

STATE OF NEW YORK

6440

2023-2024 Regular Sessions

IN ASSEMBLY

April 10, 2023

Introduced by M. of A. WEINSTEIN -- (at request of the Governor) -- read once and referred to the Committee on Ways and Means

AN ACT making appropriations for the support of government and to amend chapter 121 of the laws of 2023 relating to making appropriations for the support of government, in relation thereto, and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that the enactment of these appropriations provides sufficient
3 authority to the comptroller for the purpose of making payments for the
4 purposes described herein until such time as appropriation bills submit-
5 ted by the governor pursuant to article VII of the state constitution
6 for the support of government for the state fiscal year beginning April
7 1, 2023 are enacted.

8 § 2. Section 2 of chapter 121 of the laws of 2023, relating to making
9 appropriations for the support of government, is amended to read as
10 follows:

11 § 2. The amounts specified in this section, or so much thereof as
12 shall be sufficient to accomplish the purposes designated, is hereby
13 appropriated and authorized to be paid as hereinafter provided, to the
14 public officers and for the purpose specified, which amount shall be
15 available for the state fiscal year beginning April 1, 2023.

16 ALL STATE DEPARTMENTS AND AGENCIES

17 For the purpose of making payments for
18 personal service, including liabilities
19 incurred prior to April 1, 2023, on the
20 payrolls scheduled to be paid during the
21 period April 1 through April [~~10~~ 17, 2023

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

LBD12006-01-3

1 to state officers and employees of the
 2 executive branch, including the governor,
 3 lieutenant governor, comptroller, and
 4 attorney general, and to employees of the
 5 legislature. This appropriation also
 6 includes funding for payment of health
 7 care and mental hygiene bonuses to eligi-
 8 ble state employees, and payments for
 9 services performed by mentally ill or
 10 developmentally disabled persons who are
 11 employed in state-operated special employ-
 12 ment, work-for-pay or sheltered workshop
 13 programs [~~215,500,000~~] 458,000,000
 14 -----

15 § 3. Section 3 of chapter 121 of the laws of 2023, relating to making
 16 appropriations for the support of government, is amended to read as
 17 follows:

18 § 3. The amount specified in this section, or so much thereof as shall
 19 be sufficient to accomplish the purpose designated, is hereby appropri-
 20 ated and authorized to be paid as hereinafter provided, to the public
 21 officers and for the purpose specified, which amount shall be available
 22 for the state fiscal year beginning April 1, 2023.

23 ALL STATE DEPARTMENTS AND AGENCIES

24 For the payment of state operations non
 25 personal service liabilities to the execu-
 26 tive branch, including the comptroller,
 27 and the attorney general, and legislature,
 28 incurred in the ordinary course of busi-
 29 ness, during the period April 1 through
 30 April [~~10~~] 17, 2023, pursuant to existing
 31 state law and for purposes for which the
 32 legislature authorized the expenditure of
 33 moneys during the 2022-2023 state fiscal
 34 year; provided, however, that nothing
 35 contained herein shall be deemed to limit
 36 or restrict the power or authority of
 37 state departments or agencies to conduct
 38 their activities or operations in accord-
 39 ance with existing law, and further
 40 provided that nothing contained herein
 41 shall be deemed to supersede, nullify or
 42 modify the provisions of section 40 of the
 43 state finance law prescribing when appro-
 44 priations made for the 2022-2023 state
 45 fiscal year shall have ceased to have
 46 force and effect [~~13,300,000~~] 22,000,000
 47 -----

48 § 4. Section 4 of chapter 121 of the laws of 2023, relating to making
 49 appropriations for the support of government, is amended to read as
 50 follows:

51 § 4. The amounts specified in this section, or so much thereof as
 52 shall be sufficient to accomplish the purposes designated, is hereby

1 appropriated and authorized to be paid as hereinafter provided, to the
2 public officers and for the purposes specified, which amount shall be
3 available for the state fiscal year beginning April 1, 2023.

