

STATE OF NEW YORK

8306--B

IN SENATE

January 17, 2024

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to contracts for excellence; to amend the education law, in relation to foundation aid; to amend the education law, in relation to allowable transportation expenses; to amend the education law, in relation to transportation aid and the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022; to amend the education law, in relation to academic enhancement aid; to amend the education law, in relation to high tax aid; to amend the education law, in relation to universal prekindergarten and the Statewide universal full-day pre-kindergarten program; to amend the education law, in relation to implementation of the smart schools bond act of 2014; to amend the education law, in relation to special apportionments and grants-in-aid to school districts; to amend the education law, in relation to extending certain provisions of the teachers of tomorrow teacher recruitment and retention program; to amend the education law, in relation to the underrepresented teachers of tomorrow tuition reimbursement program; to amend the education law, in relation to maximum class sizes for special classes for certain students with disabilities; to amend chapter 82 of the laws of 1995, amending the education law and other laws relating to state aid to school districts and the appropriation of funds for the support of government, in relation to the effectiveness thereof; to amend chapter 756 of the laws of 1992 relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to reimbursement for the 2023-2024 school year withholding a portion of employment preparation education aid and in relation to the effectiveness thereof; to amend the education law, in relation to the financing of charter schools; to amend part A of chapter 56 of the laws of 2023 directing the education department to conduct a comprehensive study of alternative tuition rate-setting methodologies for approved providers operating school-age and preschool programs receiving state funding, in relation to extending

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

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the date for the submission of such recommendations; to amend chapter 169 of the laws of 1994, relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets, in relation to the effectiveness thereof; to amend subpart F of part C of chapter 97 of the laws of 2011, amending the education law relating to census reporting, in relation to the effectiveness thereof; providing for special apportionment for salary expenses; providing for special apportionment for public pension accruals; providing for set-asides from the state funds which certain districts are receiving from the total foundation aid; providing for support of public libraries; to amend the education law, in relation to funds for serving persons twenty-one years of age or older who have not been enrolled in any school for the preceding year; and to amend chapter 670 of the laws of 2007 amending the education law relating to directing the commissioner of education to promulgate regulations limiting the engines of school vehicles to remain idling while parked or standing on school grounds, in relation to the effectiveness thereof (Part A); to amend the education law, in relation to establishment of and/or funding provided to schools for meal assistance, education of students with disabilities, career education, and music and art education; to amend the education law, in relation to establishing a zero-emission school bus committee; in relation to directing the commissioner of education to conduct a study on the efficacy, adequacy, and equity of the foundation aid formula; to amend the education law, in relation to aid payable to school districts for library materials; to amend the education law, in relation to directing the commissioner of education to annually convene a statewide convention to bring together underrepresented educators; to amend the education law, in relation to establishing the Dolly Parton's statewide library system of New York; to amend the state finance law, in relation to establishing the imagination library of New York fund; to amend the education law, in relation to aid for transportation after 4pm for a city school district located in a city having a population of one million or more; to amend the education law, in relation to grant amounts related to the universal prekindergarten program; in relation to directing the commissioner of education to conduct a study on the consolidation of all of the prekindergarten funding streams; to repeal section 37-d of part A of chapter 56 of the laws of 2021 amending the education law relating to school aid, relating to enrollment adjustment factors being applied as a result of a certain state disaster emergency; and providing for the repeal of certain provisions upon expiration thereof (Part A-1); to amend the education law, in relation to establishing evidence-based reading instructional best practices for students attending prekindergarten through grade three (Part B); to amend the education law, in relation to establishing a universal financial aid policy (Part C); intentionally omitted (Part D); to amend the education law, in relation to ensuring informational coordination between state educational agencies (Part E); to amend chapter 260 of the laws of 2011 amending the education law and the New York state urban development corporation act relating to establishing components of the NY-SUNY 2020 challenge grant program, in relation to the effectiveness thereof (Part F); to amend part N of chapter 56 of the laws of 2020, amending the social services law relating to restructuring financing for residential school placements, in relation to the effectiveness thereof (Part G); to amend the social services law, in relation to increasing the standards of monthly need for aged,

blind and disabled persons living in the community (Part H); to amend the family court act and the domestic relations law, in relation to establishment and modification of child support orders (Part I); to amend the labor law, in relation to nursing employees' right to express breast milk (Part J); intentionally omitted (Part K); to amend the labor law, in relation to civil penalties for violations of certain provisions for the payment of wages; to amend the civil practice law and rules, in relation to grounds for attachment; to amend the business corporation law, in relation to streamlining procedures where employees may hold shareholders of non-publicly traded corporations personally liable for wage theft; to amend the limited liability company law, in relation to creating a right for victims of wage theft to hold the ten members with the largest ownership interests in a company personally liable for wage theft; to amend the labor law, in relation to penalties for certain wage violations; and to amend the state finance law, in relation to establishing the New York state worker protection and labor law enforcement fund (Part L); to amend chapter 25 of the laws of 2020, relating to providing requirements for sick leave and the provision of certain employee benefits when such employee is subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19, in relation to limiting such provisions to employees working in a facility licensed pursuant to article 28 of the public health law (Part M); to utilize reserves in the mortgage insurance fund for various housing purposes (Part N); to amend the criminal procedure law, the penal law and the executive law, in relation to the crime of deed theft; to amend the real property actions and proceedings law, in relation to the partition of heirs' property; and to amend the real property law, in relation to allowing transfer on death deeds (Part O); relating to the conveyance and use of real property owned by the State University of New York at Farmingdale (Subpart A); relating to the conveyance and use of real property owned and maintained by the State University of New York at Stony Brook (Subpart B); and relating to the conveyance and use of real property owned and maintained by the department of transportation (Subpart C) (Part P); to amend the multiple dwelling law, in relation to authorizing a city of one million or more to remove the cap on the floor area ratio of certain dwellings (Part Q); to amend the labor law and the real property tax law, in relation to the exemption from real property taxation of certain multiple dwellings in a city having a population of one million or more (Part R); intentionally omitted (Part S); intentionally omitted (Part T); intentionally omitted (Part U); to amend the education law, in relation to allowing for students in postsecondary education experience or transition program to receive awards from the tuition assistance program (Part V); to amend the education law, in relation to the criteria for determining tuition assistance program awards (Part W); to amend the education law, in relation to establishing a Black Leadership Institute within the State University of New York (Part X); to amend the labor law, in relation to decreasing the length of the suspension period applicable to certain striking workers who seek to obtain unemployment insurance benefits (Part Y); to amend the workers' compensation law, in relation to the parties' rights to a hearing upon application to the workers' compensation board and requiring a record of all hearings held (Part Z); to amend the social services law, in relation to establishing the New York healthy incentive program (Subpart A); to amend the social services law, in relation to automating SNAP and the New York healthy

incentive program (Subpart B); and to amend the social services law, in relation to establishing the New York healthy incentive program outreach program (Subpart C) (Part AA); to amend the social services law, in relation to allowances for the costs of diapers (Part BB); to amend the social services law, in relation to assisting persons with medically diagnosed HIV infection; and repealing certain provisions of such law relating thereto (Part CC); to amend the social services law, in relation to child care assistance under the child care block grant (Part DD); establishing a fiscal cliff task force to conduct a study on fiscal cliffs in the state's public assistance programs and to make recommendations related thereto; and providing for the repeal of such provision upon expiration thereof (Part EE); to amend the social services law, in relation to establishing differential payment rates for child care services provided by licensed, registered or enrolled child care providers (Part FF); to amend the education law, in relation to tuition assistance program awards for dual or concurrent enrollment coursework (Part GG); to amend the public housing law, in relation to establishing the housing access voucher program (Part HH); to amend the education law, in relation to permitting tuition assistance program awards to be made to part-time students enrolled in certain degree granting institutions chartered or authorized by the New York state board of regents (Part II); to amend the education law, in relation to requiring the use of project labor agreements for large scale construction projects under the state university construction fund (Part JJ); to amend the executive law, in relation to establishing the commission for the modernization and revitalization of downstate medical center (Part KK); to amend the education law, in relation to providing student loan forgiveness for mental health professionals (Part LL); to amend the executive law, in relation to requiring the state fire prevention and building code council to study and adopt uniform fire prevention and building code standards to promote fire safety and accessibility in certain single-exit, single stairway multi-unit residential buildings (Part MM); to amend the real property tax law, in relation to directing the comptroller of the city of New York to conduct annual audits of compliance with the affordable New York housing program (Part NN); to amend the social services law, in relation to raising the federal poverty level requirement for recipients of social services where it concerns the one-time disregard of earned income following job entry for up to six consecutive months (Part OO); to amend the veterans' services law, the military law and the executive law, in relation to establishing the Alex R. Jimenez New York state military immigrant family legacy program (Part PP); to amend the education law, in relation to student refunds (Part QQ); to amend the private housing finance law, in relation to creating a new acquisition fund for community land trusts located in New York state (Part RR); to amend the real property law, in relation to establishing an accessory dwelling unit incentive program; to amend the executive law, in relation to including an accessory dwelling unit in the term housing accommodations in the human rights law; and to amend the real property tax law, in relation to providing a tax exemption on the increase in value of property resulting from the addition of an accessory dwelling unit (Part SS); to amend the executive law, the real property actions and proceedings law and the real property law, in relation to establishing the New York state office of civil representation to provide access to legal services in eviction proceedings (Part TT); to amend the state finance law, in relation to the local

share requirements associated with increasing the age of juvenile jurisdiction (Part UU); to amend the social services law, in relation to providing internet access to all individuals residing in temporary housing; and to amend the New York state urban development corporation act, in relation to the ConnectAll digital equity grant program (Part VV); to amend the private housing finance law, in relation to establishing the infill housing pilot program in the cities of Buffalo, Rochester, Syracuse, Albany and Binghamton (Part WW); to amend the real property tax law, in relation to establishing an optional local tax exemption for affordable multi-family housing (Part XX); to amend the real property law, in relation to establishing the homeowner protection program (Part YY); to amend the private housing finance law and the state finance law, in relation to establishing the rental improvement fund pilot program (Part ZZ); to amend the administrative code of the city of New York and chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, in relation to vacant apartments and major tenant repairs (Part AAA); to amend the social services law, in relation to establishing the mothers and infants lasting change allowance (Part BBB); to amend the private housing finance law and the labor law, in relation to establishing the New York housing opportunity corporation act of 2024 (Part CCC); to amend the social services law, in relation to removing the requirement that rent arrears be repaid and in relation to authorizing emergency assistance to pay rent arrears for up to twelve months in certain instances (Part DDD); to amend the labor law and the public service law, in relation to wage requirements and labor peace agreements for public projects involving certain renewable energy systems (Part EEE); and to amend the social services law, in relation to establishing a state SNAP minimum benefit program (Part FFF)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state education, labor, housing and family
3 assistance budget for the 2024-2025 state fiscal year. Each component is
4 wholly contained within a Part identified as Parts A through FFF. The
5 effective date for each particular provision contained within such Part
6 is set forth in the last section of such Part. Any provision in any
7 section contained within a Part, including the effective date of the
8 Part, which makes a reference to a section "of this act", when used in
9 connection with that particular component, shall be deemed to mean and
10 refer to the corresponding section of the Part in which it is found.
11 Section three of this act sets forth the general effective date of this
12 act.

13 PART A

14 Section 1. Paragraph e of subdivision 1 of section 211-d of the educa-
15 tion law, as amended by section 1 of part A of chapter 56 of the laws of
16 2023, is amended to read as follows:

17 e. Notwithstanding paragraphs a and b of this subdivision, a school
18 district that submitted a contract for excellence for the two thousand
19 eight--two thousand nine school year shall submit a contract for excel-

1 lence for the two thousand nine--two thousand ten school year in
2 conformity with the requirements of subparagraph (vi) of paragraph a of
3 subdivision two of this section unless all schools in the district are
4 identified as in good standing and provided further that, a school
5 district that submitted a contract for excellence for the two thousand
6 nine--two thousand ten school year, unless all schools in the district
7 are identified as in good standing, shall submit a contract for excel-
8 lence for the two thousand eleven--two thousand twelve school year which
9 shall, notwithstanding the requirements of subparagraph (vi) of para-
10 graph a of subdivision two of this section, provide for the expenditure
11 of an amount which shall be not less than the product of the amount
12 approved by the commissioner in the contract for excellence for the two
13 thousand nine--two thousand ten school year, multiplied by the
14 district's gap elimination adjustment percentage and provided further
15 that, a school district that submitted a contract for excellence for the
16 two thousand eleven--two thousand twelve school year, unless all schools
17 in the district are identified as in good standing, shall submit a
18 contract for excellence for the two thousand twelve--two thousand thir-
19 teen school year which shall, notwithstanding the requirements of
20 subparagraph (vi) of paragraph a of subdivision two of this section,
21 provide for the expenditure of an amount which shall be not less than
22 the amount approved by the commissioner in the contract for excellence
23 for the two thousand eleven--two thousand twelve school year and
24 provided further that, a school district that submitted a contract for
25 excellence for the two thousand twelve--two thousand thirteen school
26 year, unless all schools in the district are identified as in good
27 standing, shall submit a contract for excellence for the two thousand
28 thirteen--two thousand fourteen school year which shall, notwithstanding
29 the requirements of subparagraph (vi) of paragraph a of subdivision two
30 of this section, provide for the expenditure of an amount which shall be
31 not less than the amount approved by the commissioner in the contract
32 for excellence for the two thousand twelve--two thousand thirteen school
33 year and provided further that, a school district that submitted a
34 contract for excellence for the two thousand thirteen--two thousand
35 fourteen school year, unless all schools in the district are identified
36 as in good standing, shall submit a contract for excellence for the two
37 thousand fourteen--two thousand fifteen school year which shall,
38 notwithstanding the requirements of subparagraph (vi) of paragraph a of
39 subdivision two of this section, provide for the expenditure of an
40 amount which shall be not less than the amount approved by the commis-
41 sioner in the contract for excellence for the two thousand thirteen--two
42 thousand fourteen school year; and provided further that, a school
43 district that submitted a contract for excellence for the two thousand
44 fourteen--two thousand fifteen school year, unless all schools in the
45 district are identified as in good standing, shall submit a contract for
46 excellence for the two thousand fifteen--two thousand sixteen school
47 year which shall, notwithstanding the requirements of subparagraph (vi)
48 of paragraph a of subdivision two of this section, provide for the
49 expenditure of an amount which shall be not less than the amount
50 approved by the commissioner in the contract for excellence for the two
51 thousand fourteen--two thousand fifteen school year; and provided
52 further that a school district that submitted a contract for excellence
53 for the two thousand fifteen--two thousand sixteen school year, unless
54 all schools in the district are identified as in good standing, shall
55 submit a contract for excellence for the two thousand sixteen--two thou-
56 sand seventeen school year which shall, notwithstanding the requirements

1 of subparagraph (vi) of paragraph a of subdivision two of this section,
2 provide for the expenditure of an amount which shall be not less than
3 the amount approved by the commissioner in the contract for excellence
4 for the two thousand fifteen--two thousand sixteen school year; and
5 provided further that, a school district that submitted a contract for
6 excellence for the two thousand sixteen--two thousand seventeen school
7 year, unless all schools in the district are identified as in good
8 standing, shall submit a contract for excellence for the two thousand
9 seventeen--two thousand eighteen school year which shall, notwithstand-
10 ing the requirements of subparagraph (vi) of paragraph a of subdivision
11 two of this section, provide for the expenditure of an amount which
12 shall be not less than the amount approved by the commissioner in the
13 contract for excellence for the two thousand sixteen--two thousand
14 seventeen school year; and provided further that a school district that
15 submitted a contract for excellence for the two thousand seventeen--two
16 thousand eighteen school year, unless all schools in the district are
17 identified as in good standing, shall submit a contract for excellence
18 for the two thousand eighteen--two thousand nineteen school year which
19 shall, notwithstanding the requirements of subparagraph (vi) of para-
20 graph a of subdivision two of this section, provide for the expenditure
21 of an amount which shall be not less than the amount approved by the
22 commissioner in the contract for excellence for the two thousand seven-
23 teen--two thousand eighteen school year; and provided further that, a
24 school district that submitted a contract for excellence for the two
25 thousand eighteen--two thousand nineteen school year, unless all schools
26 in the district are identified as in good standing, shall submit a
27 contract for excellence for the two thousand nineteen--two thousand
28 twenty school year which shall, notwithstanding the requirements of
29 subparagraph (vi) of paragraph a of subdivision two of this section,
30 provide for the expenditure of an amount which shall be not less than
31 the amount approved by the commissioner in the contract for excellence
32 for the two thousand eighteen--two thousand nineteen school year; and
33 provided further that, a school district that submitted a contract for
34 excellence for the two thousand nineteen--two thousand twenty school
35 year, unless all schools in the district are identified as in good
36 standing, shall submit a contract for excellence for the two thousand
37 twenty--two thousand twenty-one school year which shall, notwithstanding
38 the requirements of subparagraph (vi) of paragraph a of subdivision two
39 of this section, provide for the expenditure of an amount which shall be
40 not less than the amount approved by the commissioner in the contract
41 for excellence for the two thousand nineteen--two thousand twenty school
42 year; and provided further that, a school district that submitted a
43 contract for excellence for the two thousand twenty--two thousand twen-
44 ty-one school year, unless all schools in the district are identified as
45 in good standing, shall submit a contract for excellence for the two
46 thousand twenty-one--two thousand twenty-two school year which shall,
47 notwithstanding the requirements of subparagraph (vi) of paragraph a of
48 subdivision two of this section, provide for the expenditure of an
49 amount which shall be not less than the amount approved by the commis-
50 sioner in the contract for excellence for the two thousand twenty--two
51 thousand twenty-one school year; and provided further that, a school
52 district that submitted a contract for excellence for the two thousand
53 twenty-one--two thousand twenty-two school year, unless all schools in
54 the district are identified as in good standing, shall submit a contract
55 for excellence for the two thousand twenty-two--two thousand twenty-
56 three school year which shall, notwithstanding the requirements of

1 subparagraph (vi) of paragraph a of subdivision two of this section,
2 provide for the expenditure of an amount which shall be not less than
3 the amount approved by the commissioner in the contract for excellence
4 for the two thousand twenty-one--two thousand twenty-two school year;
5 and provided further that, a school district that submitted a contract
6 for excellence for the two thousand twenty-two--two thousand twenty-
7 three school year, unless all schools in the district are identified as
8 in good standing, shall submit a contract for excellence for the two
9 thousand twenty-three--two thousand twenty-four school year which shall,
10 notwithstanding the requirements of subparagraph (vi) of paragraph a of
11 subdivision two of this section, provide for the expenditure of an
12 amount which shall be not less than the amount approved by the commis-
13 sioner in the contract for excellence for the two thousand twenty-two--
14 two thousand twenty-three school year; and provided further that, a
15 school district that submitted a contract for excellence for the two
16 thousand twenty-three--two thousand twenty-four school year, unless all
17 schools in the district are identified as in good standing, shall submit
18 a contract for excellence for the two thousand twenty-four--two thousand
19 twenty-five school year which shall, notwithstanding the requirements of
20 subparagraph (vi) of paragraph a of subdivision two of this section,
21 provide for the expenditure of an amount which shall be not less than
22 the amount approved by the commissioner in the contract for excellence
23 for the two thousand twenty-three--two thousand twenty-four school year;
24 provided, however, that, in a city school district in a city having a
25 population of one million or more, notwithstanding the requirements of
26 subparagraph (vi) of paragraph a of subdivision two of this section, the
27 contract for excellence shall provide for the expenditure as set forth
28 in subparagraph (v) of paragraph a of subdivision two of this section.
29 For purposes of this paragraph, the "gap elimination adjustment percent-
30 age" shall be calculated as the sum of one minus the quotient of the sum
31 of the school district's net gap elimination adjustment for two thousand
32 ten--two thousand eleven computed pursuant to chapter fifty-three of the
33 laws of two thousand ten, making appropriations for the support of
34 government, plus the school district's gap elimination adjustment for
35 two thousand eleven--two thousand twelve as computed pursuant to chapter
36 fifty-three of the laws of two thousand eleven, making appropriations
37 for the support of the local assistance budget, including support for
38 general support for public schools, divided by the total aid for adjust-
39 ment computed pursuant to chapter fifty-three of the laws of two thou-
40 sand eleven, making appropriations for the local assistance budget,
41 including support for general support for public schools. Provided,
42 further, that such amount shall be expended to support and maintain
43 allowable programs and activities approved in the two thousand nine--two
44 thousand ten school year or to support new or expanded allowable
45 programs and activities in the current year.

46 § 2. Intentionally omitted.

47 § 2-a. Paragraph k of subdivision 4 of section 3602 of education law,
48 as added by section 2 of part A of chapter 56 of the laws of 2023, is
49 amended to read as follows:

50 k. Foundation aid payable in the two thousand twenty-three--two thou-
51 sand twenty-four and two thousand twenty-four--two thousand twenty-five
52 school ~~[year]~~ years. Notwithstanding any provision of law to the contra-
53 ry, foundation aid payable in the two thousand twenty-three--two thou-
54 sand twenty-four and two thousand twenty-four--two thousand twenty-five
55 school ~~[year]~~ years shall be equal to the sum of the total foundation
56 aid base computed pursuant to paragraph j of subdivision one of this

1 section plus the greater of (a) the positive difference, if any, of (i)
2 total foundation aid computed pursuant to paragraph a of this subdivi-
3 sion less (ii) the total foundation aid base computed pursuant to para-
4 graph j of subdivision one of this section, or (b) the product of three
5 hundredths (0.03) multiplied by the total foundation aid base computed
6 pursuant to paragraph j of subdivision one of this section.

7 § 3. Intentionally omitted.

8 § 4. Intentionally omitted.

9 § 5. Paragraph d of subdivision 4 of section 3602 of the education
10 law, as amended by section 6 of part YYY of chapter 59 of the laws of
11 2019, is amended to read as follows:

12 d. For the two thousand fourteen--two thousand fifteen through two
13 thousand [~~twenty-three~~] twenty-eight--two thousand [~~twenty-four~~] twen-
14 ty-nine school years a city school district of a city having a popu-
15 lation of one million or more may use amounts apportioned pursuant to
16 this subdivision for afterschool programs.

17 § 6. Intentionally omitted.

18 § 7. Intentionally omitted.

19 § 8. Intentionally omitted.

20 § 9. Intentionally omitted.

21 § 10. Intentionally omitted.

22 § 11. Subparagraphs 2 and 3 of paragraph b of subdivision 6-f of
23 section 3602 of the education law, as added by section 19 of part H of
24 chapter 83 of the laws of 2002, are amended to read as follows:

25 (2) is a construction emergency project to remediate emergency situ-
26 ations which arise in public school buildings and threaten the health
27 and/or safety of building occupants, as a result of the unanticipated
28 discovery of asbestos or other hazardous substances during construction
29 work on a school or significant damage caused by a fire, snow storm, ice
30 storm, excessive rain, high winds, flood or a similar catastrophic event
31 which results in the necessity for immediate repair[~~, and/or~~

32 ~~(3) if bonded pursuant to paragraph j of subdivision six of this~~
33 ~~section, would cause a city school district in a city having a popu-~~
34 ~~lation of less than one hundred twenty-five thousand inhabitants to~~
35 ~~exceed ninety-five percent of its constitutional debt limit provided,~~
36 ~~however, that any debt issued pursuant to paragraph c of section 104.00~~
37 ~~of the local finance law shall not be included in such calculation].~~

38 § 12. The opening paragraph of subdivision 2 of section 3623-a of
39 education law, as added by chapter 474 of the laws of 1996, is amended
40 to read as follows:

41 Allowable transportation capital, debt service and lease expense shall
42 include base year expenditures [~~for~~] as described in this subdivision,
43 net of revenue received with the express purpose of funding such expend-
44 itures as prescribed by the commissioner, except as provided in para-
45 graph d of subdivision three of this section.

46 § 13. Subdivision 3 of section 3623-a of the education law is amended
47 by adding added a new paragraph d to read as follows:

48 d. (1) For aid payable in the two thousand twenty-four--two thousand
49 twenty-five school year and thereafter, notwithstanding any provision of
50 law to the contrary, approved transportation capital, debt service, and
51 lease expenses for apportionments to school districts under subdivision
52 seven of section thirty-six hundred two of this article shall include
53 the final value of any vouchers paid on behalf of a school district,
54 payments, and grants authorized pursuant to section 58-0701 of the envi-
55 ronmental conservation law, the federal Infrastructure Investment and
56 Jobs Act, and any other federal funding awarded for costs associated

1 with the purchase of or conversion to zero-emission school buses and
2 supporting infrastructure.

3 (2) In the case of allowable expenses for transportation capital, debt
4 service, or leases which are related to costs associated with the
5 purchase of or conversion to zero-emission school buses and supporting
6 infrastructure and which are supported in whole or in part by vouchers,
7 payments, or grants authorized under section 58-0701 of the environ-
8 mental conservation law, the federal Infrastructure Investment and Jobs
9 Act, and any other federal funding awarded for such purpose, such allow-
10 able expenses at the time in which the expense is claimed for aid shall
11 not exceed the sum of (i) the product of the transportation aid ratio
12 calculated pursuant to subdivision seven of section thirty-six hundred
13 two of this article multiplied by allowable expenses, plus (ii) the
14 final value of any such vouchers paid on behalf of a school district,
15 payments, and grants authorized under section 58-0701 of the environ-
16 mental conservation law, the federal Infrastructure Investment and Jobs
17 Act, and any other federal funding awarded for such purpose.

18 (3) The entity authorized to provide state assistance payments or
19 grants pursuant to subdivision two of section 58-0703 of the environ-
20 mental conservation law shall provide to the commissioner a list of
21 grants awarded and payments to each school district or vouchers paid on
22 behalf of a school district for the purchase of or conversion to zero-
23 emission school buses and supporting infrastructure no later than one
24 month prior to the end of each calendar year and each school year. This
25 list shall include the type and number of zero-emission school buses to
26 be funded by these payments or grants, the supporting infrastructure to
27 be funded by these payments or grants, the award amounts of each payment
28 or grant, the direct recipient of each payment or grant, the district
29 receiving such payment or grant or that benefitted from such voucher,
30 the date on which the payment or grant was received, and any other
31 information necessary for the calculation of aid pursuant to subdivision
32 seven of section thirty-six hundred two of this article.

33 § 14. Paragraph i of subdivision 12 of section 3602 of the education
34 law, as amended by section 10 of part A of chapter 56 of the laws of
35 2023, is amended to read as follows:

36 i. For the two thousand twenty-one--two thousand twenty-two school
37 year through the two thousand [~~twenty-three~~] ~~twenty-four~~--two thousand
38 [~~twenty-four~~] ~~twenty-five~~ school year, each school district shall be
39 entitled to an apportionment equal to the amount set forth for such
40 school district as "ACADEMIC ENHANCEMENT" under the heading "2020-21
41 ESTIMATED AIDS" in the school aid computer listing produced by the
42 commissioner in support of the budget for the two thousand twenty--two
43 thousand twenty-one school year and entitled "SA202-1", and such appor-
44 tionment shall be deemed to satisfy the state obligation to provide an
45 apportionment pursuant to subdivision eight of section thirty-six
46 hundred forty-one of this article.

47 § 15. The opening paragraph of subdivision 16 of section 3602 of the
48 education law, as amended by section 11 of part A of chapter 56 of the
49 laws of 2023, is amended to read as follows:

50 Each school district shall be eligible to receive a high tax aid
51 apportionment in the two thousand eight--two thousand nine school year,
52 which shall equal the greater of (i) the sum of the tier 1 high tax aid
53 apportionment, the tier 2 high tax aid apportionment and the tier 3 high
54 tax aid apportionment or (ii) the product of the apportionment received
55 by the school district pursuant to this subdivision in the two thousand
56 seven--two thousand eight school year, multiplied by the due-minimum

factor, which shall equal, for districts with an alternate pupil wealth ratio computed pursuant to paragraph b of subdivision three of this section that is less than two, seventy percent (0.70), and for all other districts, fifty percent (0.50). Each school district shall be eligible to receive a high tax aid apportionment in the two thousand nine--two thousand ten through two thousand twelve--two thousand thirteen school years in the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910". Each school district shall be eligible to receive a high tax aid apportionment in the two thousand thirteen--two thousand fourteen through two thousand ~~[twenty-three]~~ twenty-four--two thousand ~~[twenty-four]~~ twenty-five school year equal to the greater of (1) the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910" or (2) the amount set forth for such school district as "HIGH TAX AID" under the heading "2013-14 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the executive budget for the 2013-14 fiscal year and entitled "BT131-4".

§ 16. Paragraph d of subdivision 10 of section 3602-e of the education law, as amended by section 23-c of part A of chapter 56 of the laws of 2021, is amended to read as follows:

d. Notwithstanding any other provision of this section, apportionments under this section greater than the amounts provided in the two thousand sixteen--two thousand seventeen school year shall only be used to supplement and not supplant current local expenditures of ~~[state or]~~ local funds on prekindergarten programs and the number of eligible full-day four-year-old prekindergarten pupils and eligible full-day three-year-old prekindergarten pupils in such programs from such sources. Current local expenditures shall include any local expenditures of ~~[state or]~~ local funds used to supplement or extend services provided directly or via contract to eligible children enrolled in a universal prekindergarten program pursuant to this section.

§ 17. Subdivision 13 of section 3602-ee of the education law, as added by section 1 of part CC of chapter 56 of the laws of 2014, is amended to read as follows:

13. Apportionments under this section shall only be used to supplement and not supplant current local expenditures of federal~~[, state]~~ or local funds on pre-kindergarten programs and the number of slots in such programs from such sources. Current local expenditures shall include any local expenditures of federal~~[, state]~~ or local funds used to supplement or extend services provided directly or via contract to eligible children enrolled in a universal pre-kindergarten program pursuant to section thirty-six hundred two-e of this part.

§ 18. Subdivision 16 of section 3602-ee of the education law, as amended by section 16 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

16. The authority of the department to administer the universal full-day pre-kindergarten program shall expire June thirtieth, two thousand ~~[twenty-four]~~ twenty-five; provided that the program shall continue and remain in full effect.

§ 19. Paragraphs a and b of subdivision 16 of section 3641 of the education law, as added by section 2 of part C of chapter 56 of the laws

of 2014, subparagraph 3 of paragraph b as amended by section 3 of part
YYY of chapter 59 of the laws of 2017, are amended to read as follows:

a. Definitions. The following terms, whenever used or referred to in
this subdivision, unless the context indicates otherwise, shall have the
following meanings:

(1) "Bonds" shall mean general obligation bonds issued pursuant to the
"smart schools bond act of 2014" in accordance with article VII of the
New York state constitution and article five of the state finance law.

~~[(2) "Smart schools review board" shall mean a body comprised of the
chancellor of the state university of New York, the director of the
budget, and the commissioner, or their respective designees.]~~

~~[(3)]~~ (2) "Smart schools investment plan" shall mean a document
prepared by a school district setting forth the smart schools project or
projects to be undertaken with such district's smart schools allocation.

~~[(4)]~~ (3) "Smart schools project" shall mean a capital project as set
forth and defined in subparagraphs four, five, six, ~~7~~ or seven ~~or~~
~~eight~~ of this paragraph.

~~[(5)]~~ (4) "Pre-kindergarten or transportable classroom unit (TCU)
replacement project" shall mean a capital project which, as a primary
purpose, expands the availability of adequate and appropriate instruc-
tional space for pre-kindergarten or provides for the expansion or
construction of adequate and appropriate instructional space to replace
TCUs.

~~[(6)]~~ (5) "Community connectivity project" shall mean a capital
project which, as a primary purpose, expands high-speed broadband or
wireless internet connectivity in the local community, including school
buildings and campuses, for enhanced educational opportunity in the
state.

~~[(7)]~~ (6) "Classroom technology project" shall mean a capital project
to expand high-speed broadband or wireless internet connectivity solely
for school buildings and campuses, or to acquire learning technology
hardware for schools, classrooms, and student use, including but not
limited to whiteboards, computer servers, desktop computers, laptop
computers, and tablet computers.

~~[(8)]~~ (7) "School safety and security technology project" shall mean a
capital project to install high-tech security features in school build-
ings and on school campuses, including but not limited to video surveil-
lance, emergency notification systems and physical access controls, for
enhanced educational opportunity in the state.

~~[(9)]~~ (8) "Selected school aid" shall mean the sum of the amounts set
forth as "FOUNDATION AID", "FULL DAY K CONVERSION", "BOCES", "SPECIAL
SERVICES", "HIGH COST EXCESS COST", "PRIVATE EXCESS COST", "HARDWARE &
TECHNOLOGY", "SOFTWARE, LIBRARY, TEXTBOOK", "TRANSPORTATION INCL
SUMMER", "OPERATING REORG INCENTIVE", "CHARTER SCHOOL TRANSITIONAL",
"ACADEMIC ENHANCEMENT", "HIGH TAX AID", and "SUPPLEMENTAL PUB EXCESS
COST" under the heading "2013-14 BASE YEAR AIDS" in the school aid
computer listing produced by the commissioner in support of the execu-
tive budget proposal for the two thousand fourteen-fifteen school year.

~~[(10)]~~ (9) "Smart schools allocation" shall mean, for each school
district, the product of (i) two billion dollars (\$2,000,000,000) multi-
plied by (ii) the quotient of such school district's selected school aid
divided by the total selected school aid to all school districts.

b. Smart schools investment plans. (1) ~~[The smart schools review
board]~~ Subject to the approval of the director of the budget, the
commissioner shall issue guidelines setting forth required components
and eligibility criteria for smart schools investment plans to be

submitted by school districts. Such guidelines shall include but not be limited to: (i) a timeline for school district submission of smart schools investment plans; (ii) any requirements for the use of available state procurement options where applicable; (iii) any limitations on the amount of a district's smart schools allocation that may be used for assets with a short probable life; and (iv) the loan of smart schools classroom technology pursuant to section seven hundred fifty-five of this chapter.

(2) No school district shall be entitled to a smart schools grant until such district shall have submitted a smart schools investment plan to the ~~[smart schools review board]~~ department and received ~~[such board's]~~ the commissioner's approval of such investment plan. In developing such investment plan, school districts shall consult with parents, teachers, students, community members and other stakeholders.

(3) The ~~[smart schools review board]~~ commissioner shall review all smart schools investment plans for compliance with all eligibility criteria and other requirements set forth in the guidelines. The ~~[smart schools review board]~~ commissioner may approve or reject such plans, or may return such plans to the school district for modifications; provided that notwithstanding any inconsistent provision of law, the ~~[smart schools review board]~~ commissioner shall approve no such plan first submitted to the department on or after April fifteenth, two thousand seventeen, unless such plan calculates the amount of classroom technology to be loaned to students attending nonpublic schools pursuant to section seven hundred fifty-five of this chapter in a manner that includes the amount budgeted by the school district for servers, wireless access points and other portable connectivity devices to be acquired as part of a school connectivity project. Upon approval, the smart schools project or projects described in the investment plan shall be eligible for smart schools grants. A smart schools project included in a school district's smart schools investment plan shall not require separate approval of the commissioner unless it is part of a school construction project required to be submitted for approval of the commissioner pursuant to section four hundred eight of this chapter and/or subdivision six of section thirty-six hundred two of this article. Any department, agency or public authority shall provide the ~~[smart schools review board]~~ department with any information it requires to fulfill its duties pursuant to this subdivision.

(4) Any amendments or supplements to a smart schools investment plan shall be submitted to the ~~[smart schools review board]~~ department for approval, and shall not take effect until such approval is granted.

§ 20. Intentionally omitted.

§ 21. Intentionally omitted.

§ 22. Intentionally omitted.

§ 23. The opening paragraph of section 3609-a of the education law, as amended by section 18 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

For aid payable in the two thousand seven--two thousand eight school year through the ~~[two thousand twenty-three--two thousand twenty-four]~~ two thousand twenty-four--two thousand twenty-five school year, "moneys apportioned" shall mean the lesser of (i) the sum of one hundred percent of the respective amount set forth for each school district as payable pursuant to this section in the school aid computer listing for the current year produced by the commissioner in support of the budget which includes the appropriation for the general support for public schools for the prescribed payments and individualized payments due prior to

1 April first for the current year plus the apportionment payable during
2 the current school year pursuant to subdivision six-a and subdivision
3 fifteen of section thirty-six hundred two of this part minus any
4 reductions to current year aids pursuant to subdivision seven of section
5 thirty-six hundred four of this part or any deduction from apportionment
6 payable pursuant to this chapter for collection of a school district
7 basic contribution as defined in subdivision eight of section forty-four
8 hundred one of this chapter, less any grants provided pursuant to
9 subparagraph two-a of paragraph b of subdivision four of section nine-
10 ty-two-c of the state finance law, less any grants provided pursuant to
11 subdivision five of section ninety-seven-nnnn of the state finance law,
12 less any grants provided pursuant to subdivision twelve of section thir-
13 ty-six hundred forty-one of this article, or (ii) the apportionment
14 calculated by the commissioner based on data on file at the time the
15 payment is processed; provided however, that for the purposes of any
16 payments made pursuant to this section prior to the first business day
17 of June of the current year, moneys apportioned shall not include any
18 aids payable pursuant to subdivisions six and fourteen, if applicable,
19 of section thirty-six hundred two of this part as current year aid for
20 debt service on bond anticipation notes and/or bonds first issued in the
21 current year or any aids payable for full-day kindergarten for the
22 current year pursuant to subdivision nine of section thirty-six hundred
23 two of this part. The definitions of "base year" and "current year" as
24 set forth in subdivision one of section thirty-six hundred two of this
25 part shall apply to this section. For aid payable in the [~~two thousand~~
26 ~~twenty-three thousand twenty-four~~] two thousand twenty-four--two thou-
27 sand twenty-five school year, reference to such "school aid computer
28 listing for the current year" shall mean the printouts entitled
29 [~~"SA232-4"~~] "SA242-5".

30 § 24. Paragraph b of subdivision 2 of section 3612 of the education
31 law, as amended by section 22 of part YYY of chapter 59 of the laws of
32 2019, is amended to read as follows:

33 b. Such grants shall be awarded to school districts, within the limits
34 of funds appropriated therefor, through a competitive process that takes
35 into consideration the magnitude of any shortage of teachers in the
36 school district, the number of teachers employed in the school district
37 who hold temporary licenses to teach in the public schools of the state,
38 the number of provisionally certified teachers, the fiscal capacity and
39 geographic sparsity of the district, the number of new teachers the
40 school district intends to hire in the coming school year and the number
41 of summer in the city student internships proposed by an eligible school
42 district, if applicable. Grants provided pursuant to this section shall
43 be used only for the purposes enumerated in this section. Notwithstand-
44 ing any other provision of law to the contrary, a city school district
45 in a city having a population of one million or more inhabitants receiv-
46 ing a grant pursuant to this section may use no more than eighty percent
47 of such grant funds for any recruitment, retention and certification
48 costs associated with transitional certification of teacher candidates
49 for the school years two thousand one--two thousand two through two
50 thousand [~~twenty-three~~] twenty-eight--two thousand [~~twenty-four~~] twen-
51 ty-nine.

52 § 24-a. Subdivision 10 of section 3612 of the education law, as added
53 by chapter 62 of the laws of 2000 and as renumbered by section 36 of
54 part B of chapter 57 of the laws of 2007, is amended to read as follows:

55 10. Underrepresented teachers of tomorrow tuition reimbursement
56 program. Of the amount appropriated for purposes of this section for

grants to school districts for the two thousand twenty-four--two thousand twenty-five school year and thereafter, five million dollars (\$5,000,000) shall be made available for the underrepresented teachers of tomorrow tuition reimbursement program developed by the commissioner to attract qualified teachers who participated in a school district/post-secondary partnership "grow your own" initiative, my brother's keeper, teacher opportunity corps program, higher education opportunity program, education opportunity program, or other similar program, and have received or will receive a permanent or professional state teaching certificate appropriate to the teaching position in a low performing school.

11. Reporting. By November first following the completion of each school year, the commissioner shall report to the governor and the legislature regarding the teachers of tomorrow teacher recruitment and retention program, the science, mathematics and bilingual education tuition reimbursement program, and the underrepresented teachers of tomorrow tuition reimbursement program. Such report shall list the amount of each school district's total grant pursuant to this section, the uses of the grant by each eligible category of expense, the number of awards granted by type pursuant to this section and, if applicable, the number of persons receiving more than one award of a single type or more than one type of award and the number of such awards for these individuals, as well as an analysis of the effectiveness of the program in recruiting and retaining teachers in the public schools of the state designated as teacher shortage areas.

§ 25. Subdivision 6 of section 4402 of the education law, as amended by section 23 of part YY of chapter 59 of the laws of 2019, is amended to read as follows:

6. Notwithstanding any other law, rule or regulation to the contrary, the board of education of a city school district with a population of one hundred twenty-five thousand or more inhabitants shall be permitted to establish maximum class sizes for special classes for certain students with disabilities in accordance with the provisions of this subdivision. For the purpose of obtaining relief from any adverse fiscal impact from under-utilization of special education resources due to low student attendance in special education classes at the middle and secondary level as determined by the commissioner, such boards of education shall, during the school years nineteen hundred ninety-five--ninety-six through June thirtieth, two thousand [~~twenty-four~~] twenty-five, be authorized to increase class sizes in special classes containing students with disabilities whose age ranges are equivalent to those of students in middle and secondary schools as defined by the commissioner for purposes of this section by up to but not to exceed one and two tenths times the applicable maximum class size specified in regulations of the commissioner rounded up to the nearest whole number, provided that in a city school district having a population of one million or more, classes that have a maximum class size of fifteen may be increased by no more than one student and provided that the projected average class size shall not exceed the maximum specified in the applicable regulation, provided that such authorization shall terminate on June thirtieth, two thousand. Such authorization shall be granted upon filing of a notice by such a board of education with the commissioner stating the board's intention to increase such class sizes and a certification that the board will conduct a study of attendance problems at the secondary level and will implement a corrective action plan to increase the rate of attendance of students in such classes to at least the rate

1 for students attending regular education classes in secondary schools of
2 the district. Such corrective action plan shall be submitted for
3 approval by the commissioner by a date during the school year in which
4 such board increases class sizes as provided pursuant to this subdivi-
5 sion to be prescribed by the commissioner. Upon at least thirty days
6 notice to the board of education, after conclusion of the school year in
7 which such board increases class sizes as provided pursuant to this
8 subdivision, the commissioner shall be authorized to terminate such
9 authorization upon a finding that the board has failed to develop or
10 implement an approved corrective action plan.

11 § 26. Subdivisions 22 and 24 of section 140 of chapter 82 of the laws
12 of 1995, amending the education law and other laws relating to state aid
13 to school districts and the appropriation of funds for the support of
14 government, as amended by section 38 of part YYY of chapter 59 of the
15 laws of 2019, are amended to read as follows:

16 (22) sections one hundred twelve, one hundred thirteen, one hundred
17 fourteen, one hundred fifteen and one hundred sixteen of this act shall
18 take effect on July 1, 1995; provided, however, that section one hundred
19 thirteen of this act shall remain in full force and effect until July 1,
20 [2024] 2025 at which time it shall be deemed repealed;

21 (24) sections one hundred eighteen through one hundred thirty of this
22 act shall be deemed to have been in full force and effect on and after
23 July 1, 1995; provided further, however, that the amendments made pursu-
24 ant to section one hundred twenty-four of this act shall be deemed to be
25 repealed on and after July 1, [2024] 2025;

26 § 27. Subdivision b of section 2 of chapter 756 of the laws of 1992,
27 relating to funding a program for work force education conducted by the
28 consortium for worker education in New York city, as amended by section
29 20 of part A of chapter 56 of the laws of 2023, is amended to read as
30 follows:

31 b. Reimbursement for programs approved in accordance with subdivision
32 a of this section for the reimbursement for the 2018--2019 school year
33 shall not exceed 59.4 percent of the lesser of such approvable costs per
34 contact hour or fourteen dollars and ninety-five cents per contact hour,
35 reimbursement for the 2019--2020 school year shall not exceed 57.7
36 percent of the lesser of such approvable costs per contact hour or
37 fifteen dollars sixty cents per contact hour, reimbursement for the
38 2020--2021 school year shall not exceed 56.9 percent of the lesser of
39 such approvable costs per contact hour or sixteen dollars and twenty-
40 five cents per contact hour, reimbursement for the 2021--2022 school
41 year shall not exceed 56.0 percent of the lesser of such approvable
42 costs per contact hour or sixteen dollars and forty cents per contact
43 hour, reimbursement for the 2022--2023 school year shall not exceed 55.7
44 percent of the lesser of such approvable costs per contact hour or
45 sixteen dollars and sixty cents per contact hour, [and] reimbursement
46 for the 2023--2024 school year shall not exceed 54.7 percent of the
47 lesser of such approvable costs per contact hour or seventeen dollars
48 and seventy cents per contact hour, and reimbursement for the 2024--2025
49 school year shall not exceed 56.6 percent of the lesser of such approva-
50 ble costs per contact hour or eighteen dollars and seventy cents per
51 contact hour, and where a contact hour represents sixty minutes of
52 instruction services provided to an eligible adult. Notwithstanding any
53 other provision of law to the contrary, for the 2018--2019 school year
54 such contact hours shall not exceed one million four hundred sixty-three
55 thousand nine hundred sixty-three (1,463,963); for the 2019--2020 school
56 year such contact hours shall not exceed one million four hundred

forty-four thousand four hundred forty-four (1,444,444); for the 2020--2021 school year such contact hours shall not exceed one million four hundred six thousand nine hundred twenty-six (1,406,926); for the 2021--2022 school year such contact hours shall not exceed one million four hundred sixteen thousand one hundred twenty-two (1,416,122); for the 2022--2023 school year such contact hours shall not exceed one million four hundred six thousand nine hundred twenty-six (1,406,926); ~~and~~ for the 2023--2024 school year such contact hours shall not exceed one million three hundred forty-two thousand nine hundred seventy-five (1,342,975); and for the 2024--2025 school year such contact hours shall not exceed one million four hundred seventeen thousand two hundred seven (1,417,207). Notwithstanding any other provision of law to the contrary, the apportionment calculated for the city school district of the city of New York pursuant to subdivision 11 of section 3602 of the education law shall be computed as if such contact hours provided by the consortium for worker education, not to exceed the contact hours set forth herein, were eligible for aid in accordance with the provisions of such subdivision 11 of section 3602 of the education law.

§ 28. Section 4 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, is amended by adding a new subdivision cc to read as follows:

cc. The provisions of this subdivision shall not apply after the completion of payments for the 2024-25 school year. Notwithstanding any inconsistent provisions of law, the commissioner of education shall withhold a portion of employment preparation education aid due to the city school district of the city of New York to support a portion of the costs of the work force education program. Such moneys shall be credited to the elementary and secondary education fund-local assistance account and shall not exceed fifteen million dollars (\$15,000,000).

