

# STATE OF NEW YORK

5706

2023-2024 Regular Sessions

## IN ASSEMBLY

March 22, 2023

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

AN ACT to amend the state finance law, in relation to establishing the sustainable communities fund

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

1 Section 1. The state finance law is amended by adding a new section  
2 99-r to read as follows:

3 § 99-r. Sustainable communities fund. 1. There is hereby established  
4 in the joint custody of the state comptroller and the commissioner of  
5 environmental conservation a fund to be known as the "sustainable commu-  
6 nities fund".

7 2. Such fund shall consist of all monies appropriated for its purpose,  
8 all other monies credited or transferred to such fund pursuant to law,  
9 and all monies required by this section or any other provisions of law  
10 to be paid into or credited to such fund.

11 3. Moneys of such fund shall be made available to the commissioner of  
12 environmental conservation and shall be used for grants to municipal  
13 corporations, as that term is defined in section two of the general  
14 municipal law, for eligible projects pursuant to this section. To quali-  
15 fy for such grants, municipal corporations shall (a) incorporate smart  
16 growth principles, as enumerated in article six of the environmental  
17 conservation law, into their comprehensive plans in accordance with  
18 sections two hundred seventy-two-a of the town law, 7-722 of the village  
19 law, and twenty-eight-a of the general city law, (b) demonstrate that  
20 eligible projects conform to the comprehensive plans, and (c) demon-  
21 strate the ability to leverage one dollar in matching funds for every  
22 dollar of state financial assistance.

23 4. Following appropriation by the legislature, monies of the fund  
24 shall be available only for distribution to eligible projects. Such  
25 eligible projects shall incorporate smart growth principles or utilize

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

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1 climate resilient and environmentally friendly construction techniques  
2 and shall include, but not be limited to, creating walkable communities  
3 including the widening of sidewalks and bike lanes, waterfront revitali-  
4 zation projects including dredging, beautification projects, combating  
5 urban sprawl, and developing mixed use communities.

6 5. The commissioner of environmental conservation shall promulgate any  
7 necessary rules and regulations for the application and distribution of  
8 any funds pursuant to this section.

9 § 2. This act shall take effect immediately. Effective immediately,  
10 the addition, amendment and/or repeal of any rule or regulation neces-  
11 sary for the implementation of this act on its effective date are  
12 authorized to be made and completed on or before such effective date.