4 ALL STATE DEPARTMENTS AND AGENCIES

5 The sum of [~~twelve million eight hundred~~
6 ~~sixty thousand dollars (\$12,860,000)~~
7 thirty million dollars (\$30,000,000), or
8 so much thereof as shall be sufficient to
9 accomplish the purpose designated, is
10 hereby appropriated for contracts and
11 grants approved for purposes for which the
12 legislature authorized the expenditures of
13 money during the 2022-2023 fiscal year. An
14 amount up to [~~twelve million eight hundred~~
15 ~~sixty thousand dollars (\$12,860,000)~~
16 thirty million dollars (\$30,000,000) shall
17 be available for the payment of capital
18 projects liabilities incurred during the
19 period from April 1 through April [~~10~~] 17,
20 2023 for contracts and grants approved
21 prior to April 1, 2023, provided, however,
22 that nothing contained herein shall be
23 deemed to limit or restrict the power or
24 authority of state departments or agencies
25 to conduct their activities or operations
26 in accordance with existing law, and
27 further provided that nothing contained
28 herein shall be deemed to supersede,
29 nullify, or modify the provisions of
30 section 40 of the state finance law
31 prescribing when appropriations made for
32 the 2022-2023 fiscal year shall have
33 ceased to have force and effect

34	[12,860,000]	<u>30,000,000</u>
35	-----	

36 § 5. Section 5 of chapter 121 of the laws of 2023, relating to making
37 appropriations for the support of government, is amended to read as
38 follows:

39 § 5. The several amounts specified in this section, or so much thereof
40 as shall be sufficient to accomplish the purposes designated, are hereby
41 appropriated and authorized to be paid as hereinafter provided, to the
42 respective public officers and for the several purposes specified, which
43 amounts shall be available for the state fiscal year beginning April 1,
44 2023.

45 ALL STATE DEPARTMENTS AND AGENCIES

46 The sum of [~~two million one hundred forty~~
47 ~~thousand dollars (\$2,140,000)~~] five
48 million dollars (\$5,000,000), or so much
49 thereof as shall be sufficient to accom-
50 plish the purpose designated, is hereby
51 appropriated for contracts and grants

1 approved for which the legislature author-
 2 ized the expenditures of money during the
 3 2022-2023 fiscal year. An amount up to
 4 [~~two million one hundred forty thousand~~
 5 ~~dollars (\$2,140,000)] five million dollars
 6 (\$5,000,000) shall be available for the
 7 payment of capital projects liabilities
 8 incurred during the period from April 1
 9 through April [~~10~~ 17, 2023 for contracts
 10 and grants approved after April 1, 2023,
 11 provided, however, that nothing contained
 12 herein shall be deemed to limit or
 13 restrict the power or authority of state
 14 departments or agencies to conduct their
 15 activities or operations in accordance
 16 with existing law, and further provided
 17 that nothing contained herein shall be
 18 deemed to supersede, nullify, or modify
 19 the provisions of section 40 of the state
 20 finance law prescribing when appropri-
 21 ations made for the 2022-2023 fiscal year
 22 shall have ceased to have force and effect
 23 [~~2,140,000~~] 5,000,000
 24 -----~~

25 § 6. Section 6 of chapter 121 of the laws of 2023, relating to making
 26 appropriations for the support of government, is amended to read as
 27 follows:

28 § 6. The amounts specified in this section, or so much thereof as
 29 shall be sufficient to accomplish the purposes designated, is hereby
 30 appropriated and authorized to be paid as hereinafter provided, to the
 31 public officers and for the purposes specified, which amount shall be
 32 available for the state fiscal year beginning April 1, 2023.

33 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

34 GENERAL STATE CHARGES

35 STATE OPERATIONS
 36 GENERAL STATE CHARGES [~~43,330,000~~] 524,660,000
 37 -----

38 General Fund
 39 State Purposes Account - 10050

40 For employee fringe benefits according to
 41 the following project schedule including
 42 those benefits which are related to
 43 employees paid from funds, accounts, or
 44 programs where the division of the budget
 45 has issued waivers [~~42,230,000~~] 522,460,000

46 Project Schedule

47 PROJECT	AMOUNT
48 -----	
49 For the state's contribution	

1 to the social security
2 contribution fund 42,000,000
3 For the state's share of
4 contributions to the volun-
5 tary defined contribution
6 plan made on behalf of
7 eligible employees pursuant
8 to chapter 18 of the laws of
9 2012 who elect to partic-
10 ipate in such plan and who
11 are not otherwise eligible
12 to participate in the SUNY
13 optional retirement program
14 [~~230,000~~] 460,000
15 For the state's contribution
16 to the health insurance fund
17 and deposit into the retiree
18 health benefit trust fund
19 pursuant to section 99-aa of
20 the state finance law. The
21 state's share of the health
22 insurance program dividends
23 shall be available to pay
24 for the premiums in 2023-24 .. 400,000,000
25 For payments to the state
26 insurance fund for workers'
27 compensation benefits and
28 other related workers'
29 compensation costs prior to
30 or after they become
31 incurred including but not
32 limited to the benefits
33 defined in chapters 302 and
34 303 of the laws of 1985 45,000,000
35 For the state's contribution
36 to employee benefit fund
37 programs 35,000,000
38 -----
39 Project schedule total ...
40 [~~42,230,000~~] 522,460,000
41 -----