§ 29. Section 6 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, as amended by section 22 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

§ 6. This act shall take effect July 1, 1992, and shall be deemed repealed June 30, ~~2024~~ 2025.

§ 30. Paragraph (d) of subdivision 1 of section 2856 of the education law, as amended by section 36-c of part A of chapter 56 of the laws of 2021, is amended to read as follows:

(d) School districts shall be eligible for an annual apportionment equal to the amount of the supplemental basic tuition for the charter school in the base year for the expenses incurred in the two thousand fourteen--two thousand fifteen, two thousand fifteen--two thousand sixteen, two thousand sixteen--two thousand seventeen school years and thereafter. Provided that for expenses incurred in the two thousand twenty--two thousand twenty-one school year, for a city school district in a city having a population of one million or more, the annual apportionment shall be reduced by thirty-five million dollars (\$35,000,000) upon certification by the director of the budget of the availability of a grant in the same amount from the elementary and secondary school emergency relief funds provided through the American rescue plan act of 2021 (P.L. 117-2). Provided further that for expenses incurred in the two thousand twenty-three--two thousand twenty-four school year, for a city school district in a city having a population of one million or more, the annual apportionment shall be reduced by thirty-five million dollars (\$35,000,000) upon certification by the director of the budget

of the availability of a grant in the same amount from the elementary and secondary school emergency relief funds provided through the American rescue plan act of 2021 (P.L. 117-2).

§ 31. Paragraph (c) of subdivision 1 of section 2856 of the education law, as amended by section 36-d of part A of chapter 56 of the laws of 2021, is amended to read as follows:

(c) School districts shall be eligible for an annual apportionment equal to the amount of the supplemental basic tuition for the charter school in the base year for the expenses incurred in the two thousand fourteen--two thousand fifteen, two thousand fifteen--two thousand sixteen, two thousand sixteen--two thousand seventeen school years and thereafter. Provided that for expenses incurred in the two thousand twenty--two thousand twenty-one school year, for a city school district in a city having a population of one million or more, the annual apportionment shall be reduced by thirty-five million dollars (\$35,000,000) upon certification by the director of the budget of the availability of a grant in the same amount from the elementary and secondary school emergency relief funds provided through the American rescue plan act of 2021 (P.L. 117-2). Provided further that for expenses incurred in the two thousand twenty-three--two thousand twenty-four school year, for a city school district in a city having a population of one million or more, the annual apportionment shall be reduced by thirty-five million dollars (\$35,000,000) upon certification by the director of the budget of the availability of a grant in the same amount from the elementary and secondary school emergency relief funds provided through the American rescue plan act of 2021 (P.L. 117-2).

§ 32. Subdivision 3 of section 27 of part A of chapter 56 of the laws of 2023 directing the education department to conduct a comprehensive study of alternative tuition rate-setting methodologies for approved providers operating school-age and preschool programs receiving state funding, is amended to read as follows:

3. The state education department shall present its recommendations and analysis to the governor, the director of the division of the budget, the temporary president of the senate, the speaker of the assembly, the chairperson of the senate finance committee, and the chairperson of the assembly ways and means committee no later than July 1, [~~2025~~] 2026. Adoption of any alternative rate-setting methodologies shall be subject to the approval of the director of the division of the budget.

§ 33. Subdivision 1 of section 167 of chapter 169 of the laws of 1994, relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets, as amended by section 23 of part A of chapter 56 of the laws of 2022, is amended to read as follows:

1. Sections one through seventy of this act shall be deemed to have been in full force and effect as of April 1, 1994 provided, however, that sections one, two, twenty-four, twenty-five and twenty-seven through seventy of this act shall expire and be deemed repealed on March 31, 2000; provided, however, that section twenty of this act shall apply only to hearings commenced prior to September 1, 1994, and provided further that section twenty-six of this act shall expire and be deemed repealed on March 31, 1997; and provided further that sections four through fourteen, sixteen, and eighteen, nineteen and twenty-one through twenty-one-a of this act shall expire and be deemed repealed on March 31, 1997; and provided further that sections three, fifteen, seventeen, twenty, twenty-two and twenty-three of this act shall expire and be deemed repealed on March 31, [~~2024~~] 2029.

§ 34. Section 26 of subpart F of part C of chapter 97 of the laws of 2011 amending the education law relating to census reporting, as amended by section 46 of part YY of chapter 59 of the laws of 2019, is amended to read as follows:

§ 26. This act shall take effect immediately provided, however, that the provisions of section three of this act shall expire June 30, ~~2024~~ 2029 when upon such date the provisions of such section shall be deemed repealed; provided, further that the provisions of sections eight, eleven, twelve, thirteen and twenty of this act shall expire July 1, 2014 when upon such date the provisions of such sections shall be deemed repealed.

§ 35. Special apportionment for salary expenses. 1. Notwithstanding any other provision of law, upon application to the commissioner of education, not sooner than the first day of the second full business week of June 2025 and not later than the last day of the third full business week of June 2025, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2025, for salary expenses incurred between April 1 and June 30, 2024 and such apportionment shall not exceed the sum of (a) the deficit reduction assessment of 1990--1991 as determined by the commissioner of education, pursuant to paragraph f of subdivision 1 of section 3602 of the education law, as in effect through June 30, 1993, plus (b) 186 percent of such amount for a city school district in a city with a population in excess of 1,000,000 inhabitants, plus (c) 209 percent of such amount for a city school district in a city with a population of more than 195,000 inhabitants and less than 219,000 inhabitants according to the latest federal census, plus (d) the net gap elimination adjustment for 2010--2011, as determined by the commissioner of education pursuant to chapter 53 of the laws of 2010, plus (e) the gap elimination adjustment for 2011--2012 as determined by the commissioner of education pursuant to subdivision 17 of section 3602 of the education law, and provided further that such apportionment shall not exceed such salary expenses. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

2. The claim for an apportionment to be paid to a school district pursuant to subdivision one of this section shall be submitted to the commissioner of education on a form prescribed for such purpose, and shall be payable upon determination by such commissioner that the form has been submitted as prescribed. Such approved amounts shall be payable on the same day in September of the school year following the year in which application was made as funds provided pursuant to subparagraph (4) of paragraph b of subdivision 4 of section 92-c of the state finance law, on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law from moneys in the state lottery fund and from the general fund to the extent that the amount paid to a school district pursuant to this section exceeds the amount, if any, due such school district pursuant to subparagraph (2) of paragraph a of subdivision 1 of section 3609-a of the education law in the school year following the year in which application was made.

3. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to

subdivisions one and two of this section shall first be deducted from the following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph (2) of such paragraph followed by the fixed fall payments payable pursuant to subparagraph (4) of such paragraph and then followed by the district's payments to the teachers' retirement system pursuant to subparagraph (1) of such paragraph, and any remainder to be deducted from the individualized payments due the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

§ 36. Special apportionment for public pension accruals. 1. Notwithstanding any other provision of law, upon application to the commissioner of education, not later than June 30, 2025, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2025 and such apportionment shall not exceed the additional accruals required to be made by school districts in the 2004--2005 and 2005--2006 school years associated with changes for such public pension liabilities. The amount of such additional accrual shall be certified to the commissioner of education by the president of the board of education or the trustees or, in the case of a city school district in a city with a population in excess of 125,000 inhabitants, the mayor of such city. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

2. The claim for an apportionment to be paid to a school district pursuant to subdivision one of this section shall be submitted to the commissioner of education on a form prescribed for such purpose, and shall be payable upon determination by such commissioner that the form has been submitted as prescribed. Such approved amounts shall be payable on the same day in September of the school year following the year in which application was made as funds provided pursuant to subparagraph (4) of paragraph b of subdivision 4 of section 92-c of the state finance law, on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law from moneys in the state lottery fund and from the general fund to the extent that the amount paid to a school district pursuant to this section exceeds the amount, if any, due such school district pursuant to subparagraph (2) of paragraph a of subdivision 1 of section 3609-a of the education law in the school year following the year in which application was made.

3. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions one and two of this section shall first be deducted from the following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph (2) of such paragraph followed by the fixed fall payments payable pursuant to subparagraph (4) of such paragraph and then followed by the district's payments to the

1 teachers' retirement system pursuant to subparagraph (1) of such para-
2 graph, and any remainder to be deducted from the individualized payments
3 due the district pursuant to paragraph b of such subdivision shall be
4 deducted on a chronological basis starting with the earliest payment due
5 the district.

6 § 37. The amounts specified in this section shall be a set-aside from
7 the state funds which each such district is receiving from the total
8 foundation aid:

9 1. for the development, maintenance or expansion of magnet schools or
10 magnet school programs for the 2024--2025 school year. For the city
11 school district of the city of New York there shall be a set-aside of
12 foundation aid equal to forty-eight million one hundred seventy-five
13 thousand dollars (\$48,175,000) including five hundred thousand dollars
14 (\$500,000) for the Andrew Jackson High School; for the Buffalo city
15 school district, twenty-one million twenty-five thousand dollars
16 (\$21,025,000); for the Rochester city school district, fifteen million
17 dollars (\$15,000,000); for the Syracuse city school district, thirteen
18 million dollars (\$13,000,000); for the Yonkers city school district,
19 forty-nine million five hundred thousand dollars (\$49,500,000); for the
20 Newburgh city school district, four million six hundred forty-five thou-
21 sand dollars (\$4,645,000); for the Poughkeepsie city school district,
22 two million four hundred seventy-five thousand dollars (\$2,475,000); for
23 the Mount Vernon city school district, two million dollars (\$2,000,000);
24 for the New Rochelle city school district, one million four hundred ten
25 thousand dollars (\$1,410,000); for the Schenectady city school district,
26 one million eight hundred thousand dollars (\$1,800,000); for the Port
27 Chester city school district, one million one hundred fifty thousand
28 dollars (\$1,150,000); for the White Plains city school district, nine
29 hundred thousand dollars (\$900,000); for the Niagara Falls city school
30 district, six hundred thousand dollars (\$600,000); for the Albany city
31 school district, three million five hundred fifty thousand dollars
32 (\$3,550,000); for the Utica city school district, two million dollars
33 (\$2,000,000); for the Beacon city school district, five hundred sixty-
34 six thousand dollars (\$566,000); for the Middletown city school
35 district, four hundred thousand dollars (\$400,000); for the Freeport
36 union free school district, four hundred thousand dollars (\$400,000);
37 for the Greenburgh central school district, three hundred thousand
38 dollars (\$300,000); for the Amsterdam city school district, eight
39 hundred thousand dollars (\$800,000); for the Peekskill city school
40 district, two hundred thousand dollars (\$200,000); and for the Hudson
41 city school district, four hundred thousand dollars (\$400,000).

42 2. Notwithstanding any inconsistent provision of law to the contrary,
43 a school district setting aside such foundation aid pursuant to this
44 section may use such set-aside funds for: (a) any instructional or
45 instructional support costs associated with the operation of a magnet
46 school; or (b) any instructional or instructional support costs associ-
47 ated with implementation of an alternative approach to promote diversity
48 and/or enhancement of the instructional program and raising of standards
49 in elementary and secondary schools of school districts having substan-
50 tial concentrations of minority students.

51 3. The commissioner of education shall not be authorized to withhold
52 foundation aid from a school district that used such funds in accordance
53 with this paragraph, notwithstanding any inconsistency with a request
54 for proposals issued by such commissioner for the purpose of attendance
55 improvement and dropout prevention for the 2024--2025 school year, and
56 for any city school district in a city having a population of more than

one million, the set-aside for attendance improvement and dropout prevention shall equal the amount set aside in the base year. For the 2024--2025 school year, it is further provided that any city school district in a city having a population of more than one million shall allocate at least one-third of any increase from base year levels in funds set aside pursuant to the requirements of this section to community-based organizations. Any increase required pursuant to this section to community-based organizations must be in addition to allocations provided to community-based organizations in the base year.

4. For the purpose of teacher support for the 2024--2025 school year: for the city school district of the city of New York, sixty-two million seven hundred seven thousand dollars (\$62,707,000); for the Buffalo city school district, one million seven hundred forty-one thousand dollars (\$1,741,000); for the Rochester city school district, one million seventy-six thousand dollars (\$1,076,000); for the Yonkers city school district, one million one hundred forty-seven thousand dollars (\$1,147,000); and for the Syracuse city school district, eight hundred nine thousand dollars (\$809,000). All funds made available to a school district pursuant to this section shall be distributed among teachers including prekindergarten teachers and teachers of adult vocational and academic subjects in accordance with this section and shall be in addition to salaries heretofore or hereafter negotiated or made available; provided, however, that all funds distributed pursuant to this section for the current year shall be deemed to incorporate all funds distributed pursuant to former subdivision 27 of section 3602 of the education law for prior years. In school districts where the teachers are represented by certified or recognized employee organizations, all salary increases funded pursuant to this section shall be determined by separate collective negotiations conducted pursuant to the provisions and procedures of article 14 of the civil service law, notwithstanding the existence of a negotiated agreement between a school district and a certified or recognized employee organization.

§ 38. Support of public libraries. The moneys appropriated for the support of public libraries by a chapter of the laws of 2024 enacting the aid to localities budget shall be apportioned for the 2024--2025 state fiscal year in accordance with the provisions of sections 271, 272, 273, 282, 284, and 285 of the education law as amended by the provisions of such chapter and the provisions of this section, provided that library construction aid pursuant to section 273-a of the education law shall not be payable from the appropriations for the support of public libraries and provided further that no library, library system or program, as defined by the commissioner of education, shall receive less total system or program aid than it received for the year 2001--2002 except as a result of a reduction adjustment necessary to conform to the appropriations for support of public libraries.

§ 38-a. Paragraph a-1 of subdivision 11 of section 3602 of the education law, as amended by section 22-a of part A of chapter 56 of the laws of 2023, is amended to read as follows:

a-1. Notwithstanding the provisions of paragraph a of this subdivision, for aid payable in the school years two thousand--two thousand one through two thousand nine--two thousand ten, and two thousand eleven--two thousand twelve through ~~two thousand twenty-three--two thousand twenty-four~~ two thousand twenty-four--two thousand twenty-five, the commissioner may set aside an amount not to exceed two million five hundred thousand dollars from the funds appropriated for purposes of this subdivision for the purpose of serving persons twenty-one years of

1 age or older who have not been enrolled in any school for the preceding
2 school year, including persons who have received a high school diploma
3 or high school equivalency diploma but fail to demonstrate basic educa-
4 tional competencies as defined in regulation by the commissioner, when
5 measured by accepted standardized tests, and who shall be eligible to
6 attend employment preparation education programs operated pursuant to
7 this subdivision.

8 § 38-b. Section 2 of chapter 670 of the laws of 2007 amending the
9 education law relating to directing the commissioner of education to
10 promulgate regulations limiting the engines of school vehicles to remain
11 idling while parked or standing on school grounds, as amended by chapter
12 49 of the laws of 2019, is amended to read as follows:

13 § 2. This act shall take effect immediately and shall be deemed
14 repealed June 30, [2024] 2025.

15 § 39. Severability. The provisions of this act shall be severable, and
16 if the application of any clause, sentence, paragraph, subdivision,
17 section or part of this act to any person or circumstance shall be
18 adjudged by any court of competent jurisdiction to be invalid, such
19 judgment shall not necessarily affect, impair or invalidate the applica-
20 tion of any such clause, sentence, paragraph, subdivision, section, part
21 of this act or remainder thereof, as the case may be, to any other
22 person or circumstance, but shall be confined in its operation to the
23 clause, sentence, paragraph, subdivision, section or part thereof
24 directly involved in the controversy in which such judgment shall have
25 been rendered.

26 § 40. This act shall take effect immediately, and shall be deemed to
27 have been in full force and effect on and after April 1, 2024, provided,
28 however, that:

29 1. sections one, two-a, five, twelve, thirteen, fourteen, fifteen,
30 sixteen, seventeen, eighteen, twenty-three, twenty-four, twenty-four-a,
31 twenty-five, twenty-nine and thirty-seven of this act shall take effect
32 July 1, 2024;

33 2. the amendments to chapter 756 of the laws of 1992, relating to
34 funding a program for work force education conducted by a consortium for
35 worker education in New York City made by sections twenty-seven and
36 twenty-eight of this act shall not affect the repeal of such chapter and
37 shall be deemed repealed therewith; and

38 3. the amendments to paragraph (d) of subdivision 1 of section 2856 of
39 the education law made by section thirty of this act shall be subject to
40 the expiration and reversion of such subdivision pursuant to subdivision
41 d of section 27 of chapter 378 of the laws of 2007, as amended, when
42 upon such date the provisions of section thirty-one of this act shall
43 take effect.

44 PART A-1

45 Section 1. The education law is amended by adding a new section 915-a
46 to read as follows:

47 § 915-a. Universal school meals. 1. The department shall require all
48 public school districts, charter schools and non-public schools in the
49 state that participate in the national school lunch program or school
50 breakfast program as provided in the Richard B. Russell National School
51 Lunch Act and the Child Nutrition Act, as amended, to serve breakfast
52 and lunch at no cost to the student. Public school districts, charter
53 schools and non-public schools shall maximize federal reimbursement for
54 school breakfast and lunch programs by adopting Provision 2, the federal

1 Community Eligibility Provision, or any other provision under such act,
2 the National School Lunch Act or the National Child Nutrition Act.

3 2. The department shall reimburse the difference between the amount
4 paid by the United States Department of Agriculture and the free rate as
5 set annually by the United States Secretary of Agriculture under 42
6 U.S.C. 1759a for each school.

7 3. The department in consultation with the office of temporary and
8 disability assistance shall promulgate any rule or regulation needed for
9 public school districts, charter schools and non-public schools to
10 promote the supplemental nutrition assistance program to a student or
11 person in parental relation to a student by either providing application
12 assistance or a direct referral to an outreach partner identified by the
13 department to the office of temporary and disability assistance to
14 increase the number of students directly certified for free or reduced
15 price school meals.

16 4. In addition to fulfilling any other applicable state and federal
17 requirements, the department shall provide technical assistance to
18 assist public school districts, charter schools, and non-public schools
19 in the transition to universal school meals to ensure successful program
20 operations and to maximize federal funding, including:

21 a. Assisting local educational agencies with one or more community-el-
22 igibility qualifying schools in meeting any state and federal require-
23 ments necessary in order to receive reimbursement through the community
24 eligibility provision.

25 b. If a school or district is ineligible to receive reimbursement
26 through the community eligibility provision, assisting the school or
27 district in achieving eligibility and, if that is not feasible, assist
28 the school or district in determining the viability of using Provision 2
29 or other special federal provisions available to schools.

30 c. Maximizing direct certification for specific populations as allow-
31 able under federal rules.

32 5. School districts shall require parents or guardians of students to
33 fill out the free and reduced price lunch form as part of the annual
34 registration process.

35 § 2. Subparagraph 1 of paragraph b of subdivision 6-f of section 3602
36 of the education law, as added by section 19 of part H of chapter 83 of
37 the laws of 2002, is amended to read as follows:

38 (1) has a total project cost of ~~[one]~~ two hundred fifty thousand
39 dollars or less; provided however, that for any district, no more than
40 one project shall be eligible pursuant to this subparagraph for an
41 apportionment within the same school year; and/or

42 § 3. Subparagraph 9 of paragraph a of subdivision 6 of section 3602 of
43 the education law, as added by chapter 617 of the laws of 2021, is
44 renumbered subparagraph 11 and a new subparagraph 12 is added to read as
45 follows:

46 (12) Notwithstanding any other provision of law to the contrary, for
47 the purpose of computation of building aid for construction, recon-
48 struction or modernizing of not more than five capital construction
49 projects by the Binghamton city school district, multi-year cost allow-
50 ances for each project shall be established and utilized three times in
51 the first five-year period. Subsequent multi-year cost allowances shall
52 be established no sooner than ten years after establishment of the first
53 maximum cost allowance authorized pursuant to this subparagraph.

54 § 4. Subdivision 4 of section 4405 of the education law is amended by
55 adding a new paragraph 1 to read as follows:

1 1. Tuition rates approved on an interim basis in advance of the estab-
2 lishment of reimbursement rates pursuant to the tuition methodology
3 established pursuant to this subdivision for the two thousand twenty-
4 four--two thousand twenty-five school year and annually thereafter, for
5 special services and programs provided to school age students by
6 approved private residential or non-residential schools for the educa-
7 tion of students with disabilities that are located within the state, by
8 special act school districts, by July and August programs for students
9 with disabilities approved pursuant to section forty-four hundred eight
10 of this article, and for special services or programs provided to
11 preschool students with disabilities by programs approved pursuant to
12 section forty-four hundred ten of this article including, but not limit-
13 ed to, special class and special class in an integrated setting
14 programs, shall be equal to the last certified prospective or reconcil-
15 iation rate and shall include compounded growth determined in accordance
16 with the following:

17 (i) If the last certified prospective or reconciliation rate was
18 approved for the school year prior to the current school year, such rate
19 shall increase by the annual growth percentage approved for the current
20 year.

21 (ii) If the last certified prospective or reconciliation rate was
22 approved for the school year two years prior to the current school year,
23 such rate shall increase by the annual growth percentage approved for
24 the year prior to the current school year, and the product of such shall
25 then increase by the annual growth percentage approved for the current
26 school year.

27 (iii) If the last certified prospective or reconciliation rate was
28 approved for the school year three or more years prior to the current
29 school year, such rate shall increase by the annual growth percentage
30 approved for the year two years prior to the current year; the product
31 of such shall then increase by the annual growth percentage approved for
32 the year prior to the current year, and the product of such shall then
33 increase by the annual growth percentage approved for the current year.

34 § 5. Section 4003 of the education law is amended by adding a new
35 subdivision 8 to read as follows:

36 8. Tuition rates approved on an interim basis in advance of the
37 establishment of reimbursement rates pursuant to the tuition methodology
38 established pursuant to this section for the two thousand twenty-four--
39 two thousand twenty-five school year and annually thereafter, for
40 special services and programs provided to school age students by a
41 special act school district or an approved private school operated by a
42 child care institution shall be equal to the last certified prospective
43 or reconciliation rate and shall include compounded growth determined in
44 accordance with the following:

45 (i) If the last certified prospective or reconciliation rate was
46 approved for the school year prior to the current school year, such rate
47 shall increase by the annual growth percentage approved for the current
48 year.

49 (ii) If the last certified prospective or reconciliation rate was
50 approved for the school year two years prior to the current school year,
51 such rate shall increase by the annual growth percentage approved for
52 the year prior to the current school year, and the product of such shall
53 then increase by the annual growth percentage approved for the current
54 school year.

55 (iii) If the last certified prospective or reconciliation rate was
56 approved for the school year three or more years prior to the current

school year, such rate shall increase by the annual growth percentage approved for the year two years prior to the current year; the product of such shall then increase by the annual growth percentage approved for the year prior to the current year, and the product of such shall then increase by the annual growth percentage approved for the current year.

§ 6. Paragraph c of subdivision 4 of section 4405 of the education law, as amended by chapter 82 of the laws of 1995, is amended to read as follows:

c. The director of the budget, in consultation with the commissioner ~~[of education]~~, the commissioner of social services, and any other state agency or other source the director may deem appropriate, shall approve reimbursement methodologies for tuition and for maintenance. Any modification in the approved reimbursement methodologies shall be subject to the approval of the director of the budget. ~~[Notwithstanding any other provision of law, rule or regulation to the contrary, tuition rates established for the nineteen hundred ninety five ninety six school year shall exclude the two percent cost of living adjustment authorized in rates established for the nineteen hundred ninety four ninety five school year.]~~ Tuition, regional, and/or fee for service rates approved for the two thousand twenty-four--two thousand twenty-five school year and thereafter for special services or programs provided to school-age students by approved private residential or non-residential schools for the education of students with disabilities that are located within the state, by special act school districts, and by July and August programs for students with disabilities entitled to attend public schools without the payment of tuition pursuant to section thirty-two hundred two of this chapter, and for special services or programs provided to preschool students by programs serving preschool students with disabilities approved pursuant to section forty-four hundred ten of this article including, but not limited to, special class and special class in an integrated setting programs, multi-disciplinary evaluation programs, special education itinerant services, and preschool transportation services for which tuition and/or regional rates are determined, shall grow by a percentage equal to the greater of: (i) the difference of the quotient arrived at when dividing the statewide apportionments for general support for public schools, as defined in subdivision one of section thirty-six hundred nine-a of this chapter, for the current year by such apportionments for the base year, as such terms are defined in subdivision one of section thirty-six hundred two of this chapter, as computed based on an electronic data file used to produce the school aid computer listing produced by the commissioner in support of the enacted budget for the current year, less one; or (ii) zero.

§ 7. Subdivision 2 of section 4003 of the education law, as amended by chapter 947 of the laws of 1981, is amended to read as follows:

2. The director of the budget, in consultation with the commissioner ~~[of education]~~, the commissioner of social services, the commissioner of health, the commissioner of mental health, and any other state agency or other source ~~[he]~~ the director of the budget may deem appropriate, shall approve reimbursement methodologies for tuition and maintenance. Any modification in any such methodology which has previously been approved shall be subject to the approval of the director of the budget. Tuition, regional, and/or fee for service rates approved for the two thousand twenty-four--two thousand twenty-five school year and thereafter for special services or programs provided to school-age students by an approved private school or special act school district operated by a child care institution, shall grow by a percentage equal to the greater

1 of: (i) the difference of the quotient arrived at when dividing the
2 statewide apportionments for general support for public schools, as
3 defined in subdivision one of section thirty-six hundred nine-a of this
4 chapter, for the current year by such apportionments for the base year,
5 as such terms are defined in subdivision one of section thirty-six
6 hundred two of this chapter, as computed based on an electronic data
7 file used to produce the school aid computer listing produced by the
8 commissioner in support of the enacted budget for the current year, less
9 one; or (ii) zero.

10 § 8. Section 4204-b of the education law is amended by adding a new
11 subdivision 5 to read as follows:

12 5. For the two thousand twenty-four--two thousand twenty-five school
13 year and thereafter, an institution subject to this article shall be
14 authorized to retain funds in excess of their allowable and reimbursable
15 costs incurred for services and programs to students appointed. The
16 amount of funds that may be annually retained shall not exceed one
17 percent of the institution's total allowable and reimbursable costs for
18 services and programs provided to students for the school year from
19 which the funds are to be retained, provided that the total accumulated
20 balance that may be retained shall not exceed four percent of such total
21 costs for such school year and provided, further, that such funds shall
22 not be recoverable on reconciliation, such funds shall be carried
23 forward as total reimbursable costs for purposes of calculating subse-
24 quent year prospective and reconciliation tuition rates and such funds
25 shall be separate from and in addition to any other authorization to
26 retain surplus funds on reconciliation. Funds shall be expended only
27 pursuant to an authorization of the governing board of the institution
28 for a purpose expressly authorized as part of allowable costs for the
29 year in which the funds are to be expended, provided that funds may be
30 expended to pay prior year outstanding debts. Any institution that
31 retains funds pursuant to this subdivision shall be required to annually
32 report a statement of the total balance of such retained funds, the
33 amount, if any, retained in the prior school year, the amount, if any,
34 dispersed in the prior school year, and the financial reports that are
35 required to be annually submitted to the department.

36 § 9. Paragraph b of subdivision 5 of section 1950 of the education
37 law, as amended by chapter 130 of the laws of 2022, is amended to read
38 as follows:

39 b. The cost of services herein referred to shall be the amount allo-
40 cated to each component school district by the board of cooperative
41 educational services to defray expenses of such board, including
42 approved expenses from the testing of potable water systems of occupied
43 school buildings under the board's jurisdiction as required pursuant to
44 section eleven hundred ten of the public health law provided that such
45 expenses for testing of potable water systems are not reimbursable from
46 another state or federal source, except that that part of the salary
47 paid any teacher, supervisor or other employee of the board of cooper-
48 ative educational services which is, (i) for the two thousand twenty-
49 four--two thousand twenty-five school year and prior school years, in
50 excess of thirty thousand dollars, (ii) for aid payable in the two thou-
51 sand twenty-five--two thousand twenty-six school year in excess of forty
52 thousand dollars, (iii) for aid payable in the two thousand twenty-six-
53 -two thousand twenty-seven school year in excess of fifty thousand
54 dollars, (iv) for aid payable in the two thousand twenty-seven--two
55 thousand twenty-eight school year and thereafter, in excess of sixty
56 thousand dollars, shall not be such an approved expense, and except also

1 that administrative and clerical expenses shall not exceed ten percent
2 of the total expenses for purposes of this computation. Any gifts,
3 donations or interest earned by the board of cooperative educational
4 services or on behalf of the board of cooperative educational services
5 by the dormitory authority or any other source shall not be deducted in
6 determining the cost of services allocated to each component school
7 district. Any payments made to a component school district by the board
8 of cooperative educational services pursuant to subdivision eleven of
9 section six-p of the general municipal law attributable to an approved
10 cost of service computed pursuant to this subdivision shall be deducted
11 from the cost of services allocated to such component school district.
12 The expense of transportation provided by the board of cooperative
13 educational services pursuant to paragraph q of subdivision four of this
14 section shall be eligible for aid apportioned pursuant to subdivision
15 seven of section thirty-six hundred two of this chapter and no board of
16 cooperative educational services transportation expense shall be an
17 approved cost of services for the computation of aid under this subdivi-
18 sion. Transportation expense pursuant to paragraph q of subdivision
19 four of this section shall be included in the computation of the ten
20 percent limitation on administrative and clerical expenses.

21 § 10. Paragraph b of subdivision 10 of section 3602 of the education
22 law, as amended by section 16 of part B of chapter 57 of the laws of
23 2007, is amended to read as follows:

24 b. Aid for career education. There shall be apportioned to such city
25 school districts and other school districts which were not components of
26 a board of cooperative educational services in the base year for pupils
27 in grades ~~[ten]~~ nine through twelve in attendance in career education
28 programs as such programs are defined by the commissioner, subject for
29 the purposes of this paragraph to the approval of the director of the
30 budget, an amount for each such pupil to be computed by multiplying the
31 career education aid ratio by ~~[three thousand nine]~~ four thousand one
32 hundred dollars. Such aid will be payable for weighted pupils attending
33 career education programs operated by the school district and for
34 weighted pupils for whom such school district contracts with boards of
35 cooperative educational services to attend career education programs
36 operated by a board of cooperative educational services. Weighted pupils
37 for the purposes of this paragraph shall mean the sum of the attendance
38 of students in grades ~~[ten]~~ nine through twelve in career education
39 sequences in trade, industrial, technical, agricultural or health
40 programs plus the product of sixteen hundredths multiplied by the
41 attendance of students in grades ~~[ten]~~ nine through twelve in career
42 education sequences in business and marketing as defined by the commis-
43 sioner in regulations. The career education aid ratio shall be computed
44 by subtracting from one the product obtained by multiplying fifty-nine
45 percent by the combined wealth ratio. This aid ratio shall be expressed
46 as a decimal carried to three places without rounding, but not less than
47 thirty-six percent.

48 Any school district that receives aid pursuant to this paragraph shall
49 be required to use such amount to support career education programs in
50 the current year.

51 A board of education which spends less than its local funds as defined
52 by regulations of the commissioner for career education in the base year
53 during the current year shall have its apportionment under this subdivi-
54 sion reduced in an amount equal to such deficiency in the current or a
55 succeeding school year, provided however that the commissioner may waive
56 such reduction upon determination that overall expenditures per pupil in

1 support of career education programs were continued at a level equal to
2 or greater than the level of such overall expenditures per pupil in the
3 preceding school year.

4 § 11. Subdivision 6-a of section 3641 of the education law, as added
5 by section 16 of part A of chapter 57 of the laws of 2013, is amended to
6 read as follows:

7 6-a. Community school grants. a. ~~[Within the amount appropriated for~~
8 ~~such purpose, subject to a plan developed by the state council on chil-~~
9 ~~dren and families in coordination with the commissioner and approved by~~
10 ~~the director of the budget, the commissioner shall award competitive~~
11 ~~grants pursuant to this subdivision to eligible school districts or in a~~
12 ~~city with a population of one million or more an eligible entity to~~
13 ~~implement, beginning in the two thousand thirteen two thousand fourteen~~
14 ~~school year, a plan that targets school buildings as community hubs to~~
15 ~~deliver co-located or school-linked academic, health, mental health,~~
16 ~~nutrition, counseling, legal and/or other services to students and their~~
17 ~~families in a manner that will lead to improved educational and other~~
18 ~~outcomes. In a city with a population of one million or more, eligible~~
19 ~~entities shall mean the city school district of the city of New York, or~~
20 ~~not-for-profit organizations, which shall include not-for-profit commu-~~
21 ~~nity based organizations. An eligible entity that is a not for profit~~
22 ~~may apply for a community school grant provided that it collaborates~~
23 ~~with the city school district of the city of New York and receives the~~
24 ~~approval of the chancellor of the city school district of the city of~~
25 ~~New York.~~

26 ~~(1) Such plan shall include, but not be limited to:~~
27 ~~(i) The process by which a request for proposals will be developed,~~
28 ~~(ii) The scoring rubric by which such proposals will be evaluated,~~
29 ~~provided that such grants shall be awarded based on factors including,~~
30 ~~but not limited to: measures of school district need; measures of the~~
31 ~~need of students to be served by each of the school districts; the~~
32 ~~school district's proposal to target the highest need schools and~~
33 ~~students; the sustainability of the proposed community schools program;~~
34 ~~and proposal quality;~~
35 ~~(iii) The form and manner by which applications will be submitted,~~
36 ~~(iv) The manner by which calculation of the amount of the award will~~
37 ~~be determined;~~
38 ~~(v) The timeline for the issuance and review of applications; and~~
39 ~~(vi) Program implementation phases that will trigger payment of set~~
40 ~~percentages of the total award.~~

41 ~~(2) In assessing proposal quality, the commissioner shall take into~~
42 ~~account factors including, but not limited to:~~
43 ~~(i) The extent to which the school district's proposal would provide~~
44 ~~such community services through partnerships with local governments and~~
45 ~~non-profit organizations;~~
46 ~~(ii) The extent to which the proposal would provide for delivery of~~
47 ~~such services directly in school buildings;~~
48 ~~(iii) The extent to which the proposal articulates how such services~~
49 ~~would facilitate measurable improvement in student and family outcomes;~~
50 ~~(iv) The extent to which the proposal articulates and identifies how~~
51 ~~existing funding streams and programs would be used to provide such~~
52 ~~community services; and~~
53 ~~(v) the extent to which the proposal ensures the safety of all~~
54 ~~students, staff and community members in school buildings used as commu-~~
55 ~~nity hubs.~~

~~b. A response to a request for proposals issued pursuant to this subdivision may be submitted by a single school district or jointly by a consortium of two or more school districts, or in a city with a population of one million or more, an eligible entity.~~

~~c. The amount of the grant award shall be determined by the commissioner, consistent with the plan developed pursuant to paragraph a of this subdivision, except that no single district may be awarded more than forty percent of the total amount of grant awards made pursuant to this subdivision; and provided further that the maximum award to any individual community school site shall be five hundred thousand dollars; and provided further that the amount awarded will be paid out in set percentages over time upon successful implementation of each phase of a school district's approved proposal set forth pursuant to paragraph a of this subdivision; and provided further that none of the grants awarded pursuant to this subdivision may be used to supplant existing funding.]~~

For the purposes of this section, a "community school" shall include both a place and a set of partnerships between the school district and other community resources to take a comprehensive approach to improve academic and developmental outcomes; focused on academics, health, mental wellness, social services, youth and community development and family and community engagement which leads to improved student learning, stronger families and healthier communities; and has a framework in place to eliminate the barriers for all students to have access to a high-quality learning experience.

(1) Such schools shall include a community school director to implement the community school framework by:

(i) reviewing student data and conducting community wide assessments of needs and assets;

(ii) coordinating and leveraging integrated health, mental wellness and social supports;

(iii) identifying and securing family supports that include empowering parents to participate in decision making and to maintain active family and community engagement that values their diverse experiences and backgrounds to develop and promote a vision for student success;

(iv) implementing, expanding and enriching learning time, programs and opportunities, including but not limited to before, during and after-school, weekend, summer and year-round programs, that provide additional academic support, enrichment activities and other programs that may be offered in partnership with community-based organizations to enhance academic learning, social skills, emotional and life skills;

(v) managing a community school-based committee that includes but is not limited to the school principal, certified classroom teachers, school related professionals, other school employees, families, community organizations, and collective bargaining organizations, that guides collaborative planning, implementation and oversight; and

(vi) implementing high-quality teaching and learning that provides ongoing professional development to teachers and school-related professionals.

(2) For the purposes of this section a community school framework is a set of strategies implemented in a community school that include programs and services that focus on building and maintaining relationships to improve academic and developmental outcomes for students.

b. Allocation of funds. Each qualifying school district shall receive funding from this program equal to the result of the quotient of each district's foundation aid community school setaside amount established pursuant to section thirty-six hundred two of this article divided by

1 the statewide value of the foundation aid community school setaside
2 amount established pursuant to section thirty-six hundred two of this
3 article multiplied by the amount of the appropriation for the community
4 school categorical grant established herein. Districts which do not
5 have a setaside of foundation aid for community schools pursuant to
6 section thirty-six hundred two of this article shall not be eligible for
7 funds pursuant to this subdivision.

8 c. The commissioner shall promulgate regulations that set forth the
9 requirements for use of such funds by districts, which shall include a
10 requirement that districts require that funds be used to transform
11 preexisting community school programs, struggling or persistently strug-
12 gling schools, or schools with significant levels of poverty, homeless-
13 ness, free and reduced price meals, or other factors as determined by
14 the commissioner. Provided further that such regulations shall require
15 school districts to demonstrate substantial teacher, parent and communi-
16 ty involvement in the planning, implementation, and operation of a
17 community school. The commissioner may determine that a preexisting
18 community schools program satisfies the requirements of the commission-
19 er's regulations provided that the commissioner may require any modifi-
20 cation thereto.

21 § 12. The education law is amended by adding new section 3037-a to
22 read as follows:

23 § 3037-a. Grants for hiring art or music teachers. 1. For purposes of
24 this section, the term "eligible teacher" shall mean an individual that:

25 (a) (i) is certified to teach in New York state pursuant to section
26 three thousand four of this article;

27 (ii) holds a master's degree or Ph.D. in an art or music subject or in
28 education; or

29 (iii) holds a bachelor's degree in an art or music subject or in
30 education and is currently enrolled in a master's or Ph.D. program in an
31 art or music subject or in education within five years from the later of
32 the effective date of this section or the employment start date with the
33 nonpublic school;

34 (b) teaches art or music in any grades from kindergarten through
35 twelve; and

36 (c) is employed by a nonpublic school.

37 2. (a) Within amounts appropriated therefor, nonpublic schools shall,
38 upon application, be reimbursed by the department for the salaries of
39 eligible teachers. Each school which seeks a reimbursement pursuant to
40 this section shall submit to the office of religious and independent
41 schools an application therefor, together with such additional documents
42 as the commissioner may reasonably require, at such times, in such form
43 and containing such information as the commissioner may prescribe by
44 regulation. Applications for reimbursement pursuant to this section must
45 be received by August first of each year for schools to be reimbursed
46 for the salaries of eligible teachers in the prior year.

47 (b) Pursuant to paragraph (a) of this subdivision, reimbursement for
48 eligible teachers shall be the average comparable teacher salary and
49 personal service, per subject area, of public school teachers in the
50 school district in which such nonpublic schools are located, multiplied
51 by the percentage of full time equivalent secular instructional hours
52 completed in the school day per subject area. Reimbursements shall not
53 be provided for eligible teachers who provide instruction in art or
54 music if such teachers also provide non-secular instruction in any
55 capacity.

1 (c) In the event that the applications for reimbursement under this
2 section exceed the appropriation available for this program, then each
3 applicant shall only be reimbursed an amount equal to the percentage
4 that each such applicant represents to the total of all applications
5 submitted.

6 3. The commissioner may promulgate any rules or regulations necessary
7 to carry out the provisions of this section.

8 § 13. Section 37-d of part A of chapter 56 of the laws of 2021 amend-
9 ing the education law relating to school aid is REPEALED.

10 § 14. The education law is amended by adding a new section 3638-a to
11 read as follows:

12 § 3638-a. Zero-emission school bus committee. 1. Establishment of
13 committee. There is hereby established a zero-emission school bus
14 committee ("committee") to provide technical support and guidance to
15 assist school districts in successfully implementing the requirements
16 for zero-emission school buses as prescribed in section thirty-six
17 hundred thirty-eight of this part.

18 2. Committee members. (a) The president of the New York State Energy
19 Research and Development Authority, or the president's representative,
20 shall serve as the chair of such committee. The committee shall include
21 thirteen additional representatives, as follows:

- 22 (i) the commissioner of education or their representative;
- 23 (ii) one representative appointed by the governor;
- 24 (iii) one representative appointed by the public service commission;
- 25 (iv) one representative appointed by the department of transportation;
- 26 (v) one representative appointed by the department of motor vehicles;
- 27 (vi) one representative appointed by the empire state development
28 corporation;
- 29 (vii) one representative appointed by the department of labor;
- 30 (viii) one representative appointed by the department of environmental
31 conservation;
- 32 (ix) one representative appointed by the office of the state comp-
33 troller;
- 34 (x) one representative appointed by the department of state;
- 35 (xi) one representative appointed by the office of general services;
- 36 (xii) one representative appointed by the temporary president of the
37 senate; and
- 38 (xiii) one representative appointed by the speaker of the assembly.

39 (b) The committee may require that any other state entities provide a
40 representative to attend committee meetings and public hearings, and
41 assist the committee in fulfilling its duties, as needed.

42 (c) Committee members shall serve without salary, provided, however,
43 the members shall be reimbursed for actual and necessary expenses
44 incurred in the performance of such members' official duties as a member
45 of the committee.

46 3. Powers and duties. (a) The technical support and guidance provided
47 by the committee shall include, but not be limited to, the following
48 topics:

- 49 (i) school district budgeting and other related fiscal issues, includ-
50 ing limitations upon school district tax levies pursuant to section two
51 thousand twenty-three-a of this chapter;
- 52 (ii) issues with obtaining voter approval for school taxes and school
53 bonds pursuant to section four hundred sixteen of this chapter for capi-
54 tal projects associated with electric school buses;
- 55 (iii) adequacy and expansion of school district grid infrastructure;

(iv) the availability of state and federal funds to support school districts in implementing the zero-emission school bus requirements;
(v) the longevity and reliability of electric school buses; and
(vi) electric school bus workforce development including, but not limited to, mechanics.

(b) The committee shall meet as needed provided, however, that the committee shall meet at least quarterly.

(c) The committee may hold public hearings, as the committee deems necessary, to solicit comment and recommendations from interested stakeholders including, but not limited to, the New York association for pupil transportation, the New York school bus contractors association, the New York state school boards association, the New York state council of school superintendents, the association of school business officials, and the rural schools association of New York.

(d) The committee shall advise the state education department on conditions and criteria for granting waivers, pursuant to paragraph (b) of subdivision two of section thirty-six hundred thirty-eight of this part and for granting extensions, pursuant to subdivision four of section thirty-six hundred thirty-eight of this part.

4. Reporting. The committee shall issue a report to the governor and the legislature within one year of conducting its first committee meeting, and annually thereafter, regarding barriers school districts are facing in implementing the requirements for zero-emission school buses as prescribed in section thirty-six hundred thirty-eight of this part, the steps each member's state entity to which they are a representative of is taking to mitigate such barriers through technical support and guidance, and the barriers that continue to persist despite such technical assistance and guidance. The state education department shall make such reports publicly available on its website.

§ 15. Subdivision 1 of section 3635-b of the education law, as amended by chapter 536 of the laws of 2002, is amended to read as follows:

1. This section shall apply where the board of education or trustees of a common, central, high school, and union free school district~~[, or city school district of a city with less than one hundred twenty-five thousand inhabitants]~~ adopts a resolution to make transportation in child safety zones available to resident pupils for a particular school year. Such resolution shall continue in effect for subsequent school years until the board adopts a resolution providing otherwise.

§ 16. 1. The commissioner of education is hereby authorized and directed to conduct a study on the efficacy, adequacy, and equity of the foundation aid formula and to make recommendations on potential modifications to improve such formula. The scope of such study shall include, but shall not be limited to:

(a) the current actual cost of providing all students in the state with a meaningful opportunity for a sound basic education;

(b) appropriate measures of student and district poverty, including the appropriateness of the pupil needs index;

(c) appropriate considerations for students with disabilities, English language learners, and other students with significant needs;

(d) appropriate measures of district wealth;

(e) efficacy of the local tax effort test; and

(f) appropriate measures of regional costs.

2. The education department shall report its findings, including any recommendations for legislative action as it may deem necessary and appropriate, to the governor, the temporary president of the senate, and

1 the speaker of the assembly no later than one year after the effective
2 date of this act.

3 § 17. Subdivision 3 of section 711 of the education law, as amended by
4 section 7 of part B of chapter 57 of the laws of 2007, is amended to
5 read as follows:

6 3. No school district shall be required to purchase or otherwise
7 acquire school library materials, the cost of which shall exceed an
8 amount equal to the library materials factor multiplied by the sum of
9 the public school district enrollment and the nonpublic school enroll-
10 ment in the base year as defined in subparagraphs two and three of para-
11 graph n of subdivision one of section thirty-six hundred two of this
12 chapter. For aid payable in the nineteen hundred ninety-eight--nineteen
13 hundred ninety-nine school year, the library materials factor shall be
14 four dollars. For aid payable in the two thousand seven--two thousand
15 eight school year and thereafter, the library materials factor shall be
16 six dollars and twenty-five cents. For aid payable in the two thousand
17 twenty-five--two thousand twenty-six school year, the library materials
18 factor shall be eleven dollars, and the library materials factor shall
19 be adjusted annually to reflect the percentage increase in the consumer
20 price index as defined by paragraph hh of subdivision one of section
21 thirty-six hundred two of this chapter.

22 § 18. The education law is amended by adding a new section 115 to read
23 as follows:

24 § 115. Underrepresented educators convention. 1. For purposes of this
25 section, "underrepresented educators" shall mean teachers or administra-
26 tors who currently participate or previously participated in a school
27 district or post-secondary partnership as part of a Grow Your Own initi-
28 ative, My Brother's Keeper, teacher opportunity corps program, higher
29 education opportunity program, education opportunity program, or any
30 other similar program or initiative.

31 2. (a) The commissioner shall annually convene a statewide convention
32 to bring together underrepresented educators to discuss experiences,
33 best practices, and afford for networking, mentorship opportunities, and
34 support. Such convention shall occur at a time and location chosen by
35 the commissioner.

