L of chapter 405 of the laws of 1999, is amended
to read as follows:

1. Form of transportation contracts. Every contract for transportation
of school children shall be in writing or in an electronic form approved
by the commissioner when available, and before such contract is filed
with the department as required by subdivision two of this section, the
same shall be submitted for approval to the superintendent of schools of
said district and such contract shall not be approved and filed by such
superintendent unless he or she shall first investigate the same with
particular reference to the type of conveyance, the character and abili-
ty of the driver, the routes over which the conveyances shall travel,
the time schedule, and such other matters as in the judgement of the
superintendent are necessary for the comfort and protection of the chil-
dren while being transported to and from school. Every such contract for
transportation of children shall contain an agreement upon the part of
the contractor that the vehicle shall come to a full stop before cross-
ing the track or tracks of any railroad and before crossing any state
highway.
§ 12. Intentionally omitted.
§ 13. Intentionally omitted.
§ 14. The closing paragraph of subdivision 5-a of section 3602 of the
education law, as amended by section 12-b of part A of chapter 56 of the
laws of 2021, is amended to read as follows:
For the two thousand eight--two thousand nine school year, each school
district shall be entitled to an apportionment equal to the product of
fifteen percent and the additional apportionment computed pursuant to
this subdivision for the two thousand seven--two thousand eight school
year. For the two thousand nine--two thousand ten through two thousand
[twenty-one] twenty-two--two thousand [twenty-two] twenty-three school
years, each school district shall be entitled to an apportionment equal
to the amount set forth for such school district as "SUPPLEMENTAL PUB
EXCESS COST" under the heading "2008-09 BASE YEAR AIDS" in the school
aid computer listing produced by the commissioner in support of the
budget for the two thousand nine--two thousand ten school year and enti-
tled "SA0910".
§ 15. Subdivision 12 of section 3602 of the education law, as amended
by section 13-a of part A of chapter 56 of the laws of 2021, is amended
to read as follows:
12. Academic enhancement aid. a. A school district that as of April
first of the base year has been continuously identified as a district in
need of improvement for at least five years shall, for the two thousand
eight--two thousand nine school year, be entitled to an additional
apportionment equal to the positive remainder, if any, of (a) the lesser
of fifteen million dollars or the product of the total foundation aid
base, as defined by paragraph j of subdivision one of this section,
multiplied by ten percent (0.10), less (b) the positive remainder of (i)
the sum of the total foundation aid apportioned pursuant to subdivision
four of this section and the supplemental educational improvement grants
apportioned pursuant to subdivision eight of section thirty-six hundred
forty-one of this article, less (ii) the total foundation aid base.

b. For the two thousand nine--two thousand ten through two thousand
fourteen--two thousand fifteen school years, each school district shall
be entitled to an apportionment equal to the amount set forth for such
school district as "EDUCATION GRANTS, ACADEMIC EN" under the heading
"2008-09 BASE YEAR AIDS" in the school aid computer listing produced by
the commissioner in support of the budget for the two thousand nine--two
thousand ten school year and entitled "SA0910", and such apportionment
shall be deemed to satisfy the state obligation to provide an apportion-
ment pursuant to subdivision eight of section thirty-six hundred forty-
one of this article.

c. For the two thousand fifteen--two thousand sixteen year, each
school district shall be entitled to an apportionment equal to the
amount set forth for such school district as "ACADEMIC ENHANCEMENT"
under the heading "2014-15 ESTIMATED AIDS" in the school aid computer
listing produced by the commissioner in support of the budget for the
two thousand fourteen--two thousand fifteen school year and entitled
"SA141-5", and such apportionment shall be deemed to satisfy the state
obligation to provide an apportionment pursuant to subdivision eight of
section thirty-six hundred forty-one of this article.
For the two thousand sixteen--two thousand seventeen school year, each school district shall be entitled to an apportionment equal to the amount set forth for such school district as "ACADEMIC ENHANCEMENT" under the heading "2015-16 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand fifteen--two thousand sixteen school year and entitled "SA151-6", and such apportionment shall be deemed to satisfy the state obligation to provide an apportionment pursuant to subdivision eight of section thirty-six hundred forty-one of this article.

d.

For the two thousand seventeen--two thousand eighteen school year, each school district shall be entitled to an apportionment equal to the amount set forth for such school district as "ACADEMIC ENHANCEMENT" under the heading "2016-17 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand sixteen--two thousand seventeen school year and entitled "SA161-7", and such apportionment shall be deemed to satisfy the state obligation to provide an apportionment pursuant to subdivision eight of section thirty-six hundred forty-one of this article.

e.

For the two thousand eighteen--two thousand nineteen school year, each school district shall be entitled to an apportionment equal to the amount set forth for such school district as "ACADEMIC ENHANCEMENT" under the heading "2017-18 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand seventeen--two thousand eighteen school year and entitled "SA171-8", and such apportionment shall be deemed to satisfy the state obligation to provide an apportionment pursuant to subdivision eight of section thirty-six hundred forty-one of this article.

f.

For the two thousand nineteen--two thousand twenty school year, each school district shall be entitled to an apportionment equal to the amount set forth for such school district as "ACADEMIC ENHANCEMENT" under the heading "2018-19 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand eighteen--two thousand nineteen school year and entitled "SA181-9", and such apportionment shall be deemed to satisfy the state obligation to provide an apportionment pursuant to subdivision eight of section thirty-six hundred forty-one of this article.

g.

For the two thousand twenty--two thousand twenty-one school year, each school district shall be entitled to an apportionment equal to the amount set forth for such school district as "ACADEMIC ENHANCEMENT" under the heading "2019-20 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nineteen--two thousand twenty school year and entitled "SA192-0", and such apportionment shall be deemed to satisfy the state obligation to provide an apportionment pursuant to subdivision eight of section thirty-six hundred forty-one of this article.

h.

For the two thousand twenty-one--two thousand twenty-two school year and the two thousand twenty-two--two thousand twenty-three school year, each school district shall be entitled to an apportionment equal to the amount set forth for such school district as "ACADEMIC ENHANCEMENT" under the heading "2020-21 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand twenty-one--two thousand twenty-two school year and entitled "SA202-1", and such apportionment shall be deemed to satisfy the state obligation to provide an apportionment pursuant to subdivision eight of section thirty-six hundred forty-one of this article.
§ 16. The opening paragraph of subdivision 16 of section 3602 of the education law, as amended by section 14-a of part A of chapter 56 of the laws of 2021, is amended to read as follows:
Each school district shall be eligible to receive a high tax aid apportionment in the two thousand eight--two thousand nine school year, which shall equal the greater of (i) the sum of the tier 1 high tax aid apportionment, the tier 2 high tax aid apportionment and the tier 3 high tax aid apportionment or (ii) the product of the apportionment received by the school district pursuant to this subdivision in the two thousand seven--two thousand eight school year, multiplied by the due-minimum factor, which shall equal, for districts with an alternate pupil wealth ratio computed pursuant to paragraph b of subdivision three of this section that is less than two, seventy percent (0.70), and for all other districts, fifty percent (0.50). Each school district shall be eligible to receive a high tax aid apportionment in the two thousand nine--two thousand ten through two thousand thirteen school years in the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910". Each school district shall be eligible to receive a high tax aid apportionment in the two thousand thirteen--two thousand fourteen through two thousand twenty-one school years equal to the greater of (1) the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910" or (2) the amount set forth for such school district as "HIGH TAX AID" under the heading "2013-14 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the executive budget for the 2013-14 fiscal year and entitled "BT131-4".

§ 17. Subdivision 16 of section 3602-ee of the education law, as amended by section 23 of part A of chapter 56 of the laws of 2021, is amended to read as follows:
16. The authority of the department to administer the universal full-day pre-kindergarten program shall expire June thirtieth, two thousand twenty-three; provided that the program shall continue and remain in full effect.

§ 18. Intentionally omitted.

§ 19. The opening paragraph of section 3609-a of the education law, as amended by section 26 of part A of chapter 56 of the laws of 2021, is amended to read as follows:
For aid payable in the two thousand seven--two thousand eight school year through the two thousand twenty-one--two thousand twenty-three school year, "moneys apportioned" shall mean the lesser of (i) the sum of one hundred percent of the respective amount set forth for each school district as payable pursuant to this section in the school aid computer listing for the current year produced by the commissioner in support of the budget which includes the appropriation for the general support for public schools for the prescribed payments and individualized payments due prior to April first for the current year plus the apportionment payable during the current school year pursuant to subdivision six-a and subdivision fifteen of section thirty-six hundred two of this part minus any reductions to current year aids pursuant to subdivision seven of section thirty-six hundred four of
1 this part or any deduction from apportionment payable pursuant to this
2 chapter for collection of a school district basic contribution as
3 defined in subdivision eight of section forty-four hundred one of this
4 chapter, less any grants provided pursuant to subparagraph two-a of
5 paragraph b of subdivision four of section ninety-two-c of the state
6 finance law, less any grants provided pursuant to subdivision five of
7 section ninety-seven-nnn of the state finance law, less any grants
8 provided pursuant to subdivision twelve of section thirty-six hundred
9 forty-one of this article, or (ii) the apportionment calculated by the
10 commissioner based on data on file at the time the payment is processed;
11 provided however, that for the purposes of any payments made pursuant to
12 this section prior to the first business day of June of the current
13 year, moneys apportioned shall not include any aids payable pursuant to
14 subdivisions six and fourteen, if applicable, of section thirty-six
15 hundred two of this part as current year aid for debt service on bond
16 anticipation notes and/or bonds first issued in the current year or any
17 aids payable for full-day kindergarten for the current year pursuant to
18 subdivision nine of section thirty-six hundred two of this part. The
19 definitions of "base year" and "current year" as set forth in subdivi-
20 sion one of section thirty-six hundred two of this part shall apply to
21 this section. For aid payable in the two thousand [twenty-one] twenty-
22 two--two thousand [twenty-two] twenty-three school year, reference to
23 such "school aid computer listing for the current year" shall mean the
24 printouts entitled ["SA212-2"] "SA222-3".
25 § 20. Subdivision b of section 2 of chapter 756 of the laws of 1992,
26 relating to funding a program for work force education conducted by the
27 consortium for worker education in New York city, as amended by section
28 39 of part A of chapter 56 of the laws of 2021, is amended to read as
29 follows:
30 b. Reimbursement for programs approved in accordance with subdivision
31 a of this section for the reimbursement for the 2018--2019 school year
32 shall not exceed 59.4 percent of the lesser of such approvable costs per
33 contact hour or fourteen dollars and ninety-five cents per contact hour,
34 reimbursement for the 2019--2020 school year shall not exceed 57.7
35 percent of the lesser of such approvable costs per contact hour or
36 fifteen dollars sixty cents per contact hour, reimbursement for the
37 2020--2021 school year shall not exceed 56.9 percent of the lesser of
38 such approvable costs per contact hour or sixteen dollars and twenty-
39 five cents per contact hour, [and] reimbursement for the 2021--2022
40 school year shall not exceed 56.0 percent of the lesser of such approva-
41 ble costs per contact hour or sixteen dollars and forty cents per
42 contact hour, and reimbursement for the 2022--2023 school year shall not
43 exceed 55.7 percent of the lesser of such approvable costs per contact
44 hour or seventeen dollars and five cents per contact hour, and where a
45 contact hour represents sixty minutes of instruction services provided
46 to an eligible adult. Notwithstanding any other provision of law to the
47 contrary, for the 2018--2019 school year such contact hours shall not
48 exceed one million four hundred sixty-three thousand nine hundred
49 sixty-three (1,463,963); for the 2019--2020 school year such contact
50 hours shall not exceed one million four hundred forty-four thousand four
51 hundred forty-four (1,444,444); for the 2020--2021 school year such
52 contact hours shall not exceed one million four hundred six thousand
53 nine hundred twenty-six (1,406,926); [and] for the 2021--2022 school
54 year such contact hours shall not exceed one million four hundred
55 sixteen thousand one hundred twenty-two (1,416,122); and for the 2022-
56 -2023 school year such contact hours shall not exceed one million three
hundred sixty-nine thousand eight hundred sixty-three (1,369,863).

Notwithstanding any other provision of law to the contrary, the apportionment calculated for the city school district of the city of New York pursuant to subdivision 11 of section 3602 of the education law shall be computed as if such contact hours provided by the consortium for worker education, not to exceed the contact hours set forth herein, were eligible for aid in accordance with the provisions of such subdivision 11 of section 3602 of the education law.

§ 21. Section 4 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, is amended by adding a new subdivision aa to read as follows:

aa. The provisions of this subdivision shall not apply after the completion of payments for the 2022-23 school year. Notwithstanding any inconsistent provisions of law, the commissioner of education shall withhold a portion of employment preparation education aid due to the city school district of the city of New York to support a portion of the costs of the work force education program. Such moneys shall be credited to the elementary and secondary education fund-local assistance account and shall not exceed thirteen million dollars ($13,000,000).

§ 22. Section 6 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, as amended by section 41 of part A of chapter 56 of the laws of 2021, is amended to read as follows:

§ 6. This act shall take effect July 1, 1992, and shall be deemed repealed on June 30, 2023.

§ 23. Subdivision 1 of section 167 of chapter 169 of the laws of 1994, relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets, as amended by section 33 of part A of chapter 56 of the laws of 2020, is amended to read as follows:

1. Sections one through seventy of this act shall be deemed to have been in full force and effect as of April 1, 1994 provided, however, that sections one, two, twenty-four, twenty-five and twenty-seven through seventy of this act shall expire and be deemed repealed on March 31, 2000; provided, however, that section twenty of this act shall apply only to hearings commenced prior to September 1, 1994, and provided further that section twenty-six of this act shall expire and be deemed repealed on March 31, 1997; and provided further that sections four through fourteen, sixteen, and eighteen, nineteen and twenty-one through twenty-one-a of this act shall expire and be deemed repealed on March 31, 1997; and provided further that sections three, fifteen, seventeen, twenty, twenty-two and twenty-three of this act shall expire and be deemed repealed on March 31, 2024.

§ 24. Section 12 of chapter 147 of the laws of 2001, amending the education law relating to conditional appointment of school district, charter school or BOCES employees, as amended by section 42 of part A of chapter 56 of the laws of 2021, is amended to read as follows:

§ 12. This act shall take effect on the same date as chapter 180 of the laws of 2000 takes effect, and shall expire July 1, 2023 when upon such date the provisions of this act shall be deemed repealed.

§ 25. Section 4 of chapter 425 of the laws of 2002, amending the education law relating to the provision of supplemental educational services, attendance at a safe public school and the suspension of pupils who bring a firearm to or possess a firearm at a school, as
amended by section 43 of part A of chapter 56 of the laws of 2021, is
amended to read as follows:

§ 4. This act shall take effect July 1, 2002 and section one of this
act shall expire and be deemed repealed June 30, 2019; and sections two
and three of this act shall expire and be deemed repealed on June 30,
2022.

§ 26. Section 5 of chapter 101 of the laws of 2003, amending the
education law relating to the implementation of the No Child Left Behind
Act of 2001, as amended by section 44 of part A of chapter 56 of the
laws of 2021, is amended to read as follows:

§ 5. This act shall take effect immediately; provided that sections
one, two and three of this act shall expire and be deemed repealed on
June 30, 2022.

§ 26-a. Paragraph a-1 of subdivision 11 of section 3602 of the educa-
tion law, as amended by section 41-a of part A of chapter 56 of the laws
of 2021, is amended to read as follows:
a-1. Notwithstanding the provisions of paragraph a of this subdivi-
sion, for aid payable in the school years two thousand--two thousand one
through two thousand nine--two thousand ten, and two thousand eleven--
two thousand twelve through two thousand twenty-one twenty-two--two
thousand twenty-three and thereafter, the commissioner may
set aside an amount not to exceed two million five hundred thousand
dollars from the funds appropriated for purposes of this subdivision for
the purpose of serving persons twenty-one years of age or older who have
not been enrolled in any school for the preceding school year, including
persons who have received a high school diploma or high school equiv-
alcency diploma but fail to demonstrate basic educational competencies as
defined in regulation by the commissioner, when measured by accepted
standardized tests, and who shall be eligible to attend employment prep-
aration education programs operated pursuant to this subdivision.

§ 26-b. Subdivision a of section 5 of chapter 121 of the laws of 1996,
relating to authorizing the Roosevelt union free school district to
finance deficits by the issuance of serial bonds, as amended by section
46-a of part A of chapter 56 of the laws of 2021, is amended to read as
follows:
a. Notwithstanding any other provisions of law, upon application to
the commissioner of education submitted not sooner than April first and
not later than June thirtieth of the applicable school year, the Roose-
velt union free school district shall be eligible to receive an apportion-
ment pursuant to this chapter for salary expenses, including related
benefits, incurred between April first and June thirtieth of such school
year. Such apportionment shall not exceed: for the 1996-97 school year
through the [2021-22] 2022-23 school year, four million dollars
($4,000,000); for the [2022-23] 2023-24 school year, three million
dollars ($3,000,000); for the [2023-24] 2024-25 school year, two million
dollars ($2,000,000); for the [2024-25] 2025-26 school year, one million
dollars ($1,000,000); and for the [2025-26] 2026-27 school year, zero
dollars. Such annual application shall be made after the board of
education has adopted a resolution to do so with the approval of the
commissioner of education.

§ 26-c. Subdivision 4 of section 51 of part B of chapter 57 of the
laws of 2008 amending the education law relating to the universal prek-
kindergarten program, as amended by section 23-a of part A of chapter 56
of the laws of 2021, is amended to read as follows:
4. section twenty-three of this act shall take effect July 1, 2008 and
shall expire and be deemed repealed June 30, [2022] 2023;
§ 27. Section 2 of chapter 552 of the laws of 1995, amending the
education law relating to contracts for the transportation of school
children, as amended by section 45 of part YYY of chapter 59 of the laws
of 2019, is amended to read as follows:

§ 2. This act shall take effect on the first day of January next
succeeding the date on which it shall have become a law and shall remain
in full force and effect until January 1, [2023] 2028, when upon such
date the provisions of this act shall be deemed repealed.

§ 28. School bus driver training. In addition to apportionments other-
wise provided by section 3602 of the education law, for aid payable in
the 2022-2023 through the 2026-2027 school years, subject to available
appropriation, the commissioner of education shall allocate school bus
driver training grants to school districts and boards of cooperative
educational services pursuant to sections 3650-a, 3650-b and 3650-c of
the education law, or for contracts directly with not-for-profit educa-
tional organizations for the purposes of this section. Such payments
shall not exceed four hundred thousand dollars ($400,000) per school
year.

§ 29. Special apportionment for salary expenses. a. Notwithstanding
any other provision of law, upon application to the commissioner of
education, not sooner than the first day of the second full business
week of June 2023 and not later than the last day of the third full
business week of June 2023, a school district eligible for an apportion-
ment pursuant to section 3602 of the education law shall be eligible to
receive an apportionment pursuant to this section, for the school year
ending June 30, 2023, for salary expenses incurred between April 1 and
June 30, 2022 and such apportionment shall not exceed the sum of (i) the
deficit reduction assessment of 1990--1991 as determined by the commis-
sioner of education, pursuant to paragraph f of subdivision 1 of section
3602 of the education law, as in effect through June 30, 1993, plus (ii)
186 percent of such amount for a city school district in a city with a
population in excess of 1,000,000 inhabitants, plus (iii) 209 percent of
such amount for a city school district in a city with a population of
more than 195,000 inhabitants and less than 219,000 inhabitants accord-
ing to the latest federal census, plus (iv) the net gap elimination
adjustment for 2010--2011, as determined by the commissioner of educa-
tion pursuant to chapter 53 of the laws of 2010, plus (v) the gap elimi-
nation adjustment for 2011--2012 as determined by the commissioner of
education pursuant to subdivision 17 of section 3602 of the education
law, and provided further that such apportionment shall not exceed such
salary expenses. Such application shall be made by a school district,
after the board of education or trustees have adopted a resolution to do
so and in the case of a city school district in a city with a population
in excess of 125,000 inhabitants, with the approval of the mayor of such
city.

b. The claim for an apportionment to be paid to a school district
pursuant to subdivision a of this section shall be submitted to the
commissioner of education on a form prescribed for such purpose, and
shall be payable upon determination by such commissioner that the form
has been submitted as prescribed. Such approved amounts shall be payable
on the same day in September of the school year following the year in
which application was made as funds provided pursuant to subparagraph 4
of paragraph b of subdivision 4 of section 92-c of the state finance
law, on the audit and warrant of the state comptroller on vouchers
certified or approved by the commissioner of education in the manner
prescribed by law from moneys in the state lottery fund and from the
general fund to the extent that the amount paid to a school district pursuant to this section exceeds the amount, if any, due such school district pursuant to subparagraph 2 of paragraph a of subdivision 1 of section 3609-a of the education law in the school year following the year in which application was made.

c. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions a and b of this section shall first be deducted from the following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph 2 of such paragraph followed by the fixed fall payments payable pursuant to subparagraph 4 of such paragraph and then followed by the district's payments to the teachers' retirement system pursuant to subparagraph 1 of such paragraph, and any remainder to be deducted from the individualized payments due the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

§ 30. Special apportionment for public pension accruals. a. Notwithstanding any other provision of law, upon application to the commissioner of education, not later than June 30, 2023, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2023 and such apportionment shall not exceed the additional accruals required to be made by school districts in the 2004--2005 and 2005--2006 school years associated with changes for such public pension liabilities. The amount of such additional accrual shall be certified to the commissioner of education by the president of the board of education or the trustees or, in the case of a city school district in a city with a population in excess of 125,000 inhabitants, the mayor of such city. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

b. The claim for an apportionment to be paid to a school district pursuant to subdivision a of this section shall be submitted to the commissioner of education on a form prescribed for such purpose, and shall be payable upon determination by such commissioner that the form has been submitted as prescribed. Such approved amounts shall be payable on the same day in September of the school year following the year in which application was made as funds provided pursuant to subparagraph 4 of paragraph b of subdivision 4 of section 92-c of the state finance law, on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law from moneys in the state lottery fund and from the general fund to the extent that the amount paid to a school district pursuant to this section exceeds the amount, if any, due such school district pursuant to subparagraph 2 of paragraph a of subdivision 1 of section 3609-a of the education law in the school year following the year in which application was made.

c. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions a and b of this section shall first be deducted from the
following payments due the school district during the school year following the year in which application was made pursuant to subpara-
graphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph 2 of such paragraph followed by the fixed fall payments payable pursuant to subparagraph 4 of such paragraph and then followed by the district's payments to the teachers' retirement system pursuant to subparagraph 1 of such paragraph, and any remainder to be deducted from the individualized payments due the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

§ 31. Section 1950 of the education law is amended by adding a new subdivision 8-d to read as follows:

8-d. Notwithstanding the provision of any law, rule, or regulation to the contrary, the city school district of the city of Rochester, upon the consent of the board of cooperative educational services of the supervisory district serving its geographic region, may purchase from such board as a non-component school district, services required by article nineteen of the education law.

§ 32. The amounts specified in this section shall be a set-aside from the state funds which each such district is receiving from the total foundation aid:

a. for the development, maintenance or expansion of magnet schools or magnet school programs for the 2022--2023 school year. For the city school district of the city of New York there shall be a set-aside of foundation aid equal to forty-eight million one hundred seventy-five thousand dollars ($48,175,000) including five hundred thousand dollars ($500,000) for the Andrew Jackson High School; for the Buffalo city school district, twenty-one million twenty-five thousand dollars ($21,025,000); for the Rochester city school district, fifteen million dollars ($15,000,000); for the Syracuse city school district, thirteen million dollars ($13,000,000); for the Yonkers city school district, forty-nine million five hundred thousand dollars ($49,500,000); for the Newburgh city school district, four million six hundred forty-five thousand dollars ($4,645,000); for the Southport city school district, two million four hundred thousand dollars ($2,475,000); for the Mount Vernon city school district, two million dollars ($2,000,000); for the New Rochelle city school district, one million four hundred thousand dollars ($1,410,000); for the Schenectady city school district, one million eight hundred thousand dollars ($1,800,000); for the Port Chester city school district, one million one hundred fifty thousand dollars ($1,150,000); for the White Plains city school district, nine hundred thousand dollars ($900,000); for the Niagara Falls city school district, six hundred thousand dollars ($600,000); for the Albany city school district, three million five hundred fifty thousand dollars ($3,550,000); for the Utica city school district, two million dollars ($2,000,000); for the Beacon city school district, five hundred sixty-six thousand dollars ($566,000); for the Middletown city school district, four hundred thousand dollars ($400,000); for the Freeport union free school district, four hundred thousand dollars ($400,000); for the Greenburgh central school district, three hundred thousand dollars ($300,000); for the Amsterdam city school district, eight hundred thousand dollars ($800,000); for the Peekskill city school district, two hundred thousand dollars ($200,000); and for the Hudson city school district, four hundred thousand dollars ($400,000).
b. Notwithstanding any inconsistent provision of law to the contrary, a school district setting aside such foundation aid pursuant to this section may use such set-aside funds for: (i) any instructional or instructional support costs associated with the operation of a magnet school; or (ii) any instructional or instructional support costs associated with implementation of an alternative approach to promote diversity and/or enhancement of the instructional program and raising of standards in elementary and secondary schools of school districts having substantial concentrations of minority students.

c. The commissioner of education shall not be authorized to withhold foundation aid from a school district that used such funds in accordance with this paragraph, notwithstanding any inconsistency with a request for proposals issued by such commissioner for the purpose of attendance improvement and dropout prevention for the 2022--2023 school year, and for any city school district in a city having a population of more than one million, the set-aside for attendance improvement and dropout prevention shall equal the amount set aside in the base year. For the 2022--2023 school year, it is further provided that any city school district in a city having a population of more than one million shall allocate at least one-third of any increase from base year levels in funds set aside pursuant to the requirements of this section to community-based organizations. Any increase required pursuant to this section to community-based organizations must be in addition to allocations provided to community-based organizations in the base year.

d. For the purpose of teacher support for the 2022--2023 school year: for the city school district of the city of New York, sixty-two million seven hundred seven thousand dollars ($62,707,000); for the Buffalo city school district, one million seven hundred forty-one thousand dollars ($1,741,000); for the Rochester city school district, one million seventy-six thousand dollars ($1,076,000); for the Yonkers city school district, one million one hundred forty-seven thousand dollars ($1,147,000); and for the Syracuse city school district, eight hundred nine thousand dollars ($809,000). All funds made available to a school district pursuant to this section shall be distributed among teachers including prekindergarten teachers and teachers of adult vocational and academic subjects in accordance with this section and shall be in addition to salaries heretofore or hereafter negotiated or made available; provided, however, that all funds distributed pursuant to this section for the current year shall be deemed to incorporate all funds distributed pursuant to former subdivision 27 of section 3602 of the education law for prior years. In school districts where the teachers are represented by certified or recognized employee organizations, all salary increases funded pursuant to this section shall be determined by separate collective negotiations conducted pursuant to the provisions and procedures of article 14 of the civil service law, notwithstanding the existence of a negotiated agreement between a school district and a certified or recognized employee organization.