42 For the payment of the metropolitan commuter
43 transportation mobility tax pursuant to
44 article 23 of the tax law as added by
45 chapter 25 of the laws of 2009 on behalf
46 of the state employees employed in the
47 metropolitan commuter transportation
48 district [~~1,100,000~~] 2,200,000
49 -----

50 § 7. Section 7 of chapter 121 of the laws of 2023, relating to making
51 appropriations for the support of government, is amended to read as
52 follows:

53 § 7. The amounts specified in this section, or so much thereof as
54 shall be sufficient to accomplish the purposes designated, is hereby

1 appropriated and authorized to be paid as hereinafter provided, to the
2 public officers and for the purposes specified, which amount shall be
3 available for the state fiscal year beginning April 1, 2023.

4 JUDICIARY

5 For the purpose of making payments for
6 personal service, including liabilities
7 incurred prior to April 1, 2023, on the
8 payrolls scheduled to be paid during the
9 period April 1 through April 17, 2023 to
10 officers and employees of the judiciary 65,000,000

11 For the payment of state operations nonper-
12 sonal service liabilities, the sum of
13 [~~thirty-three million three hundred and~~
14 ~~thirty thousand dollars (\$33,330,000)~~]
15 fifty million dollars (\$50,000,000), or so
16 much thereof as shall be sufficient to
17 accomplish the purpose designated, is
18 hereby appropriated to the judiciary out
19 of any moneys in the general fund or other
20 funds to the credit of the state purposes
21 account not otherwise appropriated. The
22 comptroller is hereby authorized and
23 directed to utilize this appropriation for
24 the purpose of making payments for non-
25 personal service liabilities incurred by
26 the judiciary from April 1 through April
27 [~~10~~] 17, 2023 [~~33,330,000~~] 50,000,000

28 For the payment of aid to localities liabil-
29 ities, the sum of [~~ten~~] fifteen million
30 dollars [~~(\$10,000,000)~~] (\$15,000,000), or
31 so much thereof as shall be sufficient to
32 accomplish the purpose designated, is
33 hereby appropriated to the judiciary out
34 of any moneys in the general fund or other
35 funds to the credit of the state purposes
36 account not otherwise appropriated. The
37 comptroller is hereby authorized and
38 directed to utilize this appropriation for
39 the purpose of making payments for aid to
40 localities liabilities incurred by the
41 judiciary from April 1 through April [~~10~~]
42 17, 2023 [~~10,000,000~~] 15,000,000

43 For the payment of employee fringe benefit
44 programs including, but not limited to,
45 the judiciary's contributions to the
46 health insurance fund, the employees'
47 retirement system pension accumulation
48 fund, the social security contribution
49 fund, employee benefit fund programs, the
50 dental insurance plan, the vision care
51 plan, the unemployment insurance fund, and
52 for workers' compensation benefits, the
53 sum of seventy-five million dollars
54 (\$75,000,000), or so much thereof as shall

1 be sufficient to accomplish the purpose
 2 designated, is hereby appropriated to the
 3 judiciary out of any moneys in the general
 4 fund or other funds to the credit of the
 5 state purposes account not otherwise
 6 appropriated. The comptroller is hereby
 7 authorized and directed to utilize this
 8 appropriation for the purpose of making
 9 payments for employee fringe benefit
 10 liabilities incurred by the judiciary from
 11 April 1 through April 10, 2023 75,000,000

12 § 8. The amount specified in this section, or so much thereof as shall
 13 be sufficient to accomplish the purpose designated, is hereby appropri-
 14 ated and authorized to be paid as hereinafter provided, to the public
 15 officers and for the purpose specified, which amount shall be available
 16 for the state fiscal year beginning April 1, 2023.

