STATE OF NEW YORK

9348

IN ASSEMBLY

March 6, 2024

Introduced by M. of A. SMULLEN -- read once and referred to the Committee on Economic Development

AN ACT to amend the economic development law, in relation to establishing a rural remote recruitment program

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

Section 1. The economic development law is amended by adding a new article 27 to read as follows:

ARTICLE 27

RURAL REMOTE RECRUITMENT PROGRAM

Section 490. Definitions.
491. Rural remote recruitment program.
492. Eligibility criteria.
493. Application and approval process.
494. Powers and duties of the commissioner.
495. Funding.
496. Reporting.

§ 490. Definitions. For the purposes of this article:

1. "Rural areas" shall mean any city, town, or village with a population density less than two hundred fifty people per square mile located within a county with a population of less than three hundred thousand people and a population density of less than two hundred fifty people per square mile.

2. "Remote worker" shall mean any full time employed person, who works an average of at least thirty-five hours per week and participates in the practice of working from one's home or another designated space, instead of the traditional office environment.

3. "Acceptance date" shall mean the date upon which an applicant to the rural remote recruitment program accepts and commits to the terms and agreements of the program.

4. "Rural remote recruitment program" or "program" shall mean the program established by section four hundred ninety-one of this article.

§ 491. Rural remote recruitment program. 1. There is hereby established within the department a "rural remote recruitment" program to

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

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provide monetary incentives for remote workers to relocate into rural areas of New York that opt into the program.

2. The department shall coordinate with the department of labor to develop an application, competitive evaluation process and reporting to support the rural remote recruitment program.

§ 492. Eligibility criteria. In order to participate in the rural remote recruitment program, a remote worker applicant to the program must satisfy the following criteria:

1. the applicant must reside in New York outside of a designated rural area, reside outside of New York state, or currently reside in a designated rural area and be working remotely;

2. the applicant must be eighteen years of age or older;

3. the applicant must be employed in a full-time remote position;

4. the applicant must be eligible to work inside the U.S.; and

5. the applicant must be able to relocate into a rural area within six months of the program and must agree to live in the rural area for at least twenty-four months.

§ 493. Application and approval process. 1. A remote worker applicant to the program must submit a completed application in such form and with such information as prescribed by the commissioner.

2. As part of such application, each applicant must:

(a) submit documented proof of income to New York state annually during the term of the program;

(b) submit proof of residency annually during the term of the program;

(c) agree to allow the department of taxation and finance to share their tax information with the department; provided that any information shared as a result of this agreement shall not be available for disclosure or inspection under the state freedom of information law; and

(d) certify, under penalty of perjury, that the applicant is in substantial compliance with all local, state, and federal tax laws.

3. The commissioner may approve an application from a remote worker applicant upon determining that such applicant meets the eligibility criteria established in this article. Following approval by the commissioner of an application to participate in the program, the commissioner shall issue the applicant a monetary award of up to twenty-six thousand dollars. The monetary incentive shall be composed of the following:

(a) a relocation incentive of up to fifteen thousand dollars;

(b) a homebuyer incentive of up to ten thousand dollars;

(c) up to one thousand dollars for travel reimbursement for visiting a rural region of interest prior to joining; and

(d) up to ten thousand dollars for current remote worker applicants residing in a designated rural area.

4. Upon acceptance into the program, the incentives are to be paid as outlined below:

(a) within fourteen days of the department receiving receipts of all out-of-pocket expenses incurred when visiting the rural region of interest, the recipient will be reimbursed up to one thousand dollars for out-of-pocket expenses.

(b) within fourteen days of the remote worker applicant's acceptance date, the remote worker will be paid a one-time payment of seven thousand dollars.

(c) within fourteen days following the one-year anniversary of the remote worker's acceptance date, the remote worker will be paid a one-time payment of four thousand dollars.

(d) within fourteen days following the expiration of the remote worker's contract term, the remote worker will be paid a final one-time payment of four thousand dollars.

(e) all payments herein are contingent upon the remote worker abiding by all the terms and conditions of the program.

5. Upon approval by the commissioner, an interested homebuyer participating in the program should receive a one-time reimbursement of up to of ten thousand dollars after submitting necessary proof of contract as determined by the commissioner.

§ 494. Powers and duties of the commissioner. 1. The commissioner shall, in consultation with the commissioner of labor, promulgate regulations consistent with the purposes of this article that, notwithstanding any provisions to the contrary in the state administrative procedure act, may be adopted on an emergency basis. Such regulations shall include, but not be limited to, eligibility criteria for remote workers desiring to participate in the program, procedures for the receipt and evaluation of applications from remote workers to participate in the program, and such other provisions as the commissioner deems to be appropriate in order to implement the provisions of this article.

2. The commissioner shall solely determine the eligibility of any applicant applying for entry into the program and shall remove any participant from the program for failing to meet any of the requirements set forth in this article or for making a material misrepresentation with respect to their participation in the program.

§ 495. Funding. The commissioner of the department of labor shall transfer any necessary funding from the Federal Workforce Investment Act Account as funded by grants under the Workforce Investment Act, Public Law 105-220, and the Workforce Innovation and Opportunity Act, Public Law 113-128 to the department to support this article.

§ 496. Reporting. The commissioner shall prepare on an annual basis a program report for posting on the department's website. The first report will be posted by June thirtieth, two thousand twenty-six, and by June thirtieth every year thereafter. Such report shall include, but not be limited to, the following: number of applicants; number of participants approved; names of participants; total amount of benefits certified; benefits received per participant; total increase in rural population; and such other information as the commissioner determines.

§ 2. This act shall take effect on the first of January next succeeding the date upon which it shall have become a law.