§ 33. Support of public libraries. The moneys appropriated for the support of public libraries by a chapter of the laws of 2022 enacting the aid to localities budget shall be apportioned for the 2022--2023 state fiscal year in accordance with the provisions of sections 271, 272, 273, 282, 284, and 285 of the education law as amended by the provisions of this chapter and the provisions of this section, provided that library construction aid pursuant to section 273-a of the education law shall not be payable from the appropriations for the support of public libraries and provided further that no library, library system or
program, as defined by the commissioner of education, shall receive less total system or program aid than it received for the year 2001--2002 except as a result of a reduction adjustment necessary to conform to the appropriations for support of public libraries.

Notwithstanding any other provision of law to the contrary the moneys appropriated for the support of public libraries for the year 2022--2023 by a chapter of the laws of 2022 enacting the education, labor and family assistance budget shall fulfill the state's obligation to provide such aid and, pursuant to a plan developed by the commissioner of education and approved by the director of the budget, the aid payable to libraries and library systems pursuant to such appropriations shall be reduced proportionately to ensure that the total amount of aid payable does not exceed the total appropriations for such purpose.

§ 34. Severability. The provisions of this act shall be severable, and if the application of any clause, sentence, paragraph, subdivision, section or part of this act to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not necessarily affect, impair or invalidate the application of any such clause, sentence, paragraph, subdivision, section or part of this act or remainder thereof, as the case may be, to any other person or circumstance, 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.

§ 35. This act shall take effect immediately, and shall be deemed to have been in full force and effect on and after April 1, 2022, provided, however, that:

1. Sections one, two, seven, eight, fourteen, fifteen, sixteen, seventeen, nineteen, twenty-six-a, twenty-six-b, twenty-eight, thirty-one, and thirty-two of this act shall take effect July 1, 2022;
2. Sections three, four, and five shall take effect immediately and shall expire September 30, 2024 when upon such date the provisions of such sections shall be deemed repealed; and
3. The amendments to chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by a consortium for worker education in New York city made by sections twenty and twenty-one of this act shall not affect the repeal of such chapter and shall be deemed repealed therewith.

PART A-1

Section 1. Subdivision 2 of section 4003 of the education law, as amended by chapter 947 of the laws of 1981, is amended to read as follows:

2. (a) The director of the budget, in consultation with the commissioner [of education], the commissioner of social services, the commissioner of health, the commissioner of mental health, and any other state agency or other source he may deem appropriate, shall approve reimbursement methodologies for tuition and maintenance. Any modification in any such methodology which has previously been approved shall be subject to the approval of the director of the budget. Notwithstanding any provision of law, rule or regulation to the contrary, tuition and regional rates approved for special services or programs provided to school-age students by approved private residential or non-residential schools for the education of students with disabilities that are located within the state, by special act school districts, and by July and
August programs for students with disabilities approved pursuant to section forty-four hundred eight of this title, and for special services or programs provided by programs serving preschool students with disabilities approved pursuant to section forty-four hundred ten of this title, including, but not limited to, special class and special class in an integrated setting programs, shall not be subject to annual reconciliation, commencing with the start of the two thousand twenty-two--two thousand twenty-three school year. In addition, for a five-year period commencing with the start of the two thousand twenty-two--two thousand twenty-three school year, the tuition and regional rates approved for each subsequent school years shall be established at the previous year's rate plus the approved growth percentage.

(b) Notwithstanding any inconsistent provision of law to the contrary, the commissioner shall within amounts appropriated therefor, and on or before August first, two thousand twenty-two, convene a task force including representatives of statewide and regional preschool and school-age organizations with membership of preschool and school-age approved private schools and programs, municipal representatives, representatives of school districts, and such other stakeholders as the commissioner deems appropriate to design a reimbursement methodology for the tuition of such approved schools and programs for implementation in the two thousand twenty-seven--two thousand twenty-eight school year. Such methodology shall, in its development and by its design, consider all components, including but not limited to, cost screens, cost parameters, trend or growth factors, reserves and other such components essential to ensuring the fiscal stability of such schools and programs. The task force shall issue a report to the governor and the legislature of its findings, conclusions, recommendations and the activities already undertaken by the task force no later than September first, two thousand twenty-three, and shall submit subsequent reports annually thereafter with a final report to be issued no later than September first, two thousand twenty-six. The task force shall submit with its final report, legislative proposals as it deems necessary to implement its recommendations and action. Notwithstanding any provision of law to the contrary, the director of the budget shall provide comment on the final report and recommendations of the task force to the legislature by October fifteenth, two thousand twenty-six and shall approve the methodology as proposed by the legislature pursuant to the provisions of this paragraph.

§ 2. Paragraph c of subdivision 4 of section 4405 of the education law, as amended by chapter 82 of the laws of 1995, is amended to read as follows:

c. (i) The director of the budget, in consultation with the commissioner [of education], the commissioner of social services, and any other state agency or other source the director may deem appropriate, shall approve reimbursement methodologies for tuition and for maintenance. Any modification in the approved reimbursement methodologies shall be subject to the approval of the director of the budget. [Notwithstanding any other provision of law, rule or regulation to the contrary, tuition rates established for the nineteen hundred ninety-five--ninety-six school year shall exclude the two percent cost of living adjustment authorized in rates established for the nineteen hundred ninety-four--ninety-five school year.] Notwithstanding any provision of law, rule or regulation to the contrary, tuition and regional rates approved for special services or programs provided to school-age students by approved private residential or non-residential
schools for the education of students with disabilities that are located
within the state, by special act school districts, and by July and
August programs for students with disabilities approved pursuant to
section forty-four hundred eight of this article, and for special
services or programs provided by programs serving preschool students
with disabilities approved pursuant to section forty-four hundred ten of
this article, including, but not limited to, special class and special
class in an integrated setting programs, shall not be subject to annual
reconciliation, commencing with the start of the two thousand twenty-
two--two thousand twenty-three school year. In addition, for a five-year
period commencing with the start of the two thousand twenty-two--two
thousand twenty-three school year, the tuition and regional rates
approved for each subsequent school years shall be established at the
previous year's rate plus the approved growth percentage.

(2) Notwithstanding any inconsistent provision of law to the contrary,
the commissioner shall within amounts appropriated therefore, and on or
before August first, two thousand twenty-two, convene a task force
including representatives of statewide and regional preschool and
school-age organizations with membership of preschool and school-age
approved private schools and programs, municipal representatives, repre-
sentatives of school districts, and such other stakeholders as the
commissioner deems appropriate to design a reimbursement methodology for
the tuition of such approved schools and programs for implementation in the two thousand twenty-seven--two thousand twenty-eight school year.
Such methodology shall, in its development and by its design, consider
all components, including but not limited to, cost screens, cost para-
ters, trend or growth factors, reserves and other such components essen-
tial to ensuring the fiscal stability of such schools and programs. The
task force shall issue a report to the governor and the legislature of
its findings, conclusions, recommendations and the activities already
undertaken by the task force no later than September first, two thousand
twenty-three, and shall submit subsequent reports annually thereafter
with a final report to be issued no later than September first, two
thousand twenty-six. The task force shall submit with its final report
legislative proposals as it deems necessary to implement its recommenda-
tions for legislative consideration and action. Notwithstanding any
provision of law to the contrary, the director of the budget shall
provide comment on the final report and recommendations of the task
force to the legislature by October fifteenth, two thousand twenty-six
and shall approve the methodology as proposed by the legislature pursuant
to the provisions of this subparagraph.

§ 3. The sum of two million, five hundred thousand dollars
($2,500,000) is hereby appropriated to the state education department
out of any money in the state treasury in the general fund to the credit
of the state operations budget, not otherwise appropriated, for the
purposes of carrying out the provisions of sections one and two of this
act, provided, however, that no more than one million, two hundred fifty
thousand dollars shall be made available in the two thousand twenty-two--
two thousand twenty-three fiscal year. Such money shall be payable on
the audit and warrant of the comptroller on vouchers certified or
approved by the commissioner of education in the manner approved by law.

§ 4. Paragraph b of subdivision 5 of section 1950 of the education
law, as amended by chapter 130 of the laws of 2022, is amended to read
as follows:

b. The cost of services herein referred to shall be the amount allo-
cated to each component school district by the board of cooperative
educational services to defray expenses of such board, including approved expenses from the testing of potable water systems of occupied school buildings under the board's jurisdiction as required pursuant to section eleven hundred ten of the public health law provided that such expenses for testing of potable water systems are not reimbursable from another state or federal source, except that that part of the salary paid any teacher, supervisor or other employee of the board of cooperative educational services which is in excess of thirty thousand dollars shall not be such an approved expense, and except also that administrative and clerical expenses shall not exceed ten percent of the total expenses for purposes of this computation. Provided however, that for teachers providing instruction in career and technical education to school age students, the salary, to be considered as an approved expense, shall not exceed forty thousand dollars for the two thousand twenty-two—two thousand twenty-three school year; fifty thousand dollars for the two thousand twenty-three—two thousand twenty-four school year; and sixty thousand dollars for the two thousand twenty-four—two thousand twenty-five school year, and thereafter. Any gifts, donations or interest earned by the board of cooperative educational services or on behalf of the board of cooperative educational services by the dormitory authority or any other source shall not be deducted in determining the cost of services allocated to each component school district. Any payments made to a component school district by the board of cooperative educational services pursuant to subdivision eleven of section six-p of the general municipal law attributable to an approved cost of service computed pursuant to this subdivision shall be deducted from the cost of services allocated to such component school district. The expense of transportation provided by the board of cooperative educational services pursuant to paragraph q of subdivision four of this section shall be eligible for aid apportioned pursuant to subdivision seven of section thirty-six hundred two of this chapter and no board of cooperative educational services transportation expense shall be an approved cost of services for the computation of aid under this subdivision. Transportation expense pursuant to paragraph q of subdivision four of this section shall be included in the computation of the ten percent limitation on administrative and clerical expenses.

§ 5. Paragraph b of subdivision 10 of section 3602 of the education law, as amended by section 16 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

b. Aid for career education. There shall be apportioned to such city school districts and other school districts which were not components of a board of cooperative educational services in the base year for pupils in grades [ten] nine through twelve in attendance in career education programs as such programs are defined by the commissioner, subject for the purposes of this paragraph to the approval of the director of the budget, an amount for each such pupil to be computed by multiplying the career education aid ratio by three thousand nine hundred dollars. Such aid will be payable for weighted pupils attending career education programs operated by the school district and for weighted pupils for whom such school district contracts with boards of cooperative educational services to attend career education programs operated by a board of cooperative educational services. Weighted pupils for the purposes of this paragraph shall mean the sum of the attendance of students in grades [ten] nine through twelve in career education sequences in trade, industrial, technical, agricultural or health programs plus the product of sixteen hundredths multiplied by the attendance of students in grades
nine through twelve in career education sequences in business and marketing as defined by the commissioner in regulations. The career education aid ratio shall be computed by subtracting from one the product obtained by multiplying fifty-nine percent by the combined wealth ratio. This aid ratio shall be expressed as a decimal carried to three places without rounding, but not less than thirty-six percent.

Any school district that receives aid pursuant to this paragraph shall be required to use such amount to support career education programs in the current year.

A board of education which spends less than its local funds as defined by regulations of the commissioner for career education in the base year during the current year shall have its apportionment under this subdivision reduced in an amount equal to such deficiency in the current or a succeeding school year, provided however that the commissioner may waive such reduction upon determination that overall expenditures per pupil in support of career education programs were continued at a level equal to or greater than the level of such overall expenditures per pupil in the preceding school year.

§ 6. Section 9-a of part A of chapter 56 of the laws of 2021, relating to funding from the elementary and secondary school emergency relief fund allocated by the American rescue plan act of 2021, is amended to read as follows:

§ 9-a. (1) On or before July 1, 2021, every local educational agency receiving funding from the elementary and secondary school emergency relief fund allocated by the American rescue plan act of 2021 shall be required to post on its website a plan by school year of how such funds will be expended and how the local educational agency will prioritize spending on non-recurring expenses in the areas of: safely returning students to in-person instruction; maximizing in-person instruction time; operating schools and meeting the needs of students; purchasing educational technology; addressing the impacts of the COVID-19 pandemic on students, including the impacts of interrupted instruction and learning loss and the impacts on low-income students, children with disabilities, English language learners, and students experiencing homelessness; implementing evidence-based strategies to meet students' social, emotional, mental health, and academic needs; offering evidence-based summer, afterschool, and other extended learning and enrichment programs; and supporting early childhood education. Provided further, that local educational agencies shall identify any programs utilizing such funding that are expected to continue beyond the availability of such federal funds and identify local funds that will be used to maintain such programs in order to minimize disruption to core academic and other school programs. Before posting such plan, the local educational agency shall seek public comment from parents, teachers and other stakeholders on the plan and take such comments into account in the development of the plan.

(2) On or before July 1, 2022, every local educational agency receiving funding from the elementary and secondary school emergency relief fund allocated by the American rescue plan act of 2021 shall be required to post on its website and submit to the state education department an updated plan as described in subdivision one of this section. This updated plan shall include an analysis of public comments, goals and ratios for pupil support, detailed summaries of investments in current year initiatives, and balance funds spent in priority areas.

§ 7. Section 10-d of part A of chapter 56 of the laws of 2021, relating to funding from the elementary and secondary school emergency relief
§ 10-d. For the 2021-22, 2022-23 and 2023-24 school years, each school district receiving a foundation aid increase of more than: (i) ten percent; or (ii) ten million dollars in a school year shall, on or before July 1 of each school year, post to the district’s website and submit to the department of education a plan by school year of how such funds will be used to address student performance and need, including but not limited to: (i) increasing graduation rates and eliminating the achievement gap; (ii) reducing class sizes; (iii) providing supports for students who are not meeting, or at risk of not meeting, state learning standards in core academic subject areas; (iv) addressing student social-emotional health; [and] (v) providing adequate resources to English language learners, students with disabilities; and students experiencing homelessness; (vi) goals and ratios for pupil support; and (vii) detailed summaries of investments in current year initiatives and balance funds spent in priority areas. Prior to posting such plan, each school district shall seek public comment from parents, teachers and other stakeholders on the plan and take such comments into account in the development of the plan, and include an analysis of the public comments within the plan.

§ 8. Subparagraph 1 of paragraph b of subdivision 6-f of section 3602 of the education law, as added by section 19 of part H of chapter 83 of the laws of 2002, is amended to read as follows:

(1) has a total project cost of [one hundred] two hundred fifty thousand dollars or less[; provided however, that for any district, no more than one project shall be eligible pursuant to this subparagraph for an apportionment within the same school year] modified by an annual county or multi-county labor market composite wage rate, established by the commissioner of labor in consultation with the commissioner, for July first of the base year, indexed to the median of such county or multi-county rates, but not less than one, up to a maximum of five hundred thousand dollars, as determined by the building aid regional cost factor; and provided further a school district may combine up to five years of project allowances pursuant to this subparagraph and apply to the commissioner for project approval for the entire apportionment and such apportionment may be used for one or more projects; and/or

§ 9. Paragraph a of subdivision 2 of section 3602 of the education law is amended by adding a new subparagraph 1-a to read as follows:

(1-a) Notwithstanding any contrary provisions of subparagraph one of this paragraph, commencing with the two thousand twenty-two—two thousand twenty-three school year and thereafter, when a school district has (i) a three year average free and reduced price lunch percent for the current year computed pursuant to paragraph p of subdivision one of this section is greater than fifty percent, (ii) the aid ratio calculated pursuant to clause a of subparagraph two of paragraph c of subdivision six of this section equal to less than twenty percent, and (iii) the aid ratio calculated pursuant to clause c of subparagraph two of paragraph c of subdivision six of this section is less than fifty percent, for all school building projects approved by the voters of the school district or by the board of education of a city school district in a city with more than one hundred twenty-five thousand inhabitants, and/or the chancellor in a city school district in a city having a population of one million or more, on or after July first, two thousand, for any school district, the commissioner, in computing any aid ratio of such district, shall permit the use of an adjusted resident weighted average daily
attendance for aid ratio purposes, where an amount equal to the product of the resident weighted average daily attendance multiplied by the three year average free and reduced price lunch percent for the current year computed pursuant to paragraph p of subdivision one of this section multiplied by one and twenty-five one-hundredths (1.25) shall be added to the units of attendance used in computing the weighted average daily attendance pursuant to subparagraph one of this paragraph for purposes of calculating aid pursuant to subdivisions six and fourteen of this section, provided that such adjusted resident weighted average daily attendance shall not affect the statewide average.

§ 10. Section 3614 of the education law is REPEALED.

§ 11. Section 4204-b of the education law is amended by adding a new subdivision 5 to read as follows:

5. For the two thousand twenty-two--two thousand twenty-three school year and thereafter, an institution subject to this article shall be authorized to retain funds in excess of their allowable and reimbursable costs incurred for services and programs to students appointed. The amount of funds that may be annually retained shall not exceed one percent of the institution's total allowable and reimbursable costs for services and programs provided to students for the school year from which the funds are to be retained, provided that the total accumulated balance that may be retained shall not exceed four percent of such total costs for such school year and provided, further, that such funds shall not be recoverable on reconciliation, such funds shall be carried forward as total reimbursable costs for purposes of calculating subsequent year prospective and reconciliation tuition rates and such funds shall be separate from and in addition to any other authorization to retain surplus funds on reconciliation. Funds may be expended only pursuant to an authorization of the governing board of the institution for a purpose expressly authorized as part of allowable costs for the year in which the funds are to be expended, provided that funds may be expended to pay prior year outstanding debts. Any institution that retains funds pursuant to this subdivision shall be required to annually report a statement of the total balance of such retained funds, the amount, if any, retained in the prior school year, the amount, if any, dispersed in the prior school year, and the financial reports that are required to be annually submitted to the department.

§ 12. Section 37-d of part A of chapter 56 of the laws of 2021, relating to approved private schools serving certain students with disabilities, special act school districts and approved preschool special class and special class in an integrated setting programs experiencing enrollment decreases as a result of the state disaster emergency declared pursuant to Executive Order 202 of 2020, is amended to read as follows:

§ 37-d. Notwithstanding any provision of law or regulation to the contrary, if as a result of the state disaster emergency declared pursuant to Executive Order 202 of 2020, or Executive Order 11 of 2021 thereafter approved private schools serving students with disabilities subject to articles 81 and 89 of the education law, special act school districts, and approved preschool special class and special class in an integrated setting programs pursuant to section 4410 of the education law experience an enrollment decrease as a percentage of operating capacity of 5 percentage points or more during the 2020-21 school year or 2021-22 school year as compared to the previous three year period 2016-17 through 2018-19, the state education department shall apply an enrollment adjustment factor as part of the tuition rate reconciliation process to stabilize tuition revenue, provided that the commissioner of
education shall submit a plan for the implementation of such enrollment adjustment factor to the director of the budget for approval.

Moreover, should such programs receive federal Paycheck Protection Program loan forgiveness revenue or other extraordinary federal revenue provided in response to the COVID-19 pandemic as defined by the state education department in consultation with the director of the budget, such revenue shall be applied as offsetting revenue for reconciliation tuition rate calculation purposes after allowable costs incurred in responding to the state disaster emergency declared pursuant to Executive Order 202 of 2020 or Executive Order 11 of 2021 thereafter are defrayed, and such revenues shall be subtracted from total costs after the application of the nondirect care screen, provided, however, that the combined amount of tuition revenues, extraordinary federal revenues provided in response to the COVID-19 pandemic, and any other revenues available to the program that are treated as offsetting revenue shall not exceed the program's actual costs, and provided further, that the state education department shall hold harmless tuition rates in subsequent school years to reflect the impact of receipt of such extraordinary federal revenue.

§ 13. Subdivision 6-a of section 3641 of the education law, as added by section 16 of part A of chapter 57 of the laws of 2013, is amended to read as follows:

6-a. Community school [grants. a. Within the amount appropriated for such purpose, subject to a plan developed by the state council on children and families in coordination with the commissioner and approved by the director of the budget, the commissioner shall award competitive grants pursuant to this subdivision to eligible school districts or in a city with a population of one million or more an eligible entity to implement, beginning in the two thousand thirteen–two thousand fourteen school year, a plan that targets school buildings as community hubs to deliver co-located or school-linked academic, health, mental health, nutrition, counseling, legal and/or other services to students and their families in a manner that will lead to improved educational and other outcomes. In a city with a population of one million or more, eligible entities shall mean the city school district of the city of New York, or not-for-profit organizations, which shall include not-for-profit community based organizations. An eligible entity that is a not-for-profit may apply for a community school grant provided that it collaborates with the city school district of the city of New York and receives the approval of the chancellor of the city school district of the city of New York.

(1) Such plan shall include, but not be limited to:

(i) The process by which a request for proposals will be developed;

(ii) The scoring rubric by which such proposals will be evaluated, provided that such grants shall be awarded based on factors including, but not limited to: measures of school district need; measures of the need of students to be served by each of the school districts; the school district's proposal to target the highest need schools and students; the sustainability of the proposed community schools program; and proposal quality;

(iii) The form and manner by which applications will be submitted;

(iv) The manner by which calculation of the amount of the award will be determined;

(v) The timeline for the issuance and review of applications; and

(vi) Program implementation phases that will trigger payment of set percentages of the total award.
(2) In assessing proposal quality, the commissioner shall take into account factors including, but not limited to:

(i) The extent to which the school district's proposal would provide such community services through partnerships with local governments and non-profit organizations;

(ii) The extent to which the proposal would provide for delivery of such services directly in school buildings;

(iii) The extent to which the proposal articulates how such services would facilitate measurable improvement in student and family outcomes;

(iv) The extent to which the proposal articulates and identifies how existing funding streams and programs would be used to provide such community services; and

(v) the extent to which the proposal ensures the safety of all students, staff and community members in school buildings used as community hubs.

b. A response to a request for proposals issued pursuant to this subdivision may be submitted by a single school district or jointly by a consortium of two or more school districts, or in a city with a population of one million or more, an eligible entity.

c. The amount of the grant award shall be determined by the commissioner, consistent with the plan developed pursuant to paragraph a of this subdivision, except that no single district may be awarded more than forty percent of the total amount of grant awards made pursuant to this subdivision; and provided further that the maximum award to any individual community school site shall be five hundred thousand dollars; and provided further that the amount awarded will be paid out in set percentages over time upon successful implementation of each phase of a school district's approved proposal set forth pursuant to paragraph a of this subdivision; and provided further that none of the grants awarded pursuant to this subdivision may be used to supplant existing funding.

a. For the purposes of this section, a "community school" shall include both a place and a set of partnerships between the school district and other community resources to take a comprehensive approach to improve academic and developmental outcomes; focused on academics, health, mental wellness, social services, youth and community development and family and community engagement which leads to improved student learning, stronger families and healthier communities; and has a framework in place to eliminate the barriers for all students to have access to a high-quality learning experience.

(1) Such schools shall include a community school director to implement the community school framework by:

(i) reviewing student data and conducting community wide assessments of needs and assets;

(ii) coordinating and leveraging integrated health, mental wellness and social supports;

(iii) identifying and securing family supports that include empowering parents to participate in decision making and to maintain active family and community engagement that values their diverse experiences and backgrounds to develop and promote a vision for student success;

(iv) implementing, expanding and enriching learning time, programs and opportunities, including but not limited to before, during and after-school, weekend, summer and year-round programs, that provide additional academic support, enrichment activities and other programs that may be offered in partnership with community-based organizations to enhance academic learning, social skills, emotional and life skills;
(v) managing a community school-based committee that includes but is not limited to the school principal, certified classroom teachers, school related professionals, other school employees, families, community organizations, and collective bargaining organizations, that guides collaborative planning, implementation and oversight; and

(vi) implementing high-quality teaching and learning that provides ongoing professional development to teachers and school-related professionals.

(2) For the purposes of this section a community school framework is a set of strategies implemented in a community school that include programs and services that focus on building and maintaining relationships to improve academic and developmental outcomes for students.

b. Allocation of funds. Each qualifying school district shall receive funding from this program equal to the result of the quotient of each district's Foundation Aid Community School setaside amount established pursuant to section thirty-six hundred two of this article divided by the statewide value of the Foundation Aid Community School setaside amount established pursuant to section thirty-six hundred two of this article multiplied by the amount of the appropriation for the Community School Categorical grant established herein. Districts which do not have a setaside of Foundation Aid for community schools pursuant to section thirty-six hundred two of this article shall not be eligible for funds pursuant to this subdivision.

c. The commissioner shall promulgate regulations that set forth the requirements for use of such funds by districts, which shall include a requirement that districts require that funds be used to transform pre-existing community school programs, struggling or persistently struggling schools, or schools with significant levels of poverty, homelessness, free and reduced price meals, or other factors as determined by the commissioner. Provided further that such regulations shall require school districts to demonstrate substantial teacher, parent and community involvement in the planning, implementation, and operation of a community school. The commissioner may determine that a pre-existing community school's program satisfies the requirements of the commissioner's regulations provided that he or she may require any modification thereto.

§ 14. In order to avoid endangering the fiscal stability of the Peekskill city school district, certain apportionments payable to the Peekskill city school district shall be paid on an accelerated schedule as follows:

a. (1) Notwithstanding any other provisions of law, for aid payable in the school years 2022-23 through 2051-52 upon application to the commissioner of education submitted not sooner than the second Monday in June of the school year in which such aid is payable and not later than the Friday following the third Monday in June of the school year in which such aid is payable, or ten days after the effective date of this act, whichever shall be later, the Peekskill city school district shall be eligible to receive an apportionment pursuant to this act in an amount equal to the product of four million five hundred thousand dollars ($4,500,000) and the quotient of the positive difference of thirty minus the number of school years elapsed since the 2022-23 school year divided by thirty.