36 (b) The commissioner shall also provide for at least five regional
37 conventions annually to bring together underrepresented educators within
38 each geographic region of the state to discuss experiences, best prac-
39 tices, and afford for networking, mentorship opportunities, and support.
40 Such conventions shall occur at a time and location chosen by the
41 commissioner.

42 § 19. The education law is amended by adding a new section 249-b to
43 read as follows:

44 § 249-b. Dolly Parton's statewide library system of New York. 1. For
45 purposes of this section, the following terms shall have the following
46 meanings:

47 a. "Program" shall mean the statewide imagination library program,
48 Dolly Parton's Imagination Library of New York;

49 b. "Fund" shall mean the imagination library of New York fund estab-
50 lished by section ninety-seven-bbbbbb of the state finance law; and

51 c. "Qualified local entity" shall mean any existing or new local Dolly
52 Parton's Imagination Library affiliate.

53 2. There is hereby established under the administration of the state
54 librarian a Dolly Parton's statewide library system of New York for
55 purposes of developing, implementing, promoting, and fostering a compre-

1 hensive statewide initiative for encouraging children from birth to five
2 years of age to develop a love of reading and learning.

3 3. a. Notwithstanding any provision to the contrary, the state librar-
4 ian shall allocate moneys as grants to provide age-appropriate books on
5 a monthly basis, at home, to each child registered in the program, from
6 birth to their fifth birthday at no cost to families, through Dolly
7 Parton's statewide library system of New York.

8 b. Notwithstanding any provision to the contrary, the state librarian
9 shall allocate moneys from the fund as grants to qualified local enti-
10 ties that agree to a dollar-for-dollar match for purposes of the
11 program.

12 c. Notwithstanding paragraph b of this subdivision, the state librar-
13 ian may waive the dollar-for-dollar match requirement for a qualified
14 local entity on a case-by-case basis to prevent undue financial hard-
15 ship.

16 4. The state librarian shall coordinate with a nonprofit entity, qual-
17 ified under section 501(c)(3) of the Internal Revenue Code, and organ-
18 ized solely to promote and encourage reading by the children of the
19 state, for the purpose of implementing this section.

20 5. The state librarian shall provide oversight and manage the daily
21 operations of the program, which shall include, but not be limited to:

22 a. promoting the statewide development of local Dolly Parton's Imag-
23 ination Library programs;

24 b. advancing and strengthening local Dolly Parton's Imagination
25 Library programs with the goal of increasing enrollment;

26 c. recruiting volunteers to assist in the development, promotion, and
27 coordination of local Dolly Parton's Imagination Library programs;

28 d. soliciting donations, gifts, and other funding to financially
29 support local Dolly Parton's Imagination Library programs;

30 e. developing community engagement;

31 f. developing, promoting, and coordinating a public awareness campaign
32 to make donors aware of the opportunity to donate to the affiliate
33 programs and make the public aware of the opportunity to register eligi-
34 ble children to receive books through the program;

35 g. administering the local match requirement and coordinate the
36 collection and remittance of local program costs for books and mailing;

37 h. developing statewide marketing and communication plans; and

38 i. establishing, in partnership with the department, a system for
39 parent and community feedback to show impact and effectiveness of the
40 program.

41 6. On or after January first, two thousand twenty-nine, and annually
42 thereafter, the state librarian shall submit a report to the governor,
43 the temporary president of the senate, and the speaker of the assembly.
44 Such report shall include, but not be limited to:

45 a. the deposits made to, and expenditures made from the fund;

46 b. whether any local match requirements were waived;

47 c. the number of local programs that exist, their location, and which
48 entity or organization serves as the local partner; and

49 d. the number of children that are enrolled and the number of books
50 that have been sent to such enrolled children.

51 7. The regents may promulgate regulations as may be needed for the
52 administration of the program.

53 § 20. The state finance law is amended by adding a new section
54 97-bbbbbb to read as follows:

55 § 97-bbbbbb. Imagination library of New York fund. 1. There is hereby
56 established in the joint custody of the state comptroller and the

1 commissioner of education an account of the miscellaneous special reven-
2 ue account to be known as the "imagination library of New York fund".

3 2. Moneys in this fund shall be kept separate and shall not be commin-
4 gled with any other moneys in the custody of the state comptroller and
5 the commissioner of education.

6 3. The imagination library of New York fund shall consist of moneys
7 appropriated for the purpose of such account, moneys transferred to such
8 account pursuant to law, contributions consisting of promises or grants
9 of any money or property of any kind or value, or any other thing of
10 value, including grants or other financial assistance from any agency of
11 government and moneys required by the provisions of this section or any
12 other law to be paid into or credited to this account.

13 4. Moneys of the imagination library of New York fund, when allocated,
14 shall be available, subject to the approval of the director of the budg-
15 et, to provide age-appropriate books on a monthly basis, at home, to
16 each child registered in the program, from birth to their fifth birthday
17 at no cost to families, through Dolly Parton's Imagination Library.

18 § 21. Section 3627 of the education law, as amended by section 7 of
19 part A of chapter 56 of the laws of 2014, subdivision 4 as amended by
20 section 18-a of part A of chapter 56 of the laws of 2023, is amended to
21 read as follows:

22 § 3627. Transportation after 4pm for a city school district located in
23 a city having a population of one million or more. 1. Notwithstanding
24 any other provisions of this [~~section~~] subdivision to the contrary, for
25 the two thousand thirteen--two thousand fourteen and two thousand four-
26 teen--two thousand fifteen school year and thereafter, a city school
27 district located in a city having a population of one million or more
28 providing transportation pursuant to this chapter shall be responsible
29 for:

30 (a) providing transportation for those children attending public and
31 nonpublic schools in grades kindergarten through six who remain at the
32 same school for which they are enrolled for regularly scheduled academic
33 classes from half-past nine o'clock in the morning or earlier until four
34 o'clock in the afternoon or later, on weekdays, and reside at least one
35 mile from their school of attendance for grades three through six, and
36 at least one-half mile from their school of attendance for grades
37 kindergarten through two; or

38 (b) reimbursing the cost incurred by licensed transportation carriers
39 pursuant to contracts with such school district for providing transpor-
40 tation for those children attending public and nonpublic schools in
41 grades kindergarten through six who remain at the same school for which
42 they are enrolled for regularly scheduled academic classes from half-
43 past nine o'clock in the morning or earlier until four o'clock in the
44 afternoon or later, on weekdays, and reside at least one mile from their
45 school of attendance for grades three through six, and at least one-half
46 mile from their school of attendance for grades kindergarten through
47 two.

48 2. Nothing herein shall prohibit the school district from reimbursing
49 for costs incurred for contracts between the school district and any
50 entity providing or contracting for such transportation service.

51 3. A district shall not be deemed to have satisfied its obligation
52 under this section by providing public service transportation.

53 4. (a) Notwithstanding any other provision of law to the contrary, any
54 expenditures for transportation provided pursuant to this section [~~in~~]
55 shall be equal to:

(i) For the two thousand thirteen--two thousand fourteen school year and thereafter and otherwise eligible for transportation aid pursuant to subdivision seven of section thirty-six hundred two of this article shall be considered approved transportation expenses eligible for transportation aid, provided further that for the two thousand thirteen--two thousand fourteen school year such aid shall be limited to eight million one hundred thousand dollars and for the two thousand fourteen--two thousand fifteen school year such aid shall be limited to the sum of twelve million six hundred thousand dollars plus the base amount [and],

(ii) for the two thousand fifteen--two thousand sixteen school year through two thousand eighteen--two thousand nineteen school year such aid shall be limited to the sum of eighteen million eight hundred fifty thousand dollars plus the base amount [and], (iii) for the two thousand nineteen--two thousand twenty school year such aid shall be limited to the sum of nineteen million three hundred fifty thousand dollars plus the base amount [and], (iv) for the two thousand twenty--two thousand twenty-one school year such aid shall be limited to the sum of nineteen million eight hundred fifty thousand dollars plus the base amount [and], (v) for the two thousand twenty-two--two thousand twenty-three school year such aid shall be limited to the sum of twenty-two million three hundred fifty thousand dollars plus the base amount [and], (vi) for the two thousand twenty-three--two thousand twenty-four school year [and thereafter] such aid shall be limited to the sum of twenty-four million eight hundred fifty thousand dollars plus the base amount, and (vii) for the two thousand twenty-four--two thousand twenty-five school year and thereafter such aid shall be limited to the sum of twenty-nine million eight hundred fifty thousand dollars plus the base amount.

(b) For purposes of this subdivision, "base amount" means the amount of transportation aid paid to the school district for expenditures incurred in the two thousand twelve--two thousand thirteen school year for transportation that would have been eligible for aid pursuant to this section had this section been in effect in such school year, except that subdivision six of this section shall be deemed not to have been in effect. And provided further that the school district shall continue to annually expend for the transportation described in subdivision one of this section at least the expenditures used for the base amount.

5. Notwithstanding any other provision of this section to the contrary, in no event shall such city school district, in order to comply with the requirements of this section, be required to incur any costs in excess of the amount eligible for transportation aid pursuant to subdivision four of this section. In the event such amount is insufficient, the city school district of New York shall provide transportation services within such amount on an equitable basis, until such apportionment is exhausted.

6. The chancellor of such school district, in consultation with the commissioner, shall prescribe the most cost effective system for implementing the requirements of this section, taking into consideration: (a) the costs associated with paragraphs (a) and (b) of subdivision one of this section, and (b) policies that attempt to maximize student safety for the student to be transported, which for purposes of this section shall include whether the pick up or drop off site of the transportation is:

- (i) not further than 600 feet from the student's residence; and/or
- (ii) at the same locations for any family that have children at the same residence who attend two or more different schools.

1 7. (a) In the event the chancellor has not satisfied a district's
2 obligation under this section, a parent or guardian or any represen-
3 tative authorized by such parent or guardian of a child eligible to
4 receive transportation under this section may request the commissioner
5 to arrange for the provision of the transportation to so satisfy the
6 requirements of this section.

7 (b) If within sixty days of receiving a request from such a parent or
8 guardian or any representative authorized by such parent or guardian,
9 the commissioner determines that the chancellor has not satisfied a
10 district's obligation under this section, then the commissioner shall
11 immediately direct the chancellor to contract with a licensed transpor-
12 tation carrier to provide the transportation required pursuant to this
13 section.

14 (c) In the event the chancellor is directed by the commissioner to
15 contract with a licensed transportation carrier to provide the transpor-
16 tation required pursuant to this section, the chancellor shall provide
17 the commissioner with a copy of such proposed contract, before it
18 becomes effective, and the commissioner shall have the power to approve,
19 disapprove or require amendments to such contract before it shall become
20 effective.

21 (d) A district, determined by the commissioner to not be in compliance
22 with the requirements of this section, shall be responsible for the cost
23 of any transportation contract awarded by the chancellor.

24 8. The parent or guardian, or any representative authorized by such
25 parent or guardian, may submit a written request for transportation
26 under this section, in the same manner and upon the same dates as are
27 required for a request for transportation pursuant to subdivision two of
28 section thirty-six hundred thirty-five of this article.

29 § 22. Subparagraph (ix) of the opening paragraph of subdivision 10 of
30 section 3602-e of the education law, as added by section 17-c of part A
31 of chapter 56 of the laws of 2022, is amended and a new paragraph (x) is
32 added to read as follows:

33 (ix) for the two thousand twenty-two--two thousand twenty-three and
34 the two thousand twenty-three--two thousand twenty-four school [~~year and~~
35 ~~thereafter~~] years, each school district shall be eligible to receive a
36 grant amount equal to the sum of (A) the amount set forth for such
37 school district as "UNIVERSAL PREKINDERGARTEN ALLOCATION" on the comput-
38 er file produced by the commissioner in support of the enacted budget
39 for the prior year excluding amounts subject to section thirty-six
40 hundred two-ee of this part and further excluding amounts paid pursuant
41 to subdivision nineteen of this section plus (B) the Full-day 4-Year-Old
42 Universal Prekindergarten Expansion added pursuant to paragraph e of
43 subdivision nineteen of this section, provided that such school district
44 has met all requirements pursuant to this section and such grants shall
45 be added into a four-year-old grant amount based on the amount each
46 district was eligible to receive in the base year to serve four-year-old
47 prekindergarten pupils, plus (C) funds allocated pursuant to a universal
48 prekindergarten expansion under subdivision twenty of this section as of
49 the school aid computer listing produced by the commissioner in support
50 of the enacted budget for the current year, provided that such grant
51 amounts shall be divided into a four-year-old grant amount based on the
52 amount each district was eligible to receive in the base year to serve
53 four-year-old prekindergarten pupils, if any, and a three-year-old grant
54 amount based on the amount each district was eligible to receive in the
55 base year to serve three-year-old pupils, if any, and provided further
56 that the maximum grant shall not exceed the total actual grant expendi-

tures incurred by the school district in the current school year as approved by the commissioner[~~+~~], and

(x) for the two thousand twenty-four--two thousand twenty-five school year and thereafter, each school district shall be eligible to receive a grant amount equal to the sum of (A) the greater of the amount provided under subparagraph (ix) of this paragraph or the product of (1) the sum of eligible half-day three-year-old prekindergarten pupils weighted at 0.5 as defined in clause two of subparagraph (iii) of paragraph b of this subdivision, plus eligible full-day three-year-old prekindergarten pupils as defined in clause two of subparagraph (ii) of paragraph b of this subdivision, plus eligible half-day four-year-old prekindergarten pupils weighted at 0.5 as defined in clause one of subparagraph (iii) of paragraph b of this subdivision, plus eligible full-day four-year-old prekindergarten pupils as defined in clause one of subparagraph (ii) of paragraph b of this subdivision, multiplied by (2) six thousand seven hundred dollars (\$6,700), plus (B) funds allocated pursuant to a universal prekindergarten expansion under subdivision twenty of this section as of the school aid computer listing produced by the commissioner in support of the enacted budget for the current year, provided that such grant amounts shall be divided into a four-year-old grant amount based on the amount each district was eligible to receive in the base year to serve four-year-old prekindergarten pupils, if any, and a three-year-old grant amount based on the amount each district was eligible to receive in the base year to serve three-year-old pupils, if any, and provided further that the maximum grant shall not exceed the total actual grant expenditures incurred by the school district in the current school year as approved by the commissioner.

§ 23. Subparagraph (i) of paragraph b of subdivision 10 of section 3602-e of the education law, as amended by section 23-c of part A of chapter 56 of the laws of 2021, is amended to read as follows:

(i) "Selected aid per prekindergarten pupil" shall equal the greater of (A) the product of five-tenths and the school district's selected foundation aid for the current year, or (B) three thousand three hundred fifty dollars (\$3,350) or (C) the aid per prekindergarten pupil calculated pursuant to this subdivision for the two thousand six--two thousand seven school year, based on data on file for the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand six--two thousand seven school year and entitled "SA060-7"[~~+, provided, however, that in the two thousand eight--two thousand nine school year, a city school district in a city having a population of one million inhabitants or more shall not be eligible to select aid per prekindergarten pupil pursuant to clause (A) of this subparagraph~~];

§ 24. Subdivision 20 of section 3602-e of the education law is amended by adding a new paragraph c to read as follows:

c. Two thousand twenty-four--two thousand twenty-five school year.

(i) Notwithstanding any law to the contrary, the universal prekindergarten expansion for the two thousand twenty-four--two thousand twenty-five school year shall be equal to the amounts set forth for each school district as "24-25 UPK EXPANSION" in the school aid computer listing produced by the commissioner in support of the enacted budget request for the two thousand twenty-four--two thousand twenty-five school year and entitled "SA242-5." These amounts are calculated as twice the product of (1) expansion slots multiplied by (2) selected aid per prekindergarten pupil calculated pursuant to subparagraph (i) of paragraph b of

1 subdivision ten of this section for the two thousand twenty-four--two
2 thousand twenty-five school year.

3 (ii) For purposes of this paragraph, "expansion slots" shall be slots
4 for new full-day four-year-old prekindergarten pupils for purposes of
5 subparagraph (ii) of paragraph b of subdivision ten of this section.
6 Expansion slots shall be equal to the positive difference, if any, of
7 (1) unserved four-year-old prekindergarten pupils as defined in subpara-
8 graph (iv) of paragraph b of subdivision ten of this section less (2)
9 the sum of four-year-old allocated seats defined below.

10 (iii) For purposes of this paragraph, "four-year-old allocated seats"
11 shall be equal to the sum of (1) the number of eligible full-day four-
12 year-old prekindergarten pupils set forth for the district in this as
13 defined in subdivision ten of this section plus the product of seventy-
14 eight thousand four hundred and sixty-eight hundred thousandths
15 (0.78468) multiplied by the number of eligible half-day four-year-old
16 prekindergarten pupils set forth for the district in subdivision ten of
17 this section in the base year, plus (2) the number of four-year-old
18 students that may be served in full-day settings in a state funded
19 program which must meet the requirements of section thirty-six hundred
20 two-ee of this part and for which grants were awarded to a school
21 district prior to the two thousand twenty--two thousand twenty-one
22 school year, plus (3) the maximum number of students that may be served
23 in full-day prekindergarten programs funded by grants which must meet
24 the requirements of section thirty-six hundred two-ee of this part for
25 grants awarded in the two thousand twenty-one--two thousand twenty-two,
26 two thousand twenty-two--two thousand twenty-three, or two thousand
27 twenty-three--two thousand twenty-four school year.

28 § 25. 1. The commissioner of education is hereby authorized and
29 directed to conduct a study on the consolidation of all of the prekin-
30 dergarten funding streams and to make recommendations on potential
31 modifications to streamline the universal prekindergarten funding proc-
32 ess and programmatic implementation. The scope of such study shall
33 include, but shall not be limited to:

34 (a) barriers to consolidation, including discrepancies in funding
35 streams, oversight, and administration;

36 (b) programmatic differences and methods of alignment;

37 (c) differences in payment schedules; and

38 (d) any other fiscal and policy implications the commissioner deems
39 relevant.

40 2. The education department shall report its findings, including any
41 recommendations for legislative action as it may deem necessary and
42 appropriate, to the governor, the temporary president of the senate, and
43 the speaker of the assembly no later than December 1, 2024.

44 § 26. Severability. The provisions of this act shall be severable, and
45 if the application of any clause, sentence, paragraph, subdivision,
46 section or part of this act to any person or circumstance shall be
47 adjudged by any court of competent jurisdiction to be invalid, such
48 judgment shall not necessarily affect, impair or invalidate the applica-
49 tion of any such clause, sentence, paragraph, subdivision, section or
50 part of this act or remainder thereof, as the case may be, to any other
51 person or circumstance, but shall be confined in its operation to the
52 clause, sentence, paragraph, subdivision, section or part thereof
53 directly involved in the controversy in which such judgment shall have
54 been rendered.

55 § 27. This act shall take effect immediately; provided, however that:

1. sections one, nine, ten and fifteen of this act shall take effect July 1, 2024;

2. section fourteen of this act shall expire and be deemed repealed June 30, 2036, or until the end of one-time extensions authorized under subdivision 4 of section 3638 of the education law, whichever is later. The commissioner of education shall notify the legislative bill drafting commission upon the end of the one-time extensions authorized pursuant to subdivision 4 of section 3638 of the education law in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law;

3. section sixteen of this act shall expire and be deemed repealed eighteen months after such effective date; and

4. section twenty-five of this act shall expire and be deemed repealed April 1, 2025.

PART B

Section 1. The education law is amended by adding a new section 818 to read as follows:

§ 818. Evidence-based and scientifically based reading instruction. 1. (a) On or before July first, two thousand twenty-four, the commissioner shall provide school districts with the instructional best practices for the teaching of reading to students in prekindergarten through grade three. Instructional best practices for the teaching of reading shall be evidence-based and scientifically based, focusing on reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, comprehension, including background knowledge, oral language and writing, oral skill development, and align with the culturally responsive-sustaining (CR-S) framework. Such instructional best practices shall be periodically updated by the commissioner where appropriate.

(b) All school districts in the state shall annually review their curriculum and instructional practices in the subject of reading for students in prekindergarten through grade three to ensure that they align with the reading instructional best practices issued by the commissioner, and that all early reading instructional practices and interventions are part of an aligned plan designed to improve student reading outcomes in prekindergarten through grade three.

2. For purposes of this section, the following terms shall have the following meanings:

(a) "Culturally responsive-sustaining (CR-S) framework" means a framework that promotes learning environments that affirm racial, linguistic, and cultural identities; engages students with rigorous, supportive instruction; develops their abilities to connect across lines of difference; elevates historically marginalized voices; and empowers students as agents of social change.

(b) "Evidence-based and scientifically based" means an interdisciplinary body of research that describes how reading and writing skills and competencies develop from prekindergarten through secondary education and provides evidence-based guidance to inform curriculum and pedagogy.

(c) "Phonemic awareness" means the ability to notice, think about and manipulate individual sounds in spoken syllables and words.

(d) "Comprehension" means a function of word recognition skills and language comprehension skills and shall include having sufficient back-

ground information and vocabulary for the reader to understand the words in front of them. It also includes the active process that requires intentional thinking, during which meaning is constructed through interactions between the text and the reader. Comprehension skills are taught explicitly by demonstrating, explaining, modeling and implementing specific cognitive strategies to help beginning readers derive meaning through intentional, problem-solving thinking processes.

(e) "Reading fluency" means the ability to read words, phrases, and sentences accurately, at an appropriate speed, and with expression.

(f) "Vocabulary development" means the process of acquiring new words and includes improving all areas of communication, including listening, speaking, reading, and writing, which is directly related to school achievement and is a strong predictor for reading success.

3. On or before September first, two thousand twenty-five, and on or before September first of each year thereafter, all school districts in the state shall certify to the commissioner that their curriculum and instructional strategies and teacher professional development in the subject of reading in prekindergarten through grade three align with all of the elements of the instructional best practices issued by the commissioner pursuant to this section.

4. Within six months of certification to the commissioner, school districts shall outline the implementation of this section to the community through informational sessions, at school board meetings, and published on the school district's website.

§ 2. This act shall take effect immediately.

PART C

Section 1. The education law is amended by adding a new section 665-b to read as follows:

§ 665-b. Universal financial aid policy. 1. Definitions. As used in this section, the following terms shall have the following meanings:

(a) "FAFSA" shall mean the free application for federal student aid.

(b) "Income" shall mean the adjusted gross income used to determine the amount of federal Pell grant paid by the secretary of education under 20 U.S.C. § 1070a or income used to determine state funded awards pursuant to section six hundred sixty-three of this subpart.

(c) "Level of parental education" shall refer to whether or not a student's parents obtained a doctorate or professional degree, graduate degree, bachelor's degree, associate degree, high school diploma, alternative high school credential, or attended high school but did not receive any kind of diploma or credential, provided that the president shall retain the discretion to include additional categories as deemed appropriate.

(d) "Local educational agency" shall mean a public school district, charter school, or nonpublic school which educates students through the twelfth grade, but shall not include boards of cooperative educational services, special act school districts as defined in section four thousand one of this chapter, approved private residential or non-residential schools for the education of students with disabilities including private schools established under chapter eight hundred fifty-three of the laws of nineteen hundred seventy-six, or state-operated or state-supported schools in accordance with article eighty-five, eighty-seven or eighty-eight of this chapter.

(e) "Senator Jose Peralta New York State DREAM Act application" or "NYS DREAM Act application" shall mean an application for any state

1 funded financial aid award, such as TAP and the Excelsior Scholarship,
2 made available through the application process for individuals meeting
3 the requirements of subparagraph (ii) of paragraph (a) of subdivision
4 five of section six hundred sixty-one of this subpart.

5 (f) "School" shall mean an individual school within a public school
6 district or a charter school or nonpublic school which educates students
7 through the twelfth grade, but shall not include boards of cooperative
8 educational services, special act school districts as defined in section
9 four thousand one of this chapter, approved private residential or non-
10 residential schools for the education of students with disabilities
11 including private schools established under chapter eight hundred
12 fifty-three of the laws of nineteen hundred seventy-six, or state-oper-
13 ated or state-supported schools in accordance with article eighty-five,
14 eighty-seven or eighty-eight of this chapter.

15 (g) "Student aid index" shall mean a calculation by a college of how
16 much federal student aid an applicant is eligible to receive if they
17 attend such college.

18 (h) "TAP" shall refer to the tuition assistance program awards created
19 in section six hundred sixty-seven of this part.

20 (i) "Unaccompanied youth" shall have the same meaning as set forth in
21 42 U.S.C. § 11434a(6).

22 2. Universal financial aid policy. Each local educational agency in
23 this state shall require each high school senior or each high school
24 senior and such senior's parent or legal guardian, as applicable, to
25 complete the FAFSA, NYS DREAM Act application, or a waiver form
26 described in subdivision four of this section before a student's date of
27 graduation, provided, however, that a student shall not be prevented
28 from graduating if such student does not complete one of the forms or
29 applications described herein.

30 3. Data sharing agreements. (a) In enabling local educational agencies
31 to comply with the provisions of subdivision two of this section, the
32 corporation shall enter into data sharing agreements with such agencies
33 which shall comply with the provisions of this subdivision. Such data
34 shall consist of a list of high school seniors for which the FAFSA or a
35 NYS DREAM Act application has been submitted and/or accepted, as
36 described in paragraph (b) of this subdivision. Such data sharing
37 agreements shall, at a minimum, stipulate that:

38 (i) All information received or accessed by the local educational
39 agency shall be deemed confidential and proprietary to the corporation.
40 All such information may not be used for any purpose other than to
41 assist such agencies in complying with subdivision two of this section.

42 (ii) The local educational agency and corporation shall be bound by
43 the provisions of article two of the state technology law, the Family
44 Educational Rights and Privacy Act of 2001 (20 U.S.C. § 1232g); subpara-
45 graph (E) of paragraph (3) of subdivision (a) of section 483 of the
46 federal Higher Education Act, 20 U.S.C. § 1090(a)(3)(E), section two-d
47 of this chapter, and other applicable local, state, and federal statutes
48 which protect the privacy of student data.

49 (iii) Information received from the corporation shall be stored elec-
50 tronically and encrypted, password-protected, stored on a laptop or
51 computer with a screen-lock, and subject to any other precautions that
52 the corporation feels necessary to stipulate in order to ensure that the
53 information is stored securely.

54 (iv) The local educational agency shall designate a singular chief
55 authorizing officer who shall be responsible for identifying and author-
56 izing the personnel who will have access to the student data described

1 herein. Such authorization shall be limited to only those personnel who
2 require such access in order to carry out the provisions of this section
3 and such personnel shall have such access revoked upon a determination
4 by the officer that such access is no longer needed.

5 (v) All records maintained by the local educational agency containing
6 the information described in this paragraph shall be subject to audit
7 and inspection by the corporation and state and federal auditors.

8 (b) The list of students who have completed a FAFSA or NYS DREAM Act
9 application shall include the following information:

10 (i) the student's last name;

11 (ii) the student's first name and middle initial;

12 (iii) the student's zip code, but not full address;

13 (iv) the school's identification number for the national center for
14 education statistics as well as any other number that the department
15 uses to identify a school;

16 (v) if filed, the date that the FAFSA or NYS DREAM Act application was
17 submitted to the corporation; and

18 (vi) if submitted, the date that the FAFSA or NYS DREAM Act applica-
19 tion was accepted.

20 (c) The president shall publish online in a clear and accessible
21 manner an unfilled version of the data sharing agreement described in
22 this subdivision.

23 4. Waiver form. (a) The local educational agency shall ensure that
24 each high school senior who does not complete a FAFSA or NYS DREAM Act
25 application submits the waiver form described in this subdivision. Such
26 form shall be signed by both the senior and the senior's parent or legal
27 guardian, or, if the senior is eighteen years of age or older and legal-
28 ly emancipated or an unaccompanied youth, signed solely by the senior,
29 and shall certify that the senior understands what the FAFSA and NYS
30 DREAM Act application is but has chosen not to file. Such senior, or
31 senior's parents as applicable, shall not be required to state the
32 reason for the failure to file such FAFSA or NYS DREAM Act application.

33 (b) The commissioner shall create a uniform waiver form, available to
34 all local educational agencies covered in this section, and post such
35 form in a prominent and accessible location on the department's website.
36 Such form shall be made available in the twelve most common non-English
37 languages spoken by limited-English proficient individuals in the state,
38 based on the data in the most recent American Community Survey published
39 by the United States Census Bureau. The commissioner may, in their
40 discretion, offer such form in up to four additional languages beyond
41 the twelve most common languages. School districts shall be required to
42 use the waiver form described in this paragraph when complying with the
43 provisions of this section and shall not be permitted to create their
44 own versions of such form.

45 (c) If the local educational agency determines that a student is
46 unable to complete a requirement of this section in extreme circum-
47 stances where the student or parent is unreachable or uncooperative with
48 the provisions of this section, such agency shall complete and submit a
49 waiver form on the student's behalf.

50 5. Notice to students. (a) Local educational agencies shall give
51 notice of the requirement to complete a FAFSA, NYS DREAM Act applica-
52 tion, and/or waiver as provided in subdivision two of this section no
53 less than four times throughout the school year for high school seniors,
54 and no less than two times throughout the school year for high school
55 juniors. Included in such notice shall be an explanation of state-spon-
56 sored scholarships and financial aid opportunities.

(b) Local educational agencies shall direct students to support services that may be available to assist students in completing the FAFSA and NYS DREAM Act application as necessary, including but not limited to programs operated by the corporation, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and legal resource organizations.

(c) Local educational agencies shall make every effort to ensure that unaccompanied youth are provided or connected with resources needed to complete a FAFSA or NYS DREAM Act application as appropriate.

6. Data reporting. (a) The corporation shall compile data on FAFSA and NYS DREAM Act application submission and acceptance rates for each local educational agency covered by this section and publish such data on its website for each month of the year. Reported data shall include the number of FAFSA and NYS DREAM Act applications submitted and accepted:

(i) both in total and disaggregated by school, county, and public school district; and

(ii) disaggregated by level of parental education, racial and/or ethnic identity of the student, income, age, gender, and student aid index, as available to the corporation and where possible;

(iii) however, the corporation may exclude NYS DREAM Act applicant disaggregated data if the applicants were so few that the anonymous information of the student could be inadvertently published.

(b) The corporation shall publish the data described in this subdivision in a clear and accessible manner on its website.

(c) The corporation shall create an online dashboard which tracks FAFSA and NYS DREAM Act application submission and acceptance rates for the current year. The corporation shall also publish a table which compares such rates to the rates of prior years beginning in the year following the effective date of this section.

7. No penalty. A student who does not fulfill the requirements of this section shall not be penalized or punished on such basis and this section shall not affect a student's ability to graduate.

§ 2. This act shall take effect on the first of July next succeeding one year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART D

Intentionally Omitted

PART E

Section 1. Paragraph d of subdivision 7 of section 2-d of the education law, as added by section 1 of subpart L of part AA of chapter 56 of the laws of 2014, is amended to read as follows:

d. Nothing in this section shall limit the department's administrative use of student data or teacher or principal data by a person acting exclusively in the person's capacity as an employee of an educational agency or of the state or any of its political subdivisions, any court or the federal government that is otherwise required by law. Nothing in this section shall limit the sharing of student data with the New York state higher education services corporation, the state university of New York, or the city university of New York for educational purposes in

accordance with a data protection agreement and pursuant to the provisions of the family educational rights and privacy act, 20 U.S.C. section 1232g.

§ 2. Section 655 of the education law is amended by adding a new subdivision 9-a to read as follows:

9-a. To provide to any state educational authority such assistance and data as the president deems necessary for purposes of financial aid program evaluation.

§ 3. This act shall take effect immediately.

PART F

Section 1. Section 16 of chapter 260 of the laws of 2011 amending the education law and the New York state urban development corporation act relating to establishing components of the NY-SUNY 2020 challenge grant program, as amended by section 4 of part DD of chapter 56 of the laws of 2021, is amended to read as follows:

§ 16. This act shall take effect July 1, 2011; provided [~~that sections one, two, three, four, five, six, eight, nine, ten, eleven, twelve and thirteen of this act shall expire 13 years after such effective date when upon such date the provisions of this act shall be deemed repealed, and provided further~~] that sections fourteen and fifteen of this act shall expire 5 years after such effective date when upon such date [~~the~~] such provisions [~~of this act~~] shall be deemed repealed.

§ 2. This act shall take effect immediately.

PART G

Section 1. Section 3 of part N of chapter 56 of the laws of 2020, amending the social services law relating to restructuring financing for residential school placements, as amended by section 1 of part V of chapter 56 of the laws of 2023, is amended to read as follows:

§ 3. This act shall take effect immediately and shall expire and be deemed repealed April 1, [~~2024~~] 2025; provided however that the amendments to subdivision 10 of section 153 of the social services law made by section one of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2024.

PART H

Section 1. Paragraphs (a), (b), (c) and (d) of subdivision 1 of section 131-o of the social services law, as amended by section 1 of part Z of chapter 56 of the laws of 2023, are amended to read as follows:

(a) in the case of each individual receiving family care, an amount equal to at least [~~\$175.00~~] \$181.00 for each month beginning on or after January first, two thousand [~~twenty-three~~] twenty-four.

(b) in the case of each individual receiving residential care, an amount equal to at least [~~\$202.00~~] \$208.00 for each month beginning on or after January first, two thousand [~~twenty-three~~] twenty-four.

(c) in the case of each individual receiving enhanced residential care, an amount equal to at least [~~\$241.00~~] \$249.00 for each month beginning on or after January first, two thousand [~~twenty-three~~] twenty-four.

(d) for the period commencing January first, two thousand ~~twenty-four~~ twenty-five, the monthly personal needs allowance shall be an amount equal to the sum of the amounts set forth in subparagraphs one and two of this paragraph:

(1) the amounts specified in paragraphs (a), (b) and (c) of this subdivision; and

(2) the amount in subparagraph one of this paragraph, multiplied by the percentage of any federal supplemental security income cost of living adjustment which becomes effective on or after January first, two thousand ~~twenty-four~~ twenty-five, but prior to June thirtieth, two thousand ~~twenty-four~~ twenty-five, rounded to the nearest whole dollar.

§ 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of section 209 of the social services law, as amended by section 2 of part Z of chapter 56 of the laws of 2023, are amended to read as follows:

(a) On and after January first, two thousand ~~twenty-three~~ twenty-four, for an eligible individual living alone, ~~[\$1,001.00]~~ \$1,030.00; and for an eligible couple living alone, ~~[\$1,475.00]~~ \$1,519.00.

(b) On and after January first, two thousand ~~twenty-three~~ twenty-four, for an eligible individual living with others with or without in-kind income, ~~[\$937.00]~~ \$966.00; and for an eligible couple living with others with or without in-kind income, ~~[\$1,417.00]~~ \$1,461.00.

(c) On and after January first, two thousand ~~twenty-three~~ twenty-four, (i) for an eligible individual receiving family care, ~~[\$1,180.48]~~ \$1,209.48 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving family care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, ~~[\$1,142.48]~~ \$1,171.48; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(d) On and after January first, two thousand ~~twenty-three~~ twenty-four, (i) for an eligible individual receiving residential care, ~~[\$1,349.00]~~ \$1,378.00 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving residential care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, ~~[\$1,319.00]~~ \$1,348.00; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(e) On and after January first, two thousand ~~twenty-three~~ twenty-four, (i) for an eligible individual receiving enhanced residential care, ~~[\$1,608.00]~~ \$1,637.00; and (ii) for an eligible couple receiving enhanced residential care, two times the amount set forth in subparagraph (i) of this paragraph.

(f) The amounts set forth in paragraphs (a) through (e) of this subdivision shall be increased to reflect any increases in federal supplemental security income benefits for individuals or couples which become effective on or after January first, two thousand ~~twenty-four~~ twenty-five but prior to June thirtieth, two thousand ~~twenty-four~~ twenty-five.

§ 3. This act shall take effect December 31, 2024.

1

PART I

2 Section 1. Clause (iv) of subparagraph 5 of paragraph (b) of subdivi-
3 sion 1 of section 413 of the family court act, as amended by chapter 567
4 of the laws of 1989, is amended to read as follows:

5 (iv) at the discretion of the court, the court may attribute or impute
6 income from[7] such other resources as may be available to the parent,
7 including, but not limited to:

8 (A) non-income producing assets,

9 (B) meals, lodging, memberships, automobiles or other perquisites that
10 are provided as part of compensation for employment to the extent that
11 such perquisites constitute expenditures for personal use, or which
12 expenditures directly or [~~indireely~~] indirectly confer personal economic
13 benefits,

14 (C) fringe benefits provided as part of compensation for employment,
15 and

16 (D) money, goods, or services provided by relatives and friends;

17 In determining the amount of income that may be attributed or imputed,
18 the court shall consider the specific circumstances of the parent, to
19 the extent known, including such factors as the parent's assets, resi-
20 dence, employment and earning history, job skills, educational attain-
21 ment, literacy, age, health, criminal record and other employment barri-
22 ers, record of seeking work, the local job market, the availability of
23 employers willing to hire the parent, prevailing earnings level in the
24 local community, and other relevant background factors such as the age,
25 number, needs, and care of the children covered by the child support
26 order. Attribution or imputation of income shall be accompanied by
27 specific written findings identifying the basis or bases for such deter-
28 mination utilizing factors required or permitted to be considered pursu-
29 ant to this clause;

30 § 2. Clause (iv) of subparagraph 5 of paragraph (b) of subdivision 1-b
31 of section 240 of the domestic relations law, as added by chapter 567 of
32 the laws of 1989, is amended to read as follows:

33 (iv) at the discretion of the court, the court may attribute or impute
34 income from[7] such other resources as may be available to the parent,
35 including, but not limited to:

36 (A) non-income producing assets,

37 (B) meals, lodging, memberships, automobiles or other perquisites that
38 are provided as part of compensation for employment to the extent that
39 such perquisites constitute expenditures for personal use, or which
40 expenditures directly or [~~indireely~~] indirectly confer personal economic
41 benefits,

42 (C) fringe benefits provided as part of compensation for employment,
43 and

44 (D) money, goods, or services provided by relatives and friends;

45 In determining the amount of income that may be attributed or imputed,
46 the court shall consider the specific circumstances of the parent, to
47 the extent known, including such factors as the parent's assets, resi-
48 dence, employment and earning history, job skills, educational attain-
49 ment, literacy, age, health, criminal record and other employment barri-
50 ers, record of seeking work, the local job market, the availability of
51 employers willing to hire the parent, prevailing earnings level in the
52 local community, and other relevant background factors such as the age,
53 number, needs, and care of the children covered by the child support
54 order. Attribution or imputation of income shall be accompanied by
55 specific written findings identifying the basis or bases for such deter-

1 mination utilizing factors required or permitted to be considered pursu-
2 ant to this clause;

3 § 3. Paragraph (k) of subdivision 1 of section 413 of the family court
4 act, as amended by chapter 567 of the laws of 1989, is amended to read
5 as follows:

6 (k) When a party has defaulted and/or the court is otherwise presented
7 with insufficient evidence to determine gross income, [~~the court shall~~
8 ~~order child support based upon the needs or standard of living of the~~
9 ~~child, whichever is greater~~] the support obligation shall be based on
10 available information about the specific circumstances of the parent, in
11 accordance with clause (iv) of subparagraph five of paragraph (b) of
12 this subdivision. Such order may be retroactively modified upward, with-
13 out a showing of change in circumstances.

14 § 4. Paragraph (k) of subdivision 1-b of section 240 of the domestic
15 relations law, as added by chapter 567 of the laws of 1989, is amended
16 to read as follows:

17 (k) When a party has defaulted and/or the court is otherwise presented
18 with insufficient evidence to determine gross income, [~~the court shall~~
19 ~~order child support based upon the needs or standard of living of the~~
20 ~~child, whichever is greater~~] the support obligation shall be based on
21 available information about the specific circumstances of the parent, in
22 accordance with clause (iv) of subparagraph five of paragraph (b) of
23 this subdivision. Such order may be retroactively modified upward, with-
24 out a showing of change in circumstances.

25 § 5. Clause (v) of subparagraph 5 of paragraph (b) of subdivision 1 of
26 section 413 of the family court act, as amended by chapter 313 of the
27 laws of 2019, is amended to read as follows:

28 (v) an amount imputed as income based upon the parent's former
29 resources or income, if the court determines that a parent has reduced
30 resources or income in order to reduce or avoid the parent's obligation
31 for child support; provided that incarceration shall not be considered
32 voluntary unemployment[, ~~unless such incarceration is the result of~~
33 ~~non-payment of a child support order, or an offense against the custo-~~
34 ~~dial parent or child who is the subject of the order or judgment~~];

35 § 6. Clause (v) of subparagraph 5 of paragraph (b) of subdivision 1-b
36 of section 240 of the domestic relations law, as amended by chapter 313
37 of the laws of 2019, is amended to read as follows:

38 (v) an amount imputed as income based upon the parent's former
39 resources or income, if the court determines that a parent has reduced
40 resources or income in order to reduce or avoid the parent's obligation
41 for child support; provided that incarceration shall not be considered
42 voluntary unemployment[, ~~unless such incarceration is the result of~~
43 ~~non-payment of a child support order, or an offense against the custo-~~
44 ~~dial parent or child who is the subject of the order or judgment~~];

45 § 7. Paragraph (a) of subdivision 3 of section 451 of the family court
46 act, as amended by chapter 313 of the laws of 2019, is amended to read
47 as follows:

48 (a) The court may modify an order of child support, including an order
49 incorporating without merging an agreement or stipulation of the
50 parties, upon a showing of a substantial change in circumstances.
51 Incarceration shall not be considered voluntary unemployment and shall
52 not be a bar to finding a substantial change in circumstances [~~provided~~
53 ~~such incarceration is not the result of non-payment of a child support~~
54 ~~order, or an offense against the custodial parent or child who is the~~
55 ~~subject of the order or judgment~~].

§ 8. Clause (i) of subparagraph 2 of paragraph b of subdivision 9 of part B of section 236 of the domestic relations law, as amended by chapter 313 of the laws of 2019, is amended to read as follows:

(i) The court may modify an order of child support, including an order incorporating without merging an agreement or stipulation of the parties, upon a showing of a substantial change in circumstances. Incarceration shall not be considered voluntary unemployment and shall not be a bar to finding a substantial change in circumstances [~~provided such incarceration is not the result of non-payment of a child support order, or an offense against the custodial parent or child who is the subject of the order or judgment~~].

§ 9. This act shall take effect immediately, and shall apply to any action or proceeding pending upon or commenced on or after such effective date.

PART J

Section 1. Subdivision 1 of section 206-c of the labor law, as amended by chapter 672 of the laws of 2022, is amended to read as follows:

1. An employer shall provide [~~reasonable unpaid~~] paid break time [~~or~~] for thirty minutes, and permit an employee to use existing paid break time or meal time for time in excess of thirty minutes, to allow an employee to express breast milk for [~~her~~] such employee's nursing child each time such employee has reasonable need to express breast milk for up to three years following child birth. No employer shall discriminate in any way against an employee who chooses to express breast milk in the work place.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

PART K

Intentionally Omitted

PART L

Section 1. Subdivision 3 of section 218 of the labor law, as amended by chapter 2 of the laws of 2015, is amended to read as follows:

3. (a) Provided that no proceeding for administrative or judicial review as provided in this chapter shall then be pending and the time for initiation of such proceeding shall have expired, the commissioner may file with the county clerk of the county where the employer resides or has a place of business the order of the commissioner, or the decision of the industrial board of appeals containing the amount found to be due including the civil penalty, if any, and at the commissioner's discretion, an additional fifteen percent damages upon any outstanding monies owed. [~~At~~] Notwithstanding any provision to the contrary, in execution of any order or decision filed by the commissioner pursuant to this section, the commissioner shall have all the powers conferred upon sheriffs by article twenty-five of the civil practice law and rules, but they shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. Additionally, at the request of an employee, the commissioner shall assign, without consideration or liability, that portion of the filed order that constitutes wages, wage supplements, interest on wages or wage supplements, or

1 liquidated damages due that employee, to that employee and may file an
2 assignment or order in that amount in the name of that employee with the
3 county clerk of the county where the employer resides or has a place of
4 business. The filing of such assignment, order or decision shall have
5 the full force and effect of a judgment duly docketed in the office of
6 such clerk. The assignment~~[, order or decision]~~ may be enforced ~~[by and~~
7 ~~in the name of the commissioner, or]~~ by the employee~~[,]~~ in the same
8 manner, and with like effect, as that prescribed by the civil practice
9 law and rules for the enforcement of a money judgment.

10 (b) In addition and as an alternative to any other remedy provided by
11 this section and provided that no proceeding for administrative or judi-
12 cial review as provided in this chapter shall then be pending and the
13 time for initiation of such proceeding shall have expired, the commis-
14 sioner may issue a warrant under their official seal, directed to the
15 sheriff of any county, commanding them to levy upon and sell the real
16 and personal property which may be found within their county of an
17 employer who has defaulted in the payment of any sum determined to be
18 due from such employer for the payment of such sum together with inter-
19 est, penalties, and the cost of executing the warrant, and to return
20 such warrant to the commissioner and to pay into the fund the money
21 collected by virtue thereof within sixty days after the receipt of such
22 warrant. The sheriff shall, within five days after the receipt of the
23 warrant, file with the clerk of the county a copy thereof, and thereupon
24 such clerk shall enter in the judgment docket the name of the employer
25 mentioned in the warrant and the amount of the contribution, interest,
26 and penalties for which the warrant is issued and the date when such
27 copy is filed. Thereupon the amount of such warrant so docketed shall
28 become a lien upon the title to and interest in real property and chat-
29 tels of the employer against whom the warrant is issued in the same
30 manner as a judgment duly docketed in the office of such clerk. The
31 sheriff shall then proceed upon the warrant in the same manner, and with
32 like effect, as that provided by law in respect to executions issued
33 against property upon judgments of a court of record, and for their
34 services in executing the warrant they shall be entitled to the same
35 fees, which they may collect in the same manner.

36 (c) In the discretion of the commissioner, a warrant of like terms,
37 force, and effect may be issued and directed to any officer or employee
38 of the department of labor who may file a copy of such warrant with the
39 clerk of any county in the state, and thereupon each such clerk shall
40 docket it and it shall become a lien in the same manner and with the
41 same force and effect as hereinbefore provided with respect to a warrant
42 issued and directed to and filed by a sheriff; and in the execution
43 thereof such officer or employee shall have all the powers conferred by
44 law upon sheriffs, but they shall be entitled to no fee or compensation
45 in excess of the actual expenses paid in the performance of such duty.
46 If a warrant is returned not satisfied in full, the commissioner shall
47 have the same remedies to enforce the amount thereof as if the commis-
48 sioner had recovered judgment for the same.