17 DEPARTMENT OF FAMILY ASSISTANCE
 18 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

19 AID TO LOCALITIES

20 EMPLOYMENT AND INCOME SUPPORT PROGRAM 235,416,000
 21 -----

22 General Fund
 23 Local Assistance Account - 10000

24 For state reimbursement of the safety net
 25 assistance program as established pursuant
 26 to chapter 436 of the laws of 1997.
 27 Notwithstanding section 153 of the social
 28 services law or any other inconsistent
 29 provision of law, funds appropriated here-
 30 in shall reimburse 29 percent of safety
 31 net assistance expenditures, including the
 32 cost of providing shelter supplements for
 33 safety net assistance households at local
 34 option, including eligible households
 35 containing a household member who has been
 36 released from prison, in order to prevent
 37 eviction and address homelessness in
 38 accordance with social services district
 39 plans approved by the office of temporary
 40 and disability assistance and the director
 41 of the budget, provided, however, that in
 42 social services districts with a popu-
 43 lation over five million no shelter
 44 supplements other than those to prevent
 45 eviction shall be reimbursed, and further
 46 provided that such supplements shall not
 47 be part of the standard of need pursuant
 48 to section 131-a of the social services
 49 law. Funds appropriated herein shall also
 50 reimburse 29 percent of safety net assist-

1 ance expenditures, in social services
2 districts with a population over five
3 million, for emergency shelter, transpor-
4 tation, or nutrition payments which the
5 district determines are necessary to
6 establish or maintain independent living
7 arrangements among persons living with
8 medically diagnosed HIV infection as
9 defined by the AIDS institute of the state
10 department of health and who are homeless
11 or facing homelessness and for whom no
12 viable and less costly alternative to
13 housing is available; provided, however,
14 that funds appropriated herein may only be
15 used for such purposes if the cost of such
16 allowances are not eligible for reimburse-
17 ment under medical assistance or other
18 programs. Funds appropriated herein shall
19 reimburse 29 percent of safety net assist-
20 ance expenditures, in social services
21 districts with a population of five
22 million or fewer, for emergency shelter
23 payments promulgated by the office of
24 temporary and disability assistance which
25 the district determines are necessary to
26 establish or maintain independent living
27 arrangements among persons living with
28 medically diagnosed HIV infection as
29 defined by the AIDS institute of the state
30 department of health and who are homeless
31 or facing homelessness and for whom no
32 viable and less costly alternative to
33 housing is available; provided, however,
34 that funds appropriated herein may only be
35 used for such purposes if the cost of such
36 allowances are not eligible for reimburse-
37 ment under medical assistance or other
38 programs. Funds appropriated herein shall
39 reimburse 29 percent of safety net assist-
40 ance expenditures, in social services
41 districts with a population of five
42 million or fewer, for emergency shelter
43 payments in excess of those promulgated by
44 the office of temporary and disability
45 assistance but not exceeding an amount
46 reasonably approximate to 100 percent of
47 fair market rent, at local option which
48 the district determines are necessary to
49 establish or maintain independent living
50 arrangements among persons living with
51 medically diagnosed HIV infection as
52 defined by the AIDS institute of the State
53 department of health and who are homeless
54 or facing homelessness and for whom no
55 viable and less costly alternative to
56 housing is available; provided, however,

1 that funds appropriated herein may only be
2 used for such purposes if the cost of such
3 allowances are not eligible for reimburse-
4 ment under medical assistance or other
5 programs. Such emergency shelter payments
6 shall only be made at local option and in
7 accordance with a plan approved by the
8 office of temporary and disability assist-
9 ance and the director of the budget.
10 Provided, however, notwithstanding section
11 153 of the social services law or any
12 other inconsistent provision of law, if
13 necessary funding, as determined by the
14 director of the budget, is secured in a
15 social services district from the medical
16 assistance program by reducing the capita-
17 tion rates paid to medicaid managed care
18 organizations by the amount of savings
19 resulting from stably housing individuals
20 living with medically diagnosed HIV
21 infection as defined by the AIDS institute
22 of the state department of health, the
23 social services district shall make such
24 emergency shelter payments in excess of
25 those promulgated by the office of tempo-
26 rary and disability assistance but not
27 exceeding an amount reasonably approximate
28 to 100 percent of fair market rent, and
29 the savings shall be used to reimburse 100
30 percent of the cost of such excess emer-
31 gency shelter payments for cases reim-
32 bursed under the safety net assistance or
33 family assistance programs in social
34 services districts with a population of
35 five million or fewer, in accordance with
36 a plan approved by the office of temporary
37 and disability assistance and the director
38 of the budget; provided further that
39 reimbursement shall be provided to medi-
40 caid managed care organizations through
41 adjustments to capitation rates should
42 actual gross savings not be realized as
43 determined by the director of the budget.
44 For persons living with medically diag-
45 nosed HIV infection as defined by the AIDS
46 institute of the state department of
47 health living in social service districts
48 with a population over five million who
49 are receiving public assistance, funds
50 appropriated herein shall be used to reim-
51 burse 29 percent of the additional rental
52 costs determined based on limiting such
53 person's earned and/or unearned income
54 contribution to 30 percent. For persons
55 living with medically diagnosed HIV
56 infection as defined by the AIDS institute