(2) Funds apportioned pursuant to this subdivision shall be used for services and expenses of the Peekskill city school district and shall be applied to support of its educational programs and any liability
incurred by such city school district in carrying out its functions and responsibilities under the education law.

b. The claim for an apportionment to be paid to the Peekskill city school district pursuant to subdivision a of this section shall be submitted to the commissioner of education on a form prescribed for such purpose, and shall be payable upon determination by such commissioner that the form has been submitted as prescribed and that the school district has complied with the reporting requirements of this act. For each school year in which application is made pursuant to subdivision a of this section, such approved amount shall be payable on or before June thirtieth of such school year upon the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law from moneys in the state lottery fund appropriated for general support of public schools and from the general fund to the extent that the amount paid to the Peekskill city school district pursuant to this subdivision and subdivision a of this section exceeds the amount of the lottery apportionment, if any, due such school district pursuant to subparagraph (2) of paragraph a of subdivision 1 of section 3609-a of the education law on or before September first of such school year.

c. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to the Peekskill city school district during the base year pursuant to subdivisions a and b of this section shall first be deducted from payments due during the current school year pursuant to subparagraphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph (2) of such paragraph followed by the fixed fall payments payable pursuant to subparagraph (4) of such paragraph, and any remainder to be deducted from the individualized payments due to the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

d. Notwithstanding any other provisions of law, the sum of payments made to the Peekskill city school district during the base year pursuant to subdivisions a and b of this section plus payments made to such school district during the current year pursuant to section 3609-a of the education law shall be deemed to truly represent all aids paid to such school district during the current school year pursuant to such section 3609-a for the purposes of computing any adjustments to such aids that may occur in a subsequent school year.

e. (1) On or before the first day of each month beginning in July 2022 and ending in June 2051, the chief fiscal officer and the superintendent of schools of the Peekskill city school district shall prepare and submit to the board of education a report of the fiscal condition of the school district, including but not limited to the most current available data on fund balances on funds maintained by the school district and the district’s use of the apportionments provided pursuant to subdivisions a and b of this section.

(2) Such monthly report shall be in a format prescribed by the commissioner of education. The board of education shall either reject and return the report to the chief fiscal officer and the superintendent of schools for appropriate revisions and resubmittal or shall approve the report and submit copies to the commissioner of education and the state comptroller of such approved report as submitted or resubmitted.

(3) In the 2022-2023 through 2051-52 school years, the chief fiscal officer of the Peekskill city school district shall monitor all budgets
and for each budget, shall prepare a quarterly report of summarized budget data depicting overall trends of actual revenues and budget expenditures for the entire budget as well as individual line items. Such report shall compare revenue estimates and appropriations as set forth in such budget with the actual revenues and expenditures made to date. All quarterly reports shall be accompanied by a recommendation from the superintendent of schools or chief fiscal officer to the board of education setting forth any remedial actions necessary to resolve any unfavorable budget variance including the overestimation of revenue and underestimation of appropriations. The chief fiscal officer shall also prepare, as part of such report, a quarterly trial balance of general ledger accounts in accordance with generally accepted accounting principles as prescribed by the state comptroller. All reports shall be completed within sixty days after the end of each quarter and shall be submitted to the chief fiscal officer and the board of education of the Peekskill city school district, the state division of budget, the office of the state comptroller, the commissioner of education, the chair of the assembly ways and means committee and the chair of the senate finance committee.

§ 15. Severability. The provisions of this act shall be severable, and if the application of any clause, sentence, paragraph, subdivision, section or part of this act to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not necessarily affect, impair or invalidate the application of any such clause, sentence, paragraph, subdivision, section or part of this act or remainder thereof, as the case may be, to any other person or circumstance, 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.

§ 16. This act shall take effect immediately; provided, however, that sections four, five, eight, and nine of this act shall take effect July 1, 2022.

PART B

Section 1. This Part enacts into law major components of legislation relating to promoting zero-emission vehicles. Each component is wholly contained within a Subpart identified as Subparts A through C. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this Part sets forth the general effective date of this Part.

SUBPART A

Section 1. The education law is amended by adding a new section 3638 to read as follows:

§ 3638. Zero-emission school buses. 1. For the purposes of this section "zero-emission school bus" shall mean a school bus that: is propelled by an electric motor and associated power electronics which provide acceleration torque to the drive wheels during normal vehicle operations and draws electricity from a hydrogen fuel cell or battery.
or otherwise operates without direct emission of atmospheric pollutants. For the purposes of this section, zero-emission school buses shall include purchased, leased, or converted school buses.

2. No later than July first, two thousand twenty-nine, every school district shall:
   (a) only purchase or lease zero-emission school buses when purchasing or leasing new buses; and
   (b) include requirements in any procurement for school transportation services that any contractors providing transportation services for the school district must only purchase or lease zero-emission school buses when purchasing or leasing new school buses.

3. No later than July first, two thousand thirty-five, every school district shall:
   (a) only operate and maintain zero-emission school buses; and
   (b) include requirements in any procurement for school transportation services that any contractors providing transportation services for the school district must only operate zero-emission school buses when providing such transportation services to the school district.

4. (a) Notwithstanding any provision of law to the contrary, all rights or benefits, including terms and conditions of employment, and protection of civil service and collective bargaining status of all existing employees of school districts or any entity contracted to provide pupil transportation services shall be preserved and protected. Nothing in this section shall result in the: (i) displacement of any currently employed worker or loss of position (including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits) or impairment of existing collective bargaining agreements; (ii) transfer of existing duties and functions related to maintenance and operations currently performed by existing employees of authorized entities to a contracting entity; or (iii) transfer of future duties and functions ordinarily performed by employees of authorized entities to a contracting entity.

   (b) Prior to the beginning of the procurement process for new zero-emission school buses, charging infrastructure, vehicles or equipment, the transit agency, school district, board of cooperative educational services, municipality or private school bus company shall create and implement a workforce development report that: (i) forecasts the number of jobs provided by existing school buses, rolling stock, vehicles or equipment that would be eliminated or substantially changed after the purchase, as well as the number of jobs expected to be created at the transit provider by the proposed purchase over a five-year period from the date of the publication of the workforce development report; (ii) identifies gaps in skills needed to operate and maintain the new zero-emission school buses, charging infrastructure, vehicles or equipment; (iii) includes a comprehensive plan to transition, train, or retrain employees that are impacted by the proposed purchase; and (iv) contains an estimated budget to transition, train, or retrain employees that are impacted by the proposed purchase.

   (c) Nothing contained herein shall be construed to affect (i) the existing rights of employees pursuant to an existing collective bargaining agreement or (ii) the existing representational relationships among employee organizations or the bargaining relationships between the employer and an employee organization. Prior to beginning the procurement process for new zero-emission school buses, charging infrastructure, vehicles or equipment, the transit agency, school district, board of cooperative educational services, municipality or private school bus
company shall inform the respective collective bargaining agent of any potential jobs that may be affected, altered, or eliminated as a result of the purchase.

5. To achieve the purchase and contracting requirements detailed in subdivision two of this section, the New York state energy research and development authority shall provide technical assistance to school districts upon request, and shall provide assistance to school districts in pursuing state and federal grants and other funding opportunities upon request.

§ 2. Paragraphs c, d and e of subdivision 2 of section 3623-a of the education law, paragraph c as amended by chapter 453 of the laws of 2005, paragraph d as added by chapter 474 of the laws of 1996, and paragraph e as amended by section 68 of part A of chapter 436 of the laws of 1997, are amended and a new paragraph f is added to read as follows:

c. The purchase of equipment deemed a proper school district expense, including: (i) the purchase of two-way radios to be used on old and new school buses, (ii) the purchase of stop-arms, to be used on old and new school buses, (iii) the purchase and installation of seat safety belts on school buses in accordance with the provisions of section thirty-six hundred thirty-five-a of this article, (iv) the purchase of school bus back up beepers, (v) the purchase of school bus front crossing arms, (vi) the purchase of school bus safety sensor devices, (vii) the purchase and installation of exterior reflective marking on school buses, (viii) the purchase of automatic engine fire extinguishing systems for school buses used to transport students who use wheelchairs or other assistive mobility devices, and (ix) the purchase of other equipment as prescribed in the regulations of the commissioner; and

d. Other transportation capital, debt service and lease expense, as approved pursuant to regulations of the commissioner[and]

e. Any approved cost of construction, reconstruction, lease or purchase of a transportation storage facility or site in the amount of ten thousand dollars or more shall be aidable in accordance with subdivision six of section thirty-six hundred two of this article and shall not be aidable as transportation expense[and]; and

f. Approved costs relating to the lease, purchase, construction, or installation of zero-emission school bus electric charging or hydrogen fueling stations. For the purposes of this section, a zero-emission school bus electric charging station is a station that delivers electricity from a source outside a zero-emission school bus into one or more zero-emission school buses. An electric school bus charging station may include several charge points simultaneously connecting several zero-emission school buses to the station and any related equipment needed to facilitate charging plug-in zero-emission school buses. Any work related to the construction or installation of zero-emission school bus electric charging or hydrogen fueling stations shall be considered public work, regardless of public ownership, and subject to section two hundred twenty, two hundred twenty-a, two hundred twenty-three, two hundred twenty-four-b and two hundred twenty-seven of the labor law.

§ 3. Paragraph e of subdivision 7 of section 3602 of the education law, as amended by section 4 of part L of chapter 57 of the laws of 2005, is amended to read as follows:

e. In determining approved transportation capital, debt service and lease expense for aid payable in the two thousand five--two thousand six school year and thereafter, the commissioner, after applying the provisions of paragraph c of this subdivision to such expense, shall
establish an assumed amortization pursuant to this paragraph to deter-
mine the approved capital, debt service and lease expense of the school
district that is aidable in the current year, whether or not the school
district issues debt for such expenditures, subject to any deduction
pursuant to paragraph d of this subdivision. Such assumed amortization
shall be for a period of five years, and for the two thousand twenty-
two-two thousand twenty-three school year and thereafter such assumed
amortization for zero-emission school buses as defined in section thirty-
six hundred thirty-eight of this chapter and related costs pursuant
to paragraph f of subdivision two of section thirty-six hundred twenty-
three-a of this chapter shall be for a period of fifteen years, and
shall commence twelve months after the school district enters into a
purchase contract or lease of the school bus, charging station,
or equipment or a general contract for the
construction, reconstruction, lease or purchase of a transportation
storage facility or site in an amount less than ten thousand dollars[4],
except that where expenses were incurred for the purchase or lease of a
school bus or equipment or the construction, reconstruction, lease or
purchase of a transportation storage facility or site prior to July
first, two thousand five and debt service was still outstanding or the
lease was still in effect as of such date, the assumed amortization
shall commence as of July first, two thousand five and the period of the
amortization shall be for a period equal to five years less the number
of years, rounded to the nearest year, elapsed from the date upon which
the school district first entered into such purchase contract or general
contract and July first, two thousand five, as determined by the commis-
sioner, or the remaining term of the lease as of such date]. Such
assumed amortization shall provide for equal semiannual payments of
principal and interest based on an assumed interest rate established by
the commissioner pursuant to this paragraph. By the first day of Septem-
ber of the current year commencing with the two thousand five--two thou-
sand six school year, each school district shall provide to the commis-
sioner in a format prescribed by the commissioner such information as
the commissioner shall require for all capital debt incurred by such
school district during the preceding school year for expenses allowable
pursuant to subdivision two of section thirty-six hundred twenty-three-a
of this article. Based on such reported amortizations and a methodology
prescribed by the commissioner in regulations, the commissioner shall
compute an assumed interest rate that shall equal the average of the
interest rates applied to all such debt issued during the preceding
school year. The assumed interest rate shall be the interest rate of
each such school district applicable to the current year for the
purposes of this paragraph and shall be expressed as a decimal to five
places rounded to the nearest eighth of one-hundredth.
§ 4. Subparagraph 7 of paragraph e of subdivision 1 of section 3623-a
of the education law, as added by chapter 474 of the laws of 1996, is
amended to read as follows:
(7) fuel, oil, tires, chains, maintenance and repairs for school
buses, provided that for purposes of this article, fuel shall include
electricity used to charge or hydrogen used to refuel zero-emission
school buses for the aidable transportation of pupils, but shall not
include electricity or hydrogen used for other purposes;
§ 5. Clause (a) of subdivision 29 of paragraph a of section 11.00 of
the local finance law, as amended by chapter 300 of the laws of 1971, is
amended to read as follows:
(a) a passenger vehicle, other than a zero-emission school bus, having a seating capacity of less than ten persons,

§ 6. Subdivision 21-a of section 1604 of the education law, as added by chapter 472 of the laws of 1998, is amended to read as follows:

21-a. To lease a motor vehicle or vehicles to be used for the transportation of the children of the district from a school district, board of cooperative educational services or county vocational education and extension board or from any other source, under the conditions specified in this subdivision. No such agreement for the lease of a motor vehicle or vehicles shall be for a term of more than one school year, provided that when authorized by a vote of the qualified voters of the district such lease may have a term of up to five years, or fifteen years for the lease of zero-emission school buses as defined in section thirty-six hundred thirty-eight of this chapter. Where the trustee or board of trustees enter into a lease of a motor vehicle or vehicles pursuant to this subdivision for a term of one school year or less, such trustee or board shall not be authorized to enter into another lease for the same or an equivalent replacement vehicle or vehicles, as determined by the commissioner, without obtaining approval of the qualified voters of the school district.

§ 7. Paragraph i of subdivision 25 of section 1709 of the education law, as added by chapter 472 of the laws of 1998, is amended to read as follows:

i. In addition to the authority granted in paragraph e of this subdivision, the board of education shall be authorized to lease a motor vehicle or vehicles to be used for the transportation of the children of the district from sources other than a school district, board of cooperative educational services or county vocational education and extension board under the conditions specified in this paragraph. No such agreement for the lease of a motor vehicle or vehicles shall be for a term of more than one school year, provided that when authorized by a vote of the qualified voters of the district such lease may have a term of up to five years, or fifteen years for the lease of zero-emission school buses as defined in section thirty-six hundred thirty-eight of this chapter. Where the board of education enters a lease of a motor vehicle or vehicles pursuant to this paragraph for a term of one school year or less, such board shall not be authorized to enter into another lease of the same or an equivalent replacement vehicle or vehicles, as determined by the commissioner, without obtaining approval of the voters.

§ 8. Subdivision 29-a of paragraph a of section 11.00 of the local finance law, as added by section 1 of part BB of chapter 58 of the laws of 2015, is amended to read as follows:

29-a. Transit motor vehicles. The purchase of municipally owned omnibus or similar surface transit motor vehicles, ten years; the purchase of zero-emission buses as defined in section seventeen-c of the transportation law, fifteen years; and the purchase of zero-emission school buses owned by a school district defined pursuant to paragraph two of section 2.00 of this chapter, a city school district with a population of more than one hundred twenty-five thousand inhabitants, or board of cooperative educational services, fifteen years.

§ 9. This act shall take effect immediately.

SUBPART B

Section 1. The transportation law is amended by adding a new section 17-c to read as follows:
§ 17-c. Zero-emission buses. 1. No later than January first, two thousand twenty-nine, every public transportation system eligible to receive operating assistance under the provisions of section eighteen-b of this article shall be required to purchase only zero-emission buses and related equipment and facilities as part of the normal replacement of its fleet. No later than January first, two thousand thirty-five, any hydrogen fuel cell zero-emission bus shall be powered by hydrogen derived from zero-emission electricity.

2. For purposes of this section "zero-emission bus" shall mean a motor vehicle that has a seating capacity of fifteen or more passengers in addition to the driver and used for the transportation of persons; is propelled by an electric motor and associated power electronics which provide acceleration torque to the drive wheels during normal vehicle operation and draws electricity from a hydrogen fuel cell or from a battery which is capable of being recharged from an external source of electricity; or otherwise operates without direct emission of atmospheric pollutants. Provided, however, that for purposes of this section, zero-emission buses shall include paratransit vehicles specifically designated by public transportation systems to serve the needs of persons who cannot use fixed route transit buses, subways or rapid transit.

3. (a) Notwithstanding any provision of law to the contrary, all rights or benefits, including terms and conditions of employment, and protection of civil service and collective bargaining status of all existing employees of authorized entities shall be preserved and protected. Nothing in this section shall result in the: (i) displacement of any currently employed worker or loss of position (including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits) or result in the impairment of existing collective bargaining agreements; (ii) transfer of existing duties and functions related to maintenance and operations currently performed by existing employees of authorized entities to a contracting entity; or (iii) transfer of future duties and functions ordinarily performed by employees of authorized entities to a contracting entity.

(b) At least one year prior to the beginning of the procurement process for new zero-emission buses, the transit authority, agency or municipality shall create and implement a workforce development report that (i) forecasts the number of jobs provided by existing omnibuses, rolling stock, vehicles or equipment that would be eliminated or substantially changed after the purchase, as well as the number of jobs expected to be created at the transit provider by the proposed purchase over a six-year period from the date of the publication of the workforce development report, (ii) identifies gaps in skills needed to operate and maintain the new zero-emission buses, rolling stock, vehicles or related equipment, (iii) includes a comprehensive plan to transition, train, or retrain employees that are impacted by the proposed purchase, and (iv) contains an estimated budget to transition, train, or retrain employees that are impacted by the proposed purchase.

(c) Nothing contained herein shall be construed to affect (i) the existing rights of employees pursuant to an existing collective bargaining agreement, or (ii) the existing representational relationships among employee organizations or the bargaining relationships between the employer and an employee organization. Prior to beginning the procurement process for new zero-emission buses, rolling stock, vehicles or related equipment, the transit authority, agency or municipality shall inform the respective collective bargaining agent of any potential jobs
that may be affected, altered, or eliminated as a result of the purchase, and it shall be a mandatory subject for collective bargaining.

4. (a) Beginning in two thousand twenty-eight and every five years thereafter until a public transportation system has transitioned entirely to using zero-emission buses, every public transportation system covered pursuant to this section shall submit to the department a transition plan for complying with the two thousand twenty-nine procurement requirement and for transitioning to zero-emission buses. Such plan shall include without limitation:

(i) A list or report of the policies and practices to comply with the two thousand twenty-nine requirement to procure only zero-emission buses and a goal to fully transition to zero-emission fleets by two thousand forty, including other relevant procurement targets and performance metrics, including without limitation an interim goal of converting to fifty percent zero-emission buses by two thousand thirty-five.

(ii) Identification of barriers, constraints, and risks to one hundred percent transition based on a public transportation system's specific routes and unique circumstances, and strategies to address those issues.

(iii) Identification of the types of buses a public transportation system plans to deploy, and a schedule of zero-emission and combustion bus purchase and lease options, and zero-emission bus retrofits if applicable.

(iv) A schedule for the construction of facilities and infrastructure modifications or upgrades, including but not limited to charging, fueling, and maintenance facilities, needed to support the deployment of zero-emission buses.

(v) An outreach plan to coordinate with other relevant stakeholders, including utilities, local governments, and bus riders.

(vi) A plan to prioritize zero-emission bus deployments in or near disadvantaged communities, defined in article seventy-five of the environmental conservation law.

(vii) A training plan and schedule for bus operators, maintenance and repair staff, which may be incorporated into a workforce development report required pursuant to this section, section twenty-eight hundred seventy-eight-a of the public authorities law, and section one hundred forty of the general municipal law.

(viii) Cost estimates to implement the zero-emission bus transition, and identification of existing funding sources available that could be used to transition to one hundred percent zero-emission buses.

(ix) An analysis of specific strategies, constraints, and needs related to the procurement of zero-emission buses for paratransit operations and, if relevant, intercity bus service or bus service that is intended to satisfy longer distance travel demand between cities, villages and unincorporated urban places.

(x) Identification of fuel sources used to fuel hydrogen fuel cell buses, and a plan to ensure all hydrogen fuel cell zero-emission buses will use hydrogen derived from zero-emission electricity by two thousand thirty-five.

(b) (i) To effectuate the purposes of this section, public transportation systems may request and shall receive from any department, division, board, bureau, commission or other agency of the state or any public authority such technical assistance, information and data as will enable them to properly carry out its powers and duties pursuant to this section.
(ii) Provided additionally that public transportation systems shall consult with the department and with the New York state energy research and development authority in developing their transition plans.

(iii) The department, in consultation with the New York state energy research and development authority pursuant to sections eighteen hundred fifty-four and eighteen hundred eighty-four of the public authorities law and any other relevant sections, shall provide technical assistance to public transportation systems upon request, and shall provide assistance to public transportation systems upon request for assistance in pursuing state and federal grant and other funding opportunities. The department shall also facilitate the coordination of purchasing, installation and sharing services between public transportation systems serving primarily outside of cities with a population of one million or more.

(c) Public transportation systems shall solicit public comment in developing transition plans, and are authorized to hold public hearings and meetings in accordance with article seven of the public officers law, and consult with any organization, educational institution, or other government entity or person, to enable them to accomplish their duties.

(d) The department shall publish transition plans on their publicly accessible website within thirty days of the plans being finalized with the department.

§ 2. The transportation law is amended by adding a new section 18-c to read as follows:

§ 18-c. Capital plan requirements. In formulating the five-year department of transportation capital plans, the department shall: (a) consider the requirement of section seventeen-c of this article in its disbursement of payment for the costs of mass transportation capital projects and facilities and give preference in the form of payments to public transportation systems eligible to receive operating assistance under the provisions of section eighteen-b of this article that are able to demonstrate commitments made towards purchasing and retrofitting zero-emission buses and related equipment and facilities; and (b) facilitate for purposes of meeting the requirement of section seventeen-c of this article the coordination of purchasing, installation and sharing services between public transportation systems serving primarily outside the city of New York.

§ 3. Section 2878-a of the public authorities law is amended by adding a new subdivision 3 to read as follows:

3. (a) A transportation authority established under this chapter may, by resolution approved by a two-thirds vote of its members then in office, or by a declaration that competitive bidding is impractical or inappropriate with respect to electric-powered omnibuses, rolling stock, vehicles or other related equipment because the item is available through an existing contract between a vendor and (i) another public authority provided that such other authority utilized a process of competitive bidding or a process of competitive requests for proposals to award such contracts, or (ii) the state of New York, or (iii) a political subdivision of the state of New York, provided that in any case when under this subdivision the authority determines that obtaining such item thereby would be in the public interest and sets forth the reasons for such determination. The authority shall accept sole responsibility for any payment due the vendor as a result of the authority’s order. In each case where the authority declares competitive bidding impractical or inappropriate, it shall state the reason therefor in writing and
summarize any negotiations that have been conducted. The authority shall not award any contract pursuant to this subdivision earlier than thirty days from the date on which the authority declares that competitive bidding is impractical or inappropriate. All procurements approved pursuant to this subdivision shall be subject to audit and inspection by the department of audit and control or any successor agencies. For purposes of this subdivision, "transportation authority" shall not include transportation authorities governed under titles nine, nine-A and eleven of article five of this chapter or title three of article three of this chapter. For the purposes of this subdivision, "electric-powered omnibuses" shall include any bus owned, leased, rented or otherwise controlled by the authority that otherwise meets the definition of bus provided in section five hundred nine-a of the vehicle and traffic law that is propelled by an electric motor and associated power electronics which provide acceleration torque to the drive wheels during normal vehicle operation and draws electricity from a hydrogen fuel cell or from a battery which is capable of being recharged from an external source of electricity; or otherwise operates without direct emission of atmospheric pollutants.

(b) (i) Notwithstanding any provision of law to the contrary, all rights or benefits, including terms and conditions of employment, and protection of civil service and collective bargaining status of all existing employees of authorized entities shall be preserved and protected. Nothing in this section shall result in the: (1) displacement of any currently employed worker or loss of position, including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits, or result in the impairment of existing collective bargaining agreements; (2) transfer of existing duties and functions related to maintenance and operations currently performed by existing employees of authorized entities to a contracting entity; or (3) transfer of future duties and functions ordinarily performed by employees of authorized entities to a contracting entity.

(ii) At least one year prior to the beginning of the procurement process for new electric-powered omnibuses, rolling stock, vehicles or related equipment, the authority shall create and implement a workforce development report that (1) forecasts the number of jobs provided by existing omnibuses, rolling stock, vehicles or equipment that would be eliminated or substantially changed after the purchase, as well as the number of jobs expected to be created at the authority by the proposed purchase over a six-year period from the date of the publication of the workforce development report, (2) identifies gaps in skills needed to operate and maintain the new electric-powered omnibuses, rolling stock, vehicles or related equipment, (3) includes a comprehensive plan to transition, train, or retrain employees that are impacted by the proposed purchase, and (4) contains an estimated budget to transition, train, or retrain employees that are impacted by the proposed purchase.

(c) Nothing contained herein shall be construed to affect (i) the existing rights of employees pursuant to an existing collective bargaining agreement, or (ii) the existing representational relationships among employee organizations or the bargaining relationships between the employer and an employee organization. Prior to beginning the procurement process for new electric-powered omnibuses, rolling stock, vehicles or related equipment, the transit agency or municipality shall inform the respective collective bargaining agent of any potential jobs that may be affected, altered, or eliminated as a result of the purchase, and it shall be a mandatory subject for collective bargaining.
§ 4. Section 104 of the general municipal law is amended by adding a new subdivision 3 to read as follows:

3. (a) Notwithstanding the provisions of section one hundred three of this article or of any other general, special or local law, any chief executive officer of a political subdivision or agency which operates a public transportation system is authorized to make purchases of electric-powered omnibuses or other related equipment upon a resolution approved by a two-thirds vote of its board then in office because the item is available through an existing contract between a vendor and (i) a public authority of the state provided that such other authority utilized a process of competitive bidding or a process of competitive requests for proposals to award such contracts, or (ii) the state of New York, or (iii) a political subdivision of the state of New York, provided that in any case when under this subdivision the political subdivision determines that obtaining such item thereby would be in the public interest and sets forth the reasons for such determination. The political subdivision shall not award any contract pursuant to this subdivision earlier than thirty days from the date on which the political subdivision declares that competitive bidding is impractical or inappropriate. All purchases shall be subject to audit and inspection by the political subdivision for which made, in addition to the department of audit and control of New York state. For purposes of this subdivision, "political subdivision or agency which operates a public transportation system" shall not include transportation authorities governed under titles nine, nine-A and eleven of article five of the public authorities law or title three of article three of the public authorities law. For the purposes of this subdivision, "electric-powered omnibuses" shall include any bus owned, leased, rented or otherwise controlled by the political subdivision that otherwise meets the definition of bus provided in section five hundred nine-a of the vehicle and traffic law that is propelled by an electric motor and associated power electronics which provide acceleration torque to the drive wheels during normal vehicle operation and draws electricity from a hydrogen fuel cell or from a battery which is capable of being recharged from an external source of electricity; or otherwise operates without direct emission of atmospheric pollutants.

(b) (i) Notwithstanding any provision of law to the contrary, all rights or benefits, including terms and conditions of employment, and protection of civil service and collective bargaining status of all existing employees of authorized entities shall be preserved and protected. Nothing in this section shall result in the: (1) displacement of any currently employed worker or loss of position, including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits, or result in the impairment of existing collective bargaining agreements; (2) transfer of existing duties and functions related to maintenance and operations currently performed by existing employees of authorized entities to a contracting entity; or (3) transfer of future duties and functions ordinarily performed by employees of authorized entities to a contracting entity.