49 § 2. Subdivision 3 of section 219 of the labor law, as amended by
50 chapter 2 of the laws of 2015, is amended to read as follows:

51 3. (a) Provided that no proceeding for administrative or judicial
52 review as provided in this chapter shall then be pending and the time
53 for initiation of such proceeding shall have expired, the commissioner
54 may file with the county clerk of the county where the employer resides
55 or has a place of business the order of the commissioner or the decision
56 of the industrial board of appeals containing the amount found to be

1 due, including, at the commissioner's discretion, an additional fifteen
2 percent damages upon any outstanding monies owed. [~~At~~] Notwithstanding
3 any provision to the contrary, in execution of any order or decision
4 filed by the commissioner pursuant to this section, the commissioner
5 shall have all the powers conferred upon sheriffs by article twenty-five
6 of the civil practice law and rules, but they shall be entitled to no
7 fee or compensation in excess of the actual expenses paid in the
8 performance of such duty. Additionally, at the request of an employee,
9 the commissioner shall assign, without consideration or liability, that
10 portion of the filed order that constitutes wages, wage supplements,
11 interest on wages or wage supplements, or liquidated damages due the
12 employee, to that employee and may file an assignment or order in that
13 amount in the name of such employee with the county clerk of the county
14 where the employer resides or has a place of business. The filing of
15 such assignment, order or decision shall have the full force and effect
16 of a judgment duly docketed in the office of such clerk. The assign-
17 ment[~~, order or decision~~] may be enforced [~~by and in the name of the~~
18 ~~commissioner, or~~] by the employee[~~r~~] in the same manner, and with like
19 effect, as that prescribed by the civil practice law and rules for the
20 enforcement of a money judgment.

21 (b) In addition and as an alternative to any other remedy provided by
22 this section and provided that no proceeding for administrative or judi-
23 cial review as provided in this chapter shall then be pending and the
24 time for initiation of such proceeding shall have expired, the commis-
25 sioner may issue a warrant under their official seal, directed to the
26 sheriff of any county, commanding them to levy upon and sell the real
27 and personal property which may be found within their county of an
28 employer who has defaulted in the payment of any sum determined to be
29 due from such employer for the payment of such sum together with inter-
30 est, penalties, and the cost of executing the warrant, and to return
31 such warrant to the commissioner and to pay into the fund the money
32 collected by virtue thereof within sixty days after the receipt of such
33 warrant. The sheriff shall, within five days after the receipt of the
34 warrant, file with the clerk of the county a copy thereof, and thereupon
35 such clerk shall enter in the judgment docket the name of the employer
36 mentioned in the warrant and the amount of the contribution, interest,
37 and penalties for which the warrant is issued and the date when such
38 copy is filed. Thereupon the amount of such warrant so docketed shall
39 become a lien upon the title to and interest in real property and chat-
40 tels real of the employer against whom the warrant is issued in the same
41 manner as a judgment duly docketed in the office of such clerk. The
42 sheriff shall then proceed upon the warrant in the same manner, and with
43 like effect, as that provided by law in respect to executions issued
44 against property upon judgments of a court of record, and for their
45 services in executing the warrant they shall be entitled to the same
46 fees, which they may collect in the same manner.

47 (c) In the discretion of the commissioner, a warrant of like terms,
48 force, and effect may be issued and directed to any officer or employee
49 of the department of labor who may file a copy of such warrant with the
50 clerk of any county in the state, and thereupon each such clerk shall
51 docket it and it shall become a lien in the same manner and with the
52 same force and effect as hereinbefore provided with respect to a warrant
53 issued and directed to and filed by a sheriff; and in the execution
54 thereof such officer or employee shall have all the powers conferred by
55 law upon sheriffs, but they shall be entitled to no fee or compensation
56 in excess of the actual expenses paid in the performance of such duty.

1 If a warrant is returned not satisfied in full, the commissioner shall
2 have the same remedies to enforce the amount thereof as if the commis-
3 sioner had recovered judgment for the same.

4 § 3. Subdivision 5 of section 6201 of the civil practice law and
5 rules, as amended by chapter 860 of the laws of 1977 and as renumbered
6 by chapter 618 of the laws of 1992, is amended and a new subdivision 6
7 is added to read as follows:

8 5. the cause of action is based on a judgment, decree or order of a
9 court of the United States or of any other court which is entitled to
10 full faith and credit in this state, or on a judgment which qualifies
11 for recognition under the provisions of article 53[+] of this chapter;
12 or

13 6. the cause of action is based on wage claims. "Wage claims," when
14 used in this chapter, shall include any claims of violations of articles
15 five, six, and nineteen of the labor law, section two hundred fifteen of
16 the labor law, and the related regulations or wage orders promulgated by
17 the commissioner of labor, including but not limited to any claims of
18 unpaid, minimum, overtime, and spread-of-hours pay, unlawfully retained
19 gratuities, unlawful deductions from wages, unpaid commissions, unpaid
20 benefits and wage supplements, and retaliation, and any claims pursuant
21 to 18 U.S.C. § 1595, 29 U.S.C. § 201 et seq., and/or employment contract
22 as well as the concomitant liquidated damages and penalties authorized
23 pursuant to the labor law, the Fair Labor Standards Act, or any employ-
24 ment contract.

25 § 4. Section 6210 of the civil practice law and rules, as added by
26 chapter 860 of the laws of 1977, is amended to read as follows:

27 § 6210. Order of attachment on notice; temporary restraining order;
28 contents. Upon a motion on notice for an order of attachment, the court
29 may, without notice to the defendant, grant a temporary restraining
30 order prohibiting the transfer of assets by a garnishee as provided in
31 subdivision (b) of section 6214. When attachment is sought pursuant to
32 subdivision six of section 6201, and if the employer contests the
33 motion, the court shall hold a hearing within ten days of when the
34 employer's response to plaintiffs' motion for attachment is due. The
35 contents of the order of attachment granted pursuant to this section
36 shall be as provided in subdivision (a) of section 6211.

37 § 5. Subdivision (b) of section 6211 of the civil practice law and
38 rules, as amended by chapter 566 of the laws of 1985, is amended to read
39 as follows:

40 (b) Confirmation of order. Except where an order of attachment is
41 granted on the ground specified in subdivision one or six of section
42 6201, an order of attachment granted without notice shall provide that
43 within a period not to exceed five days after levy, the plaintiff shall
44 move, on such notice as the court shall direct to the defendant, the
45 garnishee, if any, and the sheriff, for an order confirming the order of
46 attachment. Where an order of attachment without notice is granted on
47 the ground specified in subdivision one or six of section 6201, the
48 court shall direct that the statement required by section 6219 be served
49 within five days, that a copy thereof be served upon the plaintiff, and
50 the plaintiff shall move within ten days after levy for an order
51 confirming the order of attachment. If the plaintiff upon such motion
52 shall show that the statement has not been served and that the plaintiff
53 will be unable to satisfy the requirement of subdivision (b) of section
54 6223 until the statement has been served, the court may grant one exten-
55 sion of the time to move for confirmation for a period not to exceed ten
56 days. If plaintiff fails to make such motion within the required period,

1 the order of attachment and any levy thereunder shall have no further
2 effect and shall be vacated upon motion. Upon the motion to confirm, the
3 provisions of subdivision (b) of section 6223 shall apply. An order of
4 attachment granted without notice may provide that the sheriff refrain
5 from taking any property levied upon into [~~his~~] the actual custody of
6 such sheriff, pending further order of the court.

7 § 6. Subdivisions (b) and (e) of rule 6212 of the civil practice law
8 and rules, subdivision (b) as separately amended by chapters 15 and 860
9 of the laws of 1977 and subdivision (e) as added by chapter 860 of the
10 laws of 1977, are amended to read as follows:

11 (b) Undertaking. [~~On~~] 1. Except where an order of attachment is sought
12 on the ground specified in subdivision six of section 6201, on a motion
13 for an order of attachment, the plaintiff shall give an undertaking, in
14 a total amount fixed by the court, but not less than five hundred
15 dollars, a specified part thereof conditioned that the plaintiff shall
16 pay to the defendant all costs and damages, including reasonable attor-
17 ney's fees, which may be sustained by reason of the attachment if the
18 defendant recovers judgment or if it is finally decided that the plain-
19 tiff was not entitled to an attachment of the defendant's property, and
20 the balance conditioned that the plaintiff shall pay to the sheriff all
21 of [~~his~~] their allowable fees.

22 2. On a motion for an attachment pursuant to subdivision six of
23 section 6201, the court shall order that the plaintiff give an accessi-
24 ble undertaking of no more than five hundred dollars, or in the alterna-
25 tive, may waive the undertaking altogether. The attorney for the plain-
26 tiff shall not be liable to the sheriff for such fees. The surety on the
27 undertaking shall not be discharged except upon notice to the sheriff.

28 (e) Damages. [~~The~~] Except where an order of attachment is sought on
29 the ground specified in subdivision six of section 6201, the plaintiff
30 shall be liable to the defendant for all costs and damages, including
31 reasonable attorney's fees, which may be sustained by reason of the
32 attachment if the defendant recovers judgment, or if it is finally
33 decided that the plaintiff was not entitled to an attachment of the
34 defendant's property. Plaintiff's liability shall not be limited by the
35 amount of the undertaking.

36 § 7. Paragraph (b) of section 624 of the business corporation law, as
37 amended by chapter 449 of the laws of 1997, is amended to read as
38 follows:

39 (b) Any person who shall have been a shareholder of record of a corpo-
40 ration, or who is or shall have been a laborer, servant or employee,
41 upon at least five days' written demand shall have the right to examine
42 in person or by agent or attorney, during usual business hours, its
43 minutes of the proceedings of its shareholders and record of sharehold-
44 ers and to make extracts therefrom for any purpose reasonably related to
45 such person's interest as a shareholder, laborer, servant or employee,
46 provided the purpose reasonably related to a person's interest as a
47 laborer, servant or employee shall be to obtain the names, addresses,
48 and value of shareholders' interests in the corporation. Holders of
49 voting trust certificates representing shares of the corporation shall
50 be regarded as shareholders for the purpose of this section. Any such
51 agent or attorney shall be authorized in a writing that satisfies the
52 requirements of a writing under paragraph (b) of section 609 (Proxies).
53 A corporation requested to provide information pursuant to this para-
54 graph shall make available such information in written form and in any
55 other format in which such information is maintained by the corporation
56 and shall not be required to provide such information in any other

1 format. If a request made pursuant to this paragraph includes a request
2 to furnish information regarding beneficial owners, the corporation
3 shall make available such information in its possession regarding bene-
4 ficial owners as is provided to the corporation by a registered broker
5 or dealer or a bank, association or other entity that exercises fiduci-
6 ary powers in connection with the forwarding of information to such
7 owners. The corporation shall not be required to obtain information
8 about beneficial owners not in its possession.

9 § 8. Section 630 of the business corporation law, paragraph (a) as
10 amended by chapter 5 of the laws of 2016, paragraph (c) as amended by
11 chapter 746 of the laws of 1963, is amended to read as follows:

12 § 630. Liability of shareholders for wages due to laborers, servants or
13 employees.

14 (a) The ten largest shareholders, as determined by the fair value of
15 their beneficial interest as of the beginning of the period during which
16 the unpaid services referred to in this section are performed, of every
17 domestic corporation or of any foreign corporation, when the unpaid
18 services were performed in the state, no shares of which are listed on a
19 national securities exchange or regularly quoted in an over-the-counter
20 market by one or more members of a national or an affiliated securities
21 association, shall jointly and severally be personally liable for all
22 debts, wages or salaries due and owing to any of its laborers, servants
23 or employees other than contractors, for services performed by them for
24 such corporation. ~~[Before such laborer, servant or employee shall charge~~
25 ~~such shareholder for such services, he shall give notice in writing to~~
26 ~~such shareholder that he intends to hold him liable under this section.~~
27 ~~Such notice shall be given within one hundred and eighty days after~~
28 ~~termination of such services, except that if, within such period, the~~
29 ~~laborer, servant or employee demands an examination of the record of~~
30 ~~shareholders under paragraph (b) of section 624 (Books and records,~~
31 ~~right of inspection, prima facie evidence) of this article, such notice~~
32 ~~may be given within sixty days after he has been given the opportunity~~
33 ~~to examine the record of shareholders. An action to enforce such liabil-~~
34 ~~ity shall be commenced within ninety days after the return of an~~
35 ~~execution unsatisfied against the corporation upon a judgment recovered~~
36 ~~against it for such services.]~~ The provisions of this paragraph shall
37 not apply to an investment company registered as such under an act of
38 congress entitled "Investment Company Act of 1940."

39 (b) For the purposes of this section, wages or salaries shall mean all
40 compensation and benefits payable by an employer to or for the account
41 of the employee for personal services rendered by such employee includ-
42 ing any concomitant liquidated damages, penalties, interest, attorney's
43 fees or costs. These shall specifically include but not be limited to
44 salaries, overtime, vacation, holiday and severance pay; employer
45 contributions to or payments of insurance or welfare benefits; employer
46 contributions to pension or annuity funds; and any other moneys properly
47 due or payable for services rendered by such employee.

48 (c) A shareholder who has paid more than ~~[his]~~ their pro rata share
49 under this section shall be entitled to contribution pro rata from the
50 other shareholders liable under this section with respect to the excess
51 so paid, over and above ~~[his]~~ such shareholder's pro rata share, and may
52 sue them jointly or severally or any number of them to recover the
53 amount due from them. Such recovery may be had in a separate action. As
54 used in this paragraph, "pro rata" means in proportion to beneficial
55 share interest. Before a shareholder may claim contribution from other
56 shareholders under this paragraph, ~~[he]~~ such shareholder shall~~[, unless~~

~~they have been given notice by a laborer, servant or employee under paragraph (a),~~ give them notice in writing that ~~[he]~~ such shareholder intends to hold them so liable to ~~[him]~~ such shareholder. Such notice shall be given by ~~[him]~~ such shareholder within twenty days after the date that ~~[notice was given to him by]~~ the shareholder became aware that a laborer, servant or employee may seek to hold such shareholder liable under paragraph (a).

§ 9. Subdivision (c) of section 609 of the limited liability company law, as amended by chapter 620 of the laws of 2019, is amended to read as follows:

(c) Notwithstanding the provisions of subdivisions (a) and (b) of this section, the ten members with the largest percentage ownership interest, as determined as of the beginning of the period during which the unpaid services referred to in this section are performed, of every domestic limited liability company, or of any foreign limited liability company, when the unpaid services were performed in the state, shall jointly and severally be personally liable for all debts, wages or salaries due and owing to any of its laborers, servants or employees, for services performed by them for such limited liability company. ~~[Before such laborer, servant or employee shall charge such member for such services, he or she shall give notice in writing to such member that he or she intends to hold such member liable under this section. Such notice shall be given within one hundred eighty days after termination of such services. An action to enforce such liability shall be commenced within ninety days after the return of an execution unsatisfied against the limited liability company upon a judgment recovered against it for such services.]~~ A member who has paid more than ~~[his or her]~~ their pro rata share under this section shall be entitled to contribution pro rata from the other members liable under this section with respect to the excess so paid, over and above ~~[his or her]~~ such member's pro rata share, and may sue them jointly or severally or any number of them to recover the amount due from them. Such recovery may be had in a separate action. As used in this subdivision, "pro rata" means in proportion to percentage ownership interest. Before a member may claim contribution from other members under this section, ~~[he or she]~~ such member shall give them notice in writing that ~~[he or she]~~ such member intends to hold them so liable to ~~[him or her]~~ such member.

§ 10. Section 1102 of the limited liability company law is amended by adding a new subdivision (e) to read as follows:

(e) Any person who is or shall have been a laborer, servant or employee of a limited liability company, upon at least five days' written demand shall have the right to examine in person or by agent or attorney, during usual business hours, records described in paragraph two of subdivision (a) of this section throughout the period of time during which such laborer, servant or employee provided services to such company. A company requested to provide information pursuant to this subdivision shall make available such records in written form and in any other format in which such information is maintained by the company and shall not be required to provide such information in any other format. Upon refusal by the company or by an officer or agent of the company to permit an inspection of the records described in this subdivision, the person making the demand for inspection may apply to the supreme court in the judicial district where the office of the company is located, upon such notice as the court may direct, for an order directing the company, its members or managers to show cause why an order should not be granted permitting such inspection by the applicant. Upon the return

1 day of the order to show cause, the court shall hear the parties summar-
2 ily, by affidavit or otherwise, and if it appears that the applicant is
3 qualified and entitled to such inspection, the court shall grant an
4 order compelling such inspection and awarding such further relief as to
5 the court may seem just and proper. If the applicant is found to be
6 qualified and entitled to such inspection, the company shall pay all
7 reasonable attorney's fees and costs of said applicant related to the
8 demand for inspection of the records.

9 § 11. Subdivision 5 of section 218 of the labor law, as added by chap-
10 ter 537 of the laws of 2014, is amended to read as follows:

11 5. An employer similar in operation and ownership to a prior employer
12 which had been found in violation of article six, nineteen or nineteen-A
13 of this chapter, shall be deemed the same employer for the purposes of
14 this section and articles six, nineteen, and nineteen-A of this chapter
15 if the employees of the new employer are engaged in substantially the
16 same work in substantially the same working conditions under substan-
17 tially the same supervisors, or if the subsequent employer has substan-
18 tially the same production process, produces substantially the same
19 products and has substantially the same body of customers. Such subse-
20 quent employer shall continue to be subject to this section and liable
21 for the acts of the prior employer under this section.

22 § 12. Subdivision 4 of section 219 of the labor law, as added by chap-
23 ter 537 of the laws of 2014, is amended to read as follows:

24 4. An employer similar in operation and ownership to a prior employer
25 found to be in violation of article six, nineteen or nineteen-A of this
26 chapter, shall be deemed the same employer for the purposes of this
27 section and articles six, nineteen, nineteen-A of this chapter if the
28 employees of the subsequent employer are engaged in substantially the
29 same work in substantially the same working conditions under substan-
30 tially the same supervisors, or if the new entity has substantially the
31 same production process, produces substantially the same products and
32 has substantially the same body of customers. Such a subsequent employer
33 will continue to be subject to this section and shall be liable for the
34 acts of the prior employer under this section.

35 § 13. The state finance law is amended by adding a new section 99-rr
36 to read as follows:

37 § 99-rr. New York state worker protection and labor law enforcement
38 fund. 1. There is hereby established in the joint custody of the state
39 comptroller and the commissioner of taxation and finance a special fund
40 to be known as the New York state worker protection and labor law
41 enforcement fund.

42 2. Such fund shall consist of all monetary damages and penalties
43 recovered by the department of labor for employer violations, unless
44 otherwise designated, of articles two, five, six, eight, nine, nineteen,
45 nineteen-B, twenty-C, twenty-five-A, twenty-five-B, and twenty-five-C of
46 the labor law or with any regulations related thereto and all other
47 moneys appropriated thereto from any other fund or source pursuant to
48 law; provided, however that no monies due and owing to any other party
49 shall be dedicated to the fund. Nothing contained in this section shall
50 prevent the state from receiving grants, gifts or bequests for the
51 purposes of the fund as defined in this section and depositing them into
52 the fund according to law.

53 3. The monies in the fund, after appropriation by the legislature,
54 shall be available to the commissioner of labor for the sole purpose of
55 supplementing the department's labor law enforcement duties; provided,
56 however, that such funding shall be appropriated in addition to any

other monies appropriated to the department for the state fiscal year in effect on the effective date of this section.

4. On or before January first of each year, the department of labor shall provide a written report detailing how the monies of the fund were utilized during the preceding fiscal year. Such report shall be provided to the temporary president of the senate, the speaker of the assembly, the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the senate committee on labor, the chair of the assembly labor committee, and the state comptroller. Such report shall be posted on the department's website and shall include:

(a) the number of enforcement proceedings initiated for employer violations of articles two, five, six, eight, nine, nineteen, nineteen-B, twenty-C, twenty-five-A, twenty-five-B, and twenty-five-C of the labor law or any regulations related thereto, the name of the entity against which such proceeding was initiated and the amount collected for each such proceeding, if any;

(b) the amount of money available and dispersed from the fund over the previous twelve months;

(c) a description on how such monies were used, including the number of enforcement personnel hired or supported by such monies; and

(d) a summary financial plan for such monies which shall include estimates of all receipts and all disbursements for the next fiscal year.

§ 14. This act shall take effect immediately; provided, however, that sections three through twelve of this act shall take effect on the thirtieth day after it shall have become a law; and provided further, however, that section thirteen of this act shall take effect April 1, 2024. The procedures and rights created in this act may be used by employees, laborers or servants in connection with claims for liabilities that arose prior to the effective date of this act.

PART M

Section 1. Subdivisions 1, 3, 4, 5, 6, 8, 9, 10 and 14 of section 1 of chapter 25 of the laws of 2020, relating to providing requirements for sick leave and the provision of certain employee benefits when such employee is subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19, are amended to read as follows:

1.(a) For employers with ten or fewer employees ~~[as of January 1, 2020]~~ working in a facility licensed pursuant to article 28 of the public health law, each employee who is subject to a mandatory or precautionary order of quarantine or isolation issued by the state of New York, the department of health, local board of health, or any governmental entity duly authorized to issue such order due to COVID-19, shall be provided with unpaid sick leave until the termination of any mandatory or precautionary order of quarantine or isolation due to COVID-19 and any other benefit as provided by any other provision of law. During the period of mandatory or precautionary quarantine or isolation, an employee shall be eligible for paid family leave benefits and benefits due pursuant to disability pursuant to this act. An employer with ten or fewer employees ~~[as of January 1, 2020]~~ working in a facility licensed pursuant to article 28 of the public health law, and that has a net income of greater than one million dollars in the previous tax year, shall provide each employee who is subject to a precautionary or mandatory order of quarantine or isolation issued by the state of New York, the department of health, local board of health, or

1 any governmental entity duly authorized to issue such order due to
2 COVID-19, at least five days of paid sick leave and unpaid leave until
3 the termination of any mandatory or precautionary order of quarantine or
4 isolation. After such five days of paid sick leave, an employee shall
5 be eligible for paid family leave benefits and benefits due pursuant to
6 disability pursuant to this act.

7 (b) For employers with between eleven and ninety-nine employees [~~as of~~
8 ~~January 1, 2020~~] working in a facility licensed pursuant to article 28
9 of the public health law, each employee who is subject to a mandatory or
10 precautionary order of quarantine or isolation issued by the state of
11 New York, the department of health, local board of health, or any
12 governmental entity duly authorized to issue such order due to COVID-19,
13 shall be provided with at least five days of paid sick leave and unpaid
14 leave until the termination of any mandatory or precautionary order of
15 quarantine or isolation. After such five days of paid sick leave, an
16 employee shall be eligible for paid family leave benefits and benefits
17 due pursuant to disability pursuant to this act.

18 (c) For employers with one hundred or more employees [~~as of January 1,~~
19 ~~2020~~] working in a facility licensed pursuant to article 28 of the
20 public health law, each employee who is subject to a mandatory or
21 precautionary order of quarantine or isolation issued by the state of
22 New York, the department of health, local board of health, or any
23 governmental entity duly authorized to issue such order due to COVID-19,
24 shall be provided with at least fourteen days of paid sick leave during
25 any mandatory or precautionary order of quarantine or isolation.

26 (d) For public employers, each officer or employee working in a facil-
27 ity licensed pursuant to article 28 of the public health law who is
28 subject to a mandatory or precautionary order of quarantine or isolation
29 issued by the state of New York, the department of health, local board
30 of health, or any governmental entity duly authorized to issue such
31 order due to COVID-19 shall be provided with at least fourteen days of
32 paid sick leave during any mandatory or precautionary order of quaran-
33 tine or isolation. Each officer or employee shall be compensated at his
34 or her regular rate of pay for those regular work hours during which the
35 officer or employee is absent from work due to a mandatory or precau-
36 tionary order of quarantine or isolation due to COVID-19. For purposes
37 of this act, "public employer" shall mean [~~the following: (i) the~~
38 ~~state, (ii) a county, city, town or village, (iii) a school district,~~
39 ~~board of cooperative educational services, vocational education and~~
40 ~~extension board or a school district as enumerated in section 1 of~~
41 ~~chapter 566 of the laws of 1967, as amended, (iv) any governmental~~
42 ~~entity operating a college or university, (v) a public improvement or~~
43 ~~special district including police or fire districts, (vi) a public~~
44 ~~authority, commission or public benefit corporation, or (vii) any other~~
45 ~~public corporation, agency, instrumentality or unit of government which~~
46 ~~exercises governmental power under the laws of this state~~] any public
47 facility or entity licensed under article 28 of the public health law.

48 (e) Such leave shall be provided without loss of an officer or employ-
49 ee's accrued sick leave.

50 3. Upon return to work following leave taken pursuant to this act, an
51 employee working in a facility licensed pursuant to article 28 of the
52 public health law shall be restored by his or her employer to the posi-
53 tion of employment held by the employee prior to any leave taken pursu-
54 ant to this act with the same pay and other terms and conditions of
55 employment. No employer or his or her agent, or the officer or agent of
56 any corporation, partnership, or limited liability company, or any other

1 person, shall discharge, threaten, penalize, or in any other manner
2 discriminate or retaliate against any employee because such employee has
3 taken leave pursuant to this act.

4 4. An employee working in a facility licensed pursuant to article 28
5 of the public health law shall not receive paid sick leave benefits or
6 any other paid benefits provided by any provisions of this section if
7 the employee is subject to a mandatory or precautionary order of quaran-
8 tine because the employee has returned to the United States after trav-
9 eling to a country for which the Centers for Disease Control and
10 Prevention has a level two or three travel health notice and the travel
11 to that country was not taken as part of the employee's employment or at
12 the direction of the employee's employer, and if the employee was
13 provided notice of the travel health notice and the limitations of this
14 subdivision prior to such travel. Such employee shall be eligible to
15 use accrued leave provided by the employer, or to the extent that such
16 employee does not have accrued leave or sufficient accrued leave, unpaid
17 sick leave shall be provided for the duration of the mandatory or
18 precautionary quarantine or isolation.

19 5. The commissioner of labor shall have authority to adopt regu-
20 lations, including emergency regulations, and issue guidance to effectuate
21 any of the provisions of this act. Employers governed under article
22 28 of the public health law shall comply with regulations promulgated by
23 the commissioner of labor for this purpose which may include, but is not
24 limited to, standards for the use, payment, and employee eligibility of
25 sick leave pursuant to this act.

26 6. Notwithstanding any other provision of law, and for purposes of
27 this act only, for purposes of article 9 of the workers' compensation
28 law, "disability" shall mean: any inability of an employee working in a
29 facility licensed pursuant to article 28 of the public health law to
30 perform the regular duties of his or her employment or the duties of any
31 other employment which his or her employer may offer him or her as a
32 result of a mandatory or precautionary order of quarantine or isolation
33 issued by the state, the department of health, a local board of health,
34 or any government entity duly authorized to issue such order due to
35 COVID-19 and when the employee has exhausted all paid sick leave
36 provided by the employee's employer under this act.

37 8. Notwithstanding any other provision of law, and for purposes of
38 this act only, for purposes of article 9 of the workers' compensation
39 law, "family leave" shall mean: (a) any leave taken by an employee work-
40 ing in a facility licensed pursuant to article 28 of the public health
41 law from work when an employee is subject to a mandatory or precaution-
42 ary order of quarantine or isolation issued by the state, the department
43 of health, a local board of health, or any government entity duly
44 authorized to issue such order due to COVID-19; or (b) to provide care
45 for a minor dependent child of the employee who is subject to a mandato-
46 ry or precautionary order of quarantine or isolation issued by the
47 state, the department of health, a local board of health, or any govern-
48 ment entity duly authorized to issue such order due to COVID-19.

49 9. Notwithstanding any other provision of law, and for purposes of
50 this act only, for purposes of article 9 of the workers' compensation
51 law, disability and family leave benefits pursuant to this act may be
52 payable concurrently to an eligible employee working in a facility
53 licensed pursuant to article 28 of the public health law upon the first
54 full day of an unpaid period of mandatory or precautionary order of
55 quarantine or isolation issued by the state of New York, the department
56 of health, a local board of health, or any government entity duly

1 authorized to issue such order due to COVID-19, provided however, an
2 employee may not collect any benefits that would exceed \$840.70 in paid
3 family leave and \$2,043.92 in benefits due pursuant to disability per
4 week.

5 10. Notwithstanding any other provision of law, and for purposes of
6 this act only, for purposes of article 9 of the workers' compensation
7 law, the maximum weekly benefit which the employee working in a facility
8 licensed pursuant to article 28 of the public health law is entitled to
9 receive for benefits due pursuant to disability pursuant to subdivision
10 six of this section only shall be the difference between the maximum
11 weekly family leave benefit and such employee's total average weekly
12 wage from each covered employer up to a maximum benefit due pursuant to
13 disability of \$2,043.92 per week.

14 14. Nothing in this section shall be deemed to impede, infringe,
15 diminish or impair the rights of a public employee or employer licensed
16 pursuant to article 28 of the public health law under any law, rule,
17 regulation or collectively negotiated agreement, or the rights and bene-
18 fits which accrue to employees through collective bargaining agreements,
19 or otherwise diminish the integrity of the existing collective bargain-
20 ing relationship, or to prohibit any personnel action which otherwise
21 would have been taken regardless of any request to use, or utilization
22 of, any leave provided by this act.

23 § 2. This act shall take effect July 31, 2024.

24 PART N

25 Section 1. Notwithstanding any other provision of law, the housing
26 trust fund corporation may provide, for purposes of the neighborhood
27 preservation program, a sum not to exceed \$17,750,000 for the fiscal
28 year ending March 31, 2025. Notwithstanding any other provision of law,
29 and subject to the approval of the New York state director of the budg-
30 et, the board of directors of the state of New York mortgage agency
31 shall authorize the transfer to the housing trust fund corporation, for
32 the purposes of reimbursing any costs associated with neighborhood pres-
33 ervation program contracts authorized by this section, a total sum not
34 to exceed \$17,750,000, such transfer to be made from (i) the special
35 account of the mortgage insurance fund created pursuant to section
36 2429-b of the public authorities law, in an amount not to exceed the
37 actual excess balance in the special account of the mortgage insurance
38 fund, as determined and certified by the state of New York mortgage
39 agency for the fiscal year 2023-2024 in accordance with section 2429-b
40 of the public authorities law, if any, and/or (ii) provided that the
41 reserves in the project pool insurance account of the mortgage insurance
42 fund created pursuant to section 2429-b of the public authorities law
43 are sufficient to attain and maintain the credit rating (as determined
44 by the state of New York mortgage agency) required to accomplish the
45 purposes of such account, the project pool insurance account of the
46 mortgage insurance fund, such transfer to be made as soon as practicable
47 but no later than June 30, 2024.

48 § 2. Notwithstanding any other provision of law, the housing trust
49 fund corporation may provide, for purposes of the rural preservation
50 program, a sum not to exceed \$7,750,000 for the fiscal year ending March
51 31, 2025. Notwithstanding any other provision of law, and subject to the
52 approval of the New York state director of the budget, the board of
53 directors of the state of New York mortgage agency shall authorize the
54 transfer to the housing trust fund corporation, for the purposes of

1 reimbursing any costs associated with rural preservation program
2 contracts authorized by this section, a total sum not to exceed
3 \$7,750,000, such transfer to be made from (i) the special account of the
4 mortgage insurance fund created pursuant to section 2429-b of the public
5 authorities law, in an amount not to exceed the actual excess balance in
6 the special account of the mortgage insurance fund, as determined and
7 certified by the state of New York mortgage agency for the fiscal year
8 2023-2024 in accordance with section 2429-b of the public authorities
9 law, if any, and/or (ii) provided that the reserves in the project pool
10 insurance account of the mortgage insurance fund created pursuant to
11 section 2429-b of the public authorities law are sufficient to attain
12 and maintain the credit rating (as determined by the state of New York
13 mortgage agency) required to accomplish the purposes of such account,
14 the project pool insurance account of the mortgage insurance fund, such
15 transfer to be made as soon as practicable but no later than June 30,
16 2024.

17 § 3. Notwithstanding any other provision of law, the housing trust
18 fund corporation may provide, for purposes of the rural rental assist-
19 ance program pursuant to article 17-A of the private housing finance
20 law, a sum not to exceed \$23,180,000 for the fiscal year ending March
21 31, 2025. Notwithstanding any other provision of law, and subject to
22 the approval of the New York state director of the budget, the board of
23 directors of the state of New York mortgage agency shall authorize the
24 transfer to the housing trust fund corporation, for the purposes of
25 reimbursing any costs associated with rural rental assistance program
26 contracts authorized by this section, a total sum not to exceed
27 \$23,180,000, such transfer to be made from (i) the special account of
28 the mortgage insurance fund created pursuant to section 2429-b of the
29 public authorities law, in an amount not to exceed the actual excess
30 balance in the special account of the mortgage insurance fund, as deter-
31 mined and certified by the state of New York mortgage agency for the
32 fiscal year 2023-2024 in accordance with section 2429-b of the public
33 authorities law, if any, and/or (ii) provided that the reserves in the
34 project pool insurance account of the mortgage insurance fund created
35 pursuant to section 2429-b of the public authorities law are sufficient
36 to attain and maintain the credit rating, as determined by the state of
37 New York mortgage agency, required to accomplish the purposes of such
38 account, the project pool insurance account of the mortgage insurance
39 fund, such transfer shall be made as soon as practicable but no later
40 than June 30, 2024.

41 § 4. Notwithstanding any other provision of law, the homeless housing
42 and assistance corporation may provide, for purposes of the New York
43 state supportive housing program, the solutions to end homelessness
44 program or the operational support for AIDS housing program, or to qual-
45 ified grantees under such programs, in accordance with the requirements
46 of such programs, a sum not to exceed \$85,581,000 for the fiscal year
47 ending March 31, 2025. The homeless housing and assistance corporation
48 may enter into an agreement with the office of temporary and disability
49 assistance to administer such sum in accordance with the requirements of
50 such programs. Notwithstanding any other provision of law, and subject
51 to the approval of the New York state director of the budget, the board
52 of directors of the state of New York mortgage agency shall authorize
53 the transfer to the homeless housing and assistance corporation, a total
54 sum not to exceed \$85,581,000, such transfer to be made from (i) the
55 special account of the mortgage insurance fund created pursuant to
56 section 2429-b of the public authorities law, in an amount not to exceed

the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2023-2024 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating as determined by the state of New York mortgage agency, required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer shall be made as soon as practicable but no later than March 31, 2025.

§ 5. This act shall take effect immediately.

PART O

Section 1. Subdivision 3 of section 30.10 of the criminal procedure law is amended by adding a new paragraph (h) to read as follows:

(h) A prosecution for any felony related to a deed theft or where there is fraud in connection with a transaction involving real property must be commenced within five years after the commission of the crime, or within two years after the facts constituting such offense are discovered by the aggrieved party, whichever occurs later.

§ 2. Section 155.00 of the penal law is amended by adding six new subdivisions 11, 12, 13, 14, 15 and 16 to read as follows:

11. "Residential real property" or any derivative word thereof shall have the same meaning as defined in subdivision three of section 187.00 of this part.

12. "Commercial property" or any derivative word thereof shall mean a nonresidential property used for the buying, selling or otherwise providing of goods or services including hotel services, or for other lawful business, commercial or manufacturing activities.

13. "Mixed-use property" shall have the same meaning as defined in subdivision twenty-two of section four hundred eighty-nine-aaaa of the real property tax law.

14. "Incompetent" shall have the same meaning as defined in section 1-2.9 of the estates, powers and trusts law.

15. "Incapacitated person" shall mean a person who, because of mental disability as defined in subdivision three of section 1.03 of the mental hygiene law or mental deficiency, is unable to care for their own property and/or personal needs, and is likely to suffer harm because such person is unable to understand and appreciate the nature and consequences of not being able to care for their property and/or personal needs.

16. "Elderly person" means a person sixty years of age or older.

§ 3. Subparagraph (ix) of paragraph (e) and paragraph (f) of subdivision 2 of section 155.05 of the penal law, paragraph (f) as added by chapter 353 of the laws of 2023, are amended and a new paragraph (g) is added to read as follows:

(ix) Perform any other act which would not in itself materially benefit the actor but which is calculated to harm another person materially with respect to his or her health, safety, business, calling, career, financial condition, reputation or personal relationships[~~or~~]; or

(f) By wage theft.

A person obtains property by wage theft when he or she hires a person to perform services and the person performs such services and the person does not pay wages, at the minimum wage rate and overtime, or promised

1 wage, if greater than the minimum wage rate and overtime, to said person
2 for work performed. In a prosecution for wage theft, for the purposes of
3 venue, it is permissible to aggregate all nonpayments or underpayments
4 to one person from one person, into one larceny count, even if the
5 nonpayments or underpayments occurred in multiple counties. It is also
6 permissible to aggregate nonpayments or underpayments from a workforce
7 into one larceny count even if such nonpayments or underpayments
8 occurred in multiple counties[~~+~~]; or

9 (g) By deed theft.

10 A person commits deed theft when he or she:

11 (i) intentionally alters, falsifies, forges, or misrepresents a prop-
12 erty document such as a residential or commercial deed or title, with
13 the intent to deceive, defraud or unlawfully transfer or encumber the
14 ownership rights of a residential or commercial property; or

15 (ii) with intent to defraud, misrepresents themselves as the owner or
16 authorized representative of residential or commercial real property to
17 induce others to rely on such false information in order to obtain
18 ownership or possession of such real property; or

19 (iii) with intent to defraud, takes, obtains, steals, or transfers
20 title or ownership of real property by fraud, forgery, larceny, or any
21 other fraudulent or deceptive practice.

22 § 4. Section 155.35 of the penal law, as amended by chapter 464 of the
23 laws of 2010, is amended to read as follows:

24 § 155.35 Grand larceny in the third degree.

25 A person is guilty of grand larceny in the third degree when he or she
26 steals property and:

27 1. when the value of the property exceeds three thousand dollars, or

28 2. the property is an automated teller machine or the contents of an
29 automated teller machine[~~+~~], or

30 3. when such person commits deed theft of one commercial real proper-
31 ty, regardless of the value.

32 Grand larceny in the third degree is a class D felony.

33 § 5. Section 155.40 of the penal law, as amended by chapter 515 of the
34 laws of 1986, is amended to read as follows:

35 § 155.40 Grand larceny in the second degree.

36 A person is guilty of grand larceny in the second degree when he or
37 she steals property and when:

38 1. The value of the property exceeds fifty thousand dollars; or

39 2. The property, regardless of its nature and value, is obtained by
40 extortion committed by instilling in the victim a fear that the actor or
41 another person will (a) cause physical injury to some person in the
42 future, or (b) cause damage to property, or (c) use or abuse his or her
43 position as a public servant by engaging in conduct within or related to
44 his or her official duties, or by failing or refusing to perform an
45 official duty, in such manner as to affect some person adversely[~~+~~]; or

46 3. Such person commits deed theft, regardless of the value, of: (a)
47 one residential real property; or (b) one commercial mixed-use property
48 with at least one residential unit; or (c) two or more commercial prop-
49 erties.

50 Grand larceny in the second degree is a class C felony.

51 § 6. Section 155.42 of the penal law, as added by chapter 515 of the
52 laws of 1986, is amended to read as follows:

53 § 155.42 Grand larceny in the first degree.

54 A person is guilty of grand larceny in the first degree when:

55 1. he or she steals property and when the value of the property
56 exceeds one million dollars[~~+~~]; or

1 2. such person commits deed theft, regardless of the value, of (a)
2 residential real property that is occupied as a home by at least one
3 person; or (b) residential real property that involves a home that is
4 owned by an elderly person, an incompetent, an incapacitated person, or
5 physically disabled person; or (c) three or more residential real prop-
6 erties.

7 Grand larceny in the first degree is a class B felony.

8 § 7. Subdivision 3 of section 187.00 of the penal law, as amended by
9 chapter 507 of the laws of 2009, is amended to read as follows:

10 3. "Residential real property" means real property that is used or
11 occupied, or intended to be used or occupied, wholly or partly, as the
12 home or residence of one or more persons, including real property that
13 is improved by a one-to-four family dwelling, or a residential unit in a
14 building including units owned as condominiums or on a cooperative
15 basis, used or occupied, or intended to be used or occupied, wholly or
16 partly, as the home or residence of one or more persons, but shall not
17 refer to unimproved real property upon which such dwellings are to be
18 constructed.

19 § 8. Section 63 of the executive law is amended by adding a new subdivi-
20 sion 17 to read as follows:

21 17. The attorney general may investigate and prosecute every person or
22 entity charged with the commission of a criminal offense in violation of
23 the laws of this state applicable to any crime that affects the title
24 to, encumbrance of, or the possession of real property, including but
25 not limited to deed theft, larceny, criminal possession of stolen prop-
26 erty, offering a false instrument for filing, falsifying business
27 records, residential mortgage fraud, or scheme to defraud. In all such
28 proceedings, the attorney general may appear in person or by his or her
29 deputy before any court of record or any grand jury and exercise all the
30 powers and perform all the duties in respect of such actions or
31 proceedings which the district attorney would otherwise be authorized or
32 required to exercise or perform.

33 § 9. Section 993 of the real property actions and proceedings law is
34 amended by adding a new subdivision 12 to read as follows:

35 12. Prohibition on initiation of a partition action. No partition
36 action related to an heirs property may be initiated by a co-tenant who
37 did not inherit their share or shares from a relative or by a co-tenant
38 who is not a relative of a co-tenant who inherited their share or shares
39 of the heirs property from a relative.

40 § 10. Section 993 of the real property actions and proceedings law is
41 amended by adding a new subdivision 13 to read as follows:

42 13. Right of first refusal. (a) When a co-tenant receives a bona fide
43 offer from a non-co-tenant to purchase a share or shares of an heirs
44 property and the co-tenant intends to accept or respond with a counter-
45 offer, the co-tenants who inherited their share or shares of the proper-
46 ty, or the co-tenants who are relatives to those co-tenants who inher-
47 ited their share or shares of the property shall have the right to
48 purchase such shares for the identical price, terms, and conditions of
49 the offer or counteroffer.

50 (b) It shall be the duty of the non-co-tenant who made the initial
51 offer for the share or shares of the property as well as the co-tenant
52 who received the offer to exercise all due diligence to identify all of
53 the other co-tenants to the property and notify such co-tenants of the
54 pending offer. Notice shall be made in the same manner as set forth in
55 section three hundred eight of the civil practice law and rules. The

1 other co-tenants shall have ninety days from the date they are notified
2 of the offer to match such offer.

3 (c) In the event that the other co-tenants are not notified of the
4 offer and the sale is completed, and the offeror did not exercise the
5 required due diligence to notify the other co-tenants of the heirs prop-
6 erty, the other co-tenants shall have the right to purchase the shares
7 from the non-relative co-tenant for the price paid by such non-relative
8 co-tenant, plus any applicable interest at a rate of two percent per
9 annum. Such right shall expire ninety days after the other co-tenants to
10 the heirs property are made aware of the sale.

11 § 11. The real property law is amended by adding a new section 424 to
12 read as follows:

13 § 424. Transfer on death deed. 1. Definitions. For the purposes of
14 this section the following terms shall have the following meanings:

15 (a) "Beneficiary" means a person who receives property in a transfer
16 on death deed.

17 (b) "Designated beneficiary" means a person designated to receive
18 property in a transfer on death deed.

19 (c) "Joint owner" means an individual who owns property concurrently
20 with one or more other individuals with a right of survivorship. The
21 term includes a joint tenant, owner of community property with a right
22 of survivorship and tenant by the entirety. The term does not include a
23 tenant in common or owner of community property without a right of
24 survivorship.

25 (d) "Person" includes a natural person, an association, board, any
26 corporation, whether municipal, stock or non-stock, court, governmental
27 agency, authority or subdivision, partnership or other firm and the
28 state.

29 (e) "Property" means an interest in real property located in this
30 state which is transferable on the death of the owner.

31 (f) "Transfer on death deed" means a deed authorized under this
32 section.

33 (g) "Transferor" means an individual who makes a transfer on death
34 deed.

35 2. Nonexclusivity. This section does not affect any method of trans-
36 ferring property otherwise permitted under the law of this state.

37 3. Transfer on death deed authorized. An individual may transfer prop-
38 erty to one or more beneficiaries effective at the transferor's death by
39 a transfer on death deed.

40 4. Transfer on death deed revocable. A transfer on death deed is revo-
41 cable even if the deed or another instrument contains a contrary
42 provision.

43 5. Transfer on death deed nontestamentary. A transfer on death deed is
44 nontestamentary.

45 6. Capacity of transferor. The capacity required to make or revoke a
46 transfer on death deed is the same as the capacity required to make a
47 will.

48 7. Requirements. A transfer on death deed:

49 (a) except as otherwise provided in this subdivision, shall contain
50 the essential elements and formalities of a properly recordable inter
51 vivos deed;

52 (b) shall state that the transfer to the designated beneficiary is to
53 occur at the transferor's death;

54 (c) shall be signed by two witnesses who were present at the same time
55 and who witnessed the signing of the transfer on death deed;

56 (d) shall be acknowledged before a notary public; and

(e) shall be recorded before the transferor's death in the public records in the county clerk's office of the county where the property is located in the same manner as any other type of deed.

8. Notice, delivery, acceptance, consideration not required. A transfer on death deed shall be effective without:

(a) notice or delivery to or acceptance by the designated beneficiary during the transferor's life; or

(b) consideration.

9. Revocation by instrument authorized; revocation by act not permitted.

(a) Subject to paragraph (b) of this subdivision, an instrument shall be effective to revoke a recorded transfer on death deed, or any part of it, only if the instrument:

(1) is one of the following:

(A) a transfer on death deed that revokes the deed or part of the deed expressly or by inconsistency;

(B) an instrument of revocation that expressly revokes the deed or part of the deed; or

(C) an inter vivos deed that expressly revokes the transfer on death deed or part of the deed; and

(2) is acknowledged by the transferor after the acknowledgment of the deed being revoked and recorded before the transferor's death in the public records in the county clerk's office of the county where the deed is recorded.

(b) If a transfer on death deed is made by more than one transferor:

(1) revocation by a transferor shall not affect the deed as to the interest of another transferor; and

(2) a deed of joint owners shall only be revoked if it is revoked by all of the living joint owners.

(c) After a transfer on death deed is recorded, it shall not be revoked by a revocatory act on the deed.

(d) This section shall not limit the effect of an inter vivos transfer of the property.