1 of the state department of health living
2 in social services districts with a popu-
3 lation of five million or fewer who are
4 receiving public assistance, funds appro-
5 priated herein may be used to reimburse up
6 to 100 percent of the additional rental
7 costs determined based on limiting such
8 person's earned and/or unearned income
9 contribution to 30 percent. Such payments
10 of additional rental costs shall only be
11 made at local option and in accordance
12 with a plan approved by the office of
13 temporary and disability assistance and
14 the director of the budget. Provided,
15 however, notwithstanding section 153 of
16 the social services law or any other
17 inconsistent provision of law, if neces-
18 sary funding, as determined by the direc-
19 tor of the budget, is secured in a social
20 services district from the medical assist-
21 ance program by reducing the capitation
22 rates paid to medicaid managed care organ-
23 izations by the amount of savings result-
24 ing from stably housing individuals living
25 with medically diagnosed HIV infection as
26 defined by the AIDS institute of the state
27 department of health, the social services
28 district shall make such payments of addi-
29 tional rental costs, for cases reimbursed
30 under the safety net assistance and family
31 assistance program, and the savings shall
32 be used to reimburse 100 percent of the
33 cost of the additional rental costs deter-
34 mined based on limiting such person's
35 earned and/or unearned income contribution
36 to 30 percent in social services districts
37 with a population of five million or
38 fewer, in accordance with a plan approved
39 by the director of the budget. Amounts
40 appropriated herein may be used to enter
41 into contracts with persons or entities
42 authorized pursuant to subdivision (i) of
43 section 17 of the social services law
44 consistent with federal law and require-
45 ments. Such contracts will be consistent
46 with subdivision (i) of section 17 of the
47 social services law. Notwithstanding
48 section 153 of the social services law or
49 any other inconsistent provision of law,
50 the office may reduce reimbursement other-
51 wise payable to social services districts
52 to recover 29 percent of costs incurred by
53 the office for expenditures related to
54 subdivision (i) of section 17 of the
55 social services law. Such funds are to be
56 available for payment of aid heretofore

1 accrued or hereafter to accrue to municipi-
2 palities. Subject to the approval of the
3 director of the budget, such funds shall
4 be available to the office of temporary
5 and disability assistance net of disallow-
6 ances, refunds, reimbursements, and cred-
7 its, including those related to title IV-E
8 of the social security act; and including,
9 but not limited to, additional federal
10 funds resulting from any changes in feder-
11 al cost allocation methodologies. Notwith-
12 standing any inconsistent provision of
13 law, the amount herein appropriated may be
14 increased or decreased by interchange with
15 any other appropriation within the office
16 of temporary and disability assistance
17 general fund - local assistance account
18 with the approval of the director of the
19 budget, who shall file such approval with
20 the department of audit and control and
21 copies thereof with the chairman of the
22 senate finance committee and the chairman
23 of the assembly ways and means committee.
24 Social services districts shall be
25 required to report to the office of tempo-
26 rary and disability assistance on an annu-
27 al basis, information, as determined and
28 requested by the office, related to
29 services and expenditures for which
30 reimbursement is sought for providing
31 temporary housing assistance to homeless
32 individuals and families. Such information
33 shall be submitted electronically to the
34 extent feasible as determined by the
35 office, and shall be used to evaluate
36 expenditures by such social services
37 districts for the provision of temporary
38 housing assistance for homeless individ-
39 uals and families. Notwithstanding section
40 153 of the social services law, or any
41 other inconsistent provision of law, the
42 office of temporary and disability assist-
43 ance may withhold or deny reimbursement,
44 in whole or in part, to any social
45 services district that fails to develop or
46 submit a homeless services plan subject to
47 the approval of the office of temporary
48 and disability assistance, fails to
49 provide homeless services and outreach in
50 accordance with its approved homeless
51 services plan, or fails to develop or
52 submit homeless services outcome reports,
53 consistent with those requirements promul-
54 gated by the office of temporary and disa-
55 bility assistance. Notwithstanding section
56 153 of the social services law, or any