(ii) At least one year prior to the beginning of the procurement process for new electric-powered omnibuses, rolling stock, vehicles or related equipment, the transit agency or municipality shall create and implement a workforce development report that (1) forecasts the number of jobs provided by existing omnibuses, rolling stock, vehicles or equipment that would be eliminated or substantially changed after the purchase, as well as the number of jobs expected to be created at the
transit provider by the proposed purchase over a six-year period from
the date of the publication of the workforce development report, (2)
identifies gaps in skills needed to operate and maintain the new elec-
tric-powered omnibuses, rolling stock, vehicles or related equipment,
(3) includes a comprehensive plan to transition, train, or retrain
employees that are impacted by the proposed purchase, and (4) contains
an estimated budget to transition, train, or retrain employees that are
impacted by the proposed purchase.

(c) Nothing contained herein shall be construed to affect (i) the
existing rights of employees pursuant to an existing collective bargain-
ing agreement, or (ii) the existing representational relationships among
employee organizations or the bargaining relationships between the
employer and an employee organization. Prior to beginning the procure-
ment process for new electric-powered omnibuses, rolling stock, vehicles
or related equipment, the transit agency or municipality shall inform
the respective collective bargaining agent of any potential jobs that
may be affected, altered, or eliminated as a result of the purchase, and
it shall be a mandatory subject for collective bargaining.

§ 5. Section 104 of the general municipal law, as amended by section
27 of part L of chapter 55 of the laws of 2012, is amended to read as
follows:

§ 104. Purchase through office of general services. 1. Notwithstanding
the provisions of section one hundred three of this article or of any
other general, special or local law, any officer, board or agency of a
political subdivision, of a district therein, of a fire company or of a
voluntary ambulance service is authorized to make purchases of commod-
ities and services available pursuant to section one hundred sixty-three
of the state finance law, may make such purchases through the office of
general services subject to such rules as may be established from time
to time pursuant to section one hundred sixty-three of the state finance
law or through the general services administration pursuant to section
1555 of the federal acquisition streamlining act of 1994, P.L. 103-355;
provided that any such purchase shall exceed five hundred dollars and
that the political subdivision, district, fire company or voluntary
ambulance service for which such officer, board or agency acts shall
accept sole responsibility for any payment due the vendor. All purchases
shall be subject to audit and inspection by the political subdivision,
district, fire company or voluntary ambulance service for which made. No
officer, board or agency of a political subdivision, or a district ther-
ein, of a fire company or of a voluntary ambulance service shall make
any purchase through such office when bids have been received for such
purchase by such officer, board or agency, unless such purchase may be
made upon the same terms, conditions and specifications at a lower price
through such office. Two or more fire companies or voluntary ambulance
services may join in making purchases pursuant to this section, and for
the purposes of this section such groups shall be deemed "fire companies
or voluntary ambulance services."

2. (a) Notwithstanding the provisions of section one hundred three of
this article or of any other general, special or local law, any chief
executive officer of a political subdivision or agency which operates a
public transportation system is authorized to make purchases of elec-
tric-powered omnibuses or other related equipment upon a resolution
approved by a two-thirds vote of its board then in office because the
item is available through an existing contract between a vendor and (a)
a public authority of the state provided that such other authority
utilized a process of competitive bidding or a process of competitive
requests for proposals to award such contracts, or (b) the state of New
York, or (c) a political subdivision of the state of New York, provided
that in any case when under this subdivision the political subdivision
determines that obtaining such item thereby would be in the public
interest and sets forth the reasons for such determination. The poli-
tical subdivision shall not award any contract pursuant to this subdivi-
sion earlier than thirty days from the date on which the political
subdivision declares that competitive bidding is impractical or inappro-
priate. All purchases shall be subject to audit and inspection by the
political subdivision for which made, in addition to the department of
audit and control of New York state. For purposes of this subdivision,
"political subdivision or agency which operates a public transportation
system" shall not include transportation authorities governed under
titles nine, nine-A and eleven of article five of the public authorities
law or title three of article three of the public authorities law. For
the purposes of this subdivision, "electric-powered omnibuses" shall
include any bus owned, leased, rented or otherwise controlled by the
political subdivision that otherwise meets the definition of bus
provided in section five hundred nine-a of the vehicle and traffic law
that is propelled by an electric motor and associated power electronics
which provide acceleration torque to the drive wheels during normal
vehicle operation and draws electricity from a hydrogen fuel cell or
from a battery which is capable of being recharged from an external
source of electricity; or otherwise operates without direct emission of
atmospheric pollutants.

(b) (i) Notwithstanding any provision of law to the contrary, all
rights or benefits, including terms and conditions of employment, and
protection of civil service and collective bargaining status of all
existing employees of authorized entities shall be preserved and
protected. Nothing in this section shall result in the: (1) displacement
of any currently employed worker or loss of position, including
partial displacement such as a reduction in the hours of non-overtime
work, wages, or employment benefits, or result in the impairment of
existing collective bargaining agreements; (2) transfer of existing
duties and functions related to maintenance and operations currently
performed by existing employees of authorized entities to a contracting
entity; or (3) transfer of future duties and functions ordinarily
performed by employees of authorized entities to a contracting entity.

(ii) At least one year prior to the beginning of the procurement proc-
ess for new electric-powered omnibuses, rolling stock, vehicles or
related equipment, the transit agency or municipality shall create and
implement a workforce development report that (1) forecasts the number
of jobs provided by existing omnibuses, rolling stock, vehicles or
equipment that would be eliminated or substantially changed after the
purchase, as well as the number of jobs expected to be created at the
transit provider by the proposed purchase over a six-year period from
the date of the publication of the workforce development report, (2)
identifies gaps in skills needed to operate and maintain the new elec-
tric-powered omnibuses, rolling stock, vehicles or related equipment,
(3) includes a comprehensive plan to transition, train, or retrain
employees that are impacted by the proposed purchase, and (4) contains
an estimated budget to transition, train, or retrain employees that are
impacted by the proposed purchase.

(c) Nothing contained herein shall be construed to affect (i) the
existing rights of employees pursuant to an existing collective bargain-
ing agreement, or (ii) the existing representational relationships among
employee organizations or the bargaining relationships between the
employer and an employee organization. Prior to beginning the procure-
ment process for new electric-powered omnibuses, rolling stock, vehicles
or related equipment, the transit agency or municipality shall inform
the respective collective bargaining agent of any potential jobs that
may be affected, altered, or eliminated as a result of the purchase, and
it shall be a mandatory subject for collective bargaining.

§ 6. The transportation law is amended by adding a new section 18-d to
read as follows:

§ 18-d. Zero-emission bus procurement contract proposals. 1. Every
public transportation system eligible to receive operating assistance
pursuant to section eighteen-b of this article shall use a system that
incorporates a best-value contracting framework to consider the quality,
cost and efficiency of offerors when evaluating procurement contract
proposals for the purchase of zero-emission buses and charging equipment
in the event it adopts a best-value contracting framework. Such frame-
work shall reflect, whenever possible, objective and quantifiable analy-
sis. Such framework shall identify a quantitative factor for offerors
that prioritize and include the following in such procurement contract
proposal:

(a) an employment plan which shall include but not be limited to:
(i) worker wages, including the contractor's record of compliance with
prevailing wage requirements enforced by the United States or New York
state department of labor;
(ii) worker benefits;
(iii) worker safety;
(iv) training, retraining, and registered apprenticeship programs; and
(v) a commitment to create high quality jobs within the state to the
maximum extent practicable for disadvantaged or underrepresented indi-
viduals;

(b) a commitment to consider the interests of members of the community
that surround such offeror's facility and the interests of members of
the community from which workers are recruited; and
(c) a description of efforts by the offeror to lower greenhouse gas
emissions and such offeror's impact on climate change.

2. The framework established by subdivision one of this section shall
include notice to offerors stating that:

(a) the terms and conditions of employment, content of employment
plans and reports required by this section shall be subject to disclo-
sure under the Freedom of Information Law; and

(b) the final contract and compliance documents shall be made avail-
able to the public on the department's website.

3. For purposes of this section "zero-emission bus" shall have the
same meaning as set forth in subdivision two of section seventeen-c of
this article.

4. Public transportation systems shall coordinate with the department
to ensure compliance with section one hundred thirty-nine-i of the state
finance law.

5. (a) The department shall promulgate regulations to establish the
forms, manner and process by which offerors shall submit contract
proposals pursuant to this section. Such regulations shall include
requirements to demonstrate details of such offerors' employment plan
and compliance with this section, including without limitation requiring
applicants for contracts using federal funds to complete a United States
Jobs Plan form in compliance with Sections 200.319(c) and 200.322 of
Title 2 of the Code of Federal Regulations. Such regulations shall not
require any minimum commitments other than those already required by relevant federal, state, and local laws.

(b) The United States Jobs Plan shall include without limitation the following information on the offeror’s proposed job creation and retention projections with respect to the contract proposal:

(i) The number of full-time non-temporary jobs proposed to be retained and created.
(ii) The number of full-time temporary jobs proposed to be retained and created.
(iii) The number of part-time temporary jobs proposed to be retained and created.
(iv) The number of part-time non-temporary jobs proposed to be retained and created.
(v) The number of jobs classified as employee, as defined in section seven hundred forty of the labor law.
(vi) The number of positions classified as independent contractor, which may not include any jobs classified as employees.
(vii) The number of all jobs proposed to be retained or created for individuals facing barriers to employment.
(viii) The number of all jobs proposed to be retained or created for displaced workers.
(ix) The wage levels by job classification.
(x) Proposed amounts to be paid for fringe benefits by job classification.
(xi) Proposed amounts to be paid for worker training by job classification.
(xii) Information on training programs targeted specifically toward individuals facing barriers to employment and displaced workers.
(xiii) In the event that a federal authority specifically authorizes use of a geographic preference or when state or local funds are used to fund a contract, proposed local jobs created in the state or within an existing facility in the state that are related to the manufacturing of zero-emission buses and charging infrastructure.

(c) For the purposes of this section, the following terms shall have the following meanings:

(i) "Displaced worker" means:
   (1) Any employee who was employed by the employer for six months or more in the twelve months preceding the January thirty-first, two thousand twenty, declaration of a national state of emergency by the President, and whose most recent separation from active service was due to a public health directive, government shutdown order, lack of business, a reduction in force, or other economic, nondisciplinary reason related to the COVID-19 pandemic.
   (2) Any employee whose most recent separation from active service was due to lack of business, a reduction in force, or other economic, nondisciplinary reason related to the transition from the fossil-fuel reliant buses to zero-emission buses.

(ii) "Individual facing barriers to employment" means either of the following:
   (1) An individual facing barriers to employment as defined by the commissioner or, otherwise
   (2) An individual from a demographic group that represents less than thirty percent of their relevant industry workforce according to the United States Bureau of Labor Statistics.

(iii) "New hire" means an employee whose first day of employment will be on or after the date the contract begins.
(iv) "Incumbent worker" means current employees, either non-temporary
or temporary full-time employee, who will be retained and assigned to
perform work in furtherance of the contract.

(v) "Temporary job" means a job for which the employee is supplied by
an employment agency, as defined in article eleven of the general business law.

(d) (i) The department shall create a workbook that includes without
limitation the items listed in paragraph (b) of this subdivision in
order to ensure that all impacted transit agencies have a standard and
consistent method to evaluate the bid proposals and quantitative commit-
ments made in the United States Jobs Plans and relevant local hiring
addenda. The department shall also utilize an internal accounting system
allowing for segregating and auditing of workers' hours and costs such
as those of new hires and incumbent workers pursuant to employment plan
commitments.

(ii) The departmental workbook shall also account for proposed
in-state facility commitments related to manufacturing of zero-emission
buses and charging infrastructure. The workbook shall include a method
to evaluate: (1) the activity performed at the facility; (2) if the
facility is constructed or rehabilitated to manufacture zero-emission
buses or charging infrastructure; (3) NAICS code associated with the
facility's primary industrial activities; (4) if the site is located in
a brownfield location; (5) if the facility is leased or purchased; and
(6) any other fees or costs associated with the proposed facility.

6. In the first full year in which a public transportation system
enters into a contract for the procurement of zero-emission buses, such
public transportation system shall issue a report on or before the
beginning of each fiscal quarter to the commissioner. On or before
December thirty-first of each year thereafter, such public transporta-
tion system shall issue a report to the commissioner, the governor, the
temporary president of the senate, the minority leader of the senate,
the speaker of the assembly, the minority leader of the assembly. Such
reports shall detail compliance with the provisions of this section by
such public transportation system, detail compliance with the provisions
of this section by relevant contracting entities and shall include
descriptions of factors considered in evaluating procurement contract
proposals.

§ 7. Severability. The provisions of this act shall be severable, and
if the application of any clause, sentence, paragraph, subdivision,
section or part of this act to any person or circumstance shall be
adjudged by any court of competent jurisdiction to be invalid, such
judgment shall not necessarily affect, impair or invalidate the applica-
tion of any such clause, sentence, paragraph, subdivision, section or
part of this act or remainder thereof, as the case may be, to any other
person or circumstance, 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.

§ 8. This act shall take effect immediately, provided, however, that
sections six and seven of this act shall take effect on the ninetieth
day after it shall have become a law; provided, further, that the amend-
ments to section 104 of the general municipal law made by section four
of this act shall be subject to the expiration and reversion of such
section pursuant to section 9 of subpart A of part C of chapter 97 of
the laws of 2011, as amended, when upon such date the provisions of
section five of this act shall take effect. Effective immediately, the
addition, amendment and/or repeal of any rule or regulation necessary
for the implementation of this act on its effective date are authorized
to be made and completed on or before such effective date.

SUBPART C

Section 1. Section 201-a of the executive law is amended by adding a
new subdivision 10 to read as follows:

10. The office of general services shall, on or before December thir-
ty-first, two thousand twenty-two, prepare, in consultation with the
department of environmental conservation and the New York state energy
research and development authority, a state fleet procurement plan for
purchase or lease of state agency vehicles to ensure that (i) at least
twenty-five percent of state agency vehicles, including ten percent of
state agency medium and heavy duty vehicles, will be zero-emission vehi-
cles by no later than December thirty-first, two thousand twenty-five
and (ii) at least fifty percent of state agency vehicles, including
twenty-five percent of state agency medium and heavy duty vehicles, will
be zero-emission vehicles by no later than December thirty-first, two thousand thirty-
and (iii) all state agency medium and heavy duty vehicles shall be
zero-emission vehicles by no later than December thirty-first, two thou-
sand forty, unless a zero-emission vehicle is not feasible for a partic-
ular application. By January first, two thousand thirty, all passenger
vehicles purchased by or for the state or any agency or public authority
thereof shall be zero-emission vehicles. By January first, two thousand
thirty-five, all medium and heavy duty vehicles purchased by or for the
state or any agency or public authority thereof shall be zero-emission
vehicles where feasible. For purposes of this subdivision, "zero-emis-
sion vehicle" shall mean a vehicle powered by means of a battery or fuel
cell or a combination thereof, or another source of power, that produces
zero exhaust emissions of any greenhouse gas, criteria pollutant or
precursor pollutant under any and all possible operational modes and
conditions.

§ 2. Section 1854 of the public authorities law is amended by adding a
new subdivision 22 to read as follows:

22. To administer a program to provide technical assistance to school
districts, school bus fleet operators and public transportation systems
on managing zero-emission vehicle fleets and the charging or fueling
infrastructure for such zero-emission vehicle fleets.

§ 3. The public authorities law is amended by adding a new section
1884 to read as follows:

§ 1884. Zero-emission bus roadmap. 1. The authority, in consultation
with the department of public service and the department of transporta-
tion, shall create a zero-emission transit and school bus roadmap for
the state which shall identify the actions needed to meet the fleet
sales and conversion targets established in section thirty-six hundred
decision direct targets established in section thirty-six hundred
and section seventeen-c of the transportation law. The roadmap shall include but not be limited to (a)
financial and technical guidance related to the purchasing, retrofit-
ing, operation, and maintenance of zero-emission buses, (b) an iden-
tification and siting plan for charging and fueling infrastructure, (c)
an identification of the necessary investments in the electric trans-
mission and distribution grid, (d) an identification of how to ensure
related facility upgrades are coordinated to maximize the cost effec-
tiveness and overall system reliability, (e) the available federal, state, and local funding to purchase or lease zero-emission buses or convert existing buses to zero-emissions, (f) an identification of new incentives and programs to advance the deployment and adoption of zero-emission buses and (g) streamlining actions to facilitate the conversion of transit and school bus fleets.

2. The authority shall convene a technical advisory group made up of diverse stakeholders to provide the authority with relevant technical, policy, and market expertise. The authority shall further develop a stakeholder engagement process to solicit feedback on the roadmap and raise consumer awareness and education across the state.

3. The authority shall report its findings and any recommendations to the governor, the temporary president of the senate, and the speaker of the assembly no later than one year after the effective date of this section. The roadmap shall be updated every three years and made publicly available on the authority's website.

§ 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 date of Subparts A through C of this act shall be as specifically set forth in the last section of such Subparts.

PART C

Intentionally Omitted

PART D

Section 1. Subparagraph 4-b of paragraph h of subdivision 2 of section 355 of the education law, as added by section 1 of part GG of chapter 56 of the laws of 2021, is amended to read as follows:

(4-b) (i) In state fiscal year two thousand twenty-two--two thousand twenty-three and thereafter, the state shall appropriate and make available general fund operating support in the amount of [thirty-three percent of] the tuition credit calculated pursuant to section six hundred eighty-nine-a of this chapter for the two thousand twenty-two--two thousand twenty-three academic year.

(ii) In state fiscal year two thousand twenty-three--two thousand twenty-four, the state shall appropriate and make available general fund operating support in the amount of sixty-seven percent of the tuition credit calculated pursuant to section six hundred eighty-nine-a of this chapter for the two thousand twenty-three--two thousand twenty-four academic year.

(iii) Beginning in state fiscal year two thousand twenty-four--two thousand twenty-five and thereafter, the state shall appropriate and make available general fund operating support in the amount of the
tuition credit calculated pursuant to section six hundred eighty-nine-a of this chapter annually.

§ 2. Paragraph (f) of subdivision 7 of section 6206 of the education law, as added by section 2 of part GG of chapter 56 of the laws of 2021, is amended to read as follows:

(f) In state fiscal year two thousand twenty-two--two thousand twenty-three and thereafter, the state shall appropriate and make available general fund operating support in the amount of thirty-three percent of the tuition credit calculated pursuant to section six hundred eighty-nine-a of this chapter for the two thousand twenty-two--two thousand twenty-three academic year.

(ii) In state fiscal year two thousand twenty-three--two thousand twenty-four, the state shall appropriate and make available general fund operating support in the amount of sixty-seven percent of the tuition credit calculated pursuant to section six hundred eighty-nine-a of this chapter for the two thousand twenty-three--two thousand twenty-four academic year.

(iii) Beginning in state fiscal year two thousand twenty-four--two thousand twenty-five and thereafter, the state shall appropriate and make available general fund operating support in the amount of the tuition credit calculated pursuant to section six hundred eighty-nine-a of this chapter annually.

§ 3. This act shall take effect immediately.

PART E

Section 1. Section 667-c of the education law, as added by section 1 of part N of chapter 58 of the laws of 2006, is amended to read as follows:

§ 667-c. Part-time tuition assistance program awards. 1. Notwithstanding any law, rule or regulation to the contrary, the president of the higher education services corporation is authorized to make tuition assistance program awards to:

a. part-time students enrolled at the state university, a community college, the city university of New York, and a non-profit college or university incorporated by the regents or by the legislature who meet all requirements for tuition assistance program awards except for the students' part-time attendance; or

b. students enrolled part-time at a community college in a non-degree workforce credential program approved by the New York state empire state development corporation and the New York state regional economic development councils based on an analysis of regional industry trends, workforce needs and existing program offerings.

2. For purposes of this section, a part-time student is one who:

a. for students defined in paragraph a of subdivision one of this section, a part-time student is one who: (i) enrolled as a first-time freshman during the two thousand six--two thousand seven academic year or thereafter at a college or university within the state university, including a statutory or contract college, a community college established pursuant to article one hundred twenty-six of this chapter, the city university of New York, or a non-profit college or university incorporated by the regents or by the legislature;

b. has earned at least twelve credits in each of two consecutive semesters at one of the institutions named in paragraph a of this subdivision by the time of the awards;
(ii) is enrolled for at least six but less than twelve semester hours, or the equivalent, per semester in an approved undergraduate degree program; and

[d-] (iii) has a cumulative grade-point average of at least 2.00.

b. for students defined in paragraph b of subdivision one of this section, a part-time student is one who: (i) meets all requirements for tuition assistance program awards except for the student's part-time attendance and any other requirements that are inconsistent with the student's enrollment in a non-degree program; and

(ii) is enrolled in an approved non-degree workforce credential program at a community college established pursuant to article one hundred twenty-six of this chapter.

3. a. For part-time students defined in this section, the award shall be calculated as provided in section six hundred sixty-seven of this article and shall be in an amount equal to the enrollment factor percent of the award the student would have been eligible for if the student were enrolled full-time. [The] For part-time students defined in paragraph a of subdivision one of this section, the enrollment factor percent is the percentage obtained by dividing the number of credits the student is enrolled in, as certified by the school, by the number of credits required for full-time study in the semester, quarter or term as defined by the commissioner. For part-time students defined in paragraph b of subdivision one of this section, the enrollment factor shall be calculated pursuant to regulations established by the higher education services corporation.

b. [Any] (i) For part-time students defined in paragraph a of subdivision one of this section, any semester, quarter or term of attendance during which a student receives an award pursuant to this section shall be counted as the enrollment factor percent of a semester, quarter or term toward the maximum term of eligibility for tuition assistance awards pursuant to section six hundred sixty-seven of this article. The total period of study for which payment may be made shall not exceed the equivalent of the maximum period authorized for that award.

(ii) For part-time students as defined in paragraph b of subdivision one of this section, the total period of study for which payment may be made shall not exceed the equivalent of the maximum period authorized for the non-degree workforce credential program.

§ 2. This act shall take effect immediately.

PART F

Section 1. Subparagraph (v) of paragraph b-1 of subdivision 4 of section 661 of the education law is REPEALED.

§ 2. Subparagraphs (iii) and (iv) of paragraph b-1 of subdivision 4 of section 661 of the education law, as added by section 1 of part Z of chapter 58 of the laws of 2011, are amended to read as follows:

(iii) does not maintain good academic standing pursuant to paragraph c of subdivision six of section six hundred sixty-five of this subpart, and if there is no applicable existing academic standards schedule pursuant to such subdivision, then such recipient shall be placed on the academic standards schedule applicable to students enrolled in a four-year or five-year undergraduate program; or

(iv) is in default in the repayment of any state or federal student loan, has failed to comply with the terms of any service condition imposed by an academic performance award made pursuant to this article, or has failed to make a refund of any award.
§ 3. Paragraph d of subdivision 6 of section 661 of the education law is REPEALED.
§ 4. This act shall take effect immediately.

PART G

Section 1. Subdivision 2 of section 669-h of the education law, as amended by section 1 of part G of chapter 56 of the laws of 2021, is amended to read as follows:

2. Amount. Within amounts appropriated therefor and based on availability of funds, awards shall be granted beginning with the two thousand seventeen--two thousand eighteen academic year and thereafter to applicants that the corporation has determined are eligible to receive such awards. The corporation shall grant such awards in an amount up to five thousand five hundred dollars or actual tuition, whichever is less; provided, however, (a) a student who receives educational grants and/or scholarships that cover the student's full cost of attendance shall not be eligible for an award under this program; and (b) an award under this program shall be applied to tuition after the application of payments received under the tuition assistance program pursuant to section six hundred sixty-seven of this subpart, tuition credits pursuant to section six hundred eighty-nine-a of this article, federal Pell grant pursuant to section one thousand seventy of title twenty of the United States code, et seq., and any other program that covers the cost of attendance unless exclusively for non-tuition expenses, and the award under this program shall be reduced in the amount equal to such payments, provided that the combined benefits do not exceed five thousand five hundred dollars. Upon notification of an award under this program, the institution shall defer the amount of tuition. Notwithstanding paragraph h of subdivision two of section three hundred fifty-five and paragraph (a) of subdivision seven of section six thousand two hundred six of this chapter, and any other law, rule or regulation to the contrary, the undergraduate tuition charged by the institution to recipients of an award shall not exceed the tuition rate established by the institution for the two thousand sixteen--two thousand seventeen academic year provided, however, that in the two thousand [twenty-three] twenty-two--two thousand [twenty-four] twenty-three academic year and every year thereafter, the undergraduate tuition charged by the institution to recipients of an award shall be reset to equal the tuition rate established by the institution for the forthcoming academic year, provided further that the tuition credit calculated pursuant to section six hundred eighty-nine-a of this article shall be applied toward the tuition rate charged for recipients of an award under this program. Provided further that the state university of New York and the city university of New York shall provide an additional tuition credit to students receiving an award to cover the remaining cost of tuition.
§ 2. This act shall take effect immediately.

PART H

Section 1. Subdivision 5 of section 695-b of the education law, as amended by chapter 535 of the laws of 2000, is amended to read as follows:

5. "Eligible educational institution" shall mean (a) any institution of higher education defined as an eligible educational institution in section 529(e)(5) of the Internal Revenue Code of 1986, as amended, or
(b) any apprenticeship program described in section 529(c)(8) of the Internal Revenue Code of 1986, as amended.

§ 2. This act shall take effect immediately.

PART I

Intentionally Omitted

PART J

Section 1. The education law is amended by adding a new section 210-d to read as follows:

§ 210-d. Registration of curricula. 1. Notwithstanding any law, rule or regulation to the contrary, any new curriculum or program of study offered by any not-for-profit college or university chartered by the regents or incorporated by special act of the legislature that does not require a master plan amendment pursuant to section two hundred thirty-seven of this part, or charter amendment pursuant to section two hundred sixteen of this part, or lead to professional licensure; and that is approved by the state university board of trustees, the city university board of trustees, or the trustees or governing body of any other not-for-profit college or university chartered by the regents which (a) has maintained a physical presence in New York state for the immediately preceding ten years and has been operated continuously by the same governing body during the same immediately preceding ten year period and (b) is accredited and has continued in accreditation by the Middle States Commission on Higher Education ("MSCHE") or another institutional accrediting agency recognized by the secretary of the United States department of education or the department for the immediately preceding ten years, shall be deemed registered with the department sixty days after notification of approval by such college or university's governing body and submission of a complete application for review. If within sixty days of submission, the department determines the new curriculum or program of study to be incomplete or insufficient, a written explanation shall be provided to the institution. Upon curing, the new curriculum or program of study shall be deemed registered with the department thirty days after resubmission, or earlier upon the department's approval.