10. Effect of transfer on death deed during transferor's life. During a transferor's life, a transfer on death deed shall not:

(a) affect an interest or right of the transferor or any other owner, including the right to transfer or encumber the property;

(b) affect an interest or right of a transferee, even if the transferee has actual or constructive notice of the deed;

(c) affect an interest or right of a secured or unsecured creditor or future creditor of the transferor, even if the creditor has actual or constructive notice of the deed;

(d) affect the transferor's or designated beneficiary's eligibility for any form of public assistance;

(e) create a legal or equitable interest in favor of the designated beneficiary; or

(f) subject the property to claims or process of a creditor of the designated beneficiary.

11. Effect of transfer on death deed at transferor's death. (a) Except as otherwise provided in the transfer on death deed, in this section or in any other section of law which effects nonprobate transfers, on the death of the transferor, the following rules apply to property that is the subject of a transfer on death deed and owned by the transferor at death:

1 (1) Subject to subparagraph two of this paragraph, the interest in the
2 property shall be transferred to the designated beneficiary in accord-
3 ance with the deed.

4 (2) The interest of a designated beneficiary is contingent on the
5 designated beneficiary surviving the transferor. The interest of a
6 designated beneficiary that fails to survive the transferor lapses.

7 (3) Subject to subparagraph four of this paragraph, concurrent inter-
8 ests shall be transferred to the beneficiaries in equal and undivided
9 shares with no right of survivorship.

10 (4) If the transferor has identified two or more designated benefici-
11 aries to receive concurrent interests in the property, the share of one
12 which lapses or fails for any reason shall be transferred to the other,
13 or to the others in proportion to the interest of each in the remaining
14 part of the property held concurrently.

15 (b) Subject to this chapter, a beneficiary takes the property subject
16 to all conveyances, encumbrances, assignments, contracts, mortgages,
17 liens, and other interests to which the property is subject at the
18 transferor's death. For purposes of this paragraph and this chapter, the
19 recording of the transfer on death deed shall be deemed to have occurred
20 at the transferor's death.

21 (c) If a transferor is a joint owner and is survived by one or more
22 other joint owners, the property that is the subject of a transfer on
23 death deed shall belong to the surviving joint owner or owners with
24 right of survivorship.

25 (d) If a transferor is a joint owner and is the last surviving joint
26 owner, the transfer on death deed shall be effective.

27 (e) A transfer on death deed transfers property without covenant or
28 warranty of title even if the deed contains a contrary provision.

29 12. Applicability of invalidating and revocatory principles. (a) Noth-
30 ing in this section shall limit the application of principles of fraud,
31 undue influence, duress, mistake, or other invalidating cause to a
32 transfer of property.

33 (b) Divorce, annulment or declaration of nullity, or dissolution of
34 marriage, shall have the same effect on a transfer on death deed as
35 outlined in section 5-1.4 of the estates, powers and trusts law.

36 13. Renunciation. A beneficiary may renounce all or part of the bene-
37 fiary's interest in the same manner as if the interest was transferred
38 in a will.

39 14. Liability for creditor claims and statutory allowances. (a) To the
40 extent the transferor's probate estate is insufficient to satisfy an
41 allowed claim against the estate or a statutory allowance to a surviving
42 spouse or child, the estate may enforce the liability against property
43 transferred at the transferor's death by a transfer on death deed.

44 (b) If more than one property is transferred by one or more transfer
45 on death deeds, the liability under paragraph (a) of this subdivision is
46 apportioned among the properties in proportion to their net values at
47 the transferor's death.

48 (c) A proceeding to enforce the liability under this section must be
49 commenced no later than eighteen months after the transferor's death.

50 15. Form of transfer on death deed. The following form may be used to
51 create a transfer on death deed. The other subdivisions of this section
52 shall govern the effect of this, or any other instrument used to create
53 a transfer on death deed:

54 (front of form)

1 REVOCABLE TRANSFER ON DEATH DEED

2 NOTICE TO OWNER

3 You should carefully read all information on the other side of this
4 form. You may want to consult a lawyer before using this form.
5 This form must be recorded before your death, or it will not be effec-
6 tive.

7 IDENTIFYING INFORMATION

8 Owner or Owners Making This Deed:

9 _____
10 Printed name Mailing address

11 _____
12 Printed name Mailing address

13 Legal description of the property:

14 _____
15 PRIMARY BENEFICIARY

16 I designate the following beneficiary if the beneficiary survives me.

17 _____
18 Printed name Mailing address, if available

19 ALTERNATE BENEFICIARY - Optional

20 If my primary beneficiary does not survive me, I designate the following
21 alternate beneficiary if that beneficiary survives me.

22 _____
23 Printed name Mailing address, if available

24 TRANSFER ON DEATH

25 At my death, I transfer my interest in the described property to the
26 beneficiaries as designated above. Before my death, I have the right to
27 revoke this deed.

1 SIGNATURE OF OWNER OR OWNERS MAKING THIS DEED

2 _____
3 Signature Date

4 _____
5 Signature Date

6 SIGNATURE OF WITNESSES

7 _____
8 Signature Date

9 _____
10 Signature Date

11 _____
12 NOTARY ACKNOWLEDGMENT

13 (insert notary acknowledgment for deed here)

14 (back of form)

15 COMMON QUESTIONS ABOUT THE USE OF THIS FORM

16 What does the Transfer on Death (TOD) deed do?

17 When you die, this deed transfers the described property, subject to any
18 liens or mortgages (or other encumbrances) on the property at your
19 death. Probate is not required. The TOD deed has no effect until you
20 die. You can revoke it at any time. You are also free to transfer the
21 property to someone else during your lifetime. If you do not own any
22 interest in the property when you die, this deed will have no effect.

23 How do I make a TOD deed?

24 Complete this form. Have it acknowledged before a notary public. Record
25 the form in each county where any part of the property is located. The
26 form has no effect unless it is acknowledged and recorded before your
27 death.

28 Is the "legal description" of the property necessary?

- 1 Yes.
- 2 How do I find the "legal description" of the property?
- 3 This information may be on the deed you received when you became an
4 owner of the property. This information may also be available in the
5 county clerk's office of the county where the property is located. If
6 you are not absolutely sure, consult a lawyer.
- 7 Can I change my mind before I record the TOD deed?
- 8 Yes. If you have not yet recorded the deed and want to change your mind,
9 simply tear up or otherwise destroy the deed.
- 10 How do I "record" the TOD deed?
- 11 Take the completed and acknowledged form to the county clerk's office of
12 the county where the property is located. Follow the instructions given
13 by the county clerk to make the form part of the official property
14 records. If the property is in more than one county, you should record
15 the deed in each county.
- 16 Can I later revoke the TOD deed if I change my mind?
- 17 Yes. You can revoke the TOD deed. No one, including the beneficiaries,
18 can prevent you from revoking the deed.
- 19 How do I revoke the TOD deed after it is recorded?
- 20 There are three ways to revoke a recorded TOD deed:
- 21 (1) Complete and acknowledge a revocation form and record it in each
22 county where the property is located.
- 23 (2) Complete and acknowledge a new TOD deed that disposes of the same
24 property and record it in each county where the property is located.
- 25 (3) Transfer the property to someone else during your lifetime by a
26 recorded deed that expressly revokes the TOD deed. You may not revoke
27 the TOD deed by will.
- 28 I am being pressured to complete this form. What should I do?
- 29 Do not complete this form under pressure. Seek help from a trusted
30 family member, friend, or lawyer.
- 31 Do I need to tell the beneficiaries about the TOD deed?
- 32 No, but it is recommended. Secrecy can cause later complications and
33 might make it easier for others to commit fraud.
- 34 I have other questions about this form. What should I do?
- 35 This form is designed to fit some but not all situations. If you have
36 other questions, you are encouraged to consult a lawyer.

16. Form of revocation. The following form may be used to create an instrument of revocation under this section. The other subdivisions of this section shall govern the effect of this, or any other instrument used to revoke a transfer on death deed.

(front of form)

REVOCATION OF TRANSFER ON DEATH DEED

NOTICE TO OWNER

This revocation must be recorded before you die, or it will not be effective. This revocation is effective only as to the interests in the property of owners who sign this revocation.

IDENTIFYING INFORMATION

Owner or Owners of Property Making This Revocation:

Printed name Mailing address

Printed name Mailing address

Legal description of the property:

REVOCATION

I revoke all my previous transfers of this property by transfer on death deed.

SIGNATURE OF OWNER OR OWNERS MAKING THIS REVOCATION

Signature Date

Signature Date

SIGNATURE OF WITNESSES

1 _____
2 Signature _____ Date

3 _____
4 Signature _____ Date

5 NOTARY ACKNOWLEDGMENT

6 (insert notary acknowledgment here)

7 (back of form)

8 COMMON QUESTIONS ABOUT THE USE OF THIS FORM

9 How do I use this form to revoke a Transfer on Death (TOD) deed?

10 Complete this form. Have it acknowledged before a notary public. Record
11 the form in the public records in the county clerk's office of the coun-
12 ty where the property is located. The form must be acknowledged and
13 recorded before your death, or it has no effect.

14 How do I find the "legal description" of the property?

15 This information may be on the TOD deed. It may also be available in the
16 county clerk's office of the county where the property is located. If
17 you are not absolutely sure, consult a lawyer.

18 How do I "record" the form?

19 Take the completed and acknowledged form to the county clerk's office of
20 the county where the property is located. Follow the instructions given
21 by the county clerk to make the form part of the official property
22 records. If the property is located in more than one county, you should
23 record the form in each of those counties.

24 I am being pressured to complete this form. What should I do?

25 Do not complete this form under pressure. Seek help from a trusted fami-
26 ly member, friend, or lawyer.

27 I have other questions about this form. What should I do?

28 This form is designed to fit some but not all situations. If you have
29 other questions, consult a lawyer.

30 § 12. This act shall take effect on thirtieth day after it shall have
31 become a law; provided, however, that sections nine through eleven of
32 this act shall take effect on the the ninetieth day after it shall have
33 become a law; provided, further, that section 424 of the real property
34 law, as added by section eleven of this act, shall apply to any transfer
35 on death deed made before, on, or after the effective date of this act
36 by a transferor dying on or after the effective date of this act.

1 Section 1. This Part enacts into law components of legislation relat-
2 ing to the conveyance and use of real property owned and maintained by
3 the state university of New York and the New York state department of
4 transportation. Each component is wholly contained within a Subpart
5 identified as Subparts A through C. The effective date for each partic-
6 ular provision contained within such Subpart is set forth in the last
7 section of such Subpart. Any provision in any section contained within a
8 Subpart, including the effective date of the Subpart, which makes refer-
9 ence to a section "of this act", when used in connection with that
10 particular component, shall be deemed to mean and refer to the corre-
11 sponding section of the Subpart in which it is found. Section three of
12 this Part sets forth the general effective date of this Part.

13 SUBPART A

14 Section 1. Legislative findings. The legislature finds that the state
15 university of New York at Farmingdale ("Farmingdale") seeks to use
16 approximately 8.7 acres of vacant land on Farmingdale's campus to build
17 multi-purpose facilities to support affordable housing needs and
18 supporting amenities, fulfilling a necessary and vital public purpose.
19 The legislature further finds that granting the trustees of the State
20 University of New York ("Trustees") the authority and power to lease and
21 otherwise contract to make available grounds and facilities of the Farm-
22 ingdale campus will ensure such land is utilized for the benefit of
23 Farmingdale, the surrounding community, and the general public.

24 § 2. Notwithstanding any other law to the contrary, the Trustees are
25 authorized and empowered, without any public bidding, to lease and
26 otherwise contract to make available to the New York housing opportunity
27 corporation (the "ground lessee"), a portion of the lands of Farmingdale
28 generally described in this act for the purpose of developing,
29 constructing, maintaining and operating multi-purpose facilities to
30 support affordable housing needs and supporting amenities as permitted
31 by the New York housing opportunity corporation act. Such lease or
32 contract shall be for a period not exceeding ninety-nine years without
33 any fee simple conveyance and otherwise upon terms and conditions deter-
34 mined by such trustees, subject to the approval of the director of the
35 division of the budget, the attorney general and the state comptroller.
36 In the event that the real property that is the subject of such lease or
37 contract shall cease to be used for the purpose described in this act,
38 such lease or contract shall immediately terminate and the real property
39 and any improvements thereon shall revert to the state university of New
40 York. Any lease or contract entered into pursuant to this act shall
41 provide that the real property that is the subject of such lease or
42 contract and any improvements thereon shall revert to the state univer-
43 sity of New York on the expiration of such contract or lease. Any and
44 all proceeds related to the leases authorized by this act shall be used
45 for the benefit of the Farmingdale campus and the allocation of such
46 proceeds shall be subject to approval by the Trustees.

47 § 3. Any contract or lease entered into pursuant to this act shall be
48 deemed to be a state contract for purposes of article 15-A of the execu-
49 tive law, and any contractor, subcontractor, lessee or sublessee enter-
50 ing into such contract or lease for the construction, demolition, recon-
51 struction, excavation, rehabilitation, repair, renovation, alteration or
52 improvement authorized pursuant to this act shall be deemed a state
53 agency for the purposes of article 15-A of the executive law and subject
54 to the provisions of such article.

1 § 4. Notwithstanding any general, special or local law or judicial
2 decision to the contrary, all work performed on a project authorized by
3 this act where all or any portion thereof involves a lease or agreement
4 for construction, demolition, reconstruction, excavation, rehabili-
5 tation, repair, renovation, alteration or improvement shall be subject
6 to and performed in accordance with the provisions of article 8 of the
7 labor law to the same extent and in the same manner as a contract of the
8 state.

9 § 5. Without limiting the determination of the terms and conditions of
10 such contracts or leases, such terms and conditions may provide for
11 leasing, subleasing, construction, reconstruction, rehabilitation,
12 improvement, operation and management of and provision of services and
13 assistance and the granting of licenses, easements and other arrange-
14 ments with regard to such grounds and facilities by the New York housing
15 opportunity corporation, and parties contracting with the New York hous-
16 ing opportunity corporation, and in connection with such activities, the
17 obtaining of funding or financing, whether public or private, unsecured
18 or secured, including, but not limited to, secured by leasehold mort-
19 gages and assignments of rents and leases, by the New York housing
20 opportunity corporation and parties contracting with the New York hous-
21 ing opportunity corporation for the purposes of completing the project
22 described in this act.

23 § 6. Such lease shall include an indemnity provision whereby the
24 lessee or sublessee promises to indemnify, hold harmless and defend the
25 lessor against all claims, suits, actions, and liability to all persons
26 on the leased premises, including tenant, tenant's agents, contractors,
27 subcontractors, employees, customers, guests, licensees, invitees and
28 members of the public, for damage to any such person's property, whether
29 real or personal, or for personal injuries arising out of tenant's use
30 or occupation of the demised premises.

31 § 7. Any contracts entered into pursuant to this act between the
32 ground lessee and parties contracting with the ground lessee shall be
33 awarded by a competitive process.

34 § 8. The property authorized by this act to be leased to the New York
35 housing opportunity corporation is generally described as that parcel of
36 real property with improvements thereon consisting of a total of 8.7
37 acres situated on the campus of the State University of New York at
38 Farmingdale, subject to all existing easements and restrictions of
39 record. The description in this section of the parcel to be made avail-
40 able pursuant to this act is not meant to be a legal description, but is
41 intended only to identify the parcel:

42 The property is situated at the southwest corner of NYS Route 110 and
43 Melville Road. The eastern boundary runs north/south along the western
44 side of NYS Route 110 with approximately 450 feet of frontage. The
45 northern boundary runs along Melville Road for just over 1,000 feet.

46 § 9. The state university of New York shall not lease lands described
47 in this act unless any such lease shall be executed within 5 years of
48 the effective date of this act.

49 § 10. Insofar as the provisions of this act are inconsistent with the
50 provisions of any law, general, special or local, the provisions of this
51 act shall be controlling.

52 § 11. This act shall take effect immediately.

1 Section 1. Legislative findings. The legislature finds that the state
2 university of New York at Stony Brook ("Stony Brook") seeks to use
3 approximately 10 acres of underutilized land on Stony Brook's Southamp-
4 ton campus to build multi-purpose facilities to support affordable hous-
5 ing needs and supporting amenities, fulfilling a necessary and vital
6 public purpose. The legislature further finds that granting the trus-
7 tees of the State University of New York ("Trustees") the authority and
8 power to lease and otherwise contract to make available grounds and
9 facilities of Stony Brook's campus will ensure such land is utilized for
10 the benefit of Stony Brook, the surrounding community, and the general
11 public.

12 § 2. Notwithstanding any other law to the contrary, the Trustees are
13 authorized and empowered, without any public bidding, to lease and
14 otherwise contract to make available to the New York housing opportunity
15 corporation a portion of the lands of Stony Brook generally described in
16 this act for the purpose of developing, constructing, maintaining and
17 operating multi-purpose facilities to support affordable housing needs
18 and supporting amenities, as permitted by the New York housing opportu-
19 nity corporation act. Such lease or contract shall be for a period not
20 exceeding ninety-nine years without any fee simple conveyance and other-
21 wise upon terms and conditions determined by such trustees, subject to
22 the approval of the director of the division of the budget, the attorney
23 general and the state comptroller. In the event that the real property
24 that is the subject of such lease or contract shall cease to be used for
25 the purpose described in this act, such lease or contract shall imme-
26 diately terminate and the real property and any improvements thereon
27 shall revert to the state university of New York. Any lease or contract
28 entered into pursuant to this act shall provide that the real property
29 that is the subject of such lease or contract and any improvements ther-
30 eon shall revert to the state university of New York on the expiration
31 of such contract or lease. Any and all proceeds related to the leases
32 authorized by this act shall be used for the benefit of the Stony Brook
33 campus and the allocation of such proceeds shall be subject to approval
34 by the Trustees.

35 § 3. Any contract or lease entered into pursuant to this act shall be
36 deemed to be a state contract for purposes of article 15-A of the execu-
37 tive law, and any contractor, subcontractor, lessee or sublessee enter-
38 ing into such contract or lease for the construction, demolition, recon-
39 struction, excavation, rehabilitation, repair, renovation, alteration or
40 improvement authorized pursuant to this act shall be deemed a state
41 agency for the purposes of article 15-A of the executive law and subject
42 to the provisions of such article.

43 § 4. Notwithstanding any general, special or local law or judicial
44 decision to the contrary, all work performed on a project authorized by
45 this act where all or any portion thereof involves a lease or agreement
46 for construction, demolition, reconstruction, excavation, rehabili-
47 tation, repair, renovation, alteration or improvement shall be subject
48 to and performed in accordance with the provisions of article 8 of the
49 labor law to the same extent and in the same manner as a contract of the
50 state.

51 § 5. Without limiting the determination of the terms and conditions of
52 such contracts or leases, such terms and conditions may provide for
53 leasing, subleasing, construction, reconstruction, rehabilitation,
54 improvement, operation and management of and provision of services and
55 assistance and the granting of licenses, easements and other arrange-
56 ments with regard to such grounds and facilities by the ground lessee,

1 and parties contracting with the ground lessee, and in connection with
2 such activities, the obtaining of funding or financing, whether public
3 or private, unsecured or secured, including, but not limited to, secured
4 by leasehold mortgages and assignments of rents and leases, by the
5 ground lessee and parties contracting with the ground lessee for the
6 purposes of completing the project described in this act.

7 § 6. Such lease shall include an indemnity provision whereby the
8 lessee or sublessee promises to indemnify, hold harmless and defend the
9 lessor against all claims, suits, actions, and liability to all persons
10 on the leased premises, including tenant, tenant's agents, contractors,
11 subcontractors, employees, customers, guests, licensees, invitees and
12 members of the public, for damage to any such person's property, whether
13 real or personal, or for personal injuries arising out of tenant's use
14 or occupation of the demised premises.

15 § 7. Any contracts entered into pursuant to this act between the
16 ground lessee and parties contracting with the ground lessee shall be
17 awarded by a competitive process.

18 § 8. The property authorized by this act to be leased to the ground
19 lessee is generally described as approximately 10 acres of land situated
20 on the Southampton campus of the state university of New York at Stony
21 Brook, subject to all existing easements and restrictions of record.

22 § 9. The state university of New York shall not lease lands described
23 in this act unless any such lease shall be executed within 5 years of
24 the effective date of this act.

25 § 10. Insofar as the provisions of this act are inconsistent with the
26 provisions of any law, general, special or local, the provisions of this
27 act shall be controlling.

28 § 11. This act shall take effect immediately.

29 SUBPART C

30 Section 1. Notwithstanding the provisions of section 400 of the trans-
31 portation law, or any other provision of law to the contrary, the
32 commissioner of transportation is hereby authorized and empowered to,
33 without any public bidding, lease and otherwise contract to make avail-
34 able to the New York housing opportunity corporation (the "ground
35 lessee") for the purpose of developing, constructing, maintaining and
36 operating multi-purpose facilities to support affordable housing needs
37 and supporting amenities as permitted by the New York housing opportu-
38 nity corporation act, certain state-owned real property, as described in
39 section two of this act. Such lease or contract shall be for a period
40 not exceeding ninety-nine years without any fee simple conveyance and
41 otherwise upon terms and conditions determined by the commissioner of
42 transportation, subject to the approval of the director of the division
43 of the budget, the attorney general and the state comptroller. In the
44 event that the real property that is the subject of such lease or
45 contract shall cease to be used for the purpose described in this act,
46 such lease or contract shall immediately terminate and the real property
47 and any improvements thereon shall revert to the department of transpor-
48 tation. Any lease or contract entered into pursuant to this act shall
49 provide that the real property that is the subject of such lease or
50 contract and any improvements thereon shall revert to the department of
51 transportation on the expiration of such contract or lease.

52 § 2. The lands authorized by this act to be leased consist of two
53 parcels of land in the town of Babylon, Suffolk county, constituting tax
54 map numbers 0100-050.00-01.00-003.000 and 0100-050.00-01.00-002.000, and

1 generally described as approximately twelve and one-half acres of land
2 located north of Conklin Street and east of Route 110.

3 § 3. The description in section two of this act of the lands to be
4 conveyed is not intended to be a legal description and is intended only
5 to identify the premises to be conveyed.

6 § 3-a. Any contract or lease entered into pursuant to this act shall
7 be deemed to be a state contract for purposes of article 15-A of the
8 executive law, and any contractor, subcontractor, lessee or sublessee
9 entering into such contract or lease for the construction, demolition,
10 reconstruction, excavation, rehabilitation, repair, renovation, alter-
11 ation or improvement authorized pursuant to this act shall be deemed a
12 state agency for the purposes of article 15-A of the executive law and
13 subject to the provisions of such article.

14 § 3-b. Notwithstanding any general, special or local law or judicial
15 decision to the contrary, all work performed on a project authorized by
16 this act where all or any portion thereof involves a lease or agreement
17 for construction, demolition, reconstruction, excavation, rehabili-
18 tation, repair, renovation, alteration or improvement shall be subject
19 to and performed in accordance with the provisions of article 8 of the
20 labor law to the same extent and in the same manner as a contract of the
21 state.

22 § 3-c. Without limiting the determination of the terms and conditions
23 of such contracts or leases, such terms and conditions may provide for
24 leasing, subleasing, construction, reconstruction, rehabilitation,
25 improvement, operation and management of and provision of services and
26 assistance and the granting of licenses, easements and other arrange-
27 ments with regard to such grounds and facilities by the ground lessee,
28 and parties contracting with the ground lessee, and in connection with
29 such activities, the obtaining of funding or financing, whether public
30 or private, unsecured or secured, including, but not limited to, secured
31 by leasehold mortgages and assignments of rents and leases, by the
32 ground lessee and parties contracting with the ground lessee for the
33 purposes of completing the project described in this act.

34 § 3-d. Such lease shall include an indemnity provision whereby the
35 lessee or sublessee promises to indemnify, hold harmless and defend the
36 lessor against all claims, suits, actions, and liability to all persons
37 on the leased premises, including tenant, tenant's agents, contractors,
38 subcontractors, employees, customers, guests, licensees, invitees and
39 members of the public, for damage to any such person's property, whether
40 real or personal, or for personal injuries arising out of tenant's use
41 or occupation of the demised premises.

42 § 3-e. Any contracts entered into pursuant to this act between the
43 ground lessee and parties contracting with the ground lessee shall be
44 awarded by a competitive process.

45 § 3-f. The department of transportation shall not lease lands
46 described in this act unless any such lease shall be executed within 5
47 years of the effective date of this act.

48 § 3-g. Insofar as the provisions of this act are inconsistent with the
49 provisions of any law, general, special or local, the provisions of this
50 act shall be controlling.

51 § 4. This act shall take effect immediately.

52 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
53 sion, section, or subpart of this part shall be adjudged by any court of
54 competent jurisdiction to be invalid, such judgment shall not affect,
55 impair, or invalidate the remainder of that subpart or this part, but
56 shall be confined in its operation to the clause, sentence, paragraph,

1 subdivision, section, or subpart directly involved in the controversy in
2 which such judgment shall have been rendered. It is hereby declared to
3 be the intent of the legislature that this part and each subpart herein
4 would have been enacted even if such invalid provisions had not been
5 included herein.

6 § 3. This act shall take effect immediately; provided, however, that
7 the applicable effective date of Subparts A through C of this act shall
8 be as specifically set forth in the last section of such Subparts.

9 PART Q

10 Section 1. Subdivision 3 of section 26 of the multiple dwelling law,
11 as amended by chapter 748 of the laws of 1961, is amended to read as
12 follows:

13 3. Floor area ratio (FAR). The floor area ratio (FAR) of any dwelling
14 or dwellings on a lot shall not exceed 12.0, except ~~[that-a]~~:

15 a. A fireproof class B dwelling in which six or more passenger eleva-
16 tors are maintained and operated in any city having a local zoning law,
17 ordinance or resolution restricting districts in such city to residen-
18 tial use, may be erected in accordance with the provisions of such
19 zoning law, ordinance or resolution, if such class B dwelling is erected
20 in a district no part of which is restricted by such zoning law, ordi-
21 nance or resolution to residential uses.

22 b. In a city with a population of one million or more, the permitted
23 floor area ratio (FAR) of any dwelling or dwellings on a lot may exceed
24 12.0 provided that:

25 (1) such city approves any increase in such permitted floor area ratio
26 (FAR) in accordance with local requirements for public review of land
27 use actions including, where applicable, such city's uniform land use
28 review procedure;

29 (2) such city designates the lot where such dwelling or dwellings are
30 located as subject to a program established in the zoning law, ordinance
31 or resolution of such city that mandates that any new housing on desig-
32 minated lots include minimum percentages of permanently affordable hous-
33 ing, including, where applicable, any mandatory inclusionary housing
34 requirements; and

35 (3) such dwelling or dwellings are not located within an area desig-
36 nated by such city as a historic district.

37 c. In a city with a population of one million or more, a general
38 project plan adopted by the New York state urban development corporation
39 for a project may permit a floor area ratio of a dwelling or dwellings
40 on a lot to exceed 12.0 provided that:

41 (1) such project include at least the same minimum percentage of
42 permanently affordable housing that such project would otherwise have to
43 include if the project had been approved pursuant to a program estab-
44 lished in the zoning law, ordinance or resolution of such city mandating
45 that new housing on designated lots include minimum percentages of
46 permanently affordable housing, including, where applicable, any manda-
47 tory inclusionary housing requirements; and

48 (2) such dwelling or dwellings are not located within an area desig-
49 nated by such city as a historic district.

50 § 2. This act shall take effect immediately.

51 PART R

1 Section 1. Paragraphs c and d of subdivision 2 of section 224-a of the
2 labor law, as added by section 1 of part FFF of chapter 58 of the laws
3 of 2020, are amended and a new paragraph e is added to read as follows:

4 c. Money loaned by the public entity that is to be repaid on a contin-
5 gent basis; [~~or~~]

6 d. Credits that are applied by the public entity against repayment of
7 obligations to the public entity[~~+~~]; or

8 e. Benefits under section four hundred sixty-seven-m of the real prop-
9 erty tax law.

10 § 2. The real property tax law is amended by adding a new section
11 467-m to read as follows:

12 § 467-m. Exemption from local real property taxation of certain multi-
13 ple dwellings in a city having a population of one million or more. 1.
14 Definitions. For purposes of this section, the following terms shall
15 have the following meanings:

16 a. "Affordable housing from commercial conversions tax incentive bene-
17 fits" hereinafter referred to as "AHCC program benefits", shall mean the
18 exemption from real property taxation authorized pursuant to this
19 section.

20 b. "Affordability requirement" shall mean that within any eligible
21 multiple dwelling: (i) not less than twenty-five percent of the dwelling
22 units are affordable housing units; (ii) not less than five percent of
23 the dwelling units are affordable housing forty percent units; (iii) the
24 weighted average of all income bands for all of the affordable housing
25 units does not exceed eighty percent of the area median income, adjusted
26 for family size; (iv) there are no more than three income bands for all
27 of the affordable housing units; and (v) no income band for affordable
28 housing units exceeds one hundred percent of the area median income,
29 adjusted for family size.

30 c. "Affordable housing forty percent unit" shall mean a dwelling unit
31 that: (i) is situated within the eligible multiple dwelling for which
32 AHCC program benefits are granted; and (ii) upon initial rental and upon
33 each subsequent rental following a vacancy during the restriction peri-
34 od, is affordable to and restricted to occupancy by individuals or fami-
35 lies whose household income does not exceed forty percent of the area
36 median income, adjusted for family size, at the time that such household
37 initially occupies such dwelling unit.

38 d. "Affordable housing unit" shall mean, collectively and individual-
39 ly: (i) an affordable housing forty percent unit; and (ii) any other
40 unit that meets the affordability requirement upon initial rental and
41 upon each subsequent rental following a vacancy during the restriction
42 period, and is affordable to and restricted to occupancy by individuals
43 or families whose household income does not exceed the income bands
44 established in conjunction with such affordability requirement.

45 e. "Agency" shall mean the New York city department of housing preser-
46 vation and development.

47 f. "Application" shall mean an application for AHCC program benefits.

48 g. "Building service employee" shall mean any person who is regularly
49 employed at, and performs work in connection with the care or mainte-
50 nance of, an eligible multiple dwelling, including, but not limited to,
51 a watchman, guard, doorman, building cleaner, porter, handyman, janitor,
52 gardener, groundskeeper, elevator operator and starter, and window
53 cleaner, but not including persons regularly scheduled to work fewer
54 than eight hours per week at such eligible multiple dwelling.

55 h. "Commencement date" shall mean the date upon which the actual
56 construction of the eligible conversion lawfully begins in good faith.

1 i. "Completion date" shall mean the date upon which the local depart-
2 ment of buildings issues the first temporary or permanent certificate of
3 occupancy covering all residential areas of an eligible multiple dwell-
4 ing.

5 j. "Construction period" shall mean, with respect to any eligible
6 multiple dwelling, a period: (i) beginning on the later of the commence-
7 ment date or three years before the completion date; and (ii) ending on
8 the day preceding the completion date.

9 k. "Dwelling" or "dwellings" shall have the same meaning as set forth
10 in subdivision four of section four of the multiple dwelling law.

11 l. "Eligible conversion" shall mean the conversion of a non-residen-
12 tial building, except a hotel or other class B multiple dwelling, to an
13 eligible multiple dwelling.

14 m. "Eligible multiple dwelling" shall mean a multiple dwelling which
15 was subject to an eligible conversion in which: (i) all dwelling units
16 included in any application are operated as rental housing; (ii) six or
17 more dwelling units have been created through an eligible conversion;
18 (iii) the commencement date is after December thirty-first, two thousand
19 twenty-two and on or before December thirty-first, two thousand thirty-
20 three; and (iv) the completion date is on or before December thirty-
21 first, two thousand thirty-nine.

22 n. "Fiscal officer" shall mean the comptroller or other analogous
23 officer in a city having a population of one million or more.

24 o. "Floor area" shall mean the horizontal areas of the several floors,
25 or any portion thereof, of a dwelling or dwellings, and accessory struc-
26 tures on a lot measured from the exterior faces of exterior walls, or
27 from the center line of party walls.

28 p. "Income band" shall mean a percentage of the area median income,
29 adjusted for family size, that is a multiple of ten percent.

30 q. "Manhattan prime development area" shall mean any tax lot now
31 existing or hereafter created which is located entirely south of 96th
32 street in the borough of Manhattan.

33 r. "Market unit" shall mean a dwelling unit in an eligible multiple
34 dwelling other than an affordable housing unit.

35 s. "Marketing band" shall mean maximum rent amounts ranging from twen-
36 ty percent to thirty percent of the area median income or income band,
37 respectively, that is applicable to a specific affordable housing unit.

38 t. "Multiple dwelling" shall have the same meaning as set forth in
39 subdivision seven of section four of the multiple dwelling law.

40 u. "Non-residential building" shall mean a structure or portion of a
41 structure, except a hotel or other class B multiple dwelling, having at
42 least one floor, a roof and at least three walls enclosing all or most
43 of the space used in connection with the structure or portion of the
44 structure, which has a certificate of occupancy for commercial, manufac-
45 turing or other non-residential use for not less than ninety percent of
46 the aggregate floor area of such structure or portion of such structure,
47 or other proof of such non-residential use as is acceptable to the agen-
48 cy.

49 v. "Non-residential tax lot" shall mean a tax lot that does not
50 contain any dwelling units.

51 w. "Rent stabilization" shall mean, collectively, the rent stabiliza-
52 tion law of nineteen hundred sixty-nine, the rent stabilization code,
53 and the emergency tenant protection act of nineteen seventy-four, all as
54 in effect as of the effective date of this section or as amended there-
55 after, together with any successor statutes or regulations addressing
56 substantially the same subject matter.

1 x. "Residential tax lot" shall mean a tax lot that contains dwelling
2 units.

3 y. "Restriction period" shall mean a period commencing on the
4 completion date and extending in perpetuity, notwithstanding any earlier
5 termination or revocation of AHCC program benefits.

6 z. "Nineteen-year benefit" shall mean: (i) for the construction peri-
7 od, a one hundred percent exemption from real property taxation, other
8 than assessments for local improvements; (ii) for the first fifteen
9 years of the restriction period, (A) within the Manhattan prime develop-
10 ment area, an eighty percent exemption from real property taxation,
11 other than assessments for local improvements, and (B) outside of the
12 Manhattan prime development area, a sixty-five percent exemption from
13 real property taxation, other than assessments for local improvements;
14 (iii) for the sixteenth year of the restriction period, (A) within the
15 Manhattan prime development area, a sixty-four percent exemption from
16 real property taxation, other than assessments for local improvements,
17 and (B) outside of the Manhattan prime development area, a fifty-two
18 percent exemption from real property taxation, other than assessments
19 for local improvements; (iv) for the seventeenth year of the restriction
20 period, (A) within the Manhattan prime development area, a forty-eight
21 percent exemption from real property taxation, other than assessments
22 for local improvements, and (B) outside of the Manhattan prime develop-
23 ment area, a thirty-nine percent exemption from real property taxation,
24 other than assessments for local improvements; (v) for the eighteenth
25 year of the restriction period, (A) within the Manhattan prime develop-
26 ment area, a thirty-two percent exemption from real property taxation,
27 other than assessments for local improvements, and (B) outside of the
28 Manhattan prime development area, a twenty-six percent exemption from
29 real property taxation, other than assessments for local improvements;
30 and (vi) for the nineteenth year of the restriction period, (A) within
31 the Manhattan prime development area, a sixteen percent exemption from
32 real property taxation, other than assessments for local improvements,
33 and (B) outside of the Manhattan prime development area, a thirteen
34 percent exemption from real property taxation, other than assessments
35 for local improvements.

36 2. Benefit. In cities having a population of one million or more,
37 notwithstanding the provisions of any other general, special or local
38 law to the contrary, a new eligible multiple dwelling, except a hotel,
39 that complies with the provisions of this section shall be exempt from
40 real property taxation, other than assessments for local improvements,
41 in the amounts and for the periods specified in this section, provided
42 that such eligible multiple dwelling is used or held out for use for
43 dwelling purposes. An eligible multiple dwelling that meets all of the
44 requirements of this section shall receive a nineteen-year benefit.

45 3. Tax payments. In addition to any other amounts payable pursuant to
46 this section, the owner of any eligible multiple dwelling receiving AHCC
47 program benefits shall pay, in each tax year in which such AHCC program
48 benefits are in effect, all assessments for local improvements.

49 4. Limitation on benefits for non-residential space. If the aggregate
50 floor area of commercial, community facility and accessory use space in
51 an eligible multiple dwelling exceeds twelve percent of the aggregate
52 floor area in such eligible multiple dwelling, any AHCC program benefits
53 shall be reduced by a percentage equal to such excess. If an eligible
54 multiple dwelling contains multiple tax lots, the tax arising out of
55 such reduction in AHCC program benefits shall first be apportioned pro
56 rata among any non-residential tax lots. After any such non-residential

1 tax lots are fully taxable, the remainder of the tax arising out of such
2 reduction in AHCC program benefits, if any, shall be apportioned pro
3 rata among the remaining residential tax lots. For the purposes of this
4 section, accessory use space shall not include home occupation space or
5 accessory parking space located not more than twenty-three feet above
6 the curb level.

7 5. Application of benefit. Based on the certification of the agency
8 certifying eligibility for AHCC program benefits, the department of
9 finance shall determine the amount of the exemption pursuant to subdivi-
10 sions two and four of this section and shall apply the exemption to the
11 assessed value of the eligible multiple dwelling.

12 6. Affordability requirements. An eligible multiple dwelling shall
13 comply with the affordability requirement defined in paragraph b of
14 subdivision one of this section during the restriction period. An eligi-
15 ble multiple dwelling shall also comply with the following requirements
16 during the restriction period:

17 a. All affordable housing units in an eligible multiple dwelling shall
18 share the same common entrances and common areas as rental market rate
19 units in such eligible multiple dwelling and shall not be isolated to a
20 specific floor or area of an eligible multiple dwelling. Common
21 entrances shall mean any means of ingress or egress regularly used by
22 any resident of a rental dwelling unit in the eligible multiple dwell-
23 ing.

24 b. Unless preempted by the requirements of a federal, state or local
25 housing program, either: (i) the affordable housing units in an eligible
26 multiple dwelling shall have a unit mix proportional to the rental
27 market units; or (ii) at least fifty percent of the affordable housing
28 units in an eligible multiple dwelling shall have two or more bedrooms
29 and no more than twenty-five percent of the affordable housing units
30 shall have less than one bedroom.

31 c. Notwithstanding any provision of rent stabilization to the contra-
32 ry: (i) all affordable housing units shall remain fully subject to rent
33 stabilization during the restriction period; and (ii) any affordable
34 housing unit occupied by a tenant that has been approved by the agency
35 prior to the agency's denial of an eligible multiple dwelling's applica-
36 tion for AHCC program benefits shall remain subject to rent stabiliza-
37 tion until such tenant vacates such affordable housing unit.

38 d. All rent stabilization registrations required to be filed shall
39 contain a designation that specifically identifies affordable housing
40 units created pursuant to this section as "AHCC program affordable hous-
41 ing units" and shall contain an explanation of the requirements that
42 apply to all such affordable housing units.

43 e. Failure to comply with the provisions of this subdivision that
44 require the creation, maintenance, rent stabilization compliance, and
45 occupancy of affordable housing units shall result in revocation of AHCC
46 program benefits.

47 f. Nothing in this section shall: (i) prohibit the occupancy of an
48 affordable housing unit by individuals or families whose income at any
49 time is less than the maximum percentage of the area median income or
50 income band, as applicable, adjusted for family size, specified for such
51 affordable housing unit pursuant to this section; or (ii) prohibit the
52 owner of an eligible multiple dwelling from requiring, upon initial
53 rental or upon any rental following a vacancy, the occupancy of any
54 affordable housing unit by such lower income individuals or families.

55 g. Following issuance of a temporary certificate of occupancy and upon
56 each vacancy thereafter, an affordable housing unit shall promptly be

1 offered for rental by individuals or families whose income does not
2 exceed the maximum percentage of the area median income or income band,
3 as applicable, adjusted for family size, specified for such affordable
4 housing unit pursuant to this section and who intend to occupy such
5 affordable housing unit as their primary residence. An affordable hous-
6 ing unit shall not be: (i) rented to a corporation, partnership or other
7 entity; or (ii) held off the market for a period longer than is reason-
8 ably necessary to perform repairs needed to make such affordable housing
9 unit available for occupancy.

10 h. An affordable housing unit shall not be rented on a temporary,
11 transient or short-term basis. Every lease and renewal thereof for an
12 affordable housing unit shall be for a term of one or two years, at the
13 option of the tenant.

14 i. An affordable housing unit shall not be converted to cooperative or
15 condominium ownership.

16 j. The agency may establish by rule such requirements as the agency
17 deems necessary or appropriate for: (i) the marketing of affordable
18 housing units, both upon initial occupancy and upon any vacancy; (ii)
19 monitoring compliance with the provisions of this subdivision; (iii) the
20 establishment of marketing bands for affordable housing units; and (iv)
21 specifying the legal instrument by which the marketing, affordability,
22 rent stabilization, permitted rent, and any other requirement associated
23 with this benefit will be recorded and enforced. Such requirements may
24 include, but need not be limited to, retaining a monitor approved by the
25 agency and paid for by the owner of the eligible multiple dwelling.

26 k. Notwithstanding any provision of this section to the contrary, a
27 market unit shall not be subject to rent stabilization unless, in the
28 absence of AHCC program benefits, the unit would be subject to rent
29 stabilization.

30 7. Building service employees. a. For the purposes of this subdivi-
31 sion, "applicant" shall mean an applicant for AHCC program benefits, any
32 successor to such applicant, or any employer of building service employ-
33 ees for such applicant including, but not limited to, a property manage-
34 ment company or contractor.

35 b. All building service employees employed by the applicant at the
36 eligible multiple dwelling shall receive the applicable prevailing wage
37 for the duration of the benefit period, regardless of whether such bene-
38 fits provided pursuant to this section are revoked or terminated.

39 c. The fiscal officer shall have the power to enforce the provisions
40 of this subdivision. In enforcing such provisions, the fiscal officer
41 shall have the power: (i) to investigate or cause an investigation to be
42 made to determine the prevailing wages for building service employees,
43 and in making such investigation, the fiscal officer may utilize wage
44 and fringe benefit data from various sources, including, but not limited
45 to, data and determinations of federal, state or other governmental
46 agencies; provided, however, that the provision of a dwelling unit shall
47 not be considered wages or a fringe benefit; (ii) to institute and
48 conduct inspections at the site of the work or elsewhere; (iii) to exam-
49 ine the books, documents and records pertaining to the wages paid to,
50 and the hours of work performed by, building service employees; (iv) to
51 hold hearings and, in connection therewith, to issue subpoenas, the
52 enforcement of which shall be regulated by the civil practice law and
53 rules, administer oaths and examine witnesses; (v) to make a classifica-
54 tion by craft, trade or other generally recognized occupational category
55 of the building service employees and to determine whether such work has
56 been performed by the building service employees in such classification;

(vi) to require the applicant to file with the fiscal officer a record of the wages actually paid by such applicant to the building service employees and of their hours of work; (vii) to delegate any of the foregoing powers to his or her deputy or other authorized representative; (viii) to promulgate rules as he or she shall consider necessary for the proper execution of the duties, responsibilities and powers conferred upon him or her by the provisions of this subdivision; and (ix) to prescribe appropriate sanctions for failure to comply with the provisions of this subdivision. For each violation of paragraph b of this subdivision, the fiscal officer may require the payment of (A) back wages and fringe benefits; (B) liquidated damages up to three times the amount of the back wages and fringe benefits for willful violations; and/or (C) reasonable attorneys' fees. If the fiscal officer finds that the applicant has failed to comply with the provisions of this subdivision, he or she shall present evidence of such non-compliance to the agency.

d. Paragraph b of this subdivision shall not be applicable to: (i) an eligible multiple dwelling containing less than thirty dwelling units; or (ii) an eligible multiple dwelling whose eligible conversion is carried out with the substantial assistance of grants, loans or subsidies provided by a federal, state or local governmental agency or instrumentality pursuant to a program for the development of affordable housing.

e. The applicant shall submit a sworn affidavit with its application certifying that it shall comply with the requirements of this subdivision or is exempt in accordance with paragraph d of this subdivision. Upon the agency's approval of such application, the applicant who is not exempt in accordance with paragraph d of this subdivision shall submit annually a sworn affidavit to the fiscal officer certifying that it shall comply with the requirements of this subdivision.

8. Concurrent exemptions or abatements. An eligible multiple dwelling receiving AHCC program benefits shall not receive any exemption from or abatement of real property taxation under any other law.

9. Voluntary renunciation or termination. Notwithstanding the provisions of any general, special or local law to the contrary, an owner shall not be entitled to voluntarily renounce or terminate AHCC program benefits unless the agency authorizes such renunciation or termination in connection with the commencement of a tax exemption pursuant to the private housing finance law or section four hundred twenty-c of this title.

10. Termination or revocation. The agency may terminate or revoke AHCC program benefits for noncompliance with this section. All of the affordable housing units shall remain subject to rent stabilization and all other requirements of this section for the duration of the restriction period, regardless of whether such benefits have been terminated or revoked.

11. Powers cumulative. The enforcement provisions of this section shall not be exclusive, and are in addition to any other rights, remedies or enforcement powers set forth in any other law or available at law or in equity.

12. Multiple tax lots. If an eligible multiple dwelling contains multiple tax lots, an application may be submitted with respect to one or more of such tax lots. The agency shall determine eligibility for AHCC program benefits based upon the tax lots included in such application and benefits for each such eligible multiple dwelling shall be based upon the completion date of each such multiple dwelling.

1 13. Applications. a. The application with respect to any eligible
2 multiple dwelling shall be filed with the agency no earlier than the
3 completion date and not later than one year after the completion date of
4 such eligible multiple dwelling.

5 b. Notwithstanding the provisions of any general, special, or local
6 law to the contrary, the agency may require by rule that applications be
7 filed electronically.

8 c. The agency may rely on certification by an architect or engineer
9 submitted by an applicant in connection with the filing of an applica-
10 tion. A false certification by such architect or engineer shall be
11 deemed to be professional misconduct pursuant to section sixty-five
12 hundred nine of the education law. Any architect or engineer found
13 guilty of such misconduct under the procedures prescribed in section
14 sixty-five hundred ten of the education law shall be subject to the
15 penalties prescribed in section sixty-five hundred eleven of the educa-
16 tion law and shall thereafter be ineligible to submit a certification
17 pursuant to this section.

18 d. Such application shall also certify that all taxes, water charges,
19 and sewer rents currently due and owing on the property which is the
20 subject of the application have been paid or are currently being paid in
21 timely installments pursuant to a written agreement with the department
22 of finance or other appropriate agency.

