

# STATE OF NEW YORK

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8429--A

## IN SENATE

February 28, 2022

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Introduced by Sens. RYAN, JORDAN -- read twice and ordered printed, and when printed to be committed to the Committee on Libraries -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to state aid eligibility for library construction; and to amend chapter 120 of the laws of 2020, amending the education law, relating to state aid for library construction, in relation to the effectiveness thereof

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

1     Section 1. Subdivision 1 of section 273-a of the education law, as  
2 amended by section 1 of chapter 563 of the laws of 2021, is amended to  
3 read as follows:

4     1. State aid shall be provided for up to fifty percent of the total  
5 project approved costs, excluding feasibility studies, plans or similar  
6 activities, for projects for the installation and infrastructure of  
7 broadband services, and for the acquisition of vacant land and the  
8 acquisition, construction, renovation or rehabilitation, including  
9 leasehold improvements, of buildings of public libraries and library  
10 systems chartered by the regents of the state of New York or established  
11 by act of the legislature subject to the limitations provided in subdivi-  
12 sion six of this section and upon approval by the commissioner, except  
13 that state aid may be provided for up to seventy-five percent of the  
14 total project approved costs for buildings of public libraries that are  
15 located in an economically disadvantaged community and that state aid  
16 may be provided for up to ninety percent of the total project approved  
17 costs for buildings of public libraries that are located in an econo-  
18 mically distressed community. Provided however that the state liability  
19 for aid paid pursuant to this section shall be limited to funds appro-  
20 priated for such purpose. Aid shall be provided on approved expenses  
21 incurred during the period commencing July first and ending June thirti-  
22 eth for up to [~~four~~ six] years, or until the project is completed,  
23 whichever occurs first. Provided, however, that public libraries that

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

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1 received aid for projects pursuant to this section commencing July  
2 first, two thousand seventeen through July first, two thousand nineteen  
3 and are unable to complete such projects due to the state disaster emer-  
4 gency declared pursuant to executive order number two hundred two of two  
5 thousand twenty, as amended, shall be provided an additional twelve  
6 months from the statutory project end date to complete such projects.  
7 Fifty percent of such aid shall be payable to each system or library  
8 upon approval of the application by the department. Forty percent of  
9 such aid shall be payable in the next state fiscal year. The remaining  
10 ten percent shall be payable upon project completion.

11 § 2. Subdivision 1 of section 273-a of the education law, as amended  
12 by section 2 of chapter 563 of the laws of 2021, is amended to read as  
13 follows:

14 1. State aid shall be provided for up to fifty percent of the total  
15 project approved costs, excluding feasibility studies, plans or similar  
16 activities, for projects for the installation and infrastructure of  
17 broadband services, and for the acquisition of vacant land and the  
18 acquisition, construction, renovation or rehabilitation, including  
19 leasehold improvements, of buildings of public libraries and library  
20 systems chartered by the regents of the state of New York or established  
21 by act of the legislature subject to the limitations provided in subdi-  
22 vision six of this section and upon approval by the commissioner, except  
23 that state aid may be provided for up to seventy-five percent of the  
24 total project approved costs for buildings of public libraries that are  
25 located in an economically disadvantaged community and that state aid  
26 may be provided for up to ninety percent of the total project approved  
27 costs for buildings of public libraries that are located in an econo-  
28 mically distressed community. Provided however that the state liability  
29 for aid paid pursuant to this section shall be limited to funds appro-  
30 priated for such purpose. Aid shall be provided on approved expenses  
31 incurred during the period commencing July first and ending June thirti-  
32 eth for up to [four] **six** years, or until the project is completed,  
33 whichever occurs first. Fifty percent of such aid shall be payable to  
34 each system or library upon approval of the application by the depart-  
35 ment. Forty percent of such aid shall be payable in the next state  
36 fiscal year. The remaining ten percent shall be payable upon project  
37 completion.

38 § 3. Subdivision 1 of section 273-a of the education law, as amended  
39 by chapter 480 of the laws of 2015, is amended to read as follows:

40 1. State aid shall be provided for up to fifty percent of the total  
41 project approved costs, excluding feasibility studies, plans or similar  
42 activities, for projects for the installation and infrastructure of  
43 broadband services, and for the acquisition, construction, renovation or  
44 rehabilitation, including leasehold improvements, of buildings of public  
45 libraries and library systems chartered by the regents of the state of  
46 New York or established by act of the legislature subject to the limita-  
47 tions provided in subdivision four of this section and upon approval by  
48 the commissioner. Provided however that the state liability for aid  
49 paid pursuant to this section shall be limited to funds appropriated for  
50 such purpose. Aid shall be provided on approved expenses incurred during  
51 the period commencing July first and ending June thirtieth for up to  
52 [three] **six** years, or until the project is completed, whichever occurs  
53 first. Fifty percent of such aid shall be payable to each system or  
54 library upon approval of the application. Forty percent of such aid  
55 shall be payable in the next state fiscal year. The remaining ten  
56 percent shall be payable upon project completion.

1       § 4. Section 2 of chapter 120 of the laws of 2020, amending the education  
2 law, relating to state aid for library construction, is amended to  
3 read as follows:

4       § 2. This act shall take effect immediately and shall expire and be  
5 deemed repealed July 1, [2023] 2024; provided, however, that the amend-  
6 ments to subdivision 1 of section 273-a of the education law made by  
7 section one of this act shall not affect the expiration of such section  
8 and shall be deemed to expire therewith.

9       § 5. This act shall take effect immediately; provided, that the amend-  
10 ments to subdivision 1 of section 273-a of the education law made by  
11 section one of this act shall be subject to the expiration and reversion  
12 of such subdivision pursuant to section 2 of chapter 120 of the laws of  
13 2020, as amended, when upon such date the provisions of section two of  
14 this act shall take effect; and provided, further that the amendments to  
15 subdivision 1 of section 273-a of the education law made by section two  
16 of this act shall be subject to the expiration and reversion of such  
17 section pursuant to section 2 of chapter 498 of the laws of 2011, when  
18 upon such date the provisions of section three of this act shall take  
19 effect.