2. Any not-for-profit college or university that meets the criteria set forth in subdivision one of this section which has received curriculum or program approval from the department and seeks to offer the same curriculum or program in a distance learning format shall not need to have such curriculum or program re-approved by the department, but shall inform the department of such college's or university's intent to offer such program in such format within thirty days prior to providing distance learning.

3. If a college or university is placed on probation or has its accreditation terminated by the institutional accrediting agency, such college or university shall notify the regents in writing no later than thirty days after receiving notice of its probationary status or loss of accreditation by the institutional accrediting agency.

4. Any college or university which has its accreditation placed on probation or terminated by the institutional accrediting agency or the education department shall be subject to the commissioner's program approval until it has been removed from probation or regained accredi-
station by the institutional accrediting agency or the education department, and shall further remain subject to such commissioner's program approval until it has continued without probation for a period of not less than six years.

5. If a college or university subject to this section intends to offer or institute an additional degree or program which constitutes a substantive change as defined and determined by the institutional accrediting agency, then such college or university shall provide the commissioner with copies of any reports or other documents filed with the institutional accrediting agency as part of the institutional accrediting agency's substantive change review process and shall inform the commissioner when the substantive change is approved.

6. Any such college or university that does not satisfy all of the provisions of this section shall comply with the procedures and criteria established by the regents and commissioner for academic program approval. Nothing in this section shall be deemed to limit the department's existing authority to investigate a complaint concerning the institution, or any program offered, including the authority to deregister the program.

7. The commissioner shall establish and maintain a database, accessible to institutions seeking curriculum or program approval, which shall provide updated information on the current status of an institution's submitted requests. To the extent practicable, the database shall include, but is not limited to, the following information:
   (a) acknowledgement and date of receipt of submission;
   (b) the initial review by an office of college and university evaluation;
   (c) questions from the department to the specific institution and receipt of answers provided by the institution in response; and
   (d) any remarks and the final decision made by the department regarding a curriculum's or program's approval or disapproval.

8. The commissioner is hereby authorized to promulgate rules and regulations necessary for the implementation of this section.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART K

Section 1. Section 1503 of the business corporation law is amended by adding a new paragraph (h) to read as follows:
   (h) Any firm established for the business purpose of incorporating as a professional service corporation formed to lawfully engage in the practice of public accountancy, as such practice is respectively defined under article one hundred forty-nine of the education law shall be required to show (1) that a simple majority of the ownership of the firm, in terms of financial interests, and voting rights held by the firm's owners, belongs to individuals licensed to practice public accountancy in some state, and (2) that all shareholders of a professional service corporation whose principal place of business is in this state, who are engaged in the practice of public accountancy in this state, hold a valid license issued under section seventy-four hundred four of the education law. For purposes of this paragraph, "financial interest" means capital stock, capital accounts, capital contributions,
capital interest, or interest in undistributed earnings of a business entity. Although firms may include non-licensee owners, the firm and its owners must comply with rules promulgated by the state board of regents. Notwithstanding the foregoing, a firm incorporated under this section may not have non-licensee owners if the firm's name includes the words "certified public accountant," or "certified public accountants," or the abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm that is incorporated under this section shall be a natural person who actively participates in the business of the firm or its affiliated entities. For purposes of this paragraph, "actively participate" means to provide services to clients or to otherwise individually take part in the day-to-day business or management of the firm. Such a firm shall have attached to its certificate of incorporation a certificate or certificates demonstrating the firm's compliance with this paragraph, in lieu of the certificate or certificates required by subparagraph (ii) of paragraph (b) of this section.

§ 2. Section 1507 of the business corporation law is amended by adding a new paragraph (c) to read as follows:

(c) Any firm established for the business purpose of incorporating as a professional service corporation pursuant to paragraph (h) of section fifteen hundred three of this article may issue shares to individuals who are authorized by law to practice in this state the profession which such corporation is authorized to practice and who are or have been engaged in the practice of such profession in such corporation or a predecessor entity, or who will engage in the practice of such profession in such corporation within thirty days of the date such shares are issued and may also issue shares to employees of the corporation not licensed as certified public accountants, provided that:

(i) at least fifty-one percent of the outstanding shares of stock of the corporation are owned by certified public accountants,

(ii) at least fifty-one percent of the directors are certified public accountants,

(iii) at least fifty-one percent of the officers are certified public accountants,

(iv) the president, the chairperson of the board of directors and the chief executive officer or officers are certified public accountants.

No shareholder of a firm established for the business purpose of incorporating as a professional service corporation pursuant to paragraph (h) of section fifteen hundred three of this article shall enter into a voting trust agreement, proxy or any other type of agreement vesting in another person, other than another shareholder of the same corporation, the authority to exercise voting power of any or all of his or her shares. All shares issued, agreements made or proxies granted in violation of this section shall be void.

§ 3. Section 1508 of the business corporation law is amended by adding a new paragraph (c) to read as follows:

(c) The directors and officers of any firm established for the business purpose of incorporating as a professional service corporation pursuant to paragraph (h) of section fifteen hundred three of this article may include individuals who are not licensed to practice public accountancy, provided however that at least fifty-one percent of the directors, at least fifty-one percent of the officers and the president, the chairperson of the board of directors and the chief executive officer or officers are authorized by law to practice in any state the profession which such corporation is authorized to practice, and are
either shareholders of such corporation or engaged in the practice of
their professions in such corporation.

§ 4. Section 1509 of the business corporation law, as amended by chap-
ter 550 of the laws of 2011, is amended to read as follows:

§ 1509. Disqualification of shareholders, directors, officers and
employees.

If any shareholder, director, officer or employee of a professional
service corporation, including a design professional service corpo-
ration, who has been rendering professional service to the public
becomes legally disqualified to practice his or her profession within
this state, he or she shall sever all employment with, and financial
interests (other than interests as a creditor) in, such corporation
forthwith or as otherwise provided in section 1510 of this article. All
provisions of law regulating the rendering of professional services by a
person elected or appointed to a public office shall be applicable to a
shareholder, director, officer and employee of such corporation in the
same manner and to the same extent as if fully set forth herein. Such
legal disqualification to practice his or her profession within this
state shall be deemed to constitute an irrevocable offer by the disqual-
ified shareholder to sell his or her shares to the corporation, pursuant
to the provisions of section 1510 of this article or of the certificate
of incorporation, by-laws or agreement among the corporation and all
shareholders, whichever is applicable. Compliance with the terms of such
offer shall be specifically enforceable in the courts of this state. A
professional service corporation's failure to enforce compliance with
this provision shall constitute a ground for forfeiture of its certif-
icate of incorporation and its dissolution.

§ 5. Paragraph (a) of section 1511 of the business corporation law, as
amended by chapter 550 of the laws of 2011, is amended and a new para-
graph (c) is added to read as follows:

(a) No shareholder of a professional service corporation [or], includ-
ing a design professional service corporation, may sell or transfer his
or her shares in such corporation except to another individual who is
eligible to have shares issued to him or her by such corporation or
except in trust to another individual who would be eligible to receive
shares if he or she were employed by the corporation. Nothing herein
contained shall be construed to prohibit the transfer of shares by oper-
ation of law or by court decree. No transferee of shares by operation
of law or court decree may vote the shares for any purpose whatsoever
except with respect to corporate action under sections 909 and 1001 of
this chapter. The restriction in the preceding sentence shall not apply,
however, where such transferee would be eligible to have shares issued
to him or her if he or she were an employee of the corporation and, if
there are other shareholders, a majority of such other shareholders
shall fail to redeem the shares so transferred, pursuant to section 1510
of this article, within sixty days of receiving written notice of such
transfer. Any sale or transfer, except by operation of law or court
decree or except for a corporation having only one shareholder, may be
made only after the same shall have been approved by the board of direc-

tors, or at a shareholders' meeting specially called for such purpose by
such proportion, not less than a majority, of the outstanding shares as
may be provided in the certificate of incorporation or in the by-laws of
such professional service corporation. At such shareholders' meeting the
shares held by the shareholder proposing to sell or transfer his or her
shares may not be voted or counted for any purpose, unless all share-
holders consent that such shares be voted or counted. The certificate of
incorporation or the by-laws of the professional service corporation, or
the professional service corporation and the shareholders by private
agreement, may provide, in lieu of or in addition to the foregoing
provisions, for the alienation of shares and may require the redemption
or purchase of such shares by such corporation at prices and in a manner
specifically set forth therein. The existence of the restrictions on the
sale or transfer of shares, as contained in this article and, if appli-
cable, in the certificate of incorporation, by-laws, stock purchase or
stock redemption agreement, shall be noted conspicuously on the face or
back of every certificate for shares issued by a professional service
corporation. Any sale or transfer in violation of such restrictions
shall be void.

(c) A firm established for the business purpose of incorporating as a
professional service corporation pursuant to paragraph (h) of section
fifteen hundred three of this article, shall purchase or redeem the
shares of a non-licensed professional shareholder in the case of his or
her termination of employment within thirty days after such termination.
A firm established for the business purpose of incorporating as a
professional service corporation pursuant to paragraph (h) of section
fifteen hundred three of this article, shall not be required to purchase
or redeem the shares of a terminated non-licensed professional share-
holder if such shares, within thirty days after such termination, are
sold or transferred to another employee of the corporation pursuant to
this article.

§ 6. Section 1514 of the business corporation law is amended by adding
a new paragraph (c) to read as follows:

(c) Each firm established for the business purpose of incorporating as a
professional service corporation pursuant to paragraph (h) of section
fifteen hundred three of this article shall, at least once every three
years on or before the date prescribed by the licensing authority,
furnish a statement to the licensing authority listing the names and
residence addresses of each shareholder, director and officer of such
corporation and certify as the date of certification and at all times
over the entire three year period that:

(i) at least fifty-one percent of the outstanding shares of stock of
the corporation are and were owned by certified public accountants,
(ii) at least fifty-one percent of the directors are and were certi-
fied public accountants,
(iii) at least fifty-one percent of the officers are and were certi-
fied public accountants,
(iv) the president, the chairperson of the board of directors and the
chief executive officer or officers are and were certified public
accountant vice-president and attested to by the secretary or any
assistant secretary of the corporation.

§ 7. Paragraph (d) of section 1525 of the business corporation law, as
added by chapter 505 of the laws of 1983, is amended to read as follows:
(d) "Foreign professional service corporation" means a professional
service corporation, whether or not denominated as such, organized under
the laws of a jurisdiction other than this state, all of the shareholders,
directors and officers of which are authorized and licensed to
practice the profession for which such corporation is licensed to do
business; except that all shareholders, directors and officers of a
foreign professional service corporation which provides health services
in this state shall be licensed in this state. A foreign professional
service corporation formed to lawfully engage in the practice of public accountancy, as such practice is defined under article one hundred forty-nine of the education law, or equivalent state law, shall be required to show (1) that a simple majority of the ownership of the firm, in terms of financial interests, and voting rights held by the firm's owners, belongs to individuals licensed to practice public accountancy in some state, and (2) that all shareholders of a foreign professional service corporation whose principal place of business is in this state, and who are engaged in the practice of public accountancy in this state, hold a valid license issued under section seventy-four hundred four of the education law. For purposes of this paragraph, "financial interest" means capital stock, capital accounts, capital contributions, capital interest, or interest in undistributed earnings of a business entity. Although firms may include non-licensee owners, the firm and its owners must comply with rules promulgated by the state board of regents. Notwithstanding the foregoing, a firm registered under this section may not have non-licensee owners if the firm's name includes the words "certified public accountant," or "certified public accountants," or the abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm that is operating under this section shall be a natural person who actively participates in the business of the firm or its affiliated entities, provided each beneficial owner of an equity interest in such entity is a natural person who actively participates in the business conducted by the firm or its affiliated entities. For purposes of this paragraph, "actively participate" means to provide services to clients or to otherwise individually take part in the day-to-day business or management of the firm.

§ 8. Subdivision (q) of section 121-1500 of the partnership law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(q) Each partner of a registered limited liability partnership formed to provide medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in this state and each partner of a registered limited liability partnership formed to provide dental services in this state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. Each partner of a registered limited liability partnership formed to provide veterinary services in this state must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. Each partner of a registered limited liability partnership formed to provide public accountancy services, whose principal place of business is in this state and who provides public accountancy services, must be licensed pursuant to article 149 of the education law to practice public accountancy in this state. Each partner of a registered limited liability partnership formed to provide professional engineering, land surveying, geological services, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. Each partner of a registered limited liability partnership formed to provide licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice clinical social work in this state. Each partner of a registered limited liability partnership formed to provide creative arts therapy services in this state must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. Each partner of a registered limited liability partnership
formed to provide marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a registered limited liability partnership formed to provide mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a registered limited liability partnership formed to provide psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a registered limited liability partnership formed to provide applied behavior analysis service in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. A limited liability partnership formed to lawfully engage in the practice of public accountancy, as such practice is respectively defined under article 149 of the education law, shall be required to show (1) that a simple majority of the ownership of the firm, in terms of financial interests, and voting rights held by the firm's owners, belongs to individuals licensed to practice public accountancy in some state, and (2) that all partners of a limited liability partnership whose principal place of business is in this state, and who are engaged in the practice of public accountancy in this state, hold a valid license issued under section seventy-four hundred four of the education law. For purposes of this subdivision, "financial interest" means capital stock, capital accounts, capital contributions, capital interest, or interest in undistributed earnings of a business entity. Although firms may include non-licensee owners, the firm and its owners must comply with rules promulgated by the state board of regents. Notwithstanding the foregoing, a firm registered under this section may not have non-licensee owners if the firm's name includes the words "certified public accountant," or "certified public accounts," or the abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm that is formed under this section shall be (1) a natural person who actively participates in the business of the firm or its affiliated entities, or (2) an entity, including, but not limited to, a partnership or professional corporation, provided each beneficial owner of an equity interest in such entity is a natural person who actively participates in the business conducted by the firm or its affiliated entities. For purposes of this subdivision, "actively participate" means to provide services to clients or to otherwise individually take part in the day-to-day business or management of the firm.

§ 9. Subdivision (q) of section 121-1502 of the partnership law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(q) Each partner of a foreign limited liability partnership which provides medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in the state and each partner of a foreign limited liability partnership which provides dental services in the state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. Each partner of a foreign limited liability partnership which provides veterinary service in the state shall be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. Each partner of a foreign limited liability partnership which provides professional engineering, land surveying, geological services, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to
practice one or more of such professions. **Each partner of a foreign registered limited liability partnership formed to provide public accountancy services, whose principal place of business is in this state and who provides public accountancy services, must be licensed pursuant to article 149 of the education law to practice public accountancy in this state.** Each partner of a foreign limited liability partnership which provides licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. Each partner of a foreign limited liability partnership which provides creative arts therapy services in this state must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. Each partner of a foreign limited liability partnership which provides marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a foreign limited liability partnership which provides mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a foreign limited liability partnership which provides psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a foreign limited liability partnership which provides applied behavior analysis services in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. **A foreign limited liability partnership formed to lawfully engage in the practice of public accountancy, as such practice is respectively defined under article 149 of the education law, shall be required to show (1) that a simple majority of the ownership of the firm, in terms of financial interests, and voting rights held by the firm’s owners, belongs to individuals licensed to practice public accountancy in some state, and (2) that all partners of a foreign limited liability partnership whose principal place of business is in this state, and who are engaged in the practice of public accountancy in this state, hold a valid license issued under section seventy-four hundred four of the education law. For purposes of this subdivision, "financial interest" means capital stock, capital accounts, capital contributions, capital interest, or interest in undistributed earnings of a business entity. Although firms may include non-licensee owners, the firm and its owners must comply with rules promulgated by the state board of regents. Notwithstanding the foregoing, a firm registered under this section may not have non-licensee owners if the firm’s name includes the words "certified public accountant," or "certified public accountants," or the abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm that is formed under this section shall be (1) a natural person who actively participates in the business of the firm or its affiliated entities, or (2) an entity, including, but not limited to, a partnership or professional corporation, provided each beneficial owner of an equity interest in such entity is a natural person who actively participates in the business conducted by the firm or its affiliated entities. For purposes of this subdivision, "actively participate" means to provide services to clients or to otherwise individually take part in the day-to-day business or management of the firm.**

§ 10. Subdivision (h) of section 121-101 of the partnership law, as added by chapter 950 of the laws of 1990, is amended to read as follows:
(h) "Limited partnership" and "domestic limited partnership" mean, unless the context otherwise requires, a partnership (i) formed by two or more persons pursuant to this article or which complies with subdivision (a) of section 121-1202 of this article and (ii) having one or more general partners and one or more limited partners. Notwithstanding any other provisions of law a limited partnership or domestic limited partnership formed to lawfully engage in the practice of public accountancy, as such practice is respectively defined under article 149 of the education law shall be required to show (1) that a simple majority of the ownership of the firm, in terms of financial interests, including ownership-based compensation, and voting rights held by the firm's owners, belongs to individuals licensed to practice public accountancy in some state, and (2) that all partners of a limited partnership or domestic limited partnership, whose principal place of business is in this state, and who are engaged in the practice of public accountancy in this state, hold a valid license issued under section seventy-four hundred four of the education law or are public accountants licensed under section seventy-four hundred five of the education law. Although firms may include non-licensee owners, the firm and its owners must comply with rules promulgated by the state board of regents. Notwithstanding the foregoing, a firm registered under this section may not have non-licensee owners if the firm's name includes the words "certified public accountant," or "certified public accountants," or the abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm that is registered under this section shall be (1) a natural person who actively participates in the business of the firm or its affiliated entities, or (2) an entity, including but not limited to, a partnership or professional corporation, provided each beneficial owner of an equity interest in such entity is a natural person who actively participates in the business conducted by the firm or its affiliated entities. For purposes of this subdivision, "actively participate" means to provide services to clients or to otherwise individually take part in the day-to-day business or management of the firm.

§ 11. Subdivision (b) of section 1207 of the limited liability company law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(b) With respect to a professional service limited liability company formed to provide medical services as such services are defined in article 131 of the education law, each member of such limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. With respect to a professional service limited liability company formed to provide dental services as such services are defined in article 133 of the education law, each member of such limited liability company must be licensed pursuant to article 133 of the education law to practice dentistry in this state. With respect to a professional service limited liability company formed to provide veterinary services as such services are defined in article 135 of the education law, each member of such limited liability company must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. With respect to a professional service limited liability company formed to provide professional engineering, land surveying, architectural, landscape architectural and/or geological services as such services are defined in article 145, article 147 and article 148 of the education law, each member of such limited liability company must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such
proessions in this state. With respect to a professional service limited liability company formed to provide public accountancy services as such services are defined in article 149 of the education law each member of such limited liability company whose principal place of business is in this state and who provides public accountancy services, must be licensed pursuant to article 149 of the education law to practice public accountancy in this state. With respect to a professional service limited liability company formed to provide licensed clinical social work services as such services are defined in article 154 of the education law, each member of such limited liability company shall be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. With respect to a professional service limited liability company formed to provide creative arts therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a professional service limited liability company formed to provide marriage and family therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. With respect to a professional service limited liability company formed to provide mental health counseling services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a professional service limited liability company formed to provide psychoanalysis services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. A professional service limited liability company formed to lawfully engage in the practice of public accountancy, as such practice is respectively defined under article 149 of the education law shall be required to show (1) that a simple majority of the ownership of the firm, in terms of financial interests, and voting rights held by the firm's owners, belongs to individuals licensed to practice public accountancy in some state, and (2) that all members of a limited professional service limited liability company, whose principal place of business is in this state, and who are engaged in the practice of public accountancy in this state, hold a valid license issued under section seventy-four hundred forty-four of the education law. For purposes of this subdivision, "financial interest" means capital stock, capital accounts, capital contributions, capital interest, or interest in undistributed earnings of a business entity. Although firms may include non-licensee owners, the firm and its owners must comply with rules promulgated by the state board of regents. Notwithstanding the foregoing, a firm registered under this section may not have non-licensee owners if the firm's name includes the words "certified public accountant," or "certified public accountants," or the abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm that is registered under this section shall be (1) a natural person who
actively participates in the business of the firm or its affiliated entities, or (2) an entity, including, but not limited to, a partnership or professional corporation, provided each beneficial owner of an equity interest in such entity is a natural person who actively participates in the business conducted by the firm or its affiliated entities. For purposes of this subdivision, "actively participate" means to provide services to clients or to otherwise individually take part in the day-to-day business or management of the firm.

§ 12. Subdivision (a) of section 1301 of the limited liability company law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(a) "Foreign professional service limited liability company" means a professional service limited liability company, whether or not denominated as such, organized under the laws of a jurisdiction other than this state, (i) each of whose members and managers, if any, is a professional authorized by law to render a professional service within this state and who is or has been engaged in the practice of such profession in such professional service limited liability company or a predecessor entity, or will engage in the practice of such profession in the professional service limited liability company within thirty days of the date such professional becomes a member, or each of whose members and managers, if any, is a professional at least one of such members is authorized by law to render a professional service within this state and who is or has been engaged in the practice of such profession in such professional service limited liability company or a predecessor entity, or (ii) authorized by, or holding a license, certificate, registration or permit issued by the licensing authority pursuant to, the education law to render a professional service within this state; except that all members and managers, if any, of a foreign professional service limited liability company that provides health services in this state shall be licensed in this state. With respect to a foreign professional service limited liability company which provides veterinary services as such services are defined in article 135 of the education law, each member of such foreign professional service limited liability company shall be licensed pursuant to article 135 of the education law to practice veterinary medicine. With respect to a foreign professional service limited liability company which provides medical services as such services are defined in article 131 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. With respect to a foreign professional service limited liability company which provides dental services as such services are defined in article 133 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 133 of the education law to practice dentistry in this state. With respect to a foreign professional service limited liability company which provides professional engineering, land surveying, geologic, architectural and/or landscape architectural services as such services are defined in article 145, article 147 and article 148 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state.
which provides public accountancy services as such services are defined in article 149 of the education law, each member of such foreign professional service limited liability company whose principal place of business is in this state and who provides public accountancy services, shall be licensed pursuant to article 149 of the education law to practice public accountancy in this state. With respect to a foreign professional service limited liability company which provides licensed clinical social work services as such services are defined in article 154 of the education law, each member of such foreign professional service limited liability company shall be licensed pursuant to article 154 of the education law to practice clinical social work in this state. With respect to a foreign professional service limited liability company which provides creative arts therapy services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a foreign professional service limited liability company which provides marriage and family therapy services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. With respect to a foreign professional service limited liability company which provides mental health counseling services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a foreign professional service limited liability company which provides psychoanalysis services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. With respect to a foreign professional service limited liability company which provides applied behavior analysis services as such services are defined in article 167 of the education law, each member of such foreign professional service limited liability company must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. A foreign professional service limited liability company formed to lawfully engage in the practice of public accountancy, as such practice is respectively defined under article 149 of the education law shall be required to show (1) that a simple majority of the ownership of the firm, in terms of financial interests, and voting rights held by the firm's owners, belongs to individuals licensed to practice public accountancy in some state, and (2) that all members of a foreign limited professional service limited liability company, whose principal place of business is in this state, and who are engaged in the practice of public accountancy in this state, hold a valid license issued under section seventy-four hundred four of the education law. For purposes of this subdivision, "financial interest" means capital stock, capital accounts, capital contributions, capital interest, or interest in undistributed earnings of a business entity. Although firms may include non-licensee owners, the firm and its owners must comply with rules promulgated by the state board of regents. Notwithstanding the foregoing, a firm registered under this section may not have non-licensee owners if the firm’s name includes the words "certified public accountant," or "certified public accountants," or the
abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm that is
registered under this section shall be (1) a natural person who actively
participates in the business of the firm or its affiliated entities, or
(2) an entity, including, but not limited to, a partnership or profes-
sional corporation, provided each beneficial owner of an equity interest
in such entity is a natural person who actively participates in the
business conducted by the firm or its affiliated entities. For purposes
of this subdivision, "actively participate" means to provide services to
clients or to otherwise individually take part in the day-to-day busi-
ness or management of the firm.

§ 13. Notwithstanding any other provision of law to the contrary,
there is hereby established a fee for each non-licensee owner of a firm
that is incorporating as a professional service corporation formed to
lawfully engage in the practice of public accountancy. Such non-licensee
owner shall pay a fee of three hundred dollars to the department of
education on an annual basis.

§ 14. This act shall take effect immediately.

PART L

Section 1. Article 6 of the social services law is amended by adding a
new title 5-D to read as follows:

TITLE 5-D
EXPANDING CHILD CARE ASSISTANCE

Section 410-a-1. Definitions.


410-a-3. Financial assistance to qualified agencies for high-
quality child care programs and enrollment.

410-a-4. Application and eligibility for households.

410-a-5. Income eligibility scale.

410-a-6. Co-payment.


410-a-10. Reporting requirements.

§ 410-a-1. Definitions. As used in the title, the following terms
shall have the following meanings:

1. "Qualified agency" means any in family day care homes, group family
day care homes, head start programs or center-based child care that is
certified and licensed by the state.

2. "High-quality child care program" means a child care program for a
child not less than six weeks of age and is less than five years of age
that is provided in family day care homes, group family day care homes,
head start programs or center-based child care that is certified and
licensed by the state.

3. "Covered child" means a child who is less than five years of age at
the beginning of the school year up to the end of a child's first year
of eligibility for kindergarten in their school district.

4. "Financial assistance" means assistance provided by grant for which
payments may be made in installments and in advance or by way of
reimbursement with necessary adjustments on account of overpayments or
underpayments.

5. "Federal poverty level" means the official poverty level threshold,
as defined by the federal office of management and budget, based on the
most recent data available from the bureau of the census: (a) adjusted
to reflect the percentage change in the consumer price index for all
urban consumers, issued by the bureau of labor statistics, during the annual or other interval immediately preceding the date on which such adjustment is made; and (b) adjusted for household size.

6. "Professional development" means training, course work or licensure programs that contribute to ensuring that a member of the early care and education workforce has the necessary knowledge and competencies for quality provision of child care and early learning services.

7. "Capacity building grant" means a grant to provide eligible agencies with funds for capital improvements, and other miscellaneous capital funds associated with building and maintaining a child care program or a grant to provide professional development of child care providers.

8. "Child care stabilization grant" means a salary adjustment (bonus) made to support child care providers while this program expansion is phased in.

9. "Income eligibility co-payment scale" means a formula used to determine how much a household will contribute to their child care costs based on their income.

10. "Child care desert" means a census tract with more than fifty children under age five that contains either no child care providers or so few options that there are more than three times as many children as licensed child care slots.

11. "Contracted care facility" means managed eligible agencies, such as in-home or center-based care facilities, or schools operating as early care and learning programs that enter into contract with the office of children and family services, local department of education or other qualified agency to meet detailed and specific requirements and goals.