23 14. Filing fee. The agency may require a filing fee of no less than
24 three thousand dollars per dwelling unit in connection with any applica-
25 tion, except that the agency may promulgate rules:

26 a. imposing a lesser fee for an eligible multiple dwelling whose
27 eligible conversion is carried out with the substantial assistance of
28 grants, loans or subsidies provided by a federal, state or local govern-
29 mental agency or instrumentality pursuant to a program for the develop-
30 ment of affordable housing; and

31 b. requiring a portion of the filing fee to be paid upon the
32 submission of the information the agency requires in advance of approv-
33 ing the commencement of the marketing process for such eligible conver-
34 sion.

35 15. Rules. Except as provided in subdivision seven of this section,
36 the agency shall have the sole authority to enforce the provisions of
37 this section and may promulgate rules to carry out the provisions of
38 this section.

39 16. Penalties for violations of affordability requirements. a. On or
40 after the expiration date of the benefit provided pursuant to this
41 section, the agency may impose, after notice and an opportunity to be
42 heard, a penalty for any violation by an eligible multiple dwelling of
43 the affordability requirements of subdivision six of this section.

44 b. A penalty imposed under this subdivision shall be computed as a
45 percentage of the capitalized value of all AHCC program benefits on the
46 eligible multiple dwelling, calculated as of the first year that bene-
47 fits were granted, not to exceed one thousand percent. The agency shall
48 establish a schedule and method of calculation of such penalties pursu-
49 ant to subdivision fifteen of this section.

50 c. A penalty imposed under this subdivision shall be imposed against
51 the owner of the eligible multiple dwelling at the time the violation
52 occurred, even if such owner no longer owns such eligible multiple
53 dwelling at the time of the agency's determination.

54 d. A person or entity who fails to pay a penalty imposed pursuant to
55 this subdivision shall be guilty of a misdemeanor punishable by impri-
56 sonment not to exceed six months.

§ 3. This act shall take effect immediately.

PART S

Intentionally Omitted

PART T

Intentionally Omitted

PART U

Intentionally Omitted

PART V

Section 1. Section 602 of the education law is amended by adding a new subdivision 5 to read as follows:

5. The commissioner shall promulgate rules and regulations allowing for students enrolled in an approved postsecondary education experience or transition program to receive financial assistance from the tuition assistance program.

§ 2. Section 667 of the education law is amended by adding a new subdivision 4 to read as follows:

4. Postsecondary education experience or transition programs. a. Notwithstanding subdivisions one, two and three of this section, the president shall make awards to students with intellectual disabilities in approved postsecondary education experience or transition programs in the same manner as students enrolled in an approved program at a degree-granting institution including the same income limits and awards for each year.

b. An approved postsecondary education experience or transition program shall:

(i) serve students with intellectual disabilities;

(ii) provide individual supports and services for the academic and social inclusion of students with intellectual disabilities in academic courses, extracurricular activities, and other aspects of the institution of higher education's regular postsecondary program;

(iii) provide a focus on:

(A) academic enrichment;

(B) socialization;

(C) independent living skills, including self-advocacy skills; and

(D) integrated work experiences and career skills that lead to gainful employment;

(iv) integrate person-centered planning in the development of the course of study for each student with an intellectual disability;

(v) create and offer a meaningful credential for students with intellectual disabilities upon the completion of the postsecondary education experience or transition program; and

(vi) be a federally approved comprehensive transition and postsecondary program.

c. For the purposes of this subdivision, "students with intellectual disabilities" shall mean a student with an impairment of general intel-

lectual functioning or adaptive behavior which constitutes a substantial handicap to the student's ability to function normally in society and which has originated at any point in the student's life.

§ 3. This act shall take effect immediately.

PART W

Section 1. Subdivision 3 of section 667 of the education law, as added by chapter 83 of the laws of 1995, paragraph a as amended by section 1 and subparagraph (iv) of paragraph b as amended by section 3 of part B of chapter 60 of the laws of 2000, clause (A) of subparagraph (i) of paragraph a as amended by section 1 and subparagraphs (i) and (ii) of paragraph b as amended by section 2 of part DD of chapter 56 of the laws of 2021, subparagraph (iii) of paragraph a as amended by section 3 of part H and paragraph c as relettered by section 2 of part J of chapter 58 of the laws of 2011 and paragraph b as amended by chapter 309 of the laws of 1996, is amended to read as follows:

3. Tuition assistance program awards.

a. Amount. The president shall make awards to students enrolled in degree-granting institutions or registered not-for-profit business schools qualified for tax exemption under § 501(c)(3) of the internal revenue code for federal income tax purposes in the following amounts:

(i) For each year of undergraduate study, assistance shall be provided as computed on the basis of the amount which is the lesser of the following:

~~(A) [(1) In the case of students who have not been granted an exclusion of parental income, who have qualified as an orphan, foster child, or ward of the court for the purposes of federal student financial aid programs authorized by Title IV of the Higher Education Act of 1965, as amended, or had a dependent for income tax purposes during the tax year next preceding the academic year for which application is made, except for those students who have been granted exclusion of parental income who have a spouse but no other dependent.]~~

~~(a)]~~ Five thousand dollars, except starting in two thousand fourteen-two thousand fifteen such students shall receive five thousand one hundred sixty-five dollars, and except starting in two thousand twenty-one--two thousand twenty-two [~~and thereafter~~] such students shall receive five thousand six hundred sixty-five dollars, and except starting in two thousand twenty-four--two thousand twenty-five and thereafter, such students shall receive six thousand one hundred sixty-five dollars, provided however that nothing herein shall be construed as increasing any award made pursuant to this section for an academic year prior to two thousand [~~twenty-one~~]twenty-four--two thousand [~~twenty-two~~]twenty-five; or

~~[(b)]~~ (B) For undergraduate students enrolled in a program of study at a non-public degree-granting institution that does not offer a program of study that leads to a baccalaureate degree, or at a registered not-for-profit business school qualified for tax exemption under section 501(c)(3) of the internal revenue code for federal income tax purposes that does not offer a program of study that leads to a baccalaureate degree, four thousand dollars, except starting in two thousand twenty-one--two thousand twenty-two and thereafter such students shall receive four thousand five hundred dollars. Provided, however, that this [~~subitem~~]clause shall not apply to students enrolled in a program of study leading to a certificate or degree in nursing[~~;~~]; or

~~[(2) In the case of students receiving awards pursuant to subparagraph (iii) of this paragraph and those students who have been granted exclusion of parental income who have a spouse but no other dependent beginning in the two thousand twenty-one two thousand twenty-two academic year and thereafter, three thousand five hundred twenty-five dollars, provided that nothing herein shall be construed as increasing any award made for any prior academic year, or~~

~~(B)]~~ (C) (1) Ninety-five percent of the amount of tuition (exclusive of educational fees) charged and, if applicable, the college fee levied by the state university of New York pursuant to the April first, nineteen hundred sixty-four financing agreement with the New York state dormitory authority.

(2) For the two thousand one--two thousand two academic year and thereafter one hundred percent of the amount of tuition (exclusive of educational fees) charged and, if applicable, the college fee levied by the state university of New York pursuant to the April first, nineteen hundred sixty-four financing agreement with the New York state dormitory authority.

(ii) ~~[Except for students as noted in subparagraph (iii) of this paragraph, the]~~ The base amount as determined from subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:

Amount of income	Schedule of reduction of base amount
(A) Less than seven thousand dollars	None
(B) Seven thousand dollars or more, but less than eleven thousand dollars	Seven per centum of excess over seven thousand dollars
(C) Eleven thousand dollars or more, but less than eighteen thousand dollars	Two hundred eighty dollars plus ten per centum of excess over eleven thousand dollars
(D) Eighteen thousand dollars or more, but not more than eighty <u>one hundred twenty-five</u> thousand dollars	Nine hundred eighty dollars plus twelve per centum of excess over eighteen thousand dollars

~~(iii) [(A) For students who have been granted exclusion of parental income and were single with no dependent for income tax purposes during the tax year next preceding the academic year for which application is made, the base amount, as determined in subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:~~

~~Amount of income~~ ~~Schedule of reduction
of base amount~~

~~(1) Less than three thousand dollars~~ ~~None~~

~~(2) Three thousand dollars or more, but not more than ten thousand dollars~~ ~~Thirty-one per centum of amount in excess of three thousand dollars~~

~~(B) For those students who have been granted exclusion of parental income who have a spouse but no other dependent, for income tax purposes during the tax year next preceding the academic year for which applica-~~

~~tion is made, the base amount, as determined in subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:~~

Amount of income	Schedule of reduction of base amount
-----------------------------	---

(1) Less than seven thousand dollars	None
---	-----------------

(2) Seven thousand dollars or more, but less than eleven thousand dollars	Seven per centum of excess over seven thousand dollars
--	---

(3) Eleven thousand dollars or more, but less than eighteen thousand dollars	Two hundred eighty dollars plus ten per centum of excess over eleven thousand dollars
---	--

(4) Eighteen thousand dollars or more, but not more than forty thousand dollars	Nine hundred eighty dollars plus twelve per centum of excess over eighteen thousand dollars
--	--

~~(iv)]~~ If the amount of reduction is not a whole dollar, it shall be reduced to the next lowest whole dollar. In the case of any student who has received four or more payments pursuant to any and all awards provided for in this subdivision, for the two thousand--two thousand one academic year the base amount shall be reduced by an additional one hundred fifty dollars for the two thousand one--two thousand two academic year and thereafter the base amount shall be reduced by an additional one hundred dollars.

~~(v)]~~ (iv) The award shall be the net amount of the base amount determined pursuant to subparagraph (i) of this paragraph reduced pursuant to subparagraph (ii) ~~[or (iii)]~~ of this paragraph but the award shall not be reduced for the two thousand--two thousand one and two thousand one--two thousand two academic years below two hundred seventy-five dollars if the amount of income is ~~[eighty]~~ one hundred twenty-five thousand dollars or less and more than seventy thousand dollars, three hundred twenty-five dollars if the amount of income is seventy thousand dollars or less and more than sixty thousand dollars and four hundred twenty-five dollars if the amount of income is sixty thousand dollars or less.

~~(vi)]~~ (v) For the two thousand two--two thousand three academic year and thereafter, the award shall be the net amount of the base amount determined pursuant to subparagraph (i) of this paragraph reduced pursuant to subparagraph (ii) ~~[or (iii)]~~ of this paragraph but the award shall not be reduced below ~~[five hundred]~~ one thousand dollars.

b. Amount. The president shall make awards to students enrolled in two year programs offered in registered private business schools except for registered not-for-profit business schools qualified for tax exemption under section 501(c)(3) of the internal revenue code for federal income tax purposes in the following amounts:

(i) For each year of study, assistance shall be provided as computed on the basis of the amount which is the lesser of the following:

(A) ~~[(1)]~~ one thousand three hundred dollars~~[, or
(2) for students receiving awards pursuant to subparagraph (iii) of this paragraph, one thousand one hundred forty dollars]~~; or

(B) (1) Ninety-five percent of the amount of tuition (exclusive of educational fees) charged.

(2) For the two thousand one--two thousand two academic year and thereafter one hundred percent of the amount of tuition (exclusive of educational fees).

(ii) ~~[Except for students as noted in subparagraph (iii) of this paragraph, the]~~ The base amount as determined in subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:

Amount of income	Schedule of reduction of base amount
(A) Less than seven thousand dollars	None
(B) Seven thousand dollars or more, but less than eleven thousand dollars	Seven per centum of the excess over seven thousand dollars

~~(iii) [For students who have been granted exclusion of parental income and were single with no dependent for income tax purposes during the tax year next preceding the academic year for which application is made, the base amount, as determined in subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:]~~

Amount of income	Schedule of reduction of base amount
(A) Less than three thousand dollars	None
(B) Three thousand dollars or more, but not more than ten thousand dollars	Thirty one per centum of the excess over three thousand dollars

~~(iv)]~~ If the amount of reduction is not a whole dollar, it shall be reduced to the next lowest whole dollar. In the case of any student who has received four or more payments pursuant to any and all awards provided for in this subdivision, for the two thousand--two thousand one academic year the base amount shall be reduced by an additional one hundred fifty dollars for the two thousand one--two thousand two academic year and thereafter the base amount shall be reduced by an additional one hundred dollars.

~~(v)]~~ (iv) The award shall be the net amount of the base amount determined pursuant to subparagraph (i) of this paragraph reduced pursuant to subparagraph (ii) ~~[or (iii)]~~ of this paragraph but the award shall not be reduced below one hundred dollars. If the income exceeds the maximum amount of income allowable under subparagraph (ii) ~~[or (iii)]~~ of this paragraph, no award shall be made.

c. Restrictions. In no ~~even shall~~ event shall any award:

(i) be made unless the annual tuition (exclusive of educational fees) and, if applicable, the college fee levied by the state university of New York pursuant to the April first, nineteen hundred sixty-four financing agreement with the New York state dormitory authority charged for the program in which the student is enrolled total at least two hundred dollars; or

(ii) exceed the amount by which such annual tuition (exclusive of educational fees) and, if applicable, the college fee levied by the state university of New York pursuant to the April first, nineteen hundred sixty-four financing agreement with the New York state dormitory

1 authority exceed the total of all other state, federal, or other educa-
2 tional aid that is received or receivable by such student during the
3 school year for which such award is applicable and that, in the judgment
4 of the commissioner, would duplicate the purposes of the award; or

5 (iii) be made when income exceeds the maximum income set forth in this
6 subdivision. The commissioner shall list in his regulations all major
7 state and federal financial aid available to New York state students and
8 identify any forms of aid that are duplicative of the purposes of the
9 tuition assistance program. For the purposes of this subdivision,
10 neither United States war orphan educational benefits nor benefits under
11 the veterans' readjustment act of nineteen hundred sixty-six shall be
12 considered as federal or other educational aid.

13 § 2. This act shall take effect on the one hundred eightieth day after
14 it shall have become a law.

15 PART X

16 Section 1. Legislative intent. The State University of New York
17 ("SUNY") has committed to becoming the most inclusive university system
18 in the country, where all students, faculty, and staff feel welcome and
19 supported. To meet this goal, SUNY must employ, in addition to faculty
20 and staff, leaders at the highest levels who share common experiences
21 and culture with those who comprise the fastest-growing segment of its
22 student population: diverse students who will become the nation's next
23 generation of leaders.

24 SUNY has seen a steady increase of Black students in recent years,
25 reaching nearly 11 percent, or over 42,000 students, in the 2019-2020
26 academic year. While SUNY continues its efforts to ensure that campus
27 leadership and faculty reflect the students they serve by hiring faculty
28 who are more representative of the diverse student population at SUNY
29 campuses, the diversity within executive leadership teams on many
30 campuses can be expanded further with support from the legislature.

31 It is, therefore, the intention of the legislature to create a Black
32 Leadership Institute ("the Institute") as an initiative for Black lead-
33 ers in higher education with a mission to retain and grow from within
34 SUNY a greater proportion of Black professionals at SUNY campuses. The
35 Institute shall offer support and foster professional development for
36 candidates for senior leadership roles on SUNY campuses, which will, in
37 turn, create a more diverse SUNY culture that represents New York state
38 and the SUNY student population.

39 The legislature further intends that the Institute would be designed
40 to open doors to executive-level positions and strengthen the Universi-
41 ty's pool of Black leaders. The Institute will identify, develop, and
42 recruit, and ultimately support, retain, and foster the success of Black
43 leaders across the SUNY system.

44 § 2. The education law is amended by adding a new section 362 to read
45 as follows:

46 § 362. Black leadership institute. 1. Subject to an appropriation for
47 this purpose, the chancellor of the state university of New York, in
48 consultation with the board of trustees of the state university of New
49 York, shall create a Black Leadership Institute within the state univer-
50 sity of New York to foster the success of Black leaders at the universi-
51 ty president and president's cabinet level. Such institute shall develop
52 candidate identification and recruitment efforts, search committee
53 training, professional development and individualized support measures
54 for institute participants, professional assistance programming,

1 services, research and resource identification activities, and any other
2 programs deemed necessary to effectuate the intent of this institute.

3 2. The chancellor shall appoint an executive director and an eight
4 member advisory council, to provide guidance and advice to further the
5 development and growth of the institute. The director and the members of
6 the advisory council shall serve for three-year terms, with the director
7 and three advisory council members appointed in the first year of the
8 institute's existence, three other members appointed in the second year,
9 and two members appointed in the third year. The director and advisory
10 council members may be reappointed at the end of each term in the manner
11 of the original appointment. The director and advisory council shall
12 receive no compensation for their work in conjunction with the insti-
13 tute.

14 3. In considering measures and programming for effectuating the
15 purpose of the institute, the institute shall consider such factors as
16 program cost-effectiveness; the ability of such programs to offer
17 programmatically appropriate, long-term, training, and support services;
18 the ability of such programs to enable individuals to participate in the
19 institute to receive rewarding training, services, and supports; and
20 current and projected employment data at campuses within the state
21 university system.

22 4. The executive director shall prepare and present to the governor,
23 the speaker of the assembly, and the majority leader of the senate at
24 the beginning of each regular session of the legislature a separate
25 report covering, in summary, and in detail, all phases of activity of
26 the institute for the immediately preceding fiscal year.

27 § 3. This act shall take effect on the first of April next succeeding
28 the date on which it shall have become a law.

29 PART Y

30 Section 1. Subdivisions 1 and 3 of section 592 of the labor law, as
31 amended by chapter 20 of the laws of 2020, are amended to read as
32 follows:

33 1. Industrial controversy. (a) The accumulation of benefit rights by a
34 claimant shall be suspended during a period of [~~two consecutive weeks~~]
35 one week beginning with the day after such claimant lost his or her
36 employment because of a strike or other industrial controversy except
37 for lockouts, including concerted activity not authorized or sanctioned
38 by the recognized or certified bargaining agent of the claimant, and
39 other concerted activity conducted in violation of any existing collec-
40 tive bargaining agreement, in the establishment in which he or she was
41 employed, except that benefit rights may be accumulated before the expi-
42 ration of such [~~two~~] one week period beginning with the day after such
43 strike or other industrial controversy was terminated.

44 (b) Benefits shall not be suspended under this section if:

45 (i) The employer hires a permanent replacement worker for the employ-
46 ee's position. A replacement worker shall be presumed to be permanent
47 unless the employer certifies in writing that the employee will be able
48 to return to his or her prior position upon conclusion of the strike, in
49 the event the strike terminates prior to the conclusion of the employ-
50 ee's eligibility for benefit rights under this chapter. In the event the
51 employer does not permit such return after such certification, the
52 employee shall be entitled to recover any benefits lost as a result of
53 the [~~two~~] one week suspension of benefits, and the department may impose
54 a penalty upon the employer of up to seven hundred fifty dollars per

1 employee per week of benefits lost. The penalty collected shall be paid
2 into the unemployment insurance control fund established pursuant to
3 section five hundred fifty-two-b of this article; or

4 (ii) The commissioner determines that the claimant:

5 (A) is not employed by an employer that is involved in the industrial
6 controversy that caused his or her unemployment and is not participating
7 in the industrial controversy; or

8 (B) is not in a bargaining unit involved in the industrial controversy
9 that caused his or her unemployment and is not participating in the
10 industrial controversy.

11 3. Terms of suspension. ~~[No]~~ The waiting period ~~[may be served during~~
12 ~~a]~~ and suspension period shall be served concurrently.

13 The suspension of accumulation of benefit rights shall not be termi-
14 nated by subsequent employment of the claimant irrespective of when the
15 claim is filed except as provided in subdivision one and shall not be
16 confined to a single benefit year.

17 A "week" as used in subdivision one of this section means any seven
18 consecutive calendar days.

19 § 2. This act shall take effect immediately.

20 PART Z

21 Section 1. Subdivisions 1, 2 and 3 of section 20 of the workers'
22 compensation law are renumbered subdivisions 2, 3 and 4 and a new subdi-
23 vision 1 is added to read as follows:

24 1. The board shall index a claim for workers' compensation immediately
25 upon the receipt of a medical report in addition to either a claim filed
26 by the injured worker or an employer's report of injury or illness.

27 § 2. Subdivision 2 of section 20 of the workers' compensation law,
28 as amended by chapter 635 of the laws of 1996 and as renumbered by
29 section one of this act, is amended to read as follows:

30 2. ~~[At any time after the expiration of the first seven days of disa-~~
31 ~~bility on the part of an injured employee, or at any time after the~~
32 ~~employee's death, a claim for compensation may be presented to the~~
33 ~~employer or to the chair. The]~~ Within sixty days after a claim for
34 compensation has been indexed, the board shall hold an initial hearing
35 for each claim in which the injured worker asserts lost wages or lost
36 time due to injury and shall have full power and authority to determine
37 all questions in relation to the payment of claims presented to it for
38 compensation under the provisions of this chapter. The chair or board
39 shall thereafter make or cause to be made such investigation as it deems
40 necessary, and upon application of either party or an attorney repres-
41 enting either party, shall order a hearing before a referee to take
42 place within forty-five calendar days of the application from either
43 party, and within thirty days after a claim for compensation is submit-
44 ted under this section, or such hearing closed, shall make or deny an
45 award, determining such claim for compensation, and file the same in the
46 office of the chair. No application for a hearing made by a party or an
47 attorney pursuant to this section shall be subject to limitations,
48 prerequisites, or penalties imposed by the board. Immediately after such
49 filing the chair shall send to the parties a copy of the decision. Upon
50 a hearing pursuant to this section either party may present evidence and
51 be represented by counsel. The decision of the board shall be final as
52 to all questions of fact, and, except as provided in section twenty-
53 three of this article, as to all questions of law. Except as provided
54 in section twenty-seven of this article, all awards of the board shall

draw simple interest from thirty days after the making thereof at the rate provided in section five thousand four of the civil practice law and rules. Whenever a hearing or proceeding for the determination of a claim for compensation is begun before a referee, pursuant to the provisions of this chapter, such hearing or proceeding or any adjourned hearing thereon shall continue before the same referee until a final determination awarding or denying compensation, except in the absence, inability or disqualification to act of such referee, or for other good cause, in which event such hearing or proceeding may be continued before another referee by order of the chair or board.

§ 3. Paragraph (c) of subdivision 3 of section 25 of the workers' compensation law, as amended by chapter 61 of the laws of 1986, is amended to read as follows:

(c) The board shall keep an accurate record of all hearings held. All decisions shall be issued to the injured worker in their native language. Whenever a hearing must be continued or adjourned because the carrier or employer has engaged in dilatory tactics or exhibited unjustified lack of preparedness, the board shall impose a penalty of twenty-five dollars to be paid to the fund created by subdivision two of section one hundred fifty-one of this chapter and shall in addition make an award of seventy-five dollars payable to the injured worker or his or her dependants. Dilatory tactics may include but shall not be limited to: failing to subpoena medical witnesses or to secure an order to show cause as directed by the referee, failing to bring proper files, failing to appear, failing to produce witnesses or documents after they have been requested by the referee or examiner or as directed by the hearing notice, unnecessarily protracting the production of evidence, or engaging in a pattern of delay which unduly delays resolution, except that no penalty shall be imposed nor award made under this subdivision if the carrier or employer produces evidence sufficient to excuse its conduct to the satisfaction of the referee.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.

PART AA

Section 1. This act enacts into law major components of legislation which are necessary to implement the New York healthy incentive program. Each component is wholly contained within a Subpart identified as Subparts A through C. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Part, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. The social services law is amended by adding a new section 95-b to read as follows:

§ 95-b. New York healthy incentive program (NYHIP). 1. Legislative findings. The legislature hereby finds and declares that healthy food incentive programs provide significant health, educational, social, and economic benefits to the general public, especially for those individ-

1 uals who have historically been excluded from access to fresh produce;
2 in food deserts where access to healthy and affordable food is limited
3 or where there are no grocery stores; and local farmers who struggle to
4 compete with imported goods and produce. Furthermore, it is the artic-
5 ulated public policy of this state to promote and foster growth in the
6 number of farm to consumer entities accepting supplemental nutrition
7 assistance benefits and participate in the healthy food incentive
8 program. The healthy food incentive program provides earned dollars for
9 supplemental nutrition assistance program recipients to spend on local
10 healthy food that is fresh and nutritious for those who may be unable to
11 readily afford or have easy access to fresh fruits and vegetables for
12 themselves or their families; promotes healthier individual lifestyles
13 by incentivizing better eating habits; fosters the retention and expan-
14 sion of farm to consumer entities, particularly in food insecure envi-
15 ronments; engenders a closer relationship between communities and local
16 farmers; increases capacity for local farms; and stimulates local econo-
17 mies. It is therefore the intent of the legislature and the purpose of
18 this section to create a state operated healthy food incentive program,
19 known as the New York healthy incentive program (NYHIP), for all SNAP
20 recipients and local economies across the state.

21 2. Definitions. For the purposes of this section and section ninety-
22 five-c of this title:

23 a. "Office" shall mean the office of temporary and disability assist-
24 ance.

25 b. "Commissioner" shall mean the commissioner of the office of tempo-
26 rary and disability assistance.

27 c. "Farm to consumer entities" shall mean any sort of enterprise that
28 allows local farmers to sell their produce and other products directly
29 to the consumer, such as farmers markets, co-ops, locally sourced commu-
30 nity owned grocery stores, and community supported agriculture, as
31 determined by the commissioner with input from the commissioner of agri-
32 culture and markets.

33 d. "Local" or "locally" shall mean located within the state of New
34 York, however, if neighboring states create their own healthy incentive
35 programs the office may make agreements of reciprocity to allow SNAP
36 beneficiaries to earn dollar rewards for the purchase of healthy foods
37 from such neighboring state and may place a boundary limitation based on
38 distance from state lines.

39 e. "Local healthy food" shall mean any agricultural product that
40 provides nutritional support to humans such as produce, dairy, meat and
41 processed foods that must consist of ingredients that are grown and
42 cultivated in the state of New York, but may be processed elsewhere. For
43 the purposes of this paragraph, "processed foods" shall mean any raw
44 agricultural commodities that have been milled, cut, chopped, heated,
45 pasteurized, blanched, cooked, canned, frozen, dried, dehydrated, or
46 mixed, and shall consist of at least seventy-five percent of local
47 ingredients.

48 f. "Similarly situated entities" shall mean stores of any size that
49 have agreed to and signed a memorandum of understanding detailing how
50 they will prioritize sourcing produce and other healthy foods locally,
51 agree to goal metrics to increase their ability to locally source, and
52 meet those metrics to maintain their healthy food incentive program
53 participation. For the purposes of this paragraph, "stores" shall mean
54 any not farm to consumer produce retailer that is currently authorized
55 as an electronic benefit transfer retailer, such as grocery stores,

1 corner stores, bodegas, food marts, food stores, convenience stores, or
2 markets.

3 g. "SNAP card" or "SNAP benefit card" shall mean any electronic method
4 in which the supplemental nutrition assistance program is administered
5 to beneficiaries on a credit or debit card, including through the elec-
6 tronic benefit transfer system described in section twenty-one-a of this
7 chapter.

8 3. Office powers and duties to promulgate program. a. The office is
9 directed to apply for any necessary grant or waiver to participate in
10 the Gus Schumacher Nutrition Incentive Program or similar grant adminis-
11 tered by the United States Department of Agriculture and the National
12 Institute of Food and Agriculture for approval, and to act for the state
13 in any negotiations relative to the submission and approval of such
14 plan, waiver, or grant, and shall make such arrangements and take such
15 action, not inconsistent with law, as may be required to obtain and
16 retain such approval, to implement such plan, waiver, or grant and to
17 secure for the state the benefits available.

18 b. The office shall actively search for, find and apply for grants and
19 other streams of funding to promulgate this section and fund this
20 program.

21 c. The office shall promulgate rules and regulations and take all
22 other actions necessary for the effective creation and implementation of
23 NYHIP, providing earned dollars for SNAP beneficiaries to spend on local
24 healthy food that is fresh and nutritious, in accordance with this
25 section. Nothing in this section shall prohibit or limit the commis-
26 sioner's ability to expand access to NYHIP to all New Yorkers, so long
27 as it continues to prioritize the earned dollars used to buy locally
28 grown healthy foods. Nothing in this section shall prohibit or limit the
29 office from including New York grown and certified foods, as created by
30 section one hundred fifty-six-h of the agriculture and markets law, from
31 being included in NYHIP. NYHIP shall include the following:

32 i. A fixed earned dollar amount for the purchase of fresh locally
33 grown healthy foods using SNAP;

34 ii. Automation of earned dollar amounts on SNAP cards;

35 iii. Automation of SNAP benefit cards so SNAP beneficiaries are able
36 to participate in local community supported agriculture subscriptions
37 and earn NYHIP dollars;

38 iv. Ensuring NYHIP is available at all farm to consumer entities and
39 similarly situated entities by encouraging them to participate;

40 v. Connecting farm to consumer entities and similarly situated enti-
41 ties with the necessary resources and technology to participate in
42 NYHIP;

43 vi. Regular updates and maintenance of the mobile application and
44 website; and

45 vii. Creation and maintenance of a NYHIP outreach program to ensure
46 all SNAP beneficiaries are aware of the opportunity to participate in
47 such program.

48 d. The office may contract with outside entities to effect the imple-
49 mentation and promulgation of NYHIP and shall give greater weight to
50 entities that manage healthy incentive programs in the state when deter-
51 mining contract award.

52 e. The office shall establish a grant program, for farmers, farmers
53 markets, and community-supported agriculture partnerships, in attaining
54 any technology needed to take payment from SNAP beneficiaries and
55 participate in NYHIP. The office, in consultation with the department of
56 agriculture and markets, shall establish an outreach program for farm-

ers, farmers markets, and community-supported agriculture partnerships to be informed of NYHIP and the availability of the technological grant described above.

4. NYHIP mobile application, website and interactive map. a. i. The office shall establish a mobile application and website to promote NYHIP and locations available to SNAP recipients across the state and promote farm to consumer entities that take SNAP. The mobile application and website shall include, but is not limited to:

A. Name, location, hours of operation, contact information, and hyperlinks, as available, to all farm to consumer entities that sell locally grown healthy food and accept SNAP benefits; and

B. Name, location, hours of operation, contact information, and hyperlinks, as available, to all farmers markets, mobile markets, community supported agriculture, or similarly situated entities that sell locally grown healthy food that are participants of NYHIP.

ii. The mobile application and website should have an interactive map where a user may find farm to consumer entities that take SNAP and are NYHIP participants. This information should also be searchable by town/city, county, region or any other criteria the commissioner deems relevant.

iii. The mobile application and website should make clear distinctions between farm to consumer entities that just take SNAP and those that are participants of NYHIP.

b. Each commissioner of social services shall provide information regarding NYHIP on their website and hyperlinks to this interactive website and where to download the mobile application on the SNAP pages of all social services websites.

c. The office shall establish procedures for farm to consumer entities that accept SNAP benefits and NYHIP to provide the updated information detailed above for the mobile application and website. In developing such procedures, the office shall provide a system in which the information required in the mobile application and website is updated monthly and continuous maintenance is provided.

d. The office shall promulgate rules and regulations and take all other actions necessary for the effective implementation of this section. Nothing in this section shall prohibit or limit the department's ability to expand access to the NYHIP incentive program map to all New Yorkers.

§ 2. This act shall take effect immediately.

SUBPART B

Section 1. Section 95 of the social services law is amended by adding a new subdivision 12 to read as follows:

12. (a) The office shall promptly seek any necessary approvals from the United States department of agriculture food and nutrition service (USDA) to automate the use of SNAP benefit cards to streamline the process for potential and current recipients to participate in locally grown fresh food subscription services, such as community supported agriculture partnerships, by conducting an automatic deduction on a weekly basis. The office shall also create an automation process for the New York healthy incentive program (NYHIP) as prescribed in section ninety-five-b of this title, by allowing the state to add the accrued incentives directly to a SNAP card. Once the office receives the waiver, the office shall work with the USDA and NYHIP to ensure that any incentives accrued are used by SNAP beneficiaries to purchase local food that is

1 fresh and nutritious for those who may be unable to readily afford or
2 have easy access to fresh fruits and vegetables for themselves or their
3 families. The office shall promptly seek any necessary approvals from
4 the USDA in order to maximize availability of NYHIP purchasing options
5 throughout the state.

6 (b) The office shall ensure SNAP beneficiaries and locally grown fresh
7 food subscription services, such as community supported agriculture
8 partnerships, are held harmless under situations in which SNAP benefi-
9 ciaries lose benefits during their subscription contract. The office shall
10 honor the entirety of the subscription service contract at the expense
11 of the state.

12 (c) Within one hundred eighty days after the effective date of this
13 subdivision, the office shall apply for a waiver or any other necessary
14 measure to the USDA to automate the use of SNAP in the state to stream-
15 line NYHIP and increase access to locally grown CSA subscriptions.

16 (d) For the purposes of this subdivision, "community supported agri-
17 culture partnerships" or "CSA" shall mean a system that connects farmers
18 and consumers by allowing the consumer to invest in farmers by subscrib-
19 ing to a harvest of a certain farm or group of farms, usually done by
20 crop season but may be year round.

21 § 2. This act shall take effect immediately.

22 SUBPART C

23 Section 1. The social services law is amended by adding a new section
24 95-c to read as follows:

25 § 95-c. New York healthy incentive program (NYHIP) outreach program.

26 1. In accordance with federal requirements and to the extent that
27 federal matching funds are available, the office shall develop and
28 implement an outreach plan to inform low-income households potentially
29 eligible to receive food stamps and participate in NYHIP to encourage
30 the participation of eligible households that wish to participate.

31 2. In developing and implementing such a plan the office is authorized
32 and empowered, subject to the approval of the director of the budget and
33 provided that federal aid is available therefor, to enter into contrac-
34 tual agreements with public and/or private organizations to develop and
35 implement local, regional, and statewide outreach programs.

36 3. Each commissioner of social services shall develop and submit to
37 the office on an annual basis for its approval, a local outreach plan
38 governing the use of local social services personnel and services
39 provided by federally funded and other agencies and organizations to
40 inform potentially eligible households of the availability and benefits
41 of NYHIP and to encourage and facilitate the participation of eligible
42 households. The office shall provide commissioners of social services
43 with technical assistance as needed to carry out the provisions of this
44 subdivision.

45 4. As part of each local outreach plan, social services officials
46 shall take all steps necessary to maintain a supply of information leaf-
47 lets in public buildings, including but not limited to local unemploy-
48 ment insurance and employment services offices of the department of
49 labor, institutions and facilities under the supervision or control of
50 the department of health, food stores, union halls, community centers,
51 entities participating in NYHIP, and local agencies providing services
52 to the elderly to help ensure that eligible persons are informed of the
53 supplemental nutrition assistance program and NYHIP. Additionally, as
54 part of the local outreach plan, social services officials shall ensure

1 that every new supplemental nutrition assistance program applicant
2 receives information on NYHIP upon submission of an application and
3 shall provide such information in the home language of the applicant
4 pursuant to any federal and state laws, rules and regulations.

5 5. The office shall periodically distribute to all newspapers, and to
6 television and radio stations throughout the state, public service
7 announcements describing NYHIP, including the NYHIP interactive map and
8 website, and shall promptly inform such media of significant changes in
9 the program affecting eligibility requirements and/or the amount of
10 NYHIP earnings.

11 6. The office shall establish procedures in cooperation with the
12 industrial commissioner of the department of labor to ensure that infor-
13 mational leaflets about NYHIP are sent to each local employment services
14 office for distribution pursuant to section five hundred forty of the
15 labor law. Each leaflet shall include, but not be limited to: the phone
16 number for the New York state food stamp hotline; how to access the
17 NYHIP website and interactive map; how SNAP beneficiaries earn NYHIP
18 benefits buying local healthy foods; estimated maximum income eligibil-
19 ity levels by household size for participation in SNAP; and the avail-
20 ability of local social services departments to provide additional
21 information about NYHIP.

22 7. In accordance with applicable federal and state laws, rules and
23 regulations, the office shall make available appropriate translated
24 materials so that potentially eligible non-English speaking individuals
25 may be informed about NYHIP.

26 8. The office shall promulgate rules and regulations and take all
27 other actions necessary for the effective implementation of this
28 section.

29 § 2. This act shall take effect immediately.

30 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
31 sion, section or part of this act shall be adjudged by any court of
32 competent jurisdiction to be invalid, such judgment shall not affect,
33 impair, or invalidate the remainder thereof, but shall be confined in
34 its operation to the clause, sentence, paragraph, subdivision, section
35 or part thereof directly involved in the controversy in which such judg-
36 ment shall have been rendered. It is hereby declared to be the intent of
37 the legislature that this act would have been enacted even if such
38 invalid provisions had not been included herein.

39 § 3. This act shall take effect immediately; provided, however, that
40 the applicable effective date of Subparts A through C of this act shall
41 be as specifically set forth in the last section of such Subparts.

42 PART BB

43 Section 1. Subdivision 1 of section 350 of the social services law is
44 amended by adding a new paragraph (c) to read as follows:

45 (c) In accordance with the regulations of the department approved by
46 the director of the budget, allowances granted under the provisions of
47 this title may include the costs of diapers for an eligible child, two
48 years of age or younger. Said allowances shall not exceed eighty
49 dollars, every three months, per eligible child.

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

52 PART CC

1 Section 1. Subdivision 14 of section 131-a of the social services law,
2 as amended by section 1 of part ZZ of chapter 59 of the laws of 2018, is
3 amended to read as follows:

4 14. In determining the ~~[need for]~~ amount of aid provided pursuant to
5 public assistance programs, each person living with medically diagnosed
6 HIV infection ~~[as defined by the AIDS institute of the department of~~
7 ~~health in social services districts with a population over five million]~~
8 who applies for or is receiving ~~[services through such district's admin-~~
9 ~~istrative unit providing HIV/AIDS services,]~~ public assistance and has
10 earned and/or unearned income, up to two hundred percent of the federal
11 poverty guidelines, shall not be required to pay more than thirty
12 percent of his or her monthly earned and/or unearned income toward the
13 cost of rent that such person has a direct obligation to pay; this
14 provision shall not apply to the amount of payment obligations for room
15 and board arrangements attributable to the provision of goods and
16 services other than living space.

17 § 2. Subdivision 15 of section 131-a of the social services law is
18 REPEALED and a new subdivision 15 is added to read as follows:

19 15. Notwithstanding the provisions of this chapter or of any other law
20 or regulation to the contrary, in determining the amount of aid provided
21 pursuant to public assistance programs, social service districts shall,
22 upon application, provide access to emergency shelter, transportation,
23 or nutrition payments which the district determines are necessary to
24 establish or maintain independent living arrangements among persons
25 living with medically diagnosed HIV infection who are homeless or facing
26 homelessness and for whom no viable and less costly alternative to hous-
27 ing is available, including HIV emergency shelter allowance payments in
28 excess of those promulgated by the office of temporary and disability
29 assistance but not exceeding an amount reasonably approximate to one
30 hundred ten percent of fair market rent as determined by the federal
31 department of housing and urban development.

32 § 3. Section 131 of the social services law is amended by adding two
33 new subdivisions 21 and 22 to read as follows:

34 21. When necessary, each local social services district shall assist
35 persons with medically diagnosed HIV infection by (i) helping to secure
36 the required documentation to determine eligibility for assistance, (ii)
37 arranging for required face-to-face interviews to be conducted during
38 home visits or at other appropriate sites, and (iii) providing referrals
39 for services as well as other resources and materials as described in
40 subdivision twenty-two of this section.

41 22. The office, in consultation with the department of health, shall
42 create, maintain, and periodically update information on the office's
43 website regarding resources and services throughout the state, including
44 the location of such services, which shall include but not be limited
45 to, community based supports, employment opportunities, and medical
46 professionals specialized in assisting such persons with medically diag-
47 nosed HIV infection to be utilized by the local social services
48 districts. Such information shall also be made available on the office's
49 website.

50 § 4. Paragraphs f and (g) of subdivision 1 of section 153 of the
51 social services law, paragraph f as amended by chapter 81 of the laws of
52 1995 and paragraph (g) as amended by chapter 471 of the laws of 1980,
53 are amended and a new paragraph h is added to read as follows:

54 f. the full amount expended by any district, city, town or Indian
55 tribe for the costs, including the costs of administration of public
56 assistance and care to eligible needy Indians and members of their fami-

1 lies residing on any Indian reservation in this state, after first
2 deducting therefrom any federal funds properly received or to be
3 received on account thereof[~~+~~];

4 [~~g~~] g. fifty per centum of the amount expended for substance abuse
5 services pursuant to this chapter, after first deducting therefrom any
6 federal funds properly received or to be received on account thereof. In
7 the event funds appropriated for such services are insufficient to
8 provide full reimbursement of the total of the amounts claimed by all
9 social services districts pursuant to this section then reimbursement
10 shall be in such proportion as each claim bears to such total[~~+~~]; and

11 h. notwithstanding any inconsistent provision of law, one hundred per
12 centum of safety net or family assistance expenditures, in social
13 services districts with a population of five million or fewer, for HIV
14 emergency shelter allowance payments in excess of those promulgated by
15 the office of temporary and disability assistance but not exceeding an
16 amount reasonably approximate to one hundred ten percent of fair market
17 rent as determined by the federal department of housing and urban devel-
18 opment, and for transportation or nutrition payments, which the district
19 determines are necessary to establish or maintain independent living
20 arrangements among persons living with medically diagnosed HIV infection
21 and who are homeless or facing homelessness and for whom no viable and
22 less costly alternative to housing is available, after first deducting
23 therefrom any federal funds properly received or to be received on
24 account thereof.

25 § 5. This act shall take effect on the ninetieth day after it shall
26 have become a law.

27 PART DD

28 Section 1. Section 410-x of the social services law is amended by
29 adding a new subdivision 10 to read as follows:

30 10. A social services district shall provide child care assistance
31 funded under the block grant for additional or different hours than a
32 parent or caretaker spends in work, training, educational activities or
33 other reasons for care designated by the social services district in its
34 consolidated services plan in accordance with paragraph (e) of subdivi-
35 sion one of section four hundred ten-w of this title, including, but not
36 limited to, paying for full-time child care assistance regardless of the
37 hours of the activity of the parent's or caretaker's reason for care.

38 § 2. Section 410-w of the social services law is amended by adding a
39 new subdivision 1-a to read as follows:

40 1-a. For all families eligible for child care assistance pursuant to
41 subdivision one of this section, a social services district shall not
42 limit authorized child care services strictly based on the hours during
43 which the parent or caretaker is engaged in work, education or other
44 activity or the number of hours the parent or caretaker is engaged in
45 any such reasons for care.

46 § 3. This act shall take effect on the thirtieth day after it shall
47 have become a law.

48 PART EE

49 Section 1. (a) There is hereby established a fiscal cliff task force
50 to study fiscal cliffs in the state's public assistance programs and
51 make recommendations on how to reduce and eliminate such fiscal cliffs.
52 For the purposes of this section, the term "fiscal cliff" shall mean a

1 sudden decrease in public benefits that can occur with a small increase
2 in earnings.

3 (b) (i) The task force shall consist of nineteen members, each to
4 serve for a term ending December 31, 2026. Such members shall be
5 appointed as follows: two members shall be appointed by the temporary
6 president of the senate; one member shall be appointed by the minority
7 leader of the senate; two members shall be appointed by the speaker of
8 the assembly; one member shall be appointed by the minority leader of
9 the assembly; five members shall be appointed by the governor; three
10 local social services district commissioners or their designees having
11 relevant experience in administering public benefits shall be appointed
12 by the governor, of which one district shall have five million or more
13 inhabitants; the commissioner of the office of temporary and disability
14 assistance or such commissioner's designee; the commissioner of health
15 or such commissioner's designee; the commissioner of taxation and
16 finance or such commissioner's designee; the commissioner of the depart-
17 ment of labor or such commissioner's designee; the commissioner of the
18 office of children and family services or such commissioner's designee.
19 Appointments shall be made within sixty days of the effective date of
20 this section. Vacancies in the task force shall be filled in the manner
21 provided for original appointments.

22 (ii) All appointments shall be coordinated to ensure geographic repre-
23 sentation from the entire state.

24 (iii) The task force shall elect a chair, vice-chair, and other neces-
25 sary officers from among all appointed members.

26 (iv) A majority of the members of the task force then in office shall
27 constitute a quorum for the transaction of business or the exercise of
28 any power or function of the task force. An act, determination or deci-
29 sion of the majority of the members present during the presence of a
30 quorum shall be held to be the act, determination, or decision of the
31 task force.

32 (v) The task force shall meet at least quarterly at the call of the
33 chair. Meetings may be held via teleconference. Special meetings may be
34 called by the chair at the request of a majority of the members of the
35 task force.

36 (vi) Members of the task force shall receive no compensation for their
37 services but shall be reimbursed for their actual expenses incurred in
38 the performance of their duties in the work of the task force.

39 (c) The task force shall:

40 (i) conduct a study on the fiscal cliffs in the state. Such study
41 shall include, but not be limited to: public assistance programs; the
42 supplemental nutrition assistance program (SNAP); the home energy
43 assistance program (HEAP); housing assistance; the child care tax credit
44 and other tax credits; the school tax relief program (STAR) and other
45 real property tax credits and reductions; Medicaid; NY state of health,
46 the official health plan marketplace; child care subsidies tied to
47 income; cash benefits; effective tax rates; and any other program or
48 service provided by the state or any political subdivision thereof which
49 is tied to income;

50 (ii) study the causes and reasons why fiscal cliffs occur to individ-
51 uals on public benefits, including but not limited to, the impact of
52 current public assistance programs monetary allotments, asset tests,
53 asset limits, and income disregards, as well as how minimum wage and
54 other earnings may impact those receiving public benefits; and

55 (iii) recommend ways to reduce and/or eliminate fiscal cliffs includ-
56 ing, but not limited to, recommending program and policy modifications,

1 amendments to the law, including but not limited to possible changes in
2 calculating and paying the earned income tax credit or other tax cred-
3 its, changes to the New York codes, rules and regulations, and any other
4 recommendation the task force deems appropriate.

5 (d) The task force may, as it deems appropriate, request that studies,
6 surveys, or analyses relating to the task force's powers and duties be
7 performed by any state department, commission, agency or public authori-
8 ty. All state departments, commissions, agencies or public authorities
9 shall provide information and advice in a timely manner and otherwise
10 assist the task force with its work.

11 (e) The office of temporary and disability assistance shall provide
12 staff services to the task force and such other administrative assist-
13 ance as may be necessary for the task force to carry out its duties,
14 functions and powers.

15 (f) The task force shall make a preliminary report to the governor and
16 the legislature of its findings, conclusions, recommendations and activ-
17 ities already undertaken by the task force, not later than January 1,
18 2026, and a final report of its findings, conclusions, recommendations
19 and activities already undertaken by the task force, not later than
20 September 1, 2026 and shall submit with its reports legislative
21 proposals as it deems necessary to implement its recommendations.

