

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:

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

ARTICLE 27

RURAL REMOTE RECRUITMENT PROGRAM

Section 490. Definitions.

6 491. Rural remote recruitment program.

7 492. Eligibility criteria.

8 493. Application and approval process.

9 494. Powers and duties of the commissioner.

10 495. Funding.

11 496. Reporting.

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

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

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

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

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

27 § 491. Rural remote recruitment program. 1. There is hereby estab-
28 lished 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.

LBD14684-01-4

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

38 § 2. This act shall take effect on the first of January next succeed-
39 ing the date upon which it shall have become a law.