1 other inconsistent provision of law, such
 2 appropriation shall be available for
 3 reimbursement of eligible costs incurred
 4 on or after January 1, 2023 and before
 5 January 1, 2024, that are otherwise reim-
 6 bursable by the state on or after April 1,
 7 2023, that are claimed by March 1, 2024.
 8 Such reimbursement shall constitute total
 9 state reimbursement for activities funded
 10 herein in state fiscal year 2023-24
 11 (52203) 52,083,000

12 For expenditures for additional state
 13 payments for eligible aged, blind, and
 14 disabled persons related to supplemental
 15 security income and for expenditures made
 16 pursuant to title 8 of article 5 of the
 17 social services law. Such funds are avail-
 18 able for payment of aid heretofore accrued
 19 or hereafter to accrue. Notwithstanding
 20 any inconsistent provision of law, the
 21 amount herein appropriated may be
 22 increased or decreased by interchange with
 23 any other appropriation within the office
 24 of temporary and disability assistance
 25 general fund - local assistance account
 26 with the approval of the director of the
 27 budget, who shall file such approval with
 28 the department of audit and control and
 29 copies thereof with the chairman of the
 30 senate finance committee and the chairman
 31 of the assembly ways and means committee
 32 (52311) 58,333,000

33 Special Revenue Funds - Federal
 34 Federal Health and Human Services Fund
 35 Temporary Assistance for Needy Families Account - 25178

36 For reimbursement of the cost of the family
 37 assistance and the emergency assistance to
 38 families programs. Notwithstanding section
 39 153 of the social services law or any
 40 inconsistent provision of law, funds
 41 appropriated herein shall be provided
 42 without state or local participation
 43 except that for social services districts
 44 with a population of five million or more,
 45 reimbursement will be eighty-five percent.
 46 Funds appropriated herein shall also
 47 include the cost of providing shelter
 48 supplements for family assistance house-
 49 holds at local option, including eligible
 50 households containing a household member
 51 who has been released from prison, in
 52 order to prevent eviction and address
 53 homelessness in accordance with social
 54 services district plans approved by the

1 office of temporary and disability assist-
2 ance and the director of the budget,
3 provided, however, that in social services
4 districts with a population over five
5 million no shelter supplements other than
6 those to prevent eviction shall be reim-
7 bursed, and further provided that such
8 supplements shall not be part of the stan-
9 dard of need pursuant to section 131-a of
10 the social services law. Funds appropri-
11 ated herein shall also reimburse for fami-
12 ly assistance expenditures for emergency
13 shelter, transportation, or nutrition
14 payments which the district determines are
15 necessary to establish or maintain inde-
16 pendent living arrangements among persons
17 living with medically diagnosed HIV
18 infection as defined by the AIDS institute
19 of the State department of health and who
20 are homeless or facing homelessness and
21 for whom no viable and less costly alter-
22 native to housing is available; provided,
23 however, that funds appropriated herein
24 may only be used for such purposes if the
25 cost of such allowances are not eligible
26 for reimbursement under medical assistance
27 or other programs. For persons living with
28 medically diagnosed HIV infection as
29 defined by the AIDS institute of the state
30 department of health who are receiving
31 public assistance funds appropriated here-
32 in shall not be used to reimburse the
33 additional rental costs determined based
34 on limiting such person's earned and/or
35 unearned income contribution to 30
36 percent. Amounts appropriated herein may
37 be used to enter into contracts with
38 persons or entities authorized pursuant to
39 subdivision (i) of section 17 of the
40 social services law consistent with feder-
41 al law and requirements. Such contracts
42 will be made consistent with subdivision
43 (i) of section 17 of the social services
44 law. Notwithstanding section 153 of the
45 social services law or any other incon-
46 sistent provision of law, the office may
47 reduce reimbursement otherwise payable to
48 social services districts to recover the
49 federal share of costs incurred by the
50 office for expenditures related to subdi-
51 vision (i) of section 17 of the social
52 services law. Such funds are to be avail-
53 able for payment of aid heretofore accrued
54 or hereafter to accrue to municipalities.
55 Subject to the approval of the director of
56 the budget, such funds shall be available