22 § 2. This act shall take effect immediately and shall expire three
23 years after it shall have become a law when upon such date the
24 provisions of this act shall be deemed repealed.

25 PART FF

26 Section 1. Section 410-x of the social services law is amended by
27 adding a new subdivision 10 to read as follows:

28 10. A social services district shall establish differential payment
29 rates for child care services provided by licensed, registered or
30 enrolled child care providers as required by this subdivision.

31 (a) Local social services districts shall establish a differential
32 payment rate for child care services provided by licensed or registered
33 or enrolled child care providers who provide care to a child or children
34 experiencing homelessness. Such differential payment rate shall be no
35 less than ten percent higher but no greater than fifteen percent higher
36 than the actual cost of care or the applicable market-related payment
37 rate established by the office in regulations, whichever is less.

38 (b) Local social services districts shall establish a differential
39 payment rate for child care services provided by licensed, registered,
40 or enrolled child care providers who provide care to a child during
41 nontraditional hours. Nontraditional hours shall mean care provided in
42 the evening, night or on the weekend. Such differential payment rate
43 shall be no less than ten percent higher but no greater than fifteen
44 percent higher than the actual cost of care or the applicable market-re-
45 lated payment rate established by the office in regulations, whichever
46 is less.

47 (c) Local social services districts may establish differential payment
48 rates that are higher than the actual cost of care or applicable market
49 rate for child care services provided in any other situation they deem
50 appropriate to incentivize licensed, registered or enrolled child care
51 providers to serve eligible families in need of care.

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

PART GG

Section 1. The education law is amended by adding a new article 13-D to read as follows:

ARTICLE 13-D
TUITION ASSISTANCE PROGRAM AWARDS FOR DUAL ENROLLMENT
COURSEWORK

Section 645. Tuition assistance program awards for dual or concurrent enrollment coursework.

§ 645. Tuition assistance program awards for dual or concurrent enrollment coursework. 1. Legislative intent. The legislature hereby finds and declares it necessary to promote on time and early graduation through supporting access to college-level courses and college degree credits at the secondary level with innovative partnerships among secondary and post-secondary schools, staff and resources. The legislature also values early college high school programs, P-TECH programs, and other dual or concurrent enrollment programs which not only increase students' access to higher education, but also reduce potential costs for students in completing college degrees by allowing them to either complete a degree upon graduation from high school or to apply their earned college credits toward a Baccalaureate degree. This legislation provides incentives for high school students to proceed to college and to earn a college degree by accelerating their overall completion of such a degree. It also better prepares high school students for college-level coursework, which will in turn, increase their academic performance. Ultimately, dual or concurrent enrollment programs increase graduation rates both at the high school and college levels.

The legislature hereby finds and declares it necessary to provide funding for dual or concurrent enrollment programs to ensure access to high quality programming that continues to innovate and continues to grow through performance based results. Students will require less tuition assistance funds (TAP) to complete their degree at the post-secondary level and potentially avoid new debt.

2. Establishment of dual or concurrent enrollment tuition assistance program awards. Notwithstanding any rule, regulation, or law to the contrary, the president is hereby authorized to award dual or concurrent enrollment program awards for payment annually, beginning with the two thousand twenty-three--two thousand twenty-four academic year and in each academic year thereafter, through the department, to school districts in which dual or concurrent enrollment programs are located, upon application by such school districts, and in such amounts as are authorized to be paid by subdivision five of this section.

3. Definitions. For purposes of this section:

a. "dual or concurrent enrollment program" means a program of study that provides post-secondary coursework outside of a post-secondary setting for eligible students enrolled in programs with high school courses leading to the granting of a high school diploma and college-level credit leading to the granting of a post-secondary degree, diploma or certificate at a post-secondary institution. Such dual or concurrent enrollment program shall have a written agreement between the participating high school and an institution of higher education located within New York state outlining policies for the academic program including, but not limited to, the type of degree and credits awarded.

b. "eligible student" means a student who:

1 (i) has graduated from a dual or concurrent enrollment program in the
2 two thousand twenty-two--two thousand twenty-three academic year or
3 thereafter;

4 (ii) is matriculated in an approved program leading to the granting of
5 a post-secondary degree at a post-secondary institution eligible to
6 participate in the tuition assistance program;

7 (iii) meets the eligibility criteria for a general award pursuant to
8 section six hundred sixty-one of this title;

9 (iv) is eligible for a tuition assistance program award pursuant to
10 section six hundred sixty-seven of this title; and

11 (v) has received degree granting credit from a post-secondary institu-
12 tion eligible to participate in the tuition assistance program for the
13 coursework undertaken in the approved dual or concurrent enrollment
14 program.

15 4. Part-time study. A student who otherwise satisfies the eligibility
16 requirements set forth in paragraph b of subdivision three of this
17 section and is enrolled at least half-time at a post-secondary institu-
18 tion eligible to participate in the tuition assistance program, shall
19 also be deemed an eligible student.

20 5. Amount. The commissioner shall make an award to the school district
21 in which the dual or concurrent enrollment program is located for each
22 eligible student in an amount certified by the president.

23 § 2. The education law is amended by adding a new section 669-i to
24 read as follows:

25 § 669-i. Dual or concurrent enrollment award program. 1. Certif-
26 ication. For each student identified by the post-secondary institution,
27 which shall be eligible to participate in the tuition assistance
28 program, shall certify to the president: (i) whether such student is
29 eligible for a tuition assistance program award pursuant to section six
30 hundred sixty-seven of this subpart; (ii) whether such student meets the
31 eligibility criteria for a general award pursuant to section six hundred
32 sixty-one of this part; (iii) whether such student satisfies the
33 requirement set forth in subdivision four of section six hundred forty-
34 five of this title; (iv) the number of degree granting credits such
35 student received from the post-secondary institution for the coursework
36 undertaken in the dual or concurrent enrollment program; and (v) such
37 other information as the commissioner and/or the president deem neces-
38 sary to administer the program. The president shall certify this infor-
39 mation and the amount of the award calculated in accordance with subdivi-
40 vision two of this section to the commissioner.

41 2. Calculation of award amounts. The president shall be responsible
42 for calculating the dollar amount of each award in an amount equal to
43 the product of: the number of degree granting credits accepted by the
44 eligible student's post-secondary institution for coursework undertaken
45 in the dual or concurrent enrollment program for such eligible student
46 and the dollar amount established for one credit for such eligible
47 student. For an eligible student enrolled full-time at a post-secondary
48 institution eligible to participate in the tuition assistance program,
49 the dollar amount for one credit shall be established as the quotient
50 of: the eligible student's tuition assistance program award pursuant to
51 section six hundred sixty-seven of this subpart; and the minimum number
52 of credits required for full-time study as defined by the commissioner.
53 For an eligible student enrolled part-time at a post-secondary institu-
54 tion eligible to participate in the tuition assistance program, the
55 dollar amount for one credit shall be established as the quotient of:
56 the average tuition assistance program award paid to all part-time

tuition assistance program recipients, pursuant to section six hundred sixty-six of this subpart, from the academic year two years prior to the academic year in which the award is to be made; and the average number of credits taken by such recipients.

3. Award disbursement. Annual award disbursements shall be the responsibility of the commissioner through a joint agreement with the president and shall be made directly to the school district in which the dual or concurrent enrollment program is located using funds appropriated to the tuition assistance program.

§ 3. This act shall take effect on the first of July next succeeding the date on which it shall have become a law. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for implementation of this act on its effective date are authorized to be made and completed on or before such date.

PART HH

Section 1. The public housing law is amended by adding a new article 14-A to read as follows:

ARTICLE 14-A

HOUSING ACCESS VOUCHER PROGRAM

Section 605. Legislative findings.

606. Definitions.

607. Housing access voucher program.

608. Eligibility.

609. Funding allocation and distribution.

610. Payment of housing vouchers.

611. Leases and tenancy.

612. Rental obligation.

613. Monthly assistance payment.

614. Inspection of units.

615. Rent.

616. Vacated units.

617. Leasing of units owned by a housing access voucher local administrator.

618. Verification of income.

619. Division of an assisted family.

620. Maintenance of effort.

621. Vouchers statewide.

622. Applicable codes.

623. Housing choice.

§ 605. Legislative findings. The legislature finds that it is in the public interest of the state to ensure that individuals and families are not rendered homeless because of an inability to pay the cost of housing, and to aid individuals and families who are homeless or face an imminent loss of housing in obtaining and maintaining suitable permanent housing in accordance with the provisions of this article.

§ 606. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Homeless" means lacking a fixed, regular, and adequate nighttime residence; having a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, campground, or other place not meant for human habitation; living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements

1 (including hotels and motels paid for by federal, state or local govern-
2 ment programs for low-income individuals or by charitable organizations,
3 congregate shelters, or transitional housing); exiting an institution
4 where an individual or family has resided and lacking a regular fixed
5 and adequate nighttime residence upon release or discharge; individuals
6 released or scheduled to be released from incarceration and lacking a
7 regular fixed and adequate nighttime residence upon release or
8 discharge; being a homeless family with children or unaccompanied youth
9 defined as homeless under 42 U.S.C. § 11302(a); having experienced a
10 long-term period without living independently in permanent housing or
11 having experienced persistent instability as measured by frequent moves
12 and being reasonably expected to continue in such status for an extended
13 period of time because of chronic disabilities, chronic physical health
14 or mental health conditions, substance addiction, histories of domestic
15 violence or childhood abuse, the presence of a child or youth with a
16 disability, multiple barriers to employment, or other dangerous or life-
17 threatening conditions, including conditions that relate to violence
18 against an individual or a family member.

19 2. "Imminent loss of housing" means having received a verified rent
20 demand or a petition for eviction; having received a court order result-
21 ing from an eviction action that notifies the individual or family that
22 they must leave their housing; facing loss of housing due to a court
23 order to vacate the premises due to hazardous conditions, which may
24 include but not be limited to asbestos, lead exposure, mold, and radon;
25 having a primary nighttime residence that is a room in a hotel or motel
26 and lacking the resources necessary to stay; facing loss of the primary
27 nighttime residence, which may include living in the home of another
28 household, where the owner or renter of the housing will not allow the
29 individual or family to stay, provided further, that an assertion from
30 an individual or family member alleging such loss of housing or home-
31 lessness shall be sufficient to establish eligibility; or fleeing or
32 attempting to flee domestic violence, dating violence, sexual assault,
33 stalking, human trafficking or other dangerous or life-threatening
34 conditions that relate to violence against the individual or a family
35 member, provided further that an assertion from an individual or family
36 member alleging such abuse and loss of housing shall be sufficient to
37 establish eligibility.

38 3. "Public housing agency" means any county, municipality, or other
39 governmental entity or public body that is authorized to administer any
40 public housing program (or an agency or instrumentality of such an enti-
41 ty), and any other public or private non-profit entity that administers
42 any other public housing program or assistance.

43 4. "Section 8 local administrator" means a public housing agency that
44 administers the Section 8 Housing Choice Voucher program under section 8
45 of the United States housing act of 1937 within a community, county or
46 region, or statewide, on behalf of and under contract with the housing
47 trust fund corporation.

48 5. "Housing access voucher local administrator" means a public housing
49 agency, as defined in subdivision three of this section, or Section 8
50 local administrator designated to administer the housing access voucher
51 program within a community, county or region, or statewide, on behalf of
52 and under contract with the housing trust fund corporation. In the city
53 of New York, the housing access voucher local administrator shall be the
54 New York city department of housing preservation and development, or the
55 New York city housing authority, or both.

6. "Family" means a group of persons residing together. Such group includes, but is not limited to a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family) or any remaining members of a tenant family. The commissioner shall have the discretion to determine if any other group of persons qualifies as a family.

7. "Owner" means any private person or any entity, including a cooperative, an agency of the federal government, or a public housing agency, having the legal right to lease or sublease dwelling units.

8. "Dwelling unit" means a single-family dwelling, including attached structures such as porches and stoops; or a single-family dwelling unit in a structure that contains more than one separate residential dwelling unit, and in which each such unit is used or occupied, or intended to be used or occupied, in whole or in part, as the residence of one or more persons.

9. "Income" shall mean the same as it is defined by 24 CFR § 5.609 and any amendments thereto.

10. "Adjusted income" shall mean the same as it is defined by 24 CFR § 5.611 and any amendments thereto.

11. "Reasonable rent" means rent not more than the rent charged on comparable units in the private unassisted market and rent charged for comparable unassisted units in the premises.

12. "Fair market rent" means the fair market rent for each rental area as promulgated annually by the United States department of housing and urban development pursuant to 42 U.S.C. 1437f.

13. "Voucher" means a document issued by the housing trust fund corporation pursuant to this article to an individual or family selected for admission to the housing access voucher program, which describes such program and the procedures for approval of a unit selected by the family and states the obligations of the individual or family under the program.

14. "Lease" means a written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by an individual or family with housing assistance payments under a contract between the owner and the housing access voucher local administrator.

15. "Dependent" means any member of the family who is neither the head of household, nor the head of the household's spouse, and who is:

- (a) under the age of eighteen;
- (b) a person with a disability; or
- (c) a full-time student.

16. "Elderly" means a person sixty-two years of age or older.

17. "Child care expenses" means expenses relating to the care of children under the age of thirteen.

18. "Severely rent burdened" means those individuals and families who pay more than fifty percent of their income in rent as defined by the United States census bureau.

19. "Disability" means:

(a) the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months; or

(b) in the case of an individual who has attained the age of fifty-five and is blind, the inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable

1 to those of any gainful activity in which they have previously engaged
2 with some regularity and over a substantial period of time; or

3 (c) a physical, mental, or emotional impairment which:

4 (i) is expected to be of long-continued and indefinite duration;

5 (ii) substantially impedes his or her ability to live independently;
6 and

7 (iii) is of such a nature that such ability could be improved by more
8 suitable housing conditions; or

9 (d) a developmental disability that is a severe, chronic disability of
10 an individual that:

11 (i) is attributable to a mental or physical impairment or combination
12 of mental and physical impairments;

13 (ii) is manifested before the individual attains age twenty-two;

14 (iii) is likely to continue indefinitely;

15 (iv) results in substantial functional limitations in three or more of
16 the following areas of major life activity:

17 (A) self-care;

18 (B) receptive and expressive language;

19 (C) learning;

20 (D) mobility;

21 (E) self-direction;

22 (F) capacity for independent living; or

23 (G) economic self-sufficiency; and

24 (v) reflects the individual's need for a combination and sequence of
25 special, interdisciplinary, or generic services, individualized
26 supports, or other forms of assistance that are of lifelong or extended
27 duration and are individually planned and coordinated.

28 § 607. Housing access voucher program. The commissioner, subject to
29 the appropriation of funds for this purpose, shall implement a program
30 of rental assistance in the form of housing vouchers for eligible indi-
31 viduals and families who are homeless or who face an imminent loss of
32 housing in accordance with the provisions of this article. The housing
33 trust fund corporation shall issue vouchers pursuant to this article,
34 subject to appropriation of funds for this purpose, and may contract
35 with the division of housing and community renewal to administer any
36 aspect of this program in accordance with the provisions of this arti-
37 cle. The commissioner shall designate housing access voucher local
38 administrators in the state to make vouchers available to such individ-
39 uals and families and to administer other aspects of the program in
40 accordance with the provisions of this article.

41 § 608. Eligibility. The commissioner shall promulgate standards for
42 determining eligibility for assistance under this program. Individuals
43 and families who meet the standards shall be eligible regardless of
44 immigration status. Eligibility shall be limited to individuals and
45 families who are homeless or facing imminent loss of housing. Housing
46 access voucher local administrators may rely on a certification from a
47 social services provider serving homeless individuals, including, but
48 not limited to, homeless shelters to determine whether an applicant
49 qualifies as a homeless individual or family.

50 1. An individual or family shall be eligible for this program if they
51 are homeless or facing imminent loss of housing and have an income of no
52 more than fifty percent of the area median income, as defined by the
53 United States department of housing and urban development.

54 2. An individual or family in receipt of rental assistance pursuant to
55 this program shall be no longer financially eligible for such assistance
56 under this program when thirty percent of the individual's or family's

1 adjusted income is greater than or equal to the total rent for the
2 dwelling unit.

3 3. When an individual or family becomes financially ineligible for
4 rental assistance under this program pursuant to subdivision two of this
5 section, the individual or family shall retain rental assistance for a
6 period no shorter than one year, subject to appropriation of funds for
7 this purpose.

8 4. Income eligibility shall be verified prior to a housing access
9 voucher local administrator's initial determination to provide rental
10 assistance for this program and upon determination of such eligibility,
11 an individual or family shall annually certify their income for the
12 purpose of determining continued eligibility and any adjustments to such
13 rental assistance.

14 5. The commissioner may collaborate with the office of temporary and
15 disability assistance and other state and city agencies to allow a hous-
16 ing access voucher local administrator to access income information for
17 the purpose of determining an individual's or family's initial and
18 continued eligibility for the program.

19 6. Reviews of income shall be made no less frequently than annually.

20 § 609. Funding allocation and distribution. 1. Subject to appropri-
21 ation, funding shall be allocated by the commissioner in each county
22 except for those counties located within the city of New York, the
23 initial allocation shall be in proportion to the number of households in
24 each county or the city of New York who are severely rent burdened based
25 on data published by the United States census bureau. Funding for coun-
26 ties located within the city of New York shall be allocated directly to
27 the New York city department of housing preservation and development
28 and/or the New York city housing authority, as appropriate, in propor-
29 tion to the number of households in New York city as compared to the
30 rest of the state of New York who are severely rent burdened based on
31 data published by the United States census bureau.

32 2. The commissioner shall be responsible for distributing the funds
33 allocated in each county not located within the city of New York among
34 housing access voucher local administrators operating in each county or
35 in the city of New York.

36 3. Priority shall be given to applicants who are homeless. The commis-
37 sioner shall have the discretion to establish further priorities as
38 appropriate.

39 4. Up to ten percent of the funds allocated may be used by the commis-
40 sioner and the housing access voucher local administrator for adminis-
41 trative expenses attributable to administering the housing access vouch-
42 er program.

43 § 610. Payment of housing vouchers. 1. The housing voucher shall be
44 paid directly to any owner under a contract between the owner of the
45 dwelling unit to be occupied by the voucher recipient and the appropri-
46 ate housing access voucher local administrator. The commissioner shall
47 determine the form of the housing assistance payment contract and the
48 method of payment. A housing assistance payment contract entered into
49 pursuant to this section shall establish the payment standard (including
50 utilities and all maintenance and management charges) which the owner is
51 entitled to receive for each dwelling unit with respect to which such
52 assistance payments are to be made. The payment standard shall not
53 exceed one hundred twenty percent nor be less than ninety percent of the
54 fair market rent for the rental area in which it is located. Fair
55 market rent shall be determined pursuant to the procedures and standards
56 as set forth in the Federal Housing Choice voucher program, as set forth

1 in the applicable sections of Part 888 of Title 24 of the Code of Feder-
2 al Regulations. Fair market rent for a rental area shall be published
3 not less than annually by the commissioner and shall be made available
4 on the website of New York state homes and community renewal.

5 2. A housing assistance payment contract entered into pursuant to
6 subdivision one of this section may provide for an initial payment of up
7 to five months of rent arrears that have accrued during prior occupancy
8 of a dwelling unit by a voucher recipient if such payment of arrears is
9 necessary to continue such voucher recipient's occupancy of such dwell-
10 ing unit, and thereby prevent imminent loss of housing.

11 § 611. Leases and tenancy. Each housing assistance payment contract
12 entered into by a housing access voucher local administrator and the
13 owner of a dwelling unit shall provide:

14 1. that the lease between the tenant and the owner shall be for a term
15 of not less than one year, except that the housing access voucher local
16 administrator may approve a shorter term for an initial lease between
17 the tenant and the dwelling unit owner if the housing access voucher
18 local administrator determines that such shorter term would improve
19 housing opportunities for the tenant and if such shorter term is consid-
20 ered to be a prevailing local market practice;

21 2. that the dwelling unit owner shall offer leases to tenants assisted
22 under this article that:

23 (a) are in a standard form used in the locality by the dwelling unit
24 owner; and

25 (b) contain terms and conditions that:

26 (i) are consistent with state and local law; and

27 (ii) apply generally to tenants in the property who are not assisted
28 under this article;

29 (c) shall provide that during the term of the lease, the owner shall
30 not terminate the tenancy except for serious or repeated violation of
31 the terms and conditions of the lease, for violation of applicable state
32 or local law, or for other good cause, including, but not limited to,
33 the non-payment of the tenant's portion of the rent owed, and in the
34 case of an owner who is an immediate successor in interest pursuant to
35 foreclosure during the term of the lease vacating the property prior to
36 sale shall not constitute other good cause, except that the owner may
37 terminate the tenancy effective on the date of transfer of the unit to
38 the owner if the owner:

39 (i) will occupy the unit as a primary residence; and

40 (ii) has provided the tenant a notice to vacate at least ninety days
41 before the effective date of such notice;

42 (d) shall provide that any termination of tenancy under this section
43 shall be preceded by the provision of written notice by the owner to the
44 tenant specifying the grounds for that action, and any relief shall be
45 consistent with applicable state and local law;

46 3. that any unit under an assistance contract originated under this
47 article shall only be occupied by the individual or family designated in
48 said contract and shall be the designated individual or family's primary
49 residence. Contracts shall not be transferable between units and shall
50 not be transferable between recipients. A family or individual may
51 transfer their voucher to a different unit under a new contract pursuant
52 to this article;

53 4. that an owner shall not charge more than a reasonable rent as
54 defined in section six hundred six of this article.

1 § 612. Rental obligation. The monthly rental obligation for an indi-
2 vidual or family receiving housing assistance pursuant to the housing
3 access voucher program shall be the greater of:

4 1. thirty percent of the monthly adjusted income of the family or
5 individual; or

6 2. If the family or individual is receiving payments for welfare
7 assistance from a public agency and a part of those payments, adjusted
8 in accordance with the actual housing costs of the family, is specif-
9 ically designated by that agency to meet the housing costs of the fami-
10 ly, the portion of those payments that is so designated. These payments
11 include, but are not limited to any shelter assistance or housing
12 assistance administered by any federal, state or local agency.

13 § 613. Monthly assistance payment. 1. The amount of the monthly
14 assistance payment with respect to any dwelling unit shall be the
15 difference between the maximum monthly rent which the contract provides
16 that the owner is to receive for the unit and the rent the individual or
17 family is required to pay under section six hundred twelve of this arti-
18 cle.

19 2. The commissioner shall establish maximum rent levels for different
20 sized rentals in each rental area in a manner that promotes the use of
21 the program in all localities based on the fair market rent of the
22 rental area. Rental areas shall be determined by the commissioner. The
23 commissioner may rely on data or other information promulgated by any
24 other state or federal agency in determining the rental areas and fair
25 market rent.

26 3. The payment standard for each size of dwelling unit in a rental
27 area shall not be less than ninety percent and shall not exceed one
28 hundred twenty percent of the fair market rent established in section
29 six hundred six of this article for the same size of dwelling unit in
30 the same rental area, except that the commissioner shall not be required
31 as a result of a reduction in the fair market rent to reduce the payment
32 standard applied to a family continuing to reside in a unit for which
33 the family was receiving assistance under this article at the time the
34 fair market rent was reduced.

35 § 614. Inspection of units. Inspection of units shall be conducted
36 pursuant to the procedures and standards of the Federal Housing Choice
37 voucher program, as set forth in the applicable sections of Part 982 of
38 Title 24 of the Code of Federal Regulations.

39 § 615. Rent. 1. The rent for dwelling units for which a housing
40 assistance payment contract is established under this article shall be
41 reasonable in comparison with rents charged for comparable dwelling
42 units in the private, unassisted local market.

43 2. A housing access voucher local administrator (or other entity, as
44 provided in section six hundred seventeen of this article) may, at the
45 request of an individual or family receiving assistance under this arti-
46 cle, assist that individual or family in negotiating a reasonable rent
47 with a dwelling unit owner. A housing access voucher local administrator
48 (or other such entity) shall review the rent for a unit under consider-
49 ation by the individual or family (and all rent increases for units
50 under lease by the individual or family) to determine whether the rent
51 (or rent increase) requested by the owner is reasonable. If a housing
52 access voucher local administrator (or other such entity) determines
53 that the rent (or rent increase) for a dwelling unit is not reasonable,
54 the housing access voucher local administrator (or other such entity)
55 shall not make housing assistance payments to the owner under this
56 subdivision with respect to that unit.

1 3. If a dwelling unit for which a housing assistance payment contract
2 is established under this article is exempt from local rent control
3 provisions during the term of that contract, the rent for that unit
4 shall be reasonable in comparison with other units in the rental area
5 that are exempt from local rent control provisions.

6 4. Each housing access voucher local administrator shall make timely
7 payment of any amounts due to a dwelling unit owner under this section,
8 subject to appropriation of funds for this purpose.

9 § 616. Vacated units. If an assisted family vacates a dwelling unit
10 for which rental assistance is provided under a housing assistance
11 payment contract before the expiration of the term of the lease for the
12 unit, rental assistance pursuant to such contract may not be provided
13 for the unit after the month during which the unit was vacated.

14 § 617. Leasing of units owned by a housing access voucher local admin-
15 istrator. 1. If an eligible individual or family assisted under this
16 article leases a dwelling unit (other than a public housing dwelling
17 unit) that is owned by a housing access voucher local administrator
18 administering assistance to that individual or family under this
19 section, the commissioner shall require the unit of general local
20 government or another entity approved by the commissioner, to make
21 inspections required under section six hundred fourteen of this article
22 and rent determinations required under section six hundred fifteen of
23 this article. The housing access voucher local administrator shall be
24 responsible for any expenses of such inspections and determinations,
25 subject to the appropriation of funds for this purpose.

26 2. For purposes of this section, the term "owned by a housing access
27 voucher local administrator" means, with respect to a dwelling unit,
28 that the dwelling unit is in a project that is owned by such administra-
29 tor, by an entity wholly controlled by such administrator, or by a
30 limited liability company or limited partnership in which such adminis-
31 trator (or an entity wholly controlled by such administrator) holds a
32 controlling interest in the managing member or general partner. A dwell-
33 ing unit shall not be deemed to be owned by a housing access voucher
34 local administrator for purposes of this section because such adminis-
35 trator holds a fee interest as ground lessor in the property on which
36 the unit is situated, holds a security interest under a mortgage or deed
37 of trust on the unit, or holds a non-controlling interest in an entity
38 which owns the unit or in the managing member or general partner of an
39 entity which owns the unit.

40 § 618. Verification of income. The commissioner shall establish proce-
41 dures which are appropriate and necessary to assure that income data
42 provided to the housing access voucher local administrator and owners by
43 individuals and families applying for or receiving assistance under this
44 article is complete and accurate. In establishing such procedures, the
45 commissioner shall randomly, regularly, and periodically select a sample
46 of families to authorize the commissioner to obtain information on these
47 families for the purpose of income verification, or to allow those fami-
48 lies to provide such information themselves. Such information may
49 include, but is not limited to, data concerning unemployment compen-
50 sation and federal income taxation and data relating to benefits made
51 available under the social security act, 42 U.S.C. 301 et seq., the food
52 and nutrition act of 2008, 7 U.S.C. 2011 et seq., or title 38 of the
53 United States Code. Any such information received pursuant to this
54 section shall remain confidential and shall be used only for the purpose
55 of verifying incomes in order to determine eligibility of individuals

1 and families for benefits (and the amount of such benefits, if any)
2 under this article.

3 § 619. Division of an assisted family. 1. In those instances where a
4 family assisted under this article becomes divided into two otherwise
5 eligible individuals or families due to divorce, legal separation or the
6 division of the family, where such individuals or families cannot agree
7 as to which such individual or family should continue to receive the
8 assistance, and where there is no determination by a court, the housing
9 access voucher local administrator shall consider the following factors
10 to determine which of the individuals or families will continue to be
11 assisted:

12 (a) which of such individuals or families has custody of dependent
13 children;

14 (b) which such individual was the head of household when the voucher
15 was initially issued as listed on the initial application;

16 (c) the composition of such individuals and families and which such
17 family includes elderly or disabled members;

18 (d) whether domestic violence was involved in the breakup of such
19 family;

20 (e) which family members remain in the unit; and

21 (f) recommendations of social services professionals.

22 2. Documentation of these factors will be the responsibility of the
23 requesting parties. If documentation is not provided, the housing access
24 voucher local administrator will terminate assistance on the basis of
25 failure to provide information necessary for a recertification.

26 § 620. Maintenance of effort. Any funds made available pursuant to
27 this article shall not be used to offset or reduce the amount of funds
28 previously expended for the same or similar programs in a prior year in
29 any county or in the city of New York, but shall be used to supplement
30 any prior year's expenditures. The commissioner may grant an exception
31 to this requirement if any county, municipality, or other governmental
32 entity or public body can affirmatively show that such amount of funds
33 previously expended is in excess of the amount necessary to provide
34 assistance to all individuals and families within the area in which the
35 funds were previously expended who are homeless or facing an imminent
36 loss of housing.

37 § 621. Vouchers statewide. Notwithstanding section six hundred eleven
38 of this article, any voucher issued pursuant to this article may be used
39 for housing anywhere in the state. The commissioner shall inform voucher
40 holders that a voucher may be used anywhere in the state and, to the
41 extent practicable, the commissioner shall assist voucher holders in
42 finding housing in the area of their choice. Provided further, however,
43 that a voucher must be used in the county in which it was issued, or
44 within the city of New York, if the voucher was issued within the city
45 of New York, for no less than one year before it can be used in a
46 different jurisdiction, unless the issuing housing access voucher local
47 administrator grants a waiver, or the voucher holder, or a family member
48 thereof, is or has been the victim of domestic violence, dating
49 violence, sexual assault, or stalking.

50 § 622. Applicable codes. Housing eligible for participation in the
51 housing access voucher program shall comply with applicable state and
52 local health, housing, building and safety codes.

53 § 623. Housing choice. 1. The commissioner shall administer the hous-
54 ing access voucher program under this article to promote housing choice
55 for voucher holders. The commissioner shall affirmatively promote fair
56 housing to the extent possible under this program.

2. Nothing in this article shall lessen or abridge any fair housing obligations promulgated by municipalities, localities, or any other applicable jurisdiction.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule, regulation, plan or guidance document necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date; provided further that any rule, regulation, plan or guidance document shall apply only to those counties located outside of the city of New York. The New York city department of housing preservation and development and the New York city housing authority, as applicable, shall promulgate or release rules, regulations, plans or guidance documents as necessary for the implementation of this act within the city of New York.

PART II

Section 1. Paragraph a of subdivision 1 of section 667-c of the education law, as amended by section 1 of part E of chapter 56 of the laws of 2022, is amended to read as follows:

a. part-time students enrolled at [~~the state university, a community college, the city university of New York, and a non-profit college or university incorporated by the regents or by the legislature~~] degree granting institutions chartered or authorized by the New York state board or regents who meet all requirements for tuition assistance program awards except for the students' part-time attendance; or

§ 2. This act shall take effect immediately.

PART JJ

Section 1. Section 370 of the education law is amended by adding a new subdivision 6-a to read as follows:

6-a. "Large-scale construction project" shall mean any project for which the total estimated cost of the contract or contracts is three million dollars that is:

(a) a project performed under the approved master plan of the state university submitted pursuant to subdivision thirteen of section three hundred fifty-five of this chapter; or

(b) which involves the construction, acquisition, reconstruction, rehabilitation or improvement of academic buildings, dormitories and other facilities, with respect to university-related economic development projects authorized by law pursuant to section three hundred seventy-two-a of this article.

§ 2. Section 376 of the education law is amended by adding a new subdivision 11 to read as follows:

11. (a) Each contract involving the awarding of a large-scale construction project shall require the use of a project labor agreement, as defined in subdivision one of section two hundred twenty-two of the labor law, for all contractors and subcontractors on the project, consistent with paragraph (a) of subdivision two of section two hundred twenty-two of the labor law.

(b) For any project which does not utilize a project labor agreement pursuant to paragraph (a) of this section, the fund shall provide a specific written explanation of why a project labor agreement would not be consistent with paragraph (a) of subdivision two of section two hundred twenty-two of the labor law, or state competitive bidding laws,

1 and why a project labor agreement on the project would otherwise be
2 inconsistent with statutes, rules, or regulations applicable to the
3 fund. Such explanation shall be granted for a particular project
4 contract by the solicitation date.

5 (c) An agency may require the use of a project labor agreement on
6 construction projects where the total cost to the fund is less than that
7 for a large-scale construction project, if consistent with paragraph (a)
8 of subdivision two of section two hundred twenty-two of the labor law.

9 § 3. This act shall take effect on the ninetieth day after it shall
10 have become a law and shall apply to all contracts entered into,
11 renewed, modified or amended on or after such date.

12 PART KK

13 Section 1. The executive law is amended by adding a new article 49-C
14 to read as follows:

15 ARTICLE 49-C

16 COMMISSION FOR THE MODERNIZATION AND REVITALIZATION
17 OF DOWNSTATE MEDICAL CENTER

18 Section 996. Commission for the modernization and revitalization of
19 downstate medical center.

20 § 996. Commission for the modernization and revitalization of down-
21 state medical center. 1. Legislative intent. The legislature hereby
22 finds and declares that the state university downstate medical center
23 ("downstate") as established pursuant to section three hundred fifty-two
24 of the education law, is a vital component of our state's health care
25 system. As one of three state hospitals and the only state hospital in
26 the city of New York, it is incumbent upon the state to ensure that this
27 hospital remains fiscally viable to continue to provide the health care
28 services that the residents of central Brooklyn deserve and depend on.
29 The state university downstate medical center is one of the state's
30 largest safety-net hospitals, which cares for all patients, regardless
31 of their ability to pay. It predominantly serves people of color, low
32 income, uninsured, underinsured, undocumented and at-risk individuals
33 who have limited access to affordable health care and who are more prone
34 to suffer from serious disease and face higher morbidity rates than
35 other patients across our city and state. In two thousand twenty-two,
36 the hospital had over three hundred thousand outpatient visits and has
37 an average of fourteen thousand inpatients each year. It also provides
38 seven thousand four hundred free health screenings a year and sponsors
39 over one hundred community service projects annually.

40 Provided further, downstate is in the heart of central Brooklyn and
41 has the largest medical school in New York city, which offers training
42 in fifty-six specialties across five schools and colleges and annually
43 educates and trains nearly one thousand nine hundred students. The
44 medical school student population is made up of nearly sixty percent
45 students of color, produces the most physicians of color in the state of
46 New York, and nearly seventy percent of two thousand twenty-two gradu-
47 ates remained in New York for their residency. Having a hospital affil-
48 iated with the medical school is both critical for the training of
49 medical students and is an essential part in producing the next gener-
50 ation of health care professionals, which are desperately needed to
51 enhance the access to vital health care in our communities.

52 The legislature further finds that the entire Brooklyn health care
53 delivery system remains in need of a continued global examination,
54 assessing the needs of each of its diverse communities, the access to

1 high quality of care throughout Brooklyn, the demographics, health care
2 equities and disparities of each community, the availability of special-
3 ty services for low income populations, and the interconnectivity
4 between the various health care systems to ensure the long term finan-
5 cial sustainability of each of the various delivery systems in the
6 borough. Such further examination can begin with the modernization and
7 revitalization of downstate continuing as a hospital offering critical
8 hospital specialty services for the community, becoming a core specialty
9 hospital center of excellence for those critical specialty services, but
10 simultaneously undertaking an examination of the appropriateness of
11 converting certain designated inpatient beds that are not utilized for
12 the specialty hospital center of excellence (providing specialty
13 services pursuant to subdivision three of this section), to an outpa-
14 tient setting, expanding services to include access to primary care thru
15 clinics, urgent care or other hospital affiliated medical practices.

16 The legislature further finds that the continued operation of the
17 state university downstate medical center as a free-standing state-oper-
18 ated public hospital, staffed with public employees, at its current
19 location, within and under the appointing authority of the state univer-
20 sity of New York in a modernized and revitalized form, is vital and
21 necessary, and the state should develop a plan to ensure its future
22 sustainability and shall provide state funding and other resources
23 necessary to implement and execute such plan. Such plan shall be based
24 on the recommendations of the commission for the modernization and revi-
25 talization of downstate medical center. The commission for the modern-
26 ization and revitalization of downstate medical center shall examine
27 those services that are necessary to be provided at downstate, alterna-
28 tive services which are more suitable for the community and which are in
29 addition to the core center of excellence specialty services which shall
30 continue to be offered at downstate.

31 2. Definitions. For the purposes of this section, the following terms
32 shall have the following meanings:

33 (a) "Commission" shall mean the commission for the modernization and
34 revitalization of downstate medical center.

35 (b) "Downstate" shall mean the downstate medical center.

36 (c) "Core specialty center of excellence services" shall include the
37 following services which shall continue to be offered in a hospital
38 setting at downstate, notwithstanding the recommendations of the commis-
39 sion:

40 (i) Level II Trauma care and related services;

41 (ii) Transplant care and related services;

42 (iii) Cardiology care and related services;

43 (iv) Maternity and pediatric care for low income and ethnically
44 diverse populations; and

45 (v) Emergency services. Provided, however, the commission shall be
46 authorized to examine the size, scope and other appropriate features
47 necessary in providing emergency services at downstate.

48 3. Commission for the modernization and revitalization of downstate
49 medical center. (a) There is hereby created within the executive depart-
50 ment the commission for the modernization and revitalization of down-
51 state medical center.

52 (b) The commission shall examine those services that should be offered
53 at downstate, or a downstate affiliate, which are in addition to the
54 core specialty center of excellence services which shall continue to be
55 offered at downstate. In determining its recommendations, the commission
56 shall consider the following factors: (i) the financial sustainability

1 of downstate considering management operations, billing practices,
2 current health care services and delivery model; (ii) the patient mix
3 and demographics, including but not limited to, the financial challenges
4 posed by the provision of safety net services to low income, uninsured,
5 underinsured, undocumented and at-risk individuals; (iii) the services
6 available and readily accessible at other health care systems or provid-
7 ers in Brooklyn and access to those services by residents of central
8 Brooklyn; (iv) the health care disparities in central Brooklyn; (v)
9 access to primary care, outpatient services, and emergency services for
10 residents of the downstate community and the feasibility of downstate
11 offering expanded services to address these needs; (vi) those services
12 which are necessary for the training and education of students and grad-
13 uates of the downstate medical school; and (vii) other services the
14 commission deems appropriate in making its recommendations. The commis-
15 sion shall also determine what capital project improvements are required
16 at downstate to both maintain the core specialty center of excellence
17 services and also enable the hospital to adequately meet current and
18 future health care needs of the community as identified by the commis-
19 sion. The commission shall also provide an analysis of current emergency
20 room operations, which shall include, but shall not be limited to,
21 patient care and service capacity as well as improvements needed to
22 adequately address patient service demands and the technology, equipment
23 and capital infrastructure improvements that are required to improve
24 patient services and to improve the financial position of downstate.

25 (c) The commission shall not be authorized to make recommendations
26 which reduce, limit or any in way alter the core specialty center of
27 excellence services offered in a hospital setting at downstate.

28 4. Commission appointments. The commission shall consist of the
29 following members: (a) the commissioner of health, who shall serve as
30 the ex-officio chair the commission; (b) a representative of organized
31 labor representing employees at the state university of New York pursu-
32 ant to article fourteen of the civil service law; (c) one member
33 appointed by the temporary president of the senate; (d) one member
34 appointed by the speaker of the assembly; (e) one member appointed by
35 the minority leader of the senate; (f) one member appointed by the
36 minority leader of the assembly; (g) two members appointed by the local
37 community boards; (h) two members appointed by the governor; and (i) the
38 chancellor of the state university of New York.

39 5. Compensation. The members of the commission shall receive no
40 compensation for their service as members, but shall be allowed their
41 actual and necessary expenses incurred in the performance of their
42 duties.

43 6. Commission commencement. (a) The commission and its deliberations
44 shall be subject to article seven of the public officers law.

45 (b) The commission shall adopt its bylaws on or by its second meeting.

46 (c) The commission shall begin to act forty-five days after this arti-
47 cle shall have become a law.

48 7. Department of health assistance. (a) The commissioner of health
49 shall designate such employees of the department of health as are
50 reasonably necessary to provide support services to the commission.

51 (b) The commissioner of health shall also submit to the commission
52 such information as may be available from the department of health on
53 general hospital and nursing home capacity, services and beds, avail-
54 ability of primary and ambulatory care services, and current number of
55 beds in such facilities, including, but not limited to, information
56 from:

- (i) operating certificate files;
- (ii) institutional cost reports;
- (iii) facility occupancy reports;
- (iv) annual reports of the certificate of need program;
- (v) the statewide planning and research cooperative system; and
- (vi) any other documentation requested by the commission.

8. Dormitory authority representation. The director of the dormitory authority of the state of New York shall appoint one or more representatives to be a liaison between the commission and the authority.

9. Other required recommendations. In carrying out its task, the commission shall also formally solicit recommendations from health care experts, county health departments, community-based organizations, state and regional health care industry associations, labor unions and other interested parties as broadly as it considers it necessary and proper, and it shall take into account such recommendations and the recommendations of the Kings county health care stakeholders council during its deliberations. In developing its recommendations, the commission shall as far as practicable estimate the improvement in quality of care, financial status of the hospitals, and all other efficiencies that may be derived from reconfiguration of the Kings county health care system.

10. Report of commission. (a) The commission shall be finished with its study and analysis and provide its written recommendations to the legislature and the governor, along with suggested legislative and executive action, including but not limited to infrastructure investments, and refinancing of existing debt of general hospitals in Kings county, by December thirty-first, two thousand twenty-four.

(b) Such recommendations shall include, but not be limited to:

- (i) recommended dates by which such actions should occur;
- (ii) necessary investments, if any, that should be made in each case to carry out the commission's recommendations, including any necessary workforce, training, or other investments to ensure that remaining facilities are able to adequately provide services within the context of a restructured institutional provider health care system; and
- (iii) the commission's justification for its recommendations.

11. Implementation of recommendations. (a) Notwithstanding any contrary provision of law, rule or regulation related to the establishment, construction, approval, or revisions to the operating certificates, resizing, consolidation, conversion or restructuring of health care facilities identified in the commission's recommendations, including but not limited to sections twenty-eight hundred one-a, twenty-eight hundred two, twenty-eight hundred five, twenty-eight hundred six, and twenty-eight hundred six-b of the public health law, the commissioner of health shall take all actions necessary to implement, in a reasonable, cost-efficient manner, the recommendations of the commission pursuant to this section.

(b) The provisions of paragraph (a) of this subdivision shall not apply if a majority of the members of each house of the legislature vote to adopt a concurrent resolution rejecting the recommendations of the commission in their entirety by February first, two thousand twenty-five. In no event shall the commissioner of health begin to implement the recommendations of the commission prior to February first, two thousand twenty-five. Provided, further, the commissioner of health shall be precluded from acting upon any certificate of need application, or any other submission or closure plan which limits or in any way alters the services provided by downstate, on or after the effective date of this section, until after February first, two thousand twenty-five. Provided,

1 however, that nothing herein shall be construed as: (i) limiting the
2 authority of the commissioner of health to enforce or implement any
3 provision of the public health law relating to the health or safety of
4 the patients at downstate; or (ii) from approving an application relat-
5 ing to capital and infrastructure improvements at downstate that do not
6 impact the scope or level of services offered at downstate.

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

16 § 2. This act shall take effect immediately.

17 PART LL

18 Section 1. The education law is amended by adding a new section 679-k
19 to read as follows:

20 § 679-k. New York state mental health professional student loan
21 forgiveness program. 1. Purpose. The president, in consultation with the
22 office of mental health, shall grant student loan forgiveness awards for
23 the purpose of alleviating the burden of student loan debt for mental
24 health professionals in New York state who work in a facility or program
25 licensed by the office of mental health. Such awards shall be made on a
26 competitive basis as promulgated by the corporation for such purposes,
27 to applicants who meet the eligibility criteria.

28 2. Eligibility. To be eligible for an award pursuant to this section,
29 applicants shall:

30 (a) have graduated and obtained a degree from an approved New York
31 state college or university;

32 (b) have an outstanding student loan debt from obtaining such degree;

33 (c) be employed as a psychiatrist, psychiatric nurse practitioner,
34 physician assistant, licensed master social worker, licensed clinical
35 social worker, licensed mental health counselor, licensed marriage and
36 family therapist, psychoanalyst, creative arts therapist, or applied
37 behavior analyst in New York state working in a program or facility
38 licensed by the office of mental health;

39 (d) comply with rules and regulations developed by the corporation;
40 and

41 (e) make a commitment to practice in a mental health program or
42 facility licensed by the office of mental health, including psychiatric
43 inpatient units of general hospitals, comprehensive psychiatric emergen-
44 cy programs, crisis, residential and outpatient programs for the dura-
45 tion of the award.

46 3. Awards. The corporation, in consultation with the office of mental
47 health, shall grant such awards within amounts appropriated for such
48 purposes and based on the availability of funds.

49 4. Rules and regulations. The corporation is authorized to promulgate
50 rules and regulations. In the event that there are more applicants than
51 there are remaining awards, the corporation shall provide in regulation
52 the method of distributing the remaining number of such awards, which
53 may include a lottery or other form of random selection.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

PART MM

Section 1. Subdivision 20 of section 378 of the executive law, as renumbered by section 3 of part RR of chapter 56 of the laws of 2023, is renumbered subdivision 21 and a new subdivision 20 is added to read as follows:

20. Standard requirements for single-exit, single stairway multi-unit residential buildings above three stories, up to at least six stories, pursuant to the following:

a. The council shall conduct a study examining existing building codes for single-exit, single stairway multi-unit residential buildings above three stories, up to at least six stories, in the city of New York and in other cities and jurisdictions that have adopted such buildings into their building codes.

b. The council shall consider the effectiveness of the existing building codes examined pursuant to paragraph a of this subdivision, and any improvements to such codes that would promote fire safety and accessibility.

c. The council shall complete the study, and adopt the standard requirements pursuant to this subdivision, no later than one year after the effective date of this subdivision.

§ 2. This act shall take effect immediately.