§ 410-a-2. Child care program. 1. (a) The department is hereby authorized and empowered to establish and operate the child care program as authorized pursuant to this title. Funding shall be dedicated to providing covered children assistance to attend qualified agencies’ high-quality child care programs.

(b) The department is directed to build out the needed infrastructure for establishing new child care facilities, training the workforce, and increasing capacity in existing facilities across the state through grants and scholarships. Grants shall include funding for capital purchases and improvements, expansion of provider networks, training activities and professional development programs, hiring more staff, the regulation and monitoring of the program, the development of computerized data systems, and consumer education.

2. Social services districts shall expend the allocated money for all child care programs which are qualified agencies based on covered children’s eligibility and the cost estimation model used to reimburse agencies, pursuant to this title and the rules and regulations adopted by the department.

3. Child care programs shall fall into two categories broadly: (a) assistance eligible agencies; and (b) contracted care eligible agencies. Social services districts shall have authority over how much funding will be dedicated to these two categories, as long as the social services districts program meets all requirements pursuant to the program.

4. (a) A social services district shall make awards for contracted care to consolidated applications submitted by qualified agencies which include child care programs offered by non-profit organizations, community-based organizations, schools, libraries, museums, and/or charter
schools which shall demonstrate geographic diversity within the area to be served as well as diversity of providers.

(b) Social services districts shall certify assistance eligible programs to applications submitted by qualified agencies which include child care programs offered by in-home care, center-based care, informal care providers who are for profit or non-profit organizations, community-based organizations, charter schools, libraries and museums, which may apply individually to the extent allowed under paragraph (c) of this subdivision. Any consolidated application shall include, but shall not be limited to, the names of individual locations and providers, applicable licenses, facility lease information, and intended staffing plans.

(c) Prior to submission of a consolidated application, the local commissioner of social services shall widely solicit prospective eligible agencies. The local commissioner of social services shall notify any applicant who has been denied inclusion in the consolidated application and/or has not been certified no later than two weeks prior to the submission of such application. Such eligible providers denied inclusion may apply individually as provided in paragraph (a) of this subdivision.

5. Qualified agencies shall apply to the local commissioner of social services for funds for prospective covered children. All applications approved by the commissioner shall include a commitment to use appropriate accounting and fiscal control procedures which shall include the filing of an annual financial statement which has been audited as required by the department so as to ensure:

(a) the proper disbursement accounting for funds received; and

(b) appropriate written records regarding the population served, including the level of financial assistance needed and the type and extent of services rendered.

6. Qualified agencies approved to receive funding shall be required to provide information to households who contact the certified child care center about the child care options for households and their covered child.

7. Standards for a program application by qualified agencies shall be accepted and approved for funding as determined by the department. A program proposal submitted under this section may be disapproved or a prior designation of qualified agency may be withdrawn only if the commissioner, in accordance with regulations established by the commissioner, has provided: (a) written notice of intention to disapprove such proposal or withdraw such designation, including a statement of the reasons for such disapproval or withdrawal; (b) a reasonable time in which to submit corrective amendments to such plan or undertake other necessary corrective action; and (c) an opportunity to appeal the decision.

§ 410-a-3. Financial assistance to qualified agencies for high-quality child care programs and enrollment. Qualified agencies participating in the child care program shall be reimbursed by the state based on the enrollment of covered children. Financial assistance shall be provided to the qualified agency regardless of whether a covered child attends their assigned session or not.

§ 410-a-4. Application and eligibility for households. 1. All social services districts shall provide qualified agencies approved for the child care program with the necessary forms for households to complete an application to the program for their covered child. Such application forms shall be processed by the social services district and shall be made available: (a) online in a printable, and fillable format on the website of the relevant social services district; and (b) in a trans-
lated version of the three to six most commonly spoken languages in the relevant social services district, either in print or online. Qualified agencies shall provide households who seek enrollment at their local child care and early learning program information on how to contact their local social services district and child care resource and referral agencies for help in applying to the program.

2. Households, regardless of immigration status, may apply to a local child care and early learning program in such form and at such time as the commissioner may prescribe, provided, however that such application shall require: proof of earnings, proof of identity, and proof of residency.

3. Applicants may prove earnings by providing: (a) proof of earnings through the presentation of a filed tax return from the previous year, or if proof of income through tax return is not possible the commissioner may allow a letter from an employer documenting the dates of work of the applicant and the yearly pay from the employer; (b) a form W-2 or 1099 from at least one of the two most recent completed tax years; or (c) a wage notice provided pursuant to section one hundred ninety-five of the labor law that documents employment for a period of time within six months prior to the date the applicant certifies he or she became eligible for benefits pursuant to this title.

4. Applicants may prove identity by providing:

(a) A driver's license, motor vehicle ID card number, valid foreign driver's license that includes a photo image of the applicant and which is unexpired or expired for less than twenty-four months of its date of expiration, New York state ID, IDNYC or other New York municipal or county identification card, valid unexpired foreign passport issued by the applicant's country of citizenship, or valid unexpired consular identification document issued by a consulate from the applicant's country of citizenship. Nothing contained in this subdivision shall be deemed to preclude the commissioner from approving additional proof of identity; or

(b) A social security number or, in lieu thereof, an individual taxpayer identification number or a United States citizenship and immigration services number; or

(c) The names and addresses of all employers and/or hiring parties, in and out of the state, for the last eighteen months to the extent that such information is available to the applicant; or

(d) A mailing address and zip code.

5. Applicants may prove residency by providing: (a) a New York state driver's license or state identification card, an IDNYC; (b) a utility bill with a proper address and listed under the applicant's confirmed identity, or a credit card statement with a proper address and listed under the applicant's confirmed identity; or (c) a lease agreement or mortgage statement with a proper address and listed under the applicant's confirmed identity, a letter from the New York city housing authority, a letter from a homeless shelter, or any additional form of government identification or identification approved by the department and the New York state child care board.

§ 410-a-5. Income eligibility scale. 1. Households shall be found eligible for financial assistance using an income eligibility co-pay scale based on the current federal poverty level and adjusted for the size of the family. Notwithstanding any other provisions of this chapter, a social services district may use the funds allocated to it from the block grant to provide child care assistance to:

(a) Households receiving public assistance;
(b) Households with incomes up to two hundred percent of the federal poverty level;
(c) Households with incomes up to three hundred percent of the federal poverty level beginning on August first, two thousand twenty-two;
(d) Households with incomes up to four hundred percent of the federal poverty level beginning on August first, two thousand twenty-three; and
(e) Households with incomes up to five hundred percent of the federal poverty level beginning on August first, two thousand twenty-four.
2. Child care for households eligible under this title shall first be funded from federal sources to the maximum extent permissible under federal laws and regulations. The state shall fund the remaining cost of households not eligible for federally-funded child care for covered children pursuant to this title.

§ 410-a-6. Co-payment. 1. A co-payment under this section may be charged to households of a covered child based on income levels as follows:
(a) A covered child who is in a household with an income that is less than three hundred percent of the federal poverty level shall be assessed no fee or copayment for service and receive free child care after August first, two thousand twenty-two.
(b) For a covered child who is in a household with an income that is more than three hundred one percent of the federal poverty level but not more than four hundred percent of the federal poverty level, the fee under this section shall not exceed ten percent of the household's gross income exceeding the federal poverty level after August first, two thousand twenty-three.
(c) For a covered child who is in a household with an income that is more than four hundred one percent of the federal poverty level but not more than five hundred percent of the federal poverty level, the fee under this section shall not exceed ten percent of the household's gross income exceeding the federal poverty level after August first, two thousand twenty-four.
2. Within fourteen days of completing an application, the local social services district shall provide households of a covered child with a response on whether the child is eligible for financial assistance, unless the local jurisdiction is facing extenuating circumstances.

§ 410-a-7. Reimbursement rates. 1. Expenditures made by counties, cities, and towns for child care and its administration pursuant to the provisions of this title, shall, if approved by the department, be subject to reimbursement by the state, in accordance with the regulations of the department, as follows: There shall be paid to each county, city or town as follows:
(a) the amount of federal funds, if any, properly received or to be received on account of such expenditures;
(b) seventy-five percentile of the current market rate for child care in the state fiscal year two thousand twenty-two through state fiscal year two thousand twenty-three;
(c) eighty-five percentile of the current market rate for child care in the state fiscal year two thousand twenty-three through state fiscal year two thousand twenty-four;
(d) one hundred percentile of the actual cost of child care in the state fiscal year two thousand twenty-four through state fiscal year two thousand twenty-five and thereafter.
2. Such reimbursements shall be calculated after first deducting any federal funds received or to be received on account thereof, and any
§ 410-a-8. Child care workforce stabilization grant. 1. The office of children and family services shall establish a stabilization grant program to provide workforce stabilization grants (bonuses) to child care providers within sixty days of the effective date of this title.

2. Such workforce stabilization grants shall be paid on a monthly basis for twenty-four months for a total of three thousand dollars per employee per year for two years.

3. Workforce stabilization grants shall be made to child care providers who have worked in the child care field for at least twelve months since March twelfth, two thousand twenty. Such twelve-month period shall include three-month periods spread out over the qualifying period if such periods total twelve months.

4. Child care providers shall be employed full-time for at least thirty hours per week in child care in the state of New York at the time this title becomes effective or within one year to be eligible for such grants.

5. Child care providers who enter the child care workforce full-time after the one-year period may be eligible for workforce stabilization grants for up to one year, but not longer than the period of this program.

6. Workforce stabilization grants shall not be counted as household income for purposes of public benefits, public assistance, public services, or disability, veteran, or senior programs, or any other publicly funded programs, including tax exemptions and tax abatements, COVID-19 relief programs, or rental or homeowner assistance programs.

§ 410-a-9. Capacity building grant. The commissioner shall establish a capacity building grant program within one hundred eighty days of the effective date of this title. Capital funding in the form of grants shall be available for: (a) construction and rehabilitation of facilities; (b) to support new facilities to come online; and (c) to support agencies that closed due to the COVID-19 pandemic over a five-year period. Such grants shall promote the expansion of child care capacity where the commissioner identifies the greatest need, including but not limited to child care deserts. Additional grants shall be made available for professional development and employee training.

§ 410-a-10. Reporting requirements. Each social services district shall collect and submit to the office of children and family services, in such form and at such times as specified by the department, such data and information regarding child care assistance provided under the high-quality child care program in accordance with criteria established by the department. The office of children and family services shall create, oversee, and update a database of all child care facilities in the state. Such database shall be updated on a minimum of a bi-weekly basis by each social services district and shall include: (a) contact information for each child care facility; (b) current full or part-time care availability; and (c) whether drop-in care or care outside of traditional business hours is available.

§ 2. Section 390-k of the social services law, as added by chapter 493 of the laws of 2017, subdivisions 2 and 4 as amended by chapter 797 of the laws of 2021 and subdivision 3 as amended by chapter 133 of the laws of 2022, is amended to read as follows:

§ 390-k. Child care availability taskforce. 1. There shall be established within the office of children and family services a child care
1 taskforce for the purpose of [evaluating the need for and availability
2 of child care throughout the state] guiding New York towards a system of
3 free universal child care.
4
2. The taskforce shall be chaired by a representative of the executive
5 chamber and the commissioners of the office of children and family
6 services [and], the department of labor and the department of education,
7 or their designees. Members of the taskforce shall serve without compen-
8 sation for three year terms, but may be reimbursed for actual costs
9 incurred for participation on such taskforce. Ensuring adequate
10 geographic, racial and ethnic representation, members of the taskforce
11 shall be appointed by the governor and comprised as follows:
12 (a) four individuals shall be appointed upon the recommendation of the
13 speaker of the assembly, at least one of whom shall be a parent who has
14 utilized subsidized child care and at least one of whom shall be a
15 parent who has utilized unsubsidized child care, from different regions
16 of the state;
17 (b) four individuals shall be appointed upon the recommendation of the
18 temporary president of the senate, at least one of whom shall be a
19 parent who has utilized subsidized child care and at least one of whom
20 shall be a parent who has utilized unsubsidized child care, from differ-
21 ent regions of the state;
22 (c) one individual shall be appointed upon the recommendation of the
23 minority leader of the assembly;
24 (d) one individual shall be appointed upon the recommendation of the
25 minority leader of the senate;
26 (e) two representatives of a child care resource and referral agency;
27 (f) a minimum of three and a maximum of four representatives of home-
28 based child care providers;
29 (g) a minimum of three and a maximum of four representatives of
30 center-based child care providers;
31 (h) two representatives from the business community;
32 (i) two representatives from unions that represent child care provid-
33 ers; and
34 (j) at least one representative from each of the following entities:
35 (i) the office of temporary and disability assistance;
36 (ii) the council on children and families;
37 (iii) the department of taxation and finance;
38 (iv) a regional economic development council;
39 (v) the state university of New York or the city university of New
40 York;
41 (vi) the state education department;
42 (vii) the early childhood advisory council;
43 (viii) a social service district or county government or an entity
44 that advocates on behalf of social services or county governments; [and]
45 (ix) a non-profit child care advocacy organization; and
46 (x) a representative from each of the labor organizations representing
47 child care providers or employees.
3. The taskforce shall advise the state in developing an implementa-
4 tion framework leading to an expeditious phased-in rollout of free
4 universal child care using existing state and federal resources and
5 shall examine the following:
6 (a) [examine the impact of the COVID-19 pandemic on child care in New
7 York state] how to implement an affordable universal child care system
8 that is free at the point of service for all households at or below one
9 thousand percent of the federal poverty level and delivers high-quality
10 child care to all New York residents that follows priorities and princi-
pleas set forth in this article where expansions are targeted to cover historically underserved communities and households facing complex needs, including children with disabilities and child welfare involvement; where reasonable steps are taken to guard against large increases in child care costs; and where the roll-out of universal child care is coordinated with the expansions of universal pre-kindergarten and pre-kindergarten for all programs so that such programs do not cause unintentional harm to child care providers;

(b) advise the state in developing an implementation framework leading to a phased-in rollout of universal child care using existing state and federal resources how to eliminate the barriers households eligible under state law face obtaining or utilizing subsidies;

(c) recommend potential solutions, partnerships, or other ways to address chronic child care workforce issues and other concerns identified in the course of the examination required by this subdivision how to ensure the availability of child care outside of traditional business hours, and identification of the funding that would be needed to expand facilities that cover such non-traditional business hours;

(d) assess the implementation of policies supported by federally funded programs through various stimulus packages; and whether parents are voluntarily leaving the workforce due to lack of child care, and the demographic information of such parents, if known;

(e) whether employers have identified lack of child care as a reason for a shortage of a qualified workforce;

(f) the impact of child care, or lack thereof, on economic development throughout the state;

(g) varying levels of quality of child care throughout the state;

(h) availability of quality child care by economic development region including identification of underserved communities and recommendations making available free, high-quality child care in such communities;

(i) whether regulatory or statutory changes could promote free and universal access to high-quality child care and improve health and safety standards in child care programs;

(j) incentives to institutions that offer child care to increase universal and free child care;

(k) ways to address concerns identified in the course of the examination required by this subdivision;

(l) the existence of illegal and unregulated child care providers, the labor conditions of employees at such facilities, and regulatory recommendations for approaching such providers;

(m) disparities in the quality of child care provided to households of different economic backgrounds, and the funding needed to provide high-quality child care for all;

(n) the factors contributing to the success of implementing universal pre-k programs in the state and the unintended consequences impacting child care providers, particularly family-based and home-based providers, in the state, together with recommendations;

(o) how to implement federal funding for child care and universal pre-kindergarten in a way that maximizes federal appropriations, allows the state to achieve and fund a more expansive program that is not restrictive and that such funding is allocated in a manner that supports and expands the state’s child care providers, without harming existing programs;

(p) how to ensure an expeditious phased-in rollout of universal child care using existing state and federal resources, in no more than four
years, with an emphasis on building out necessary infrastructure and
providing care for those most in need; and

(g) anything else the taskforce deems necessary.

4. (a) The taskforce shall report [its interim findings and recommend-
dations in accordance with subdivision three of this section to the
governor, the speaker of the assembly and the temporary president of the
senate no later than November first, two thousand twenty-two and its
final findings and recommendations no later than December thirty-first,
two thousand twenty-three] a four-year plan for a phased roll-out of
universal child care in the state, and make annual recommendations,
starting in November two thousand twenty-two and each November thereaf-
er through November two thousand twenty-five, for specific appropri-
ations for budget allocations that would allow for free and universal
child care system for households with up to one thousand percent of the
federal poverty line, including, but not limited to: (i) achieving
living wages for child care workers; (ii) capital expenditures to allow
for the expansion of child care infrastructure, especially into communi-
ties most in need; and (iii) startup funds to allow for the creation of
new child care programs in child care deserts. Such recommendations
shall include recommendations to identify all reasonable means of maxi-
mizing the allocation of federal funds, as well as supplemental funding
from the state that would allow for free and universal child care system
for households with up to one thousand percent of the federal poverty
level. The taskforce report shall further make recommendations for the
integration of child care programs into existing public programs, such
as public schools, public universities, and public housing, to deliver
high-quality child care to all New Yorkers. The taskforce shall report
its findings annually, beginning on November first, two thousand twen-
ty-two through November first, two thousand twenty-five.

(b) The taskforce shall also report on the implementation of any
recommendations that resulted from the initial report required to be
produced by the task force pursuant to subdivision four of chapter four
hundred ninety-three of the laws of two thousand seventeen. Such addi-
tional report shall be provided annually, beginning July first two thou-
sand twenty-two.

§ 3. Section 390-b of the social services law is amended by adding a
new subdivision 12 to read as follows:

12. The office of children and family services shall create and main-
tain a statewide child care background check and fingerprint registry
for the purposes of keeping current and reliable information on provid-
ers in the state. A provider who has completed a past background check
and fingerprint shall be permitted to use a current background check
contained and maintained in the registry to open a new or reopen a child
care center, family day care home, group family day care home, or school
aged child care program. Such registry shall contain and maintain all
relevant data pursuant to this section to open an eligible agency.

§ 4. This act shall take effect immediately; provided, however, that
the amendments to section 390-k of the social services law made by
section two of this act shall not affect the repeal of such section and
shall be deemed repealed therewith.
PART N

Section 1. Section 28 of part C of chapter 83 of the laws of 2002, amending the executive law and other laws relating to funding for children and family services, as amended by section 1 of subpart A of part K of chapter 56 of the laws of 2017, is amended to read as follows:

§ 28. This act shall take effect immediately; provided that sections nine through eighteen and twenty through twenty-seven of this act shall be deemed to have been in full force and effect on and after April 1, 2002; provided, however, that section fifteen of this act shall apply to claims that are otherwise reimbursable by the state on or after April 1, 2002 except as provided in subdivision 9 of section 153-k of the social services law as added by section fifteen of this act; provided further however, that nothing in this act shall authorize the office of children and family services to deny state reimbursement to a social services district for violations of the provisions of section 153-d of the social services law for services provided from January 1, 1994 through March 31, 2002; provided that section nineteen of this act shall take effect September 13, 2002 and shall expire and be deemed repealed June 30, 2012; and, provided further, however, that notwithstanding any law to the contrary, the office of children and family services shall have the authority to promulgate, on an emergency basis, any rules and regulations necessary to implement the requirements established pursuant to this act; provided further, however, that the regulations to be developed pursuant to section one of this act shall not be adopted by emergency rule; and provided further that the provisions of sections nine through eighteen and twenty through twenty-seven of this act shall expire and be deemed repealed on June 30, [2022] 2027.

§ 2. This act shall take effect immediately.

PART O

Section 1. Section 398-a of the social services law is amended by adding a new subdivision 2-c to read as follows:

(2-c) Those social services districts that as of July first, two thousand twenty-two were paying at least one hundred percent of the applicable rates published by the office of children and family services for the two thousand twenty-two--two thousand twenty-three rate year for care provided to foster children in regular, therapeutic, special needs, and emergency foster boarding homes shall pay for the two thousand twenty-two--two thousand twenty-three rate year and for each subsequent rate year thereafter at least one hundred percent of the applicable rates published by the office of children and family services for that rate year. Those social services districts that as of July first, two thousand twenty-two were paying less than the applicable rates published by the office of children and family services for the two thousand twenty-two--two thousand twenty-three rate year for care provided to foster children in regular, therapeutic, special needs and emergency foster boarding homes shall increase their rates of payment so that: effective July first, two thousand twenty-two the difference between the percentage of the applicable rates published by the office of children and family services for the two thousand twenty-two--two thousand twenty-three rate year and the rates such districts are paying is at least one-half less than the difference between the percentage of the applicable rates published by the office of children and family services for the two thousand twenty-two--two thousand twenty-three rate year and the
rates that such districts were paying for such programs on July first, two thousand twenty-two; and effective July first, two thousand twenty-three for the two thousand twenty-three--two thousand twenty-four rate year and for each subsequent year thereafter all social services districts shall pay at least one hundred percent of the applicable rates published by the office of children and family services for the applicable rate year.

§ 2. This act shall take effect immediately.

PART P

Intentionally Omitted

PART Q

Intentionally Omitted

PART R

Section 1. Subdivision 1 of section 359 of the executive law, as amended by section 42 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

1. A local director shall designate the location of the local and branch offices of the local veterans' service agency within his or her jurisdiction, which offices shall be open during convenient hours. The cost of maintenance and operation of a county veterans' service agency shall be a county charge and the cost of maintenance and operation of a city veterans' service agency shall be a city charge, excepting that the state director with the approval of the veterans' services commission shall allot and pay, from state moneys made available to him or her for such purposes, to each county veterans' service agency and each city veterans' service agency, an amount equal to fifty per centum of its expenditures for maintenance and operation approved by the state director, provided that in no event shall the amount allotted and paid for such approved expenditures incurred in any given year exceed (1) in the case of any county veterans' service agency in a county having a population of not more than one hundred thousand or in the case of any city veterans' service agency in a city having a population of not more than one hundred thousand, the sum of twenty-five thousand dollars, nor (2) in the case of any county veterans' service agency in a county having a population in excess of one hundred thousand excluding the population of any city therein which has a city veterans' service agency, the sum of twenty-five thousand dollars, and, in addition thereto, the sum of five thousand dollars for each one hundred thousand, or major portion thereof, of the population of the county in excess of one hundred thousand excluding the population of any city therein which has a city veterans' service agency, nor (3) in the case of any city veterans' service agency in a city having a population in excess of one hundred thousand, the sum of twenty-five thousand dollars, and, in addition thereto, the sum of five thousand dollars for each one hundred thousand, or major portion thereof, of the population of the city in excess of one hundred thousand. Such population shall be certified in the same manner as provided by section fifty-four of the state finance law.
PART S

Section 1. Paragraphs (a), (b), (c) and (d) of subdivision 1 of section 131-o of the social services law, as amended by section 1 of part P of chapter 56 of the laws of 2021, are amended to read as follows:

(a) in the case of each individual receiving family care, an amount equal to at least $152.00 for each month beginning on or after January first, two thousand twenty-one twenty-two.
(b) in the case of each individual receiving residential care, an amount equal to at least $176.00 for each month beginning on or after January first, two thousand twenty-one twenty-two.
(c) in the case of each individual receiving enhanced residential care, an amount equal to at least $210.00 for each month beginning on or after January first, two thousand twenty-one twenty-two.
(d) for the period commencing January first, two thousand twenty-two, the monthly personal needs allowance shall be an amount equal to the sum of the amounts set forth in subparagraphs one and two of this paragraph:

(1) the amounts specified in paragraphs (a), (b) and (c) of this subdivision; and
(2) the amount in subparagraph one of this paragraph, multiplied by the percentage of any federal supplemental security income cost of living adjustment which becomes effective on or after January first, two thousand twenty-one twenty-two, but prior to June thirtieth, two thousand twenty-three, rounded to the nearest whole dollar.

§ 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of section 209 of the social services law, as amended by section 2 of part P of chapter 56 of the laws of 2021, are amended to read as follows:

(a) On and after January first, two thousand twenty-one twenty-two, for an eligible individual living alone, $881.00; and for an eligible couple living alone, $1,295.00.
(b) On and after January first, two thousand twenty-one twenty-two, for an eligible individual living with others with or without in-kind income, $817.00; and for an eligible couple living with others with or without in-kind income, $1,237.00.
(c) On and after January first, two thousand twenty-one twenty-two, (i) for an eligible individual receiving family care, $1,060.48 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving family care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, $1,022.48; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.
(d) On and after January first, two thousand twenty-one twenty-two, (i) for an eligible individual receiving residential care, $1,276.00 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving residential care in the city of New York or

§ 2. This act shall take effect immediately and shall apply to all expenditures made on and after April 1, 2022.
the county of Nassau, Suffolk, Westchester or Rockland, two times the
amount set forth in subparagraph (i) of this paragraph; or (iii) for an
eligible individual receiving such care in any other county in the
state, $1,199.00; and (iv) for an eligible couple receiving
such care in any other county in the state, two times the amount set
forth in subparagraph (iii) of this paragraph.
(e) On and after January first, two thousand twenty-one, twenty-twone
(i) for an eligible individual receiving enhanced residential care,
$1,488.00; and (ii) for an eligible couple receiving
enhanced residential care, two times the amount set forth in subpara-
graph (i) of this paragraph.
(f) The amounts set forth in paragraphs (a) through (e) of this subdi-
vision shall be increased to reflect any increases in federal supple-
mental security income benefits for individuals or couples which become
effective on or after January first, two thousand twenty-twOME
three but prior to June thirtieth, two thousand twenty-
three.
§ 3. This act shall take effect December 31, 2022.

PART T

Section 1. Section 4 of part W of chapter 54 of the laws of 2016, as
amended by section 1 of part M of chapter 56 of the laws of 2019, amend-
ing the social services law relating to the powers and duties of the
commissioner of social services relating to the appointment of a tempo-
rary operator, is amended to read as follows:
§ 4. This act shall take effect immediately and shall be deemed to
have been in full force and effect on and after April 1, 2016, provided
further that this act shall expire and be deemed repealed March 31,
twenty-twove.
§ 2. This act shall take effect immediately.

PART U

Section 1. Subdivision 4 of section 158 of the social services law, as
amended by section 44 of part B of chapter 436 of the laws of 1997, is
amended to read as follows:
4. Social services officials shall determine eligibility for safety
net assistance within forty-five days of receiving an applica-
tion for safety net assistance. Such officials shall notify applicants
of safety net assistance about the availability of assistance to meet
emergency circumstances or to prevent eviction.
§ 2. Subdivision 8 of section 153 of the social services law, as
amended by chapter 41 of the laws of 1992, is amended to read as
follows:
8. Any inconsistent provision of the law or regulation of the depart-
ment notwithstanding, state reimbursement shall not be made for any
expenditure made for the duplication of any grant and allowance for any
period, except as authorized by subdivision eleven of section one
hundred thirty-one of this chapter[—or for any home relief payment made
for periods prior to forty-five days after the filing of an application
unless—the district determines pursuant to department regulations that
such assistance is required to meet emergency circumstances or prevent
eviction]. Notwithstanding any other provision of law, social services
districts are not required to provide [home relief] safety net assis-
to any person, otherwise eligible, if state reimbursement is not available in accordance with this subdivision.