1 to the office of temporary and disability
2 assistance net of disallowances, refunds,
3 reimbursements, and credits including, but
4 not limited to, additional federal funds
5 resulting from any changes in federal cost
6 allocation methodologies. Notwithstanding
7 any inconsistent provision of law, the
8 amount herein appropriated may be
9 increased or decreased by interchange with
10 any other appropriation within the office
11 of temporary and disability assistance
12 federal fund - local assistance account
13 with the approval of the director of the
14 budget, who shall file such approval with
15 the department of audit and control and
16 copies thereof with the chairman of the
17 senate finance committee and the chairman
18 of the assembly ways and means committee.
19 Social services districts shall be
20 required to report to the office of tempo-
21 rary and disability assistance on an annu-
22 al basis, information, as determined and
23 requested by the office, related to
24 services and expenditures for which
25 reimbursement is sought for providing
26 temporary housing assistance to homeless
27 individuals and families. Such information
28 shall be submitted electronically to the
29 extent feasible as determined by the
30 office, and shall be used to evaluate
31 expenditures by such social services
32 districts for the provision of temporary
33 housing assistance for homeless individ-
34 uals and families. Notwithstanding section
35 153 of the social services law, or any
36 other inconsistent provision of law, the
37 office of temporary and disability assist-
38 ance may withhold or deny reimbursement,
39 in whole or in part, to any social
40 services district that fails to develop or
41 submit a homeless services plan subject to
42 the approval of the office of temporary
43 and disability assistance, fails to
44 provide homeless services and outreach in
45 accordance with its approved homeless
46 services plan, or fails to develop or
47 submit homeless services outcome reports,
48 consistent with those requirements promul-
49 gated by the office of temporary and disa-
50 bility assistance. Notwithstanding section
51 153 of the social services law, or any
52 other inconsistent provision of law, such
53 appropriation shall be available for
54 reimbursement of eligible costs incurred
55 on or after January 1, 2023 and before
56 January 1, 2024, that are otherwise reim-

1 § 10. The amounts specified in this section, or so much thereof as
2 shall be sufficient to accomplish the purposes designated, is hereby
3 appropriated and authorized to be paid as hereinafter provided, to the
4 public officers and for the purposes specified, which amount shall be
5 available for the state fiscal year beginning April 1, 2023.

6 DEPARTMENT OF LABOR

7 AID TO LOCALITIES

8 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 400,000,000
9 -----

- 10 Enterprise Funds
- 11 Unemployment Insurance Benefit Fund
- 12 Unemployment Insurance Benefit Account - 50650

13 For payment of unemployment insurance bene-
14 fits pursuant to article 18 of the labor
15 law or as authorized by the federal
16 government through the disaster unemploy-
17 ment assistance program, the emergency
18 unemployment compensation program, the
19 extended benefit program, the federal
20 additional compensation program or any
21 other federally funded unemployment bene-
22 fit program (34787) 400,000,000

23 § 11. The amounts specified in this section, or so much thereof as
24 shall be sufficient to accomplish the purposes designated, is hereby
25 appropriated and authorized to be paid as hereinafter provided, to the
26 public officers and for the purposes specified, which amount shall be
27 available for the state fiscal year beginning April 1, 2023.

28 DEPARTMENT OF TRANSPORTATION

29 AID TO LOCALITIES

30 DEDICATED MASS TRANSPORTATION TRUST FUND PROGRAM 71,400,000
31 -----

- 32 Special Revenue Funds - Other
- 33 Dedicated Mass Transportation Trust Fund
- 34 Railroad Account - 20852

35 To the metropolitan transportation authority
36 for deposit in the metropolitan transpor-
37 tation authority dedicated tax fund for
38 the expenses of the New York city transit
39 authority, the Manhattan and Bronx surface
40 transit operating authority, and the
41 Staten Island rapid transit operating
42 authority, the Long Island rail road
43 company and the Metro-North commuter rail-
44 road company which includes the New York

1 state portion of the Harlem, Hudson, Port
 2 Jervis, Pascack, and the New Haven commu-
 3 ter railroad service regardless of whether
 4 the services are provided directly or
 5 pursuant to joint service agreements.

6 No expenditure shall be made hereunder until
 7 a certificate of approval has been issued
 8 by the director of the budget and a copy
 9 of such certificate filed with the state
 10 comptroller, the chairperson of the senate
 11 finance committee and the chairperson of
 12 the assembly ways and means committee.
 13 Moneys appropriated herein may be made
 14 available at such times and upon such
 15 conditions as may be deemed appropriate by
 16 the commissioner of transportation and the
 17 director of the budget in accordance with
 18 the following:

19 To the metropolitan transportation authority
 20 for the operating expenses of the Long
 21 Island rail road company and the Metro-
 22 North commuter railroad company which
 23 include operating expenses for the New
 24 York state portion of Harlem, Hudson, Port
 25 Jervis, Pascack, and New Haven commuter
 26 railroad services regardless of whether
 27 such services are provided directly or
 28 pursuant to joint service agreements
 29 (54282) 10,800,000
 30 -----

31 Special Revenue Funds - Other
 32 Dedicated Mass Transportation Trust Fund
 33 Transit Authorities Account - 20851

34 To the metropolitan transportation authority
 35 for deposit in the metropolitan transpor-
 36 tation authority dedicated tax fund for
 37 the expenses of the New York city transit
 38 authority, the Manhattan and Bronx surface
 39 transit operating authority, and the
 40 Staten Island rapid transit operating
 41 authority, the Long Island rail road
 42 company and the Metro-North commuter rail-
 43 road company which includes the New York
 44 state portion of the Harlem, Hudson, Port
 45 Jervis, Pascack, and the New Haven commu-
 46 ter railroad service regardless of whether
 47 the services are provided directly or
 48 pursuant to joint service agreements.
 49 No expenditure shall be made hereunder until
 50 a certificate of approval has been issued
 51 by the director of the budget and a copy
 52 of such certificate filed with the state
 53 comptroller, the chairperson of the senate

1 finance committee and the chairperson of
 2 the assembly ways and means committee.
 3 Moneys appropriated herein may be made
 4 available at such times and upon such
 5 conditions as may be deemed appropriate by
 6 the commissioner of transportation and the
 7 director of the budget in accordance with
 8 the following:
 9 To the metropolitan transportation authority
 10 for the operating expenses of the New York
 11 city transit authority, the Manhattan and
 12 Bronx surface transit operating authority,
 13 and the Staten Island rapid transit oper-
 14 ating authority (53173) 60,600,000
 15 -----

16 § 12. The amount specified in this section, or so much thereof as
 17 shall be sufficient to accomplish the purpose designated, is hereby
 18 appropriated and authorized to be paid as hereinafter provided, to the
 19 public officers and for the purpose specified, which amount shall be
 20 available for the state fiscal year beginning April 1, 2023.

21 DEPARTMENT OF VETERANS' SERVICES

22 AID TO LOCALITIES

23 BLIND VETERAN ANNUITY ASSISTANCE PROGRAM 385,000
 24 -----
 25 General Fund
 26 Local Assistance Account - 10000
 27 For payment of annuities to blind veterans
 28 and eligible surviving spouses. Up to
 29 \$15,000 of this appropriation may be
 30 transferred to state operations for admin-
 31 istrative costs associated with this
 32 program (54606) 385,000
 33 -----

34 § 13. No expenditure may be made from any appropriation in this act,
 35 until a certificate of approval has been issued by the director of the
 36 budget and a copy of such certificate shall have been filed with the
 37 state comptroller, the chairman of the senate finance committee and the
 38 chairman of the assembly ways and means committee provided, however,
 39 that any expenditures from any appropriation in this act made by the
 40 legislature or judiciary shall not require such certificate.

41 § 14. All expenditures and disbursements made against the appropri-
 42 ations in this act shall, upon final action by the legislature on appro-
 43 priation bills submitted by the governor pursuant to article VII of the
 44 state constitution for the support of government for the state fiscal
 45 year beginning April 1, 2023, be transferred by the comptroller as
 46 expenditures and disbursements to such appropriations for all state
 47 departments and agencies, as applicable, in amounts equal to the amounts

1 charged against the appropriations in this act for each such department,
2 agency, and the legislature and the judiciary.

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

12 § 16. This act shall take effect immediately and shall be deemed to
13 have been in full force and effect on and after April 1, 2023; provided,
14 however, that upon the transfer of expenditures and disbursements by the
15 comptroller as provided in section fourteen of this act, the appropri-
16 ations made by this act and subject to such section shall be deemed
17 repealed.