§ 3. Subparagraphs (ii) and (iii) of paragraph (a) of subdivision 8 of section 131-a of the social services law, subparagraph (ii) as amended by section 12 of part B of chapter 436 of the laws of 1997 and subparagraph (iii) as amended by chapter 246 of the laws of 2002, are amended to read as follows:

(ii) fifty percent of the earned income for such month of any recipient;

(iii) from the earned income of any child or relative applying for or receiving aid pursuant to such program, or of any other individual living in the same household as such relative and child whose needs are taken into account in making such determination, the first ninety dollars of the applicant or recipient, one hundred fifty total of such earned income for such month that remains after application of subparagraph (ii) of this paragraph;

[(iii) forty-two percent of the earned income for such month of any recipient in a household containing a dependent child which remains after application of all other subparagraphs of this paragraph, provided, however, that such percentage amount shall be adjusted in June of each year, commencing in nineteen hundred ninety-eight, to reflect changes in the most recently issued poverty guidelines of the United States Bureau of the Census, such that a household of three without special needs, living in a heated apartment in New York city and without unearned income would become ineligible for assistance with gross earnings equal to the poverty level in such guidelines; provided, however, that no assistance shall be given to any household with gross earned and unearned income, exclusive of income described in subparagraphs (i) and (vi) of this paragraph, in excess of such poverty level.]

§ 3-a. Paragraph (a) of subdivision 8 of section 131-a of the social services law is amended by adding a new subparagraph (x) to read as follows:

(x) all of the income of a head of household or any person in the household, who is receiving such aid or for whom an application for such aid has been made, which is derived from participation in a program carried out under the federal workforce innovation and opportunity act (P.L. 113-128) or any successor act or public assistance employment, training or skills certification program, provided, however, that in the case of earned income such disregard must be applied for at least, but no longer than, six consecutive months following the last day of the month in which such person commences employment after completing a qualifying job training or adult education program.

§ 4. Subdivision 10 of section 131-a of the social services law is REPEALED.

§ 5. Subdivision 1 of section 131-n of the social services law, as separately amended by chapters 323 and 329 of the laws of 2019, is amended to read as follows:

1. The following resources shall be exempt and disregarded in calculating the amount of benefits of any household under any public assistance program: (a) cash and liquid or nonliquid resources up to two thousand five hundred dollars for applicants, or three thousand seven hundred fifty dollars for applicants in the case of households in which any member is sixty years of age or older or is disabled or ten thousand dollars for recipients, (b) an amount up to four thousand six hundred fifty dollars in a separate bank account established by an individual while currently in receipt of assistance for the sole purpose of
enabling the individual to purchase a first or replacement vehicle for
the recipient to seek, obtain or maintain employment, so long as the
funds are not used for any other purpose, (c) an amount up to one thou-
sand four hundred dollars in a separate bank account established by an
individual while currently in receipt of assistance for the purpose of
paying tuition at a two-year or four-year accredited post-secondary
educational institution, so long as the funds are not used for any other
purpose, (d) the home which is the usual residence of the household, (e)
one automobile, up to ten thousand dollars fair market value, through
March thirty-first, two thousand seventeen; one automobile, up to eleven
thousand dollars fair market value, from April first, two thousand
seventeen through March thirty-first, two thousand eighteen; and one
automobile, up to twelve thousand dollars fair market value, beginning
April first, two thousand eighteen and thereafter, or such other higher
dollar value as the local social services district may elect to adopt,
(f) one burial plot per household member as defined in department regu-
lations, (g) bona fide funeral agreements up to a total of one thousand
five hundred dollars in equity value per household member, (h) funds in
an individual development account established in accordance with subdi-
vision five of section three hundred fifty-eight of this chapter and
section four hundred three of the social security act, (i) for a period
of six months, real property which the household is making a good faith
effort to sell, in accordance with department regulations and tangible
personal property necessary for business or for employment purposes in
accordance with department regulations, and (j) funds in a qualified
tuition program that satisfies the requirement of section 529 of the
Internal Revenue Code of 1986, as amended, and funds in a New
York achieving a better life experience savings account established in
accordance with article eighty-four of the mental hygiene law.
If federal law or regulations require the exemption or disregard of
additional income and resources in determining need for family assist-
ance, or medical assistance not exempted or disregarded pursuant to any
other provision of this chapter, the department may, by regulations
subject to the approval of the director of the budget, require social
services officials to exempt or disregard such income and resources.
Refunds resulting from earned income tax credits shall be disregarded in
public assistance programs.
§ 6. This act shall take effect October 1, 2022; provided, however,
that effective immediately, any percentage adjustments reflecting chang-
es in the poverty guidelines of the United States Bureau of the Census
required in subparagraph (iii) of paragraph (a) of subdivision 8 of
section 131-a of the social services law shall cease; and provided
further that the amendments to subdivision 1 of section 131-n of the
social services law made by section five of this act shall not affect
the expiration of such section and shall be deemed to expire therewith.

PART V
Intentionally Omitted

PART W
Intentionally Omitted

PART X
Section 1. Notwithstanding any other provision of law, the housing
trust fund corporation may provide, for purposes of the neighborhood
preservation program, a sum not to exceed $14,500,000 for the fiscal
year ending March 31, 2023. Within this total amount, $250,000 shall be
used for the purpose of entering into a contract with the neighborhood
preservation coalition to provide technical assistance and services to
companies funded pursuant to article 16 of the private housing finance
law. Notwithstanding any other provision of law, and subject to the
approval of the New York state director of the budget, the board of
directors of the state of New York mortgage agency shall authorize the
transfer to the housing trust fund corporation, for the purposes of
reimbursing any costs associated with neighborhood preservation program
contracts authorized by this section, a total sum not to exceed
$14,500,000, such transfer to be made from (i) the special account of
the mortgage insurance fund created pursuant to section 2429-b of the
public authorities law, in an amount not to exceed the actual excess
balance in the special account of the mortgage insurance fund, as deter-
mined and certified by the state of New York mortgage agency for the
fiscal year 2021-2022 in accordance with section 2429-b of the public
authorities law, if any, and/or (ii) provided that the reserves in the
project pool insurance account of the mortgage insurance fund created
pursuant to section 2429-b of the public authorities law are sufficient
to attain and maintain the credit rating (as determined by the state of
New York mortgage agency) required to accomplish the purposes of such
account, the project pool insurance account of the mortgage insurance
fund, such transfer to be made as soon as practicable but no later than
June 30, 2022.

§ 2. Notwithstanding any other provision of law, the housing trust
fund corporation may provide, for purposes of the rural preservation
program, a sum not to exceed $6,250,000 for the fiscal year ending March
31, 2023. Within this total amount, $250,000 shall be used for the
purpose of entering into a contract with the rural housing coalition to
provide technical assistance and services to companies funded pursuant
to article 17 of the private housing finance law. Notwithstanding any
other provision of law, and subject to the approval of the New York
state director of the budget, the board of directors of the state of New
York mortgage agency shall authorize the transfer to the housing trust
fund corporation, for the purposes of reimbursing any costs associated
with rural preservation program contracts authorized by this section, a
total sum not to exceed $6,250,000, such transfer to be made from (i)
the special account of the mortgage insurance fund created pursuant to
section 2429-b of the public authorities law, in an amount not to exceed
the actual excess balance in the special account of the mortgage insur-
ance fund, as determined and certified by the state of New York mortgage
agency for the fiscal year 2021-2022 in accordance with section 2429-b
of the public authorities law, if any, and/or (ii) provided that the
reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than June 30, 2022.

§ 3. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural rental assistance program pursuant to article 17-A of the private housing finance law, a sum not to exceed $51,630,000 for the fiscal year ending March 31, 2023. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural rental assistance program contracts authorized by this section, a total sum not to exceed $51,630,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2021-2022 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating, as determined by the state of New York mortgage agency, required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer shall be made as soon as practicable but no later than June 30, 2022.

§ 4. This act shall take effect immediately.

PART AA

Intentionally Omitted

PART BB

Intentionally Omitted

PART CC

Intentionally Omitted

PART DD

Intentionally Omitted

PART EE

Intentionally Omitted
Section 1. Legislative findings and intent. The legislature hereby finds that as New York's immigrant population continues to grow, inability to access documents translated into languages that community members read and lack of interpretation of government services and resources into languages that community members speak are major barriers to the advancement of the state's immigrant population. However, currently New York only requires translation services into six languages, based on an Executive Order signed in 2011, leaving many New Yorkers without access to translation in languages they speak, and none of the current six languages are widely spoken among immigrants from the African continent or the Middle East. Translation is also only mandatory in a handful of executive specific agencies, instead of across all subdivisions of state and county government. The legislature believes language access improves the lives of immigrants by increasing opportunities for employment, business ownership, and other vital services, while making staff time at state agencies and authorities more efficient, benefiting all of New York.

§ 2. The executive law is amended by adding a new article 49-C to read as follows:

ARTICLE 49-C
LANGUAGE ACCESS

§ 996. Language access. 1. Each state agency that provides direct public services shall translate vital documents, including essential public documents such as forms and instructions provided to or completed by program beneficiaries or participants. Such translation shall be available in the twelve most common non-English languages spoken by limited English proficient immigrants of five years or less according to the American community survey, as published by the United States census bureau.

2. Each such agency shall additionally make such translations available within each region of the state, as established by article eleven of the economic development law, in the three most common non-English languages which are spoken in that region by limited English proficient immigrants of five years or less, according to the American community survey, as published by the United States census bureau, which are not already included among the twelve languages specified in subdivision one of this section.

3. The list of most common languages shall be updated every two years, based on the most recent American community survey data, as published by the United States census bureau.

4. Each agency shall provide interpretation services between the agency and an individual in their primary language with respect to the provision of services or benefits.

5. Within ninety days of the effective date of this section, each agency shall publicly publish a language access plan which reflects how the agency will comply with the language access requirements of this section, and shall set forth, at a minimum:
(a) when and by what means the agency will provide or is already providing language access services;
(b) the titles of all available translated documents and the languages into which they have been translated;
(c) the number of public contact positions in the agency and the number of bilingual employees in public contact positions including the languages they speak;
(d) a training plan for agency employees which includes, at a minimum, annual training on the language access policies of the agency and how to provide language assistance services;
(e) a plan of how the agency intends to notify the population of offered language assistance services; and
(f) a language access coordinator at the agency, who shall be publicly identified.

§ 3. Article 9 of the public authorities law is amended by adding a new title 13 to read as follows:

TITLE 13
LANGUAGE ACCESS

§ 2988. Language access. 1. Each state authority that provides direct public services shall translate vital documents, including essential public documents such as forms and instructions provided to or completed by program beneficiaries or participants. The translation shall be available in the twelve most common non-English languages spoken by individuals with limited English proficiency in the state within the past five years, based on the American community survey, as published by the United States census bureau, and relevant to services offered by such agency.

2. Each such authority shall make such translations available within each region of the state, as established by article eleven of the economic development law, in the three most common non-English languages which are spoken in that region by limited English proficient immigrants of five years or less, according to the American community survey, as published by the United States census bureau, which are not already included among the twelve languages specified in subdivision one of this section.

3. The list of most common languages shall be updated no less than every two years from the effective date of this section, based on the most recent American community survey, as published by the United States census bureau.

4. Each such authority shall provide interpretation services between the agency and an individual in his or her primary language with respect to the provision of services or benefits.

5. Within ninety days of the effective date of this section, each such authority shall publish a language access plan which reflects how the agency will comply with the language access requirements pursuant to this section, and shall set forth, at a minimum:
   a. when and by what means the authority will provide or is already providing language access services;
   b. the titles of all available translated documents and the languages into which they have been translated;
   c. the number of public contact positions in the authority and the number of bilingual employees in public contact positions including the languages they speak;
d. a training plan for agency employees which includes, at a minimum, annual training on the language access policies of the authority and how to provide language assistance services;

e. a plan of how the agency intends to notify the population of offered language assistance services; and

f. a language access coordinator at the authority, who shall be publicly identified.

§ 4. The county law is amended by adding a new article 24-A to read as follows:

ARTICLE 24-A
LANGUAGE ACCESS
Section 950. Language access.
§ 950. Language access. 1. Every political entity of a county that provides direct public services shall translate vital documents, including essential public documents such as forms and instructions provided to or completed by program beneficiaries or participants. The translation shall be available in the twelve most common non-English languages spoken by individuals with limited English proficiency in the state within the past five years, based on the American community survey, as published by the United States census bureau, and relevant to services offered by each of such agencies.

2. Each such political entity of a county shall make such translations available within each region of the state, as established by article eleven of the economic development law, in the three most common non-English languages which are spoken in that region by limited English proficient immigrants of five years or less, according to the American community survey, as published by the United States census bureau, which are not already included among the twelve languages specified in subdivision one of this section.

3. Notwithstanding the provisions of subdivision one of this section, a county may add additional languages as necessary to accommodate local variances from statewide languages, provided such languages are added after public notice and opportunity to comment.

4. The list of most common languages shall be updated no less than every two years from the effective date of this section, based on the most recent American community survey, as published by the United States census bureau, and any additional languages such county shall choose to select.

5. Each such political entity of a county shall provide interpretation services between the entity and an individual in his or her primary language with respect to the provision of services or benefits.

6. Within ninety days of the effective date of this section, each such political entity of a county shall publish a language access plan which reflects how the political entity will comply with the language access requirements pursuant to this section, and shall set forth, at a minimum:

(a) when and by what means the political entity shall provide or is already providing language access services;

(b) the titles of all available translated documents and the languages into which they have been translated;

(c) the number of public contact positions in the political entity and the number of bilingual employees in public contact positions including the languages they speak;

(d) a training plan for agency employees, which includes, at a minimum, annual training on the language access policies of the political entity and how to provide language assistance services;
(e) a plan of how the political entity intends to notify the population of offered language assistance services; and

(f) a language access coordinator at the political entity, who shall be publicly identified.

§ 5. This act shall take effect immediately.

PART HH

Section 1. Section 211 of the retirement and social security law is amended by adding a new subdivision 9 to read as follows:

9. Notwithstanding the provisions of this section, sections two hundred twelve and four hundred one of this chapter and section five hundred three of the education law and any other law, regulation, rule, local law, or charter to the contrary, a retired person may be employed and earn compensation in a position or positions in the service of a school district or a board of cooperative educational services in the state without any effect on his or her status as retired and without suspension or diminution of his or her retirement allowance and without prior approval pursuant to subdivision two of this section. Earnings received as a result of employment in a school district or a board of cooperative educational services in the state shall not be applied to a retired person's earnings when calculating the earnings limitations imposed by subdivisions one and two of section two hundred twelve of this article.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed June 30, 2024.

PART II

Intentionally Omitted

PART JJ

Section 1. Section 581-a of the labor law is amended by adding a new subdivision 3-a to read as follows:

3-a. (a) Notwithstanding the provisions of section five hundred eighty-one of this title to the contrary and notwithstanding the actual size of the fund index, the rate of contribution for a qualified employer in the two thousand twenty-two fiscal year shall be the percentage shown in the column headed by the size of the fund index at two and one-half percent but less than three percent and on the same line with his or her negative or positive employer's account percentage pursuant to subdivision two of section five hundred eighty-one of this title, unless using the actual size of the fund index would result in a lower rate of contribution for an employer, in which case such employer shall be liable for such lower rate of contribution.

(b) Notwithstanding the provisions of section five hundred eighty-one of this title to the contrary and notwithstanding the actual size of the fund index, the rate of contribution for a qualified employer in the two thousand twenty-three fiscal year shall be the percentage shown in the column headed by the size of the fund index at two percent but less than two and one-half percent and on the same line with his or her negative or positive employer's account percentage pursuant to subdivision two of section five hundred eighty-one of this title, unless using the actual size of the fund index would result in a lower rate of contribution for
an employer, in which case such employer shall be liable for such lower rate of contribution.

§ 2. Subdivision 5 of section 590 of the labor law is amended by adding a new paragraph (b-1) to read as follows:

(b-1) Notwithstanding paragraph (b) of this subdivision, the maximum benefit shall be forty percent of the average weekly wage, until the first Monday of October, two thousand twenty-two, when the maximum benefit amount shall be forty-two percent of the average weekly wage.

§ 3. This act shall take effect immediately; provided, however, that section two of this act shall take effect on the thirtieth day after it shall have become a law and shall apply to new claims filed on or after such date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART KK

Section 1. Paragraph h of subdivision 2 of section 355 of the education law is amended by adding a new subparagraph 11 to read as follows:

(11) Beginning in the two thousand twenty-two--two thousand twenty-three academic year all current and future mandatory university fees, with the exclusion of the graduate student association student activity fee, shall be charged to a state university of New York graduate student serving a full-time or half-time appointment as a graduate teaching assistant, graduate assistant, graduate research assistant, graduate research associate, or graduate teaching associate at the following rates:

(1) in the two thousand twenty-two--two thousand twenty-three academic year seventy-five percent of all mandatory university fees, with the exclusion of the graduate student association student activity fee;

(2) in the two thousand twenty-three--two thousand twenty-four academic year fifty percent of all mandatory university fees, with the exclusion of the graduate student association student activity fee;

(3) in the two thousand twenty-four--two thousand twenty-five academic year twenty-five percent of all mandatory university fees, with the exclusion of the graduate student association student activity fee; and

(4) beginning in the two thousand twenty-five--two thousand twenty-six academic year and thereafter, no mandatory university fees shall be charged, with the exclusion of the graduate student association student activity fee.

§ 2. Section 6206 of the education law is amended by adding a new subdivision 22 to read as follows:

22. Beginning in the two thousand twenty-two--two thousand twenty-three academic year all current and future mandatory university fees, with the exclusion of the graduate student association student activity fee, shall be charged to a city university of New York graduate student serving as a graduate assistant, adjunct instructor, adjunct lecturer, adjunct college laboratory technician or a non-teaching adjunct staff member at the following rates:

(a) in the two thousand twenty-two--two thousand twenty-three academic year seventy-five percent of all mandatory university fees, with the exclusion of the graduate student association student activity fee;
b. in the two thousand twenty-three--two thousand twenty-four academic year fifty percent of all mandatory university fees, with the exclusion of the graduate student association student activity fee;

c. in the two thousand twenty-four--two thousand twenty-five academic year twenty-five percent of all mandatory university fees, with the exclusion of the graduate student association student activity fee; and

d. beginning in the two thousand twenty-five--two thousand twenty-six academic year and thereafter, no mandatory university fees shall be charged, with the exclusion of the graduate student association student activity fee.

§ 3. This act shall take effect immediately.

PART LL

Section 1. Subdivision 8-a of section 355 of the education law, as amended by section 8 of part Q of chapter 56 of the laws of 2013, is amended to read as follows:

8-a. All monies received by state university health care facilities from fees, charges, and reimbursement and from all other sources shall be credited to a state university health care account in a fund to be designated by the state comptroller. Notwithstanding the provision of any law, rule or regulation to the contrary, a portion of such monies credited may be transferred to a state university account as requested by the state university chancellor or his or her designee. Monies to establish reserves for long-term expenses of state university health care facilities and to fulfill obligations required for any contract for health care services authorized pursuant to subdivision sixteen of this section may be designated by the state university as a reserve and transferred to a separate contractual reserve account. The amounts in such accounts shall be available for use in accordance with paragraph b of subdivision four and subdivision eight of this section. Monies shall only be expended from the state university health care account and the contractual reserve account pursuant to appropriation. Notwithstanding any provision of this chapter, the state finance law or any other law to the contrary, such appropriations shall remain in full force and effect for two years from the effective date of the appropriation act making the appropriation. Monies so transferred may be returned to the state university health care account; provided, however, that funds in such contractual reserve account must be sufficient to meet the obligations of all such contracts. Notwithstanding any other law, rule, or regulation to the contrary, no state agency or state official or employee acting in their official capacity, may transfer, loan, or otherwise appropriate any income or funds impacting, involving, generated by, or appropriated for any component of the state university, or community colleges as defined by section sixty-three hundred one of this chapter operating under the program of the state university, including such income or funds impacting, involving, generated by, or appropriated for a state university health care facility, to the general fund or any other fund or account held within the auspices of the comptroller of the state of New York, for prepayment, repayment, or otherwise recompense for debt service costs related to a state university health care facility. The provisions of this subdivision shall supersede any other general, special or local law inconsistent therewith notwithstanding, unless this section is expressly and specifically referred to in such other general, special or local law.

§ 2. This act shall take effect immediately.
PART MM

Section 1. Subparagraph (ii) of paragraph a of subdivision 3 of section 667 of the education law, as amended by section 1 of part B of chapter 60 of the laws of 2000, is amended to read as follows:

(ii) Except for students as noted in subparagraph (iii) of this paragraph, the base amount as determined from subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:

<table>
<thead>
<tr>
<th>Amount of income</th>
<th>Schedule of reduction of base amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Less than seven thousand dollars</td>
<td>None</td>
</tr>
<tr>
<td>(B) Seven thousand dollars or more, but less than eleven thousand dollars</td>
<td>Seven per centum of excess over seven thousand dollars</td>
</tr>
<tr>
<td>(C) Eleven thousand dollars or more, but less than eighteen thousand dollars</td>
<td>Two hundred eighty dollars plus ten per centum of excess over eleven thousand dollars</td>
</tr>
<tr>
<td>(D) Eighteen thousand dollars or more, but not more than [one hundred ten thousand dollars]</td>
<td>Nine hundred eighty dollars plus twelve per centum of excess over eighteen thousand dollars</td>
</tr>
</tbody>
</table>

§ 2. Subparagraph (vi) of paragraph a of subdivision 3 of section 667 of the education law, as amended by section 1 of part B of chapter 60 of the laws of 2000, is amended to read as follows:

(vi) For the two thousand two--two thousand three academic year and thereafter, the award shall be the net amount of the base amount determined pursuant to subparagraph (i) of this paragraph reduced pursuant to subparagraph (ii) or (iii) of this paragraph but the award shall not be reduced below [five hundred thousand] dollars.

§ 3. This act shall take effect June 1, 2022.

PART NN

Section 1. The public housing law is amended by adding a new article 15 to read as follows:

ARTICLE 15

HOUSING ACCESS VOUCHER PROGRAM

Section 620. Legislative findings.

621. Definitions.

622. Housing access voucher program.

623. Eligibility.

624. Funding allocation and distribution.

625. Payment of housing vouchers.

626. Leases and tenancy.

627. Rental obligation.

628. Monthly assistance payment.

629. Inspection of units.

630. Rent.

631. Vacated units.

632. Leasing of units owned by a housing access voucher local administrator.

633. Verification of income.

634. Division of an assisted family.
§ 620. Legislative findings. The legislature finds that it is in the public interest and an obligation of the state to ensure that individuals and families are not rendered homeless because of an inability to pay the cost of housing, and that the state should aid individuals and families who are homeless or face an imminent loss of housing in obtaining and maintaining suitable permanent housing in accordance with the provisions of this article.

§ 621. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Homeless" means lacking a fixed, regular, and adequate nighttime residence; having a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, campground, or other place not meant for human habitation; living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by federal, state or local government programs for low-income individuals or by charitable organizations, congregate shelters, or transitional housing); exiting an institution where an individual or family has resided and lacking a regular fixed and adequate nighttime residence upon release or discharge; being a homeless family with children or unaccompanied youth defined as homeless under 42 U.S.C. § 11302(a); having experienced a long-term period without living independently in permanent housing or having experienced persistent instability as measured by frequent moves and being reasonably expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, multiple barriers to employment, or other dangerous or life-threatening conditions, including conditions that relate to violence against an individual or a family member.

2. "Imminent loss of housing" means having received a verified rent demand or a petition for eviction; having received a court order resulting from an eviction action that notifies the individual or family that they must leave their housing; facing loss of housing due to a court order to vacate the premises due to hazardous conditions, which may include but not be limited to asbestos, lead exposure, mold, and radon; having a primary nighttime residence that is a room in a hotel or motel and lacking the resources necessary to stay; facing loss of the primary nighttime residence, which may include living in the home of another household, where the owner or renter of the housing will not allow the individual or family to stay, provided further, that an assertion from an individual or family member alleging such loss of housing or homelessness shall be sufficient to establish eligibility; or fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, human trafficking or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, provided further that an assertion from an individual or family member alleging such abuse and loss of housing shall be sufficient to establish eligibility.
3. "Public housing agency" means any county, municipality, or other governmental entity or public body that is authorized to administer any public housing program (or an agency or instrumentality of such an entity), and any other public or private non-profit entity that administers any other public housing program or assistance.

4. "Section 8 local administrator" means an organization that administers the Section 8 Housing Choice Vouchers program within a community, county or region, or statewide, on behalf of and under contract with the housing trust fund corporation.

5. "Housing access voucher local administrator" means a public housing agency, as defined in subdivision three of this section, or Section 8 local administrator designated to administer the housing access voucher program within a community, county or region, or statewide, on behalf of and under contract with the housing trust fund corporation.

6. "Family" means a group of persons residing together. Such group includes, but is not limited to a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family) or any remaining members of a tenant family. The commissioner shall have the discretion to determine if any other group of persons qualifies as a family.

7. "Owner" means any private person or any entity, including a cooperative, an agency of the federal government, or a public housing agency, having the legal right to lease or sublease dwelling units.

8. "Dwelling unit" means a single-family dwelling, including attached structures such as porches and stoops; or a single-family dwelling unit in a structure that contains more than one separate residential dwelling unit, and in which each such unit is used or occupied, or intended to be used or occupied, in whole or in part, as the residence of one or more persons.

9. "Income" means income from all sources of each member of the household, including all wages, tips, over-time, salary, welfare assistance, social security payments, child support payments, returns on investments, and recurring gifts. The term "income" shall not include: employment income from children under eighteen years of age, employment income from children eighteen years of age or older who are full-time students, foster care payments, sporadic gifts, groceries provided by persons not living in the household, supplemental nutrition assistance program (food stamp) benefits, earned income disregard (EID), or the earned income tax credit.

10. "Adjusted income" means income minus any deductions allowable by the rules promulgated by the commissioner pursuant to this article. Mandatory deductions shall include:
   (a) four hundred eighty dollars for each dependent;
   (b) four hundred dollars for any elderly family member and/or a family member with a disability;
   (c) any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education;
   (d) The sum total of unreimbursed medical expenses for each elderly family member and/or family member with a disability plus unreimbursed attendant care and/or medical apparatus expenses for each member of the family with a disability which are necessary for any member of the family (including the member of the family who is a person with a disability) to be employed, that is greater than three percent of the annual income; and
   (e) expenses related to child support payments due and owing.
11. "Reasonable rent" means rent not more than the rent charged on comparable units in the private unassisted market and rent charged for comparable unassisted units in the premises.

12. "Fair market rent" means the fair market rent for each rental area as promulgated annually by the United States department of housing and urban development's office of policy development and research pursuant to 42 U.S.C. 1437f.

13. "Voucher" means a document issued by the housing trust fund corporation pursuant to this article to an individual or family selected for admission to the housing access voucher program, which describes such program and the procedures for approval of a unit selected by the family and states the obligations of the individual or family under the program.

14. "Lease" means a written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by an individual or family with housing assistance payments under a contract between the owner and the housing access voucher local administrator.

15. "Dependent" means any member of the family who is neither the head of household, nor the head of the household's spouse, and who is:
   (a) under the age of eighteen;
   (b) a person with a disability; or
   (c) a full-time student.

16. "Elderly" means a person sixty-two years of age or older.

17. "Child care expenses" means expenses relating to the care of children under the age of thirteen.

18. "Severely rent burdened" means those individuals and families who pay more than fifty percent of their income in rent as defined by the United States census bureau.

19. "Disability" means:
   (a) the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months; or
   (b) in the case of an individual who has attained the age of fifty-five and is blind, the inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which they have previously engaged with some regularity and over a substantial period of time; or
   (c) a physical, mental, or emotional impairment which:
      (i) is expected to be of long-continued and indefinite duration;
      (ii) substantially impedes his or her ability to live independently; and
      (iii) is of such a nature that such ability could be improved by more suitable housing conditions; or
   (d) a developmental disability that is a severe, chronic disability of an individual that:
      (i) is attributable to a mental or physical impairment or combination of mental and physical impairments;
      (ii) is manifested before the individual attains age twenty-two;
      (iii) is likely to continue indefinitely;
      (iv) results in substantial functional limitations in three or more of the following areas of major life activity:
         (A) self-care;
         (B) receptive and expressive language;
(C) learning;  
(D) mobility;  
(E) self-direction;  
(F) capacity for independent living; or  
(G) economic self-sufficiency; and  
(v) reflects the individual's need for a combination and sequence of  
special, interdisciplinary, or generic services, individualized  
supports, or other forms of assistance that are of lifelong or extended  
duration and are individually planned and coordinated.  

§ 622. Housing access voucher program. The commissioner, subject to  
the appropriation of funds for this purpose, shall implement a program  
of rental assistance in the form of housing vouchers for eligible indi-  
viduals and families who are homeless or who face an imminent loss of  
housing in accordance with the provisions of this article. The housing  
trust fund corporation shall issue vouchers pursuant to this article,  
subject to appropriation of funds for this purpose, and may contract  
with the division of housing and community renewal to administer any  
aspect of this program in accordance with the provisions of this arti-  
cle. The commissioner shall designate housing access voucher local  
administrators in the state to make vouchers available to such individ-  
uals and families and to administer other aspects of the program in  
accordance with the provisions of this article. In the city of New York,  
the housing access voucher local administrator shall be the New York  
city department of housing preservation and development, or the New York  
city housing authority, or both.  

§ 623. Eligibility. The commissioner shall promulgate standards for  
determining eligibility for assistance under this program. Individuals  
and families who meet the standards shall be eligible regardless of  
immigration status. Eligibility shall be limited to individuals and  
families who are homeless or facing imminent loss of housing. Housing  
access voucher local administrators may rely on correspondence from a  
homeless shelter or similar institution or program to determine whether  
an applicant qualifies as a homeless individual or family.  

1. An individual or family shall be eligible for this program if they  
are homeless or facing imminent loss of housing and have an income of no  
more than fifty percent of the area median income, as defined by the  
federal department of housing and urban development.  

2. An individual or family in receipt of rental assistance pursuant to  
this program shall be no longer financially eligible for such assistance  
under this program when thirty percent of the individual's or family's  
adjusted income is greater than or equal to the total rent for the  
dwelling unit.  

3. When an individual or family becomes financially ineligible for  
rental assistance under this program pursuant to subdivision two of this  
section, the individual or family shall retain rental assistance for a  
period no shorter than one year, subject to appropriation of funds for  
this purpose.  

4. Income eligibility shall be verified prior to a public housing  
agency's initial determination to provide rental assistance for this  
program and upon determination of such eligibility, an individual or  
family shall annually certify their income for the purpose of determin-  
ing continued eligibility and any adjustments to such rental assistance.  

5. The commissioner shall collaborate with the office of temporary  
and disability assistance and other state and city agencies to allow  
public housing agencies to access income information for the purpose of  
verifying an individual's or family's income.
§ 624. Funding allocation and distribution. 1. Funding shall be allocated by the commissioner in each county and the city of New York in proportion to the number of households in each county or the city of New York who are severely rent burdened based on data published by the United States census bureau.

2. The commissioner shall be responsible for distributing the funds allocated in each county or the city of New York among housing access voucher local administrators operating in each county or in the city of New York.

3. At least fifty percent of funds distributed in each county or in the city of New York shall be allocated to individuals or families who are homeless. If a county is unable to fully distribute all funds allocated pursuant to this program under this section, such county may spend fewer than fifty percent of its funds for those who are homeless, provided that all eligible applicant individuals or families who are homeless have been served.

4. At least eighty-five percent of funds distributed in each county or in the city of New York for individuals or families who are homeless pursuant to subdivision three of this section shall be allocated to individuals and families whose income does not exceed thirty percent of the area median income as defined by the federal department of housing and urban development.

5. Of the funds allocated to individuals and families who face an imminent loss of housing, priority shall be given to individuals and families who have formerly experienced homelessness, including those who have previously received a temporary rental voucher from the state, a locality, or a non-profit organization or who currently have a rental assistance voucher that is due to expire within six months of application.

§ 625. Payment of housing vouchers. The housing voucher shall be paid directly to any owner under a contract between the owner of the dwelling unit to be occupied by the voucher recipient and the appropriate housing access voucher local administrator. A housing assistance payment contract entered into pursuant to this section shall establish the maximum monthly rent (including utilities and all maintenance and management charges) which the owner is entitled to receive for each dwelling unit with respect to which such assistance payments are to be made. The maximum monthly rent shall not exceed one hundred ten percent nor be less than ninety percent of the fair market rent for the rental area in which it is located. Fair market rent for a rental area shall be published not less than annually by the commissioner and shall be made available on the website of New York state homes and community renewal.

§ 626. Leases and tenancy. Each housing assistance payment contract entered into by a housing access voucher local administrator and the owner of a dwelling unit shall provide:

1. that the lease between the tenant and the owner shall be for a term of not less than one year, except that the housing access voucher local administrator may approve a shorter term for an initial lease between the tenant and the dwelling unit owner if the housing access voucher local administrator determines that such shorter term would improve housing opportunities for the tenant and if such shorter term is considered to be a prevailing local market practice;

2. that the dwelling unit owner shall offer leases to tenants assisted under this article that:

(a) are in a standard form used in the locality by the dwelling unit owner; and
(b) contain terms and conditions that:
   (i) are consistent with state and local law; and
   (ii) apply generally to tenants in the property who are not assisted
under this article;
   (c) shall provide that during the term of the lease, the owner shall
not terminate the tenancy except for serious or repeated violation of
the terms and conditions of the lease, for violation of applicable state
or local law, or for other good cause, and in the case of an owner who
is an immediate successor in interest pursuant to foreclosure during the
term of the lease vacating the property prior to sale shall not consti-
tute other good cause, except that the owner may terminate the tenancy
effective on the date of transfer of the unit to the owner if the owner:
   (i) will occupy the unit as a primary residence; and
   (ii) has provided the tenant a notice to vacate at least ninety days
before the effective date of such notice;
   (d) shall provide that any termination of tenancy under this section
shall be preceded by the provision of written notice by the owner to the
tenant specifying the grounds for that action, and any relief shall be
consistent with applicable state and local law;
   3. that any unit under an assistance contract originated under this
article shall only be occupied by the individual or family designated in
said contract and shall be the designated individual or family's primary
residence. Contracts shall not be transferable between units and shall
not be transferable between recipients. A family or individual may
transfer their voucher to a different unit under a new contract pursuant
to this article;
   4. that an owner shall not charge more than a reasonable rent as
defined in section six hundred twenty-one of this article.

§ 627. Rental obligation. 1. The monthly rental obligation for an
individual or family receiving housing assistance pursuant to the hous-
ing access voucher program shall be the greater of:
   (a) thirty percent of the monthly adjusted income of the family or
individual; or
   (b) If the family or individual is receiving payments for welfare
assistance from a public agency and a part of those payments, adjusted
in accordance with the actual housing costs of the family, is specif-
ically designated by that agency to meet the housing costs of the family,
the portion of those payments that is so designated. These payments
include, but are not limited to any shelter assistance or housing
assistance administered by any federal, state or local agency.
   2. If the rent for the individual or family (including the amount
allowed for tenant-paid utilities) exceeds the applicable payment stand-
ard established under subdivision three of section six hundred twenty-
eight of this article, the monthly assistance payment for the family
shall be equal to the amount by which the applicable payment standard
exceeds the greater of amounts under paragraphs (a) and (b) of subdivi-
sion one of this section.

§ 628. Monthly assistance payment. 1. The amount of the monthly
assistance payment with respect to any dwelling unit shall be the
difference between the maximum monthly rent which the contract provides
that the owner is to receive for the unit and the rent the individual or
family is required to pay under section six hundred twenty-seven of this
article. Reviews of income shall be made no less frequently than annual-
ly.
   2. The commissioner shall establish maximum rent levels for different
sized rentals in each rental area in a manner that promotes the use of
the program in all localities based on the fair market rental of the rental area. Rental areas shall be delineated by county, excepting that the city of New York shall be considered one rental area. The commissioner may rely on data or other information promulgated by any other state or federal agency in determining the rental areas and fair market rent.

3. The payment standard for each size of dwelling unit in a rental area shall not be less than ninety percent and shall not exceed one hundred ten percent of the fair market rent established in section six hundred twenty-one of this article for the same size of dwelling unit in the same rental area, except that the commissioner shall not be required as a result of a reduction in the fair market rent to reduce the payment standard applied to a family continuing to reside in a unit for which the family was receiving assistance under this article at the time the fair market rent was reduced.

§ 629. Inspection of units. 1. Initial inspection. (a) For each dwelling unit for which a housing assistance payment contract is established under this article, the housing access voucher local administrator (or other entity pursuant to section six hundred thirty-two of this article) shall inspect the unit before any assistance payment is made to determine whether the dwelling unit meets the housing quality standards under subdivision two of this section, except as provided in paragraph (b) or (c) of this subdivision.

(b) In the case of any dwelling unit that is determined, pursuant to an inspection under paragraph (a) of this subdivision, not to meet the housing quality standards under subdivision two of this section, assistance payments may be made at the discretion of a housing access voucher local administrator for the unit notwithstanding subdivision three of this section if failure to meet such standards is a result only of non-life-threatening conditions, as such conditions are established by the commissioner. A housing access voucher local administrator making assistance payments pursuant to this paragraph for a dwelling unit shall, thirty days after the beginning of the period for which such payments are made, withhold any assistance payments for the unit if any deficiency resulting in noncompliance with the housing quality standards has not been corrected by such time. The housing access voucher local administrator shall recommence assistance payments when such deficiency has been corrected, and may use any payments withheld to make assistance payments relating to the period during which payments were withheld.

(c) In the case of any property that within the previous twenty-four months has met the requirements of an inspection that qualifies as an alternative inspection method pursuant to subdivision five of this section, a housing access voucher local administrator may authorize occupancy before the inspection under paragraph (a) of this subdivision has been completed, and may make assistance payments retroactive to the beginning of the lease term after the unit has been determined pursuant to an inspection under paragraph (a) of this subdivision to meet the housing quality standards under subdivision two of this section. This paragraph may not be construed to exempt any dwelling unit from compliance with the requirements of subdivision four of this section.

2. The housing quality standards under this subdivision shall be standards for safe and habitable housing established:

(a) by the commissioner for purposes of this subdivision; or

(b) by local housing codes or by codes adopted by the housing access voucher local administrator that:
1. (i) meet or exceed housing quality standards, except that the commis-
2. sioner may waive the requirement under this subparagraph to signifi-
3. cantly increase access to affordable housing and to expand housing opportu-
4. nities for families assisted under this article, except where such
5. waiver could adversely affect the health or safety of families assisted
6. under this article; and
7. (ii) do not severely restrict housing choice.
8. 3. The determination required under subdivision one of this section
9. shall be made by the housing access voucher local administrator (or
10. other entity, as provided in section six hundred thirty-two of this
11. article) pursuant to an inspection of the dwelling unit conducted before
12. any assistance payment is made for the unit. Inspections of dwelling
13. units under this subdivision shall be made before the expiration of the
14. fifteen day period beginning upon a request by the resident or landlord
15. to the housing access voucher local administrator or, in the case of any
16. housing access voucher local administrator that provides assistance
17. under this article on behalf of more than one thousand two hundred fifty
18. families, before the expiration of a reasonable period beginning upon
19. such request. The performance of the housing access voucher local admin-
20. istrator in meeting the fifteen day inspection deadline shall be taken
21. into consideration in assessing the performance of the housing access
22. voucher local administrator.
23. 4. (a) Each housing access voucher local administrator providing
24. assistance under this article (or other entity, as provided in section
25. six hundred thirty-two of this article) shall, for each assisted dwell-
26. ing unit, make inspections not less often than annually during the term
27. of the housing assistance payments contract for the unit to determine
28. whether the unit is maintained in accordance with the requirements under
29. subdivision one of this section.
30. (b) The requirements under paragraph (a) of this subdivision may be
31. complied with by use of inspections that qualify as an alternative
32. inspection method pursuant to subdivision five of this section.
33. (c) The housing access voucher local administrator (or other entity)
34. shall retain the records of the inspection for a reasonable time, as
35. determined by the commissioner.
36. 5. An inspection of a property shall qualify as an alternative
37. inspection method for purposes of this subdivision if:
38. (a) the inspection was conducted pursuant to requirements under a
39. federal, state, or local housing program; and
40. (b) pursuant to such inspection, the property was determined to meet
41. the standards or requirements regarding housing quality or safety appli-
42. cable to properties assisted under such program, and, if a non-state
43. standard or requirement was used, the housing access voucher local
44. administrator has certified to the commissioner that such standard or
45. requirement provides the same (or greater) protection to occupants of
46. dwelling units meeting such standard or requirement as would the housing
47. quality standards under subdivision two of this section.
48. 6. Upon notification to the housing access voucher local administra-
49. tor, by an individual or family (on whose behalf tenant-based rental
50. assistance is provided under this article) or by a government official,
51. that the dwelling unit for which such assistance is provided does not
52. comply with the housing quality standards under subdivision two of this
53. section, the housing access voucher local administrator shall inspect
54. the dwelling unit:
55. (a) in the case of any condition that is life-threatening, within
56. twenty-four hours after the housing access voucher local administrator's
receipt of such notification, unless waived by the commissioner in extraordinary circumstances; and
(b) in the case of any condition that is not life-threatening, within a reasonable time frame, as determined by the commissioner.

In conducting such an inspection, the housing access voucher local administrator may, at its discretion, require evidence from the owner of the physical condition of a unit, including, but not limited to photographs, signed work orders, and contractor bills in lieu of the housing access voucher local administrator conducting a physical inspection.

7. The commissioner shall establish procedural guidelines and performance standards to facilitate inspections of dwelling units and conform such inspections with practices utilized in the private housing market. Such guidelines and standards shall take into consideration variations in local laws and practices and shall provide flexibility to the housing access voucher local administrator appropriate to facilitate efficient provision of assistance under this section.

§ 630. Rent. 1. The rent for dwelling units for which a housing assistance payment contract is established under this article shall be reasonable in comparison with rents charged for comparable dwelling units in the private, unassisted local market.

2. A housing access voucher local administrator (or other entity, as provided in section six hundred thirty-two of this article) shall, at the request of an individual or family receiving tenant-based assistance under this article, assist that individual or family in negotiating a reasonable rent with a dwelling unit owner. A housing access voucher local administrator (or other such entity) shall review the rent for a unit under consideration by the individual or family (and all rent increases for units under lease by the individual or family) to determine whether the rent (or rent increase) requested by the owner is reasonable. If a housing access voucher local administrator (or other such entity) determines that the rent (or rent increase) for a dwelling unit is not reasonable, the housing access voucher local administrator (or other such entity) shall not make housing assistance payments to the owner under this subdivision with respect to that unit.

3. If a dwelling unit for which a housing assistance payment contract is established under this article is exempt from local rent control provisions during the term of that contract, the rent for that unit shall be reasonable in comparison with other units in the rental area that are exempt from local rent control provisions.

4. Each housing access voucher local administrator shall make timely payment of any amounts due to a dwelling unit owner under this section, subject to appropriation of funds for this purpose. The housing assistance payment contract between the owner and the housing access voucher local administrator may provide for penalties for the late payment of amounts due under the contract, which shall be imposed on the housing access voucher local administrator in accordance with generally accepted practices in the local housing market.

5. Unless otherwise authorized by the commissioner, each housing access voucher local administrator shall pay any penalties from administrative fees collected by the housing access voucher local administrator, except that no penalty shall be imposed if the late payment is due to factors that the commissioner determines are beyond the control of the housing access voucher local administrator.

§ 631. Vacated units. If an assisted family vacates a dwelling unit for which rental assistance is provided under a housing assistance payment contract before the expiration of the term of the lease for the
§ 632. Leasing of units owned by a housing access voucher local administrator. 1. If an eligible individual or family assisted under this article leases a dwelling unit (other than a public housing dwelling unit) that is owned by a housing access voucher local administrator administering assistance to that individual or family under this section, the commissioner shall require the unit of general local government or another entity approved by the commissioner, to make inspections required under section six hundred twenty-nine of this article and rent determinations required under section six hundred thirty of this article. The housing access voucher local administrator shall be responsible for any expenses of such inspections and determinations, subject to the appropriation of funds for this purpose.

2. For purposes of this section, the term "owned by a housing access voucher local administrator" means, with respect to a dwelling unit, that the dwelling unit is in a project that is owned by such administrator, by an entity wholly controlled by such administrator, or by a limited liability company or limited partnership in which such administrator (or an entity wholly controlled by such administrator) holds a controlling interest in the managing member or general partner. A dwelling unit shall not be deemed to be owned by a housing access voucher local administrator for purposes of this section because such administrator holds a fee interest as ground lessor in the property on which the unit is situated, holds a security interest under a mortgage or deed of trust on the unit, or holds a non-controlling interest in an entity which owns the unit or in the managing member or general partner of an entity which owns the unit.

§ 633. Verification of income. The commissioner shall establish procedures which are appropriate and necessary to assure that income data provided to the housing access voucher local administrator and owners by individuals and families applying for or receiving assistance under this article is complete and accurate. In establishing such procedures, the commissioner shall randomly, regularly, and periodically select a sample of families to authorize the commissioner to obtain information on these families for the purpose of income verification, or to allow those families to provide such information themselves. Such information may include, but is not limited to, data concerning unemployment compensation and federal income taxation and data relating to benefits made available under the social security act, 42 U.S.C. 301 et seq., the food and nutrition act of 2008, 7 U.S.C. 2011 et seq., or title 38 of the United State Code. Any such information received pursuant to this section shall remain confidential and shall be used only for the purpose of verifying incomes in order to determine eligibility of individuals and families for benefits (and the amount of such benefits, if any) under this article.

§ 634. Division of an assisted family. 1. In those instances where a family assisted under this article becomes divided into two otherwise eligible individuals or families due to divorce, legal separation or the division of the family, where the new units cannot agree as to which new unit should continue to receive the assistance, and where there is no determination by a court, the public housing authority shall consider the following factors to determine which of the individuals or families will continue to be assisted:

(a) which of the new units has custody of dependent children;
(b) which family member was the head of household when the voucher was initially issued as listed on the initial application;
(c) the composition of the new units and which unit includes elderly or disabled members;
(d) whether domestic violence was involved in the breakup of the family unit;
(e) which family members remain in the unit; and
(f) recommendations of social service professionals.

2. Documentation of these factors will be the responsibility of the requesting parties. If documentation is not provided, the housing access voucher local administrator will terminate assistance on the basis of failure to provide information necessary for a recertification.

§ 635. Maintenance of effort. Any funds made available pursuant to this article shall not be used to offset or reduce the amount of funds previously expended for the same or similar programs in a prior year in any county or in the city of New York, but shall be used to supplement any prior year’s expenditures. The commissioner may grant an exception to this requirement if any county, municipality, or other governmental entity or public body can affirmatively show that such amount of funds previously expended is in excess of the amount necessary to provide assistance to all individuals and families within the area in which the funds were previously expended who are homeless or facing an imminent loss of housing.

§ 636. Vouchers statewide. Notwithstanding section six hundred twenty-six of this article, any voucher issued pursuant to this article may be used for housing anywhere in the state. The commissioner shall inform voucher holders that a voucher may be used anywhere in the state and, to the extent practicable, the commissioner shall assist voucher holders in finding housing in the area of their choice.

§ 637. Applicable codes. Housing eligible for participation in the housing access voucher program shall comply with applicable state and local health, housing, building and safety codes.

§ 638. Housing choice. 1. The commissioner shall administer the housing access voucher program under this article to promote housing choice for voucher holders. The commissioner shall affirmatively promote fair housing to the extent possible under this program.

2. Nothing in this article shall lessen or abridge any fair housing obligations promulgated by municipalities, localities, or any other applicable jurisdiction.

§ 2. This act shall take effect on the first of April next succeeding the date on which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART OO

Section 1. This Part enacts into law major components of legislation in relation to utility ratepayer burden relief. Each component is wholly contained within a Subpart identified as Subparts A and B. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes reference to a section of "this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found.
Section two contains a severability clause for all provisions contained in each Subpart of this Part.

Section three of this act sets forth the general effective date of this Part.

SUBPART A

Section 1. Subdivision 1 of section 97 of the social services law, as added by chapter 785 of the laws of 1983, is amended to read as follows:

1. The department is authorized to develop and submit to the governor the application and plan required by title twenty-six of the federal omnibus budget reconciliation act of nineteen hundred eighty-one, and to amend and to take whatever other action may be necessary with respect to such plan, including, but not limited to, acting for the state in any negotiations relative to the submission of such plan, and making such arrangements and taking such action, not inconsistent with law, as may be required to submit, implement, administer and operate such plan, and to secure for the state the benefits available under such act; provided, however, that the state shall provide in such plan, if authorized by the federal government, the use of net income for income calculations; categorical eligibility for households in which one household member receives supplemental security income, temporary assistance for needy families, supplemental nutrition assistance program benefits, or means-tested veterans programs; priority eligibility for cooling assistance for elderly individuals, disabled individuals, young children, and households with high energy burdens; and priority eligibility for crisis assistance for elderly individuals, disabled individuals, young children, and households with high energy burdens.

§ 2. This act shall take effect immediately.

SUBPART B

Section 1. The office of temporary and disability assistance shall develop program materials which will be made available to utilities and community agencies for the purpose of informing the public about the availability of existing and new utility assistance programs. Local social service districts may contract for the provision of an outreach program to inform potentially eligible households of the availability of assistance pursuant to section 131-s of the social services law.

§ 2. This act shall take effect immediately.

§ 2. Severability. If any clause, sentence, paragraph, subdivision, section or subpart contained in any 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 subpart contained in any 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 date of Subparts A and B of this act shall be as specifically set forth in the last section of such Subparts.

PART PP
Section 1. Paragraph (a) of subdivision 2 of section 106 of the social services law, as amended by section 1 of part OO of chapter 56 of the laws of 2021, is amended to read as follows:

(a) Notwithstanding subdivision one of this section, if, prior to the effective date of the chapter of the laws of two thousand twenty-one that amended this section, a social services official accepted a deed of real property and/or a mortgage on behalf of the social services district for the assistance of a person at public expense, such social services official shall not assert any claim under any provision of this section to recover:

(1) any payments of public assistance made on or after April first, two thousand twenty-two;
(2) payments made as part of Supplemental Nutrition Assistance Program (SNAP), child care services, Emergency Assistance to Adults or the Home Energy Assistance Program (HEAP);

payments of public assistance if such payments were reimbursed by child support collections;
(4) payments of public assistance unless, before a deed or mortgage was accepted from an applicant or recipient, the official first received a signed acknowledgment from the applicant or recipient acknowledging that:
A. benefits provided as part of Supplemental Nutrition Assistance Program (SNAP), child care services, Emergency Assistance to Adults or the Home Energy Assistance Program (HEAP) may not be included as part of the recovery to be made under the mortgage or lien; and
B. if the applicant or recipient declines to provide the lien or mortgage the children in the household shall remain eligible for public assistance.

§ 2. Subdivision 2 of section 106 of the social services law is amended by adding four new paragraphs (g), (h), (i) and (j) to read as follows:

(g) Where a mortgage has been taken in accordance with the provisions of this section prior to the effective date of the chapter of the laws of two thousand twenty-one that amended this section, and the property covered by the deed or mortgage is occupied, in whole or in part, by the responsible relative who gave such deed or mortgage to the social services official or, by a child for whose benefit the aid was granted, the social services official shall not sell the property or assign or enforce the mortgage without the written consent of the department; and, when the property is occupied by such child, such consent shall not be given unless it appears reasonably certain that the sale or other disposition of the property will not materially adversely affect the welfare of such child.

(h) The net amount recovered by the social services department from such property, less any expenditures approved by the department for the burial of the relative or the child who dies while in receipt of aid under this title, shall be used to repay the social services district, the state and the federal government their proportionate share of the cost of family assistance granted. The state and federal share shall be paid by the social services district to the state and the manner and amount of such payment shall be determined in accordance with the regulations of the department.

(i) If any balance remains it shall belong to the estate of the legally responsible relative or relatives and the public welfare district shall forthwith credit the same accordingly, and, provided they claim it within four years thereafter, pay it to the persons entitled thereto. If
not so claimed within four years, it shall be deemed abandoned property and be paid to the state comptroller pursuant to section thirteen hundred five of the abandoned property law.

(j) Such property shall not be considered public property and shall remain on the tax rolls and such deed or mortgage shall be subject to redemption as provided in subparagraph one of paragraph (d) of this subdivision.

§ 3. This act shall take effect on the same date and in the same manner as section 3 of part 00 of chapter 56 of the laws of 2021, takes effect.

§ 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 date of Parts A through PP of this act shall be as specifically set forth in the last section of such Parts.