PART NN

Section 1. Section 421-a of the real property tax law is amended by adding two new subdivisions 18 and 19 to read as follows:

18. (a) The comptroller of the city of New York shall conduct an annual audit of the affordable New York housing program established pursuant to this section to measure compliance with the requirements of this section. The comptroller of the city of New York shall create a program to audit and review properties which receive benefits pursuant to the affordable New York housing program to confirm that owners of such properties are complying with the rent registration, affordability, rent stabilization and application requirements of such program. The division of housing and community renewal, the department of housing preservation and development, the New York city department of finance, and any owner of a property receiving benefits pursuant to this section shall provide any and all information, data, or documentation to the comptroller of the city of New York which is deemed necessary by the comptroller of the city of New York in order to complete the audit process required by this section of law. The initial audit shall be completed on or before December thirty-first, two thousand twenty-five. The comptroller of the city of New York shall publish the results of the audit annually on or before December thirty-first and shall make such results publicly available on the comptroller's website. All properties which are receiving or have received benefits pursuant to the affordable New York housing program or prior programs established pursuant to this section shall be eligible for the initial audit; provided, however, that only properties which received benefits during the prior year shall be eligible for subsequent audits. In the event that the affordable New York housing program is terminated or otherwise discontinued, a final audit of the program shall be submitted one year after the last property

1 subject to rent registration, affordability, rent stabilization and
2 application requirements of the program is no longer subject to such
3 requirements.

4 (b) (i) If an audit by the comptroller of the city of New York finds
5 any units are not in compliance with the rent registration, affordabili-
6 ty, rent stabilization, and application requirements of the affordable
7 New York housing program, the comptroller of the city of New York shall
8 present evidence of such noncompliance to the division of housing and
9 community renewal, the department of housing preservation and develop-
10 ment, and the New York city department of finance for enforcement
11 actions as provided. Such notification of noncompliance shall be made
12 within fifteen days after the results of the audit have been published
13 on the comptroller's website.

14 (ii) The division of housing and community renewal, the department of
15 housing preservation and development, and the New York city department
16 of finance shall enforce and remedy any noncompliance with the rent
17 registration, affordability, rent stabilization, and application
18 requirements as provided or available under any other law, rule, or
19 regulation.

20 19. During and on and after the expiration date of the affordable New
21 York housing program benefit provided pursuant to this section, provided
22 such project is required to comply with any affordability requirements,
23 the department of housing preservation and development shall impose,
24 after notice and an opportunity to be heard, a penalty for any violation
25 of the affordability requirements of this section by such project.

26 (a) The department of housing preservation and development shall
27 establish a schedule and method of calculation of such penalties.

28 (b) A penalty under this subdivision shall be imposed on the owner of
29 the eligible site containing such project at the time the violation
30 occurred.

31 (c) A failure to pay such fine may result in a lien and such other
32 remedies as may be available pursuant to applicable law and regulation.

33 (d) The department of housing preservation and development shall
34 ensure the minimum number of required affordable units are offered in
35 compliance with the appropriate affordability requirements at all times
36 such affordability requirements apply. This includes, but is not limited
37 to, for each unit designated as an affordable unit found not to be in
38 compliance with the affordability requirements, the department of hous-
39 ing preservation and development shall either bring such designated
40 affordable unit into compliance with the affordability requirements or
41 designate another unit of similar size as an affordable unit in substi-
42 tution of the original unit.

43 § 2. Subparagraph (ii) of paragraph (f) of subdivision 2 of section
44 421-a of the real property tax law, as amended by chapter 289 of the
45 laws of 1985, is amended to read as follows:

46 (ii) with respect to units which become subject to the provisions of
47 this section after the effective date of this subparagraph, such tax
48 benefit period as provided in the opening paragraph of this paragraph or
49 applicable law or act shall have expired and either each lease and
50 renewal thereof for such unit for the tenant in residence at the time of
51 such decontrol has included a notice in at least twelve point type
52 informing such tenant that the unit shall become subject to such decon-
53 trol upon the expiration of such tax benefit period as provided in the
54 opening paragraph of this paragraph or applicable law or act and states
55 the approximate date on which such tax benefit period as provided in the
56 opening paragraph of this paragraph is scheduled to expire; or such unit

becomes vacant as provided under subparagraph (i) of this paragraph. Neither a landlord nor any person acting on behalf of the landlord shall include incorrect or misleading information in any notice provided pursuant to this subparagraph. A landlord or any person acting on behalf of the landlord who willfully includes information they know or reasonably know to be misleading or incorrect information in any notice provided pursuant to this subparagraph or fails to provide the standardized rider pursuant to paragraph (f-1) of this subdivision is guilty of a violation punishable by a fine of one thousand dollars.

§ 3. Subdivision 2 of section 421-a of the real property tax law is amended by adding a new paragraph (f-1) to read as follows:

(f-1) The commissioner of housing and community renewal shall standardize the notice to be provided by landlords to their tenants pursuant to subparagraph (ii) of paragraph (f) of this subdivision. Such notice shall be printed in at least twelve point type and shall include the following language:

"421-a Standard Rider Fact Sheet

Any housing unit that receives tax benefits under section 421-a of the New York State Real Property Law may remain affordable for a period of time depending on a variety of factors, including the location of the unit, the commencement of construction and the affordability in the project. Failure to provide the initial standardized rider may result in the unit remaining rent stabilized for the duration of the tenancy. Specific details related to your unit are listed on the next sheet. While your unit receives 421-a tax benefits, it will be subject to rent stabilization. New York State's rent regulation laws provide tenants in rent-stabilized apartments with a variety of legal rights and protections. The owner of your building must provide you with a rent stabilized lease when you first move in and also each time you renew your lease for your choice of either a one or two year term, for as long as your apartment remains rent stabilized.

You are entitled to continuous lease renewals while your apartment is rent stabilized. When you renew your lease, your rent may only be increased by an amount determined by New York State's rent regulation laws, which may be found by visiting <https://rentguidelinesboard.cityofnewyork.us/resources/rent-regulationlaws/>, and permitted by applicable tax benefit laws. Rent increases for rent-stabilized tenants are determined by the New York City Rent Guidelines Board, and may only increase by a specified amount within a one-year or two-year lease term. For more information, please visit <https://rentguidelinesboard.cityofnewyork.us/> or call 311. Rent-stabilized tenants are also entitled to petition the New York State Homes and Community Renewal by visiting <https://hcr.ny.gov/> or calling (833) 499-0343 or by contacting the appropriate rent administration borough office.

421-a Rider - Unit Number

As a rent-regulated tenant, your rights are determined by 421-a of the New York State Real Property Law. For more information, you may contact New York State Housing and Community Renewal by calling (833) 499-0343 or visiting <https://hcr.ny.gov/> or the New York City Department of Housing Preservation by calling 311 or visiting <https://www1.nyc.gov/site/hpd/index.page>.

The first rent as of date of initial lease commencement for unit apartment number is amount .

Because unit number receives a 421-a tax abatement, it will be rent regulated until at least MM/DD/YYYY.

1 Construction commenced on your building, located at address on
2 MM/DD/YYYY.
3 Construction was completed on MM/DD/YYYY.
4 On (MM/DD/YYYY specific to tenant), your landlord can begin to increase
5 the rent for unit number by 2.2% each year.
6 The 421-a benefits for unit number expire on (MM/DD/YYYY). After the
7 expiration of the 421-a tax abatement, your unit will (either remain
8 rent-stabilized for the duration of your tenancy or continue to be
9 protected due to additional programs outlined below).
10 Unit number also receives (list any other city, state, federal affor-
11 dability program) and (the impact that has on the unit's continuing
12 affordability, the date on which those benefits expire and the impact of
13 the expiration of those benefits on the unit).
14 If you believe that any of the information contained in this rider is
15 incorrect, contact New York State Homes and Community Renewal by calling
16 (833) 499-0343 or visiting <https://hcr.ny.gov/> or the New York City
17 Department of Housing Preservation by calling 311 or visiting
18 <https://www1.nyc.gov/site/hpd/index.page.>
19 § 4. This act shall take effect immediately.

PART OO

21 Section 1. Subparagraph (xiii) of paragraph (a) of subdivision 8 of
22 section 131-a of the social services law, as added by section 2 of part
23 X of chapter 56 of the laws of 2023, is amended to read as follows:
24 (xiii) once during the lifetime of a recipient of public assistance,
25 all of the earned income of such recipient will be disregarded following
26 job entry, provided that such exemption of income for purposes of public
27 assistance eligibility shall be for no more than six consecutive months
28 from the initial date of obtaining such employment and that the recipi-
29 ent's total income shall not be more than [~~two~~] four hundred percent of
30 the federal poverty level. In the event a recipient moves from one to
31 another social services district, this disregard shall follow the recipi-
32 ent. The commissioner shall seek any federal waiver necessary to effec-
33 tuate the one-time earned income disregard pursuant to this subdivision.
34 § 2. This act shall take effect immediately.

PART PP

36 Section 1. The veterans' services law is amended by adding a new
37 section 29-b to read as follows:
38 § 29-b. Staff sergeant Alex R. Jimenez New York state military immi-
39 grant family legacy program. 1. For the purposes of this section, the
40 following terms shall have the following meanings:
41 (a) "Uniformed service member" shall mean a member of the army, navy,
42 air force, space corps, marine corps, coast guard, public health service
43 commissioned corps, or national oceanic and atmospheric administration
44 commissioned officer corps serving on active duty.
45 (b) "The program" shall mean the staff sergeant Alex R. Jimenez mili-
46 tary immigrant family legacy program.
47 (c) "Coordinator" shall mean an employee of the department appointed
48 by the commissioner, or an employee of the division of military and
49 naval affairs appointed by the adjutant general, to serve as a military
50 immigrant family legacy program coordinator pursuant to subdivision
51 three of this section.

1 (d) "Veteran" shall have the same meaning as such term is defined in
2 section one of this article and shall also include any veteran with a
3 qualifying condition, as defined in section one of this article, and has
4 received a discharge other than bad conduct or dishonorable from such
5 service, or is a discharged LGBT veteran, as defined in section one of
6 this article, and has received a discharge other than bad conduct or
7 dishonorable from such service.

8 (e) "Intended recipients" shall mean uniformed service members, veter-
9 ans, reserve component members and their family members.

10 (f) "Reserve component members" shall mean those serving in the army
11 reserve, navy reserve, marine corps reserve, the army national guard,
12 the air national guard, or reserve corps of the public health service
13 during the time the unit was federally recognized as a reserve compo-
14 nent.

15 2. There is hereby established within the department, in conjunction
16 with the division of military and naval affairs, the staff sergeant Alex
17 R. Jimenez New York state military immigrant family legacy program which
18 shall be jointly developed and implemented by the commissioner and the
19 adjutant general of the division of military and naval affairs, in
20 consultation with the office for new Americans established pursuant to
21 section ninety-four-b of the executive law, and in accordance with the
22 provisions of this section. The primary purpose of the program shall be
23 to assist intended recipients to secure legal immigration status in the
24 United States, including but not limited to, citizenship.

25 3. Two military immigrant family legacy program coordinators shall be
26 appointed, one appointed by the commissioner and one by the adjutant
27 general of the division of military and naval affairs, to administer the
28 program. Each coordinator shall be a veteran. The coordinators' duties
29 shall include, but not be limited to:

30 (a) assisting intended recipients, who may qualify for adjustment of
31 status, special immigration status through the federal Parole in Place
32 program authorized by section 1758 of the 2020 National Defense Authori-
33 zation Act, or any other sort of immigration relief, including relief
34 that can lead to citizenship, in securing legal representation or
35 consultation by qualified immigration attorneys or duly authorized board
36 of immigration appeals representatives as may be necessary to obtain
37 such relief.

38 (b) communicating with the commissioner and the adjutant general and
39 the office for new Americans regarding existing policies and regulations
40 pertaining to the needs of intended recipients and to make recommenda-
41 tions regarding the improvement of benefits and services to such
42 intended recipients.

43 (c) serving as liaison between the department and the division of
44 military and naval affairs, the United States citizenship and immi-
45 gration services, immigration and customs enforcement, the United States
46 department of veterans affairs, the United States department of defense,
47 local veterans' service agencies, state agencies, community groups,
48 advocates, and other veterans and military organizations and interested
49 parties for the purpose of coordinating efforts to provide immigration
50 relief to intended recipients.

51 (d) consulting with qualified immigration attorneys or duly authorized
52 board of immigration appeals approved representatives to facilitate such
53 coordination with the United States citizenship and immigration services
54 or other appropriate agency.

55 (e) advocating for intended recipients.

1 (f) developing and maintaining a clearinghouse for information and
2 resources relating to the program as well as other federal, state, local
3 and non-profit programs that may offer assistance to intended recipients
4 in immigration matters.

5 (g) promoting events and activities that educate and assist intended
6 recipients, including but not limited to, veteran human rights confer-
7 ences, veterans benefit and resources events.

8 (h) including the contributions that intended recipients have made on
9 behalf of the United States and this state on the department's official
10 website.

11 (i) developing information to be made available to congressionally
12 chartered veterans' organizations, and local veterans' services agencies
13 to provide a general overview of the program, including but not limited
14 to, its purpose and the eligibility requirements for adjustment of
15 status, citizenship, or any other form of available relief.

16 (j) preparing reports on topics, including but not limited to, the
17 demographics of intended recipients residing in the state, including the
18 number of such intended recipients by county, an estimate of how many
19 may be eligible for naturalization, and the unique needs of the intended
20 recipients within New York state to the commissioner, the adjutant
21 general of the division of military and naval affairs and the office for
22 new Americans.

23 4. The coordinators shall submit a report to the commissioner and to
24 the adjutant general of the division of military and naval affairs on
25 January first each year following the first full year after the effec-
26 tive date of this section. Such report shall include, but not be limited
27 to, a description and evaluation of the coordinators' activities for the
28 preceding calendar year as well as any recommendations for future
29 programmatic changes. The commissioner shall submit the report to the
30 governor and the legislature in accordance with the provisions of
31 section four of this article. The adjutant general of the division of
32 military and naval affairs shall submit the report to the governor and
33 the legislature in accordance with the provisions of section one hundred
34 sixty-four of the executive law.

35 § 2. Section 4 of the veterans' services law is amended by adding a
36 new subdivision 39 to read as follows:

37 39. To encourage the development of and provide for the establishment
38 of a state military immigrant family legacy program coordinator, as
39 provided in section twenty-nine-b of this article.

40 § 3. The military law is amended by adding a new section 256 to read
41 as follows:

42 § 256. State military immigrant family legacy program support. The
43 adjutant general shall encourage the development of and provide for the
44 establishment of a state military immigrant family legacy program coor-
45 ordinator, as provided in section twenty-nine-b of the veterans' services
46 law.

47 § 4. Paragraph (1) of subdivision 5 of section 94-b of the executive
48 law, as added by chapter 206 of the laws of 2014, is amended to read as
49 follows:

50 (1) (i) Coordinate with other state agencies and otherwise marshal the
51 resources of the state to serve the needs of immigrants, and (ii) advise
52 the state military immigrant family legacy program coordinators pursuant
53 to section twenty-nine-b of the veterans' services law;

54 § 5. This act shall take effect on the ninetieth day after it shall
55 have become a law.

1

PART QQ

2 Section 1. Paragraph a of subdivision 4 of section 665 of the educa-
3 tion law, as added by chapter 195 of the laws of 1980, is amended to
4 read as follows:

5 a. Student refunds. If a student receives payment as a result of
6 administrative error by the institution or the corporation or a false or
7 erroneous statement on [~~his~~] such student's application or financial
8 form, or any other act of omission or commission on the part of the
9 student, [~~his~~] such student's spouse, or [~~his~~] such student's parents,
10 such that the recipient would otherwise have been considered by the
11 president ineligible to receive such payment, the recipient shall be
12 required to refund the improper payment to the state. Provided that no
13 repayment shall be demanded or occur from a student, former student or
14 institution where the error was an inadvertent or administrative error
15 on the part of the corporation or other state agency.

16 § 2. This act shall take effect immediately and be deemed to have been
17 in full force and effect for academic years beginning 2020--2021.

18

PART RR

19 Section 1. Subdivision 2 of section 1111 of the private housing
20 finance law, as amended by chapter 202 of the laws of 2010, is amended
21 and a new subdivision 9 is added to read as follows:

22 2. "Eligible applicant" shall mean a city, a town, a village, a hous-
23 ing development fund company incorporated pursuant to article eleven of
24 this chapter, any not-for-profit corporation or charitable organization
25 which has as one of its primary purposes the improvement of housing or a
26 municipal housing authority created pursuant to the public housing law,
27 a community land trust as defined in subdivision nine of this section,
28 or a public benefit corporation formed to assist particular munici-
29 palities with their housing, community development or renewal needs, or
30 a county, provided, however, that the county acts as an administrator of
31 a program under which projects are constructed, rehabilitated or
32 improved by other eligible applicants or acts in any other capacity as
33 permitted by law.

34 9. For the purposes of this subdivision, "community land trust" shall
35 mean a corporation organized pursuant to the not-for-profit corporation
36 law and exempt from taxation pursuant to section 501(c)(3) of the inter-
37 nal revenue code that satisfies the following criteria:

38 (a) such nonprofit corporation's primary purpose is the creation and
39 preservation of permanently affordable single-family or multi-family
40 residences;

41 (b) all dwellings and units located on land owned by such nonprofit
42 corporation is sold to a qualified owner to be occupied as the qualified
43 owner's primary residence or rented to persons or families of low income
44 as defined in subdivision nineteen of section two of this chapter; and

45 (c) the land owned by the nonprofit corporation, on which a dwelling
46 or unit sold to a qualified owner is situated, is leased by such corpo-
47 ration to the qualified owner for the convenient occupation and use of
48 such dwelling or unit for an initial term of ninety-nine years with
49 renewal rights under the same initial terms and conditions.

50 § 2. The private housing finance law is amended by adding a new
51 section 59-j to read as follows:

52 § 59-j. The New York state community land trust acquisition fund. The
53 affordable housing corporation, created by section forty-five-b of this

article, shall create and establish a special fund known as the New York state community land trust acquisition fund and shall pay into this fund any moneys which may be made available to such corporation for the purposes of this fund from any source including but not limited to moneys appropriated by and made available pursuant to appropriation by the state and any income or interest earned by, or increment to, the account due to the investment thereof or loans made pursuant to article nineteen of this chapter. The moneys held in or credited to the acquisition fund established under this section shall be expended solely to carry out the provisions of article nineteen of this chapter exclusively for community land trusts as defined in subdivision nine of section eleven hundred eleven of this chapter.

§ 3. This act shall take effect immediately.

PART SS

Section 1. The real property law is amended by adding a new article 16 to read as follows:

ARTICLE 16

ACCESSORY DWELLING UNITS

Section 480. Definitions.

481. Accessory dwelling unit incentive program and local laws.

482. Low- and moderate-income homeowners program.

§ 480. Definitions. As used in this article, unless the context otherwise requires, the following terms shall have the following meanings:

1. "Accessory dwelling unit" shall mean an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons which is located on a lot with a proposed or existing primary residence and shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot as the single-family or multi-family dwelling.

2. "Local government" shall mean a city, town or village.

3. "Low-income homeowners" shall mean homeowners with an income, adjusted for family size, not exceeding eighty percent of the area median income.

4. "Moderate-income homeowners" shall mean homeowners with an income, adjusted for family size, not exceeding one hundred twenty percent of the area median income as defined by the division.

5. "Nonconforming zoning condition" shall mean a physical improvement on a property that does not conform with current zoning standards.

6. "Proposed dwelling" shall mean a dwelling that is the subject of a permit application and that meets the requirements for permitting.

7. "Division" shall mean the New York state division of housing and community renewal.

§ 481. Accessory dwelling unit incentive program and local laws. 1. Within one hundred eighty days of the effective date of this article, the division shall establish an opt-in program for local governments who already have or who enact a local law or ordinance that meets the requirements of subdivision two of this section which encourages the creation of accessory dwelling units. A local government shall have five years from the date such program is established to enact such local law or ordinance to qualify for the program.

2. (a) To qualify for the program established pursuant to subdivision one of this section, a local law or ordinance shall:

(i) Designate areas within the jurisdiction of the local government where accessory dwelling units shall be permitted. Designated areas

1 shall include all areas zoned for single-family or multi-family residen-
2 tial use, and all lots with an existing residential use.

3 (ii) Provide for protections for existing illegal accessory dwelling
4 units to aid in the conversion of such units to become legal and in
5 compliance with state and local regulations, including but not limited
6 to: (1) a mechanism for the conversion of an illegal accessory dwelling
7 unit to be a legal unit, provided such unit is in compliance with all
8 applicable fire and safety codes; and (2) protections for tenants of
9 illegal accessory dwelling units from unreasonable rent increases.

10 (iii) Provide for a streamlined approval process involving no more
11 than one meeting with the applicable approving authority, and limiting
12 the cost of any necessary applications and permits to a total of five
13 hundred dollars.

14 (iv) Provide that sewer and septic hookups shall be governed under the
15 applicable existing local requirements.

16 (b) A qualifying local law or ordinance may:

17 (i) Require owner occupancy in either the primary or accessory dwell-
18 ing unit.

19 (ii) Set a minimum lease duration for accessory dwelling units.

20 (iii) Limit the total build out to the existing allowable square-foot-
21 under-floor ratio and lot coverage, consistent with existing setback for
22 other accessory uses.

23 (iv) Set minimum or maximum size limits for an accessory dwelling
24 unit.

25 (c) To qualify for the program established pursuant to subdivision one
26 of this section, a local law or ordinance shall not:

27 (i) Impose an off-street parking requirement on an accessory dwelling
28 unit, except where no adjacent public street permits year-round
29 on-street parking and the accessory dwelling unit is greater than one-
30 half mile from a subway stop, rail station or bus stop. For purposes of
31 this subparagraph, an adjacent public street shall be considered as
32 permitting year-round on-street parking notwithstanding rules that
33 prohibit parking during limited hours or on certain days of the week.

34 (ii) Impose undue or unnecessary fire and safety codes on accessory
35 dwelling units.

36 (iii) Require more than one point of exterior access by door to an
37 accessory dwelling unit.

38 3. To opt-in to the program established pursuant to subdivision one of
39 this section a local government shall submit a copy of its local law or
40 ordinance to the division. Within ninety days of receipt of a local
41 government's law or ordinance, the division shall submit written find-
42 ings to the local government as to whether the local government's local
43 law or ordinance qualifies for the program.

44 4. All local governments who opt-in to the program and are determined
45 by the division to have a qualifying local law or ordinance shall be
46 eligible for a ten percent increase of points on such local government's
47 consolidated funding application, a ten percent increase in aid and
48 incentives for municipalities and aid and incentives for municipalities
49 related payments, increased eligibility for individual infrastructure,
50 transportation, parks, and economic development grants.

51 § 482. Low- and moderate-income homeowners program. 1. Within one
52 hundred eighty days of the effective date of this article, the division
53 shall establish a lending program to assist low-income homeowners and
54 moderate-income homeowners in securing financing for the creation of
55 accessory dwelling units.

2. An accessory dwelling unit financed with the assistance of such program shall, if such assistance is in the form of a forgivable grant at a below-market rate for a period of no less than thirty years and if any such assistance is in the form of a repayable loan, be offered for rent at a below-market rate for a period of fifteen years.

3. Such program shall be funded through capital projects appropriations and reappropriations set forth in the state fiscal year housing program.

4. Within one hundred eighty days of the effective date of this article, the division shall establish a program to provide technical assistance to all homeowners seeking to create an accessory dwelling unit, and to protect tenants of accessory dwelling units against discrimination, unreasonable rent increases and unwarranted evictions.

5. An accessory dwelling unit financed with the assistance of such program shall be limited to an annual maximum rent increase of the lower of (a) three percent or (b) one and one-half times the annual percentage change in the consumer price index for the region in which the accessory dwelling unit is located.

6. The division shall promulgate program criteria and guidelines necessary to carry out such program.

§ 2. Section 292 of the executive law is amended by adding a new subdivision 42 to read as follows:

42. The term "housing accommodation" as used in this article shall include an accessory dwelling unit as defined in subdivision one of section four hundred eighty of the real property law.

§ 3. Paragraph (a) of subdivision 1 of section 296 of the executive law, as separately amended by chapters 202 and 748 of the laws of 2022, is amended to read as follows:

(a) For an employer or licensing agency, because of an individual's age, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment. In the case of an accessory dwelling unit as defined in subdivision one of section four hundred eighty of the real property law, the exemption from the provisions of this paragraph for the rental of a housing accommodation in a building which contains housing accommodations for not more than two families living independently of each other, if the owner resides in one of such accommodations, shall not apply.

§ 4. The real property tax law is amended by adding a new section 421-p to read as follows:

§ 421-p. Exemption of capital improvements to residential new construction involving the creation of accessory dwelling units. 1. Residential buildings reconstructed, altered, improved, or newly constructed in order to create one or more additional residential dwelling units on the same parcel as a pre-existing residential building to provide independent living facilities for one or more persons subsequent to the effective date of a local law or resolution enacted pursuant to this section shall be exempt from taxation and special ad valorem levies to the extent provided hereinafter. After a public hearing, the governing board of a county, city, town or village may adopt a local law and a school district, other than a school district subject to article fifty-two of the education law, may adopt a resolution to grant the exemption

1 authorized pursuant to this section. A copy of such local law or resolu-
2 tion shall be filed with the commissioner and the assessor of such
3 county, city, town or village who prepares the assessment roll on which
4 the taxes of such county, city, town, village or school district are
5 levied.

6 2. (a) Such buildings shall be exempt for a period of five years to
7 the extent of one hundred per centum of the increase in assessed value
8 thereof attributable to such reconstruction, alteration, improvement, or
9 new construction for such additional residential unit or units that
10 provide independent living facilities for one or more persons, and for
11 an additional period of five years subject to the following:

12 (i) The extent of such exemption shall be decreased by twenty-five per
13 centum of the "exemption base" for each of the first three years during
14 such additional period and shall be decreased by a further ten per
15 centum of the "exemption base" during each of the final two years of
16 such additional period. The exemption shall expire at the end of the
17 extended period. The "exemption base" shall be the increase in assessed
18 value as determined in the initial year of the term of the exemption,
19 except as provided in subparagraph (ii) of this paragraph.

20 (ii) In any year in which a change in level of assessment of fifteen
21 percent or more is certified for a final assessment roll pursuant to the
22 rules of the commissioner, the exemption base shall be multiplied by a
23 fraction, the numerator of which shall be the total assessed value of
24 the parcel on such final assessment roll (after accounting for any phys-
25 ical or quantity changes to the parcel since the immediately preceding
26 assessment roll), and the denominator of which shall be the total
27 assessed value of the parcel on the immediately preceding final assess-
28 ment roll. The result shall be the new exemption base. The exemption
29 shall thereupon be recomputed to take into account the new exemption
30 base, notwithstanding the fact that the assessor receives certification
31 of the change in level of assessment after the completion, verification
32 and filing of the final assessment roll. In the event the assessor does
33 not have custody of the roll when such certification is received, the
34 assessor shall certify the recomputed exemption to the local officers
35 having custody and control of the roll, and such local officers are
36 hereby directed and authorized to enter the recomputed exemption certi-
37 fied by the assessor on the roll. The assessor shall give written notice
38 of such recomputed exemption to the property owner, who may, if he or
39 she believes that the exemption was recomputed incorrectly, apply for a
40 correction in the manner provided by title three of article five of this
41 chapter for the correction of clerical errors.

42 (iii) Such exemption shall be limited to two hundred thousand dollars
43 in increased market value of the property attributable to such recon-
44 struction, alteration, improvement, or new construction and any increase
45 in market value greater than such amount shall not be eligible for the
46 exemption pursuant to this section. For the purposes of this section,
47 the market value of the reconstruction, alteration, improvement, or new
48 construction as authorized by subdivision one of this section shall be
49 equal to the increased assessed value attributable to such recon-
50 struction, alteration, improvement, or new construction divided by the
51 class one ratio in a special assessing unit or the most recently estab-
52 lished state equalization rate or special equalization rate in the
53 remainder of the state, except where the state equalization rate or
54 special equalization rate equals or exceeds ninety-five percent, in
55 which case the increase in assessed value attributable to such recon-
56 struction, alteration, improvement, or new construction shall be deemed

1 to equal the market value of such reconstruction, alteration, improve-
2 ment, or new construction.

3 (b) No such exemption shall be granted for reconstruction, alter-
4 ations, improvements, or new construction unless:

5 (i) such reconstruction, alteration, improvement, or new construction
6 was commenced subsequent to the effective date of the local law or
7 resolution adopted pursuant to subdivision one of this section; and

8 (ii) the value of such reconstruction, alteration, improvement, or new
9 construction exceeds three thousand dollars; and

10 (iii) such reconstruction, alteration, improvement, or new
11 construction created one or more additional residential dwelling units
12 on the same parcel as the pre-existing residential building to provide
13 independent living facilities for one or more persons.

14 (c) For purposes of this section the terms reconstruction, alteration,
15 improvement, and new construction shall not include ordinary maintenance
16 and repairs.

17 3. Such exemption shall be granted only upon application by the owner
18 of such building on a form prescribed by the commissioner. The applica-
19 tion shall be filed with the assessor of the city, town, village or
20 county having the power to assess property for taxation on or before the
21 appropriate taxable status date of such city, town, village or county.

22 4. If satisfied that the applicant is entitled to an exemption pursu-
23 ant to this section, the assessor shall approve the application and such
24 building shall thereafter be exempt from taxation and special ad valorem
25 levies as herein provided commencing with the assessment roll prepared
26 on the basis of the taxable status date referred to in subdivision three
27 of this section. The assessed value of any exemption granted pursuant to
28 this section shall be entered by the assessor on the assessment roll
29 with the taxable property, with the amount of the exemption shown in a
30 separate column.

31 5. For the purposes of this section, a residential building shall mean
32 any building or structure designed and occupied exclusively for residen-
33 tial purposes by not more than two families.

34 6. In the event that a building granted an exemption pursuant to this
35 section ceases to be used primarily for residential purposes, or title
36 thereto is transferred to other than the heirs or distributees of the
37 owner, the exemption granted pursuant to this section shall cease.

38 7. (a) A county, city, town or village may, by its local law, or
39 school district, by its resolution:

40 (i) reduce the per centum of exemption otherwise allowed pursuant to
41 this section; and

42 (ii) limit eligibility for the exemption to those forms of recon-
43 struction, alterations, improvements, or new construction as are
44 prescribed in such local law or resolution.

45 (b) No such local law or resolution shall repeal an exemption granted
46 pursuant to this section until the expiration of the period for which
47 such exemption was granted.

48 § 5. This act shall take effect immediately; provided however, that
49 section four of this act shall apply to assessment rolls based on taxa-
50 ble status dates occurring on or after such effective date.

51 PART TT

52 Section 1. The executive law is amended by adding a new article 29 to
53 read as follows:

ARTICLE 29NEW YORK STATE OFFICE OF CIVIL REPRESENTATIONSection 827. Office of civil representation.828. Powers and duties of the office of civil representation.829. Definitions.830. Provision of legal representation, legal consultation, and community education.

§ 827. Office of civil representation. 1. There is hereby established in the executive department an office of civil representation to create and implement a program to provide access to legal services pursuant to section eight hundred twenty-eight of this article.

2. The office shall be headed by an executive director who shall be appointed by the governor with the advice and consent of the senate.

§ 828. Powers and duties of the office of civil representation. The executive director shall have the power and duty to:

1. establish a program to provide legal representation and legal consultation including entering into contracts and agreements as may be necessary, in accordance with section eight hundred thirty of this article;

2. prepare and submit to the governor, the temporary president of the senate, and the speaker of the assembly an annual report regarding the program created under section eight hundred thirty of this article. Such report shall include but not be limited to the following information, disaggregated by county, provided, however, that the information shall not be required for every case where the individual refuses to provide the information or the information is not reasonably ascertainable;

(a) the total number of people provided legal representation and legal consultation;

(b) the outcomes of the cases provided legal representation and, to the extent known, the outcomes of the cases provided legal consultation;

(c) gender, race, ethnicity, and age;

(d) postal code of residence;

(e) household size;

(f) estimated length of tenancy;

(g) approximate household income;

(h) receipt of ongoing public assistance at the time such legal services were initiated;

(i) tenancy in rent-regulated housing;

(j) tenancy in housing operated by or subsidized through a federal, state or local rental subsidy program;

(k) legal services provided by type of legal issue;

(l) a list of designated legal organizations, the geographic region in which such organizations provide services, and the amount of funding provided to each;

(m) outcomes immediately following the provision of full legal representation, as applicable and available, including, but not limited to, the number of:

(i) judgments allowing individuals to remain in their residence;

(ii) judgments requiring individuals to be displaced from their residence; and

(iii) instances where an attorney representing an income-eligible individual was discharged or withdrew;

(n) a list of landlords involved in eviction proceedings;

(o) residential evictions conducted by sheriffs or city marshals, disaggregated by county;

1 (p) a list of designated community organizations, the geographic
2 region in which such organizations provide services, and the amount of
3 funding provided to each;

4 (q) the number of buildings in which outreach was conducted, the
5 number of workshops offered, the number of attendees at such workshops,
6 the number of people referred to non-profits having status under section
7 501 (C) (3) of the United States internal revenue code, and the number
8 of trainings offered; and

9 (r) an evaluation of implementation challenges and recommendations for
10 any future programmatic improvements.

11 3. provide an annual estimate for the funding necessary for the opera-
12 tion of the program under section eight hundred thirty of this article;

13 4. coordinate with other programs providing legal representation in
14 covered proceedings to ensure efficiency of functions and to prevent
15 duplication of work;

16 5. subject to available funding, create a program providing outreach
17 and education through designated legal organizations, or other community
18 organizations, to spread awareness of the availability of legal repre-
19 sentation and legal consultation by such designated legal organizations;

20 6. create and make available resources for individuals with regard to
21 their rights in civil legal matters regarding housing accommodations in
22 the languages required by law and such additional languages as may be
23 necessary; and

24 7. promulgates any rules, regulations, and guidance necessary for the
25 implementation of the provisions of this article.

26 § 829. Definitions. For the purposes of this article, the following
27 terms shall have the following meanings:

28 1. "executive director" means the executive director of the New York
29 state office of civil representation.

30 2. "office" means the New York state office of civil representation.

31 3. "eligible individual" means an individual who is at risk of losing
32 their housing accommodation in a covered proceeding and who has an
33 income at or below eighty percent of the area median income and, where
34 applicable, does not otherwise qualify for legal representation under
35 any other program providing individuals legal representation operated or
36 funded by a municipality, as well as any other individual meeting crite-
37 ria developed by the office, which may include but not be limited to
38 individuals eligible for a stay on the issuance of a warrant of eviction
39 under section seven hundred fifty-three of the real property actions and
40 proceedings law.

41 4. "covered proceeding" means any proceeding to evict an individual or
42 otherwise terminate a tenancy, any other proceeding that is likely to
43 result in an individual losing such individual's housing accommodation,
44 as determined by the office, or a proceeding brought by an eligible
45 individual to enforce the warranty of habitability or in response to the
46 unlawful actions of a landlord, as well as any appeals from any such
47 proceedings.

48 5. "designated legal organization" means a not-for-profit organization
49 or association having non-profit status under section 501(C)(3) of the
50 United States internal revenue code that has the capacity to provide
51 comprehensive and effective legal services for the program established
52 under section eight hundred thirty of this article. To the extent prac-
53 ticable, such designated legal organizations shall be organizations that
54 maintain a practice of furnishing free or reduced cost legal services to
55 individuals; possess expertise in the areas of law for covered
56 proceedings; have a demonstrated history or practice with regard to the

1 legal issues facing low-income residents of the state of New York;
2 possess adequate infrastructure to provide consistent legal represen-
3 tation and/or legal consultation.

4 6. "designated community organization" means a not-for-profit organ-
5 ization or association having non-profit status under section 501(C)(3)
6 of the United States internal revenue code that has the capacity to
7 provide education in a program established under section eight hundred
8 thirty of this article. To the extent practicable, such designated
9 community organization shall maintain a practice of furnishing free
10 services; possess expertise and experience in community education and
11 organizing, and ties to the communities they serve; demonstrate exper-
12 tise in recognizing and responding to the housing issues facing low-in-
13 come residents of the state of New York; possess adequate expertise to
14 provide consistent, high quality supervision, oversight, training, eval-
15 uation, and strategic response to emerging or changing needs in the
16 communities served; and maintain reasonable workloads and working condi-
17 tions for their staff.

18 7. "legal representation" means ongoing legal representation provided
19 by a designated legal organization to eligible individuals and the
20 provision of legal advice, advocacy, and assistance, including but not
21 be limited to: filing a notice of appearance, filing and preparation of
22 pleadings and motions on behalf of eligible individuals, court appear-
23 ances on behalf of eligible individuals, pre- and post-trial settlement
24 conferences, and any other activities needed to provide legal represen-
25 tation in a covered proceeding.

26 8. "legal consultation" means the provision of legal advice, including
27 advising an individual, who is not otherwise an eligible individual
28 under this section, of the applicable laws and remedies pertaining to
29 the covered proceeding in which they are involved, provided by a desig-
30 nated legal organization to an individual who is not otherwise an eligi-
31 ble individual.

32 9. "housing accommodation" means that part of any building or struc-
33 ture or any part thereof, permanent or temporary, occupied or intended,
34 arranged or designed to be used or occupied, by one or more individuals
35 as a residence, home, dwelling unit or apartment, sleeping place, board-
36 ing house, lodging house or hotel, and all essential services, privi-
37 leges, furnishings, furniture and facilities supplied in connection with
38 the occupation thereof.

39 § 830. Provision of legal representation, legal consultation, and
40 community education. 1. Subject to available funding and in accordance
41 with this article, the office shall develop programs to provide:

42 (a) legal representation through one or more designated legal organ-
43 izations to eligible individuals in covered proceedings throughout the
44 state;

45 (b) legal consultation through one or more designated legal organiza-
46 tions to individuals not eligible for legal representation under this
47 article and not otherwise eligible for legal consultation under any
48 program operated or funded by a municipality; and

49 (c) community outreach and education through one or more designated
50 legal organizations and/or designated community organizations regarding
51 the programs created herein.

52 2. In creating the programs under subdivision one of this section, the
53 executive director shall consult with the following:

54 (a) tenants and/or representatives of tenants, and community groups
55 representing low-income or other at-risk members of the community;

56 (b) legal and community-based organizations;

1 (c) representatives of the judiciary;

2 (d) representatives of a municipality operating or funding a program
3 providing legal representation, legal consultation, or community educa-
4 tion and outreach and/or representatives of the organizations involved
5 in such programs; and

6 (e) any other organizations or individuals as may be necessary as
7 determined by the executive director.

8 3. The office shall post on its website information regarding the
9 programs created under this section including how individuals may find
10 services available in their geographic area.

11 4. The office shall hold one or more hearings or listening sessions in
12 each region of the state on an annual basis to evaluate the programs
13 created pursuant to this section and to incorporate any necessary chang-
14 es to such programs.

15 § 2. Section 701 of the real property actions and proceedings law is
16 amended by adding a new subdivision 3 to read as follows:

17 3. Any court maintaining a covered proceeding, as defined by section
18 eight hundred twenty-nine of the executive law, shall notify all
19 respondents by mail upon filing of a petition, not less than fourteen
20 days before trial, of the ability to obtain legal representation or
21 legal consultation, as applicable, pursuant to section eight hundred
22 thirty of the executive law.

23 § 3. Subdivisions 1 and 2 of section 711 of the real property actions
24 and proceedings law, subdivision 1 as amended by chapter 305 of the laws
25 of 1963 and subdivision 2 as amended by section 12 of part M of chapter
26 36 of the laws of 2019, are amended to read as follows:

27 1. The tenant continues in possession of any portion of the premises
28 after the expiration of [~~his~~] the tenant's term, without the permission
29 of the landlord or, in a case where a new lessee is entitled to
30 possession, without the permission of the new lessee. Acceptance of rent
31 after commencement of the special proceeding upon this ground shall not
32 terminate such proceeding nor effect any award of possession to the
33 landlord or to the new lessee, as the case may be. A proceeding seeking
34 to recover possession of real property by reason of the termination of
35 the term fixed in the lease pursuant to a provision contained therein
36 giving the landlord the right to terminate the time fixed for occupancy
37 under such agreement if [~~he deems~~] the landlord deems the tenant objec-
38 tionable, shall not be maintainable unless the landlord shall by compe-
39 tent evidence establish to the satisfaction of the court that the tenant
40 is objectionable. No proceeding shall be maintained unless the court
41 has notified an individual of the ability to obtain legal represen-
42 tation or legal consultation, as applicable, pursuant to section eight
43 hundred thirty of the executive law.

44 2. The tenant has defaulted in the payment of rent, pursuant to the
45 agreement under which the premises are held, and a written demand of the
46 rent has been made with at least fourteen days' notice requiring, in the
47 alternative, the payment of the rent, or the possession of the premises,
48 has been served upon [~~him~~] the tenant as prescribed in section seven
49 hundred thirty-five of this article. No proceeding shall be maintained
50 unless the court has notified an individual of the ability to obtain
51 legal representation or legal consultation, as applicable, pursuant to
52 section eight hundred thirty of the executive law. Any person succeeding
53 to the landlord's interest in the premises may proceed under this subdi-
54 vision for rent due [~~his~~] to the landlord's predecessor in interest if
55 [~~he~~] such person has a right thereto. Where a tenant dies during the
56 term of the lease and rent due has not been paid and the apartment is

1 occupied by a person with a claim to possession, a proceeding may be
2 commenced naming the occupants of the apartment seeking a possessory
3 judgment only as against the estate. Entry of such a judgment shall be
4 without prejudice to the possessory claims of the occupants, and any
5 warrant issued shall not be effective as against the occupants.

6 § 4. Section 713 of the real property actions and proceedings law is
7 amended by adding a new subdivision 12 to read as follows:

8 12. No proceeding shall be maintained, unless the court has provided
9 the respondent with written notice of the ability of the respondent to
10 obtain legal representation or legal consultation, as applicable, pursu-
11 ant to section eight hundred thirty of the executive law.

12 § 5. Section 745 of the real property actions and proceedings law is
13 amended by adding a new subdivision 3 to read as follows:

14 3. Where a respondent who is an eligible individual, as defined in
15 subdivision three of section eight hundred twenty-nine of the executive
16 law, appears in court without counsel, the court shall notify such
17 respondent orally of the ability to obtain legal representation pursuant
18 to section eight hundred thirty of the executive law, and if such
19 respondent would like counsel, the court shall adjourn the trial and
20 provide sufficient time, not less than fourteen days, for such respond-
21 ent to retain and consult counsel and shall grant such further adjourn-
22 ments as the court deems necessary for such covered individual to obtain
23 counsel.

24 § 6. Subdivisions 1 and 3 of section 749 of the real property actions
25 and proceedings law, as amended by section 19 of part M of chapter 36 of
26 the laws of 2019, are amended to read as follows:

27 1. Upon rendering a final judgment for petitioner, the court shall
28 issue a warrant directed to the sheriff of the county or to any constab-
29 le or marshal of the city in which the property, or a portion thereof,
30 is situated, or, if it is not situated in a city, to any constable of
31 any town in the county, describing the property, stating the earliest
32 date upon which execution may occur pursuant to the order of the court,
33 and commanding the officer to remove all persons named in the proceed-
34 ing, provided upon a showing of good cause, the court may issue a stay
35 of re-letting or renovation of the premises for a reasonable period of
36 time. However, no court shall issue a judgment authorizing the issuance
37 of a warrant of eviction against a respondent who has defaulted, or
38 authorize the execution of an eviction pursuant to a default judgment,
39 unless the court has provided the respondent with written notice of the
40 respondent's ability to obtain legal representation or legal consulta-
41 tion, as applicable, pursuant to section eight hundred thirty of the
42 executive law in eviction proceedings in the notice required by sections
43 seven hundred eleven, seven hundred forty-one and seven hundred forty-
44 five of this article.

45 3. Nothing contained herein shall deprive the court of the power to
46 stay or vacate such warrant for good cause shown prior to the execution
47 thereof, or to restore the tenant to possession subsequent to execution
48 of the warrant. The failure of the court to advise an individual of
49 their ability to obtain legal representation or legal consultation, as
50 applicable, pursuant to section eight hundred thirty of the executive
51 law in an eviction proceeding shall constitute good cause to stay or
52 vacate such warrant. In a judgment for non-payment of rent, the court
53 shall vacate a warrant upon tender or deposit with the court of the full
54 rent due at any time prior to its execution, unless the petitioner
55 establishes that the tenant withheld the rent due in bad faith. Peti-
56 tioner may recover by action any sum of money which was payable at the

1 time when the special proceeding was commenced and the reasonable value
2 of the use and occupation to the time when the warrant was issued, for
3 any period of time with respect to which the agreement does not make any
4 provision for payment of rent.

5 § 7. The real property law is amended by adding a new section 235-j to
6 read as follows:

7 § 235-j. Lease provisions waiving right to counsel void. Any
8 provision of a lease or contract waiving or otherwise limiting the
9 tenant's ability to obtain legal representation or legal consultation
10 under section eight hundred thirty of the executive law, as may be
11 applicable, shall be void and unenforceable.

12 § 8. Severability clause. If any provision of this act, or any appli-
13 cation of any provision of this act, is held to be invalid, or to
14 violate or be inconsistent with any federal law or regulation, that
15 shall not affect the validity or effectiveness of any other provision of
16 this act, which can be given effect without that provision or applica-
17 tion; and to that end, the provisions and applications of this act are
18 severable.

19 § 9. This act shall take effect January 1, 2025; provided, however,
20 that sections two through seven of this act shall take effect one year
21 after such date.

22 PART UU

23 Section 1. Section 54-m of the state finance law, as added by section
24 104 of part WWW of chapter 59 of the laws of 2017, is amended to read as
25 follows:

26 § 54-m. Local share requirements associated with increasing the age of
27 juvenile jurisdiction above fifteen years of age. 1. Notwithstanding any
28 other provision of law to the contrary, counties ~~[and the city of New~~
29 ~~York]~~ shall not be required to contribute a local share of eligible
30 expenditures that would not have been incurred absent the provisions of
31 ~~[a] part WWW of~~ chapter fifty-nine of the laws of two thousand seventeen
32 ~~[that added this section]~~ unless the most recent budget adopted by a
33 county that is subject to the provisions of section three-c of the
34 general municipal law exceeded the tax levy limit prescribed in such
35 section or the local government is not subject to the provisions of
36 section three-c of the general municipal law~~[, provided, however, that~~
37 ~~the]~~.

38 2. Notwithstanding any other provision of law to the contrary, the
39 city of New York shall not be required to contribute a local share of
40 eligible expenditures that would not have been incurred absent the
41 provisions of part WWW of chapter fifty-nine of the laws of two thousand
42 seventeen.

43 3. The state budget director shall be authorized to waive any local
44 share of expenditures associated with ~~[a] part WWW of~~ chapter fifty-nine
45 of the laws of two thousand seventeen that increased the age of juvenile
46 jurisdiction above fifteen years of age, upon a showing of financial
47 hardship by a county ~~[or the city of New York]~~ upon application in the
48 form and manner prescribed by the division of the budget. In evaluating
49 an application for a financial hardship waiver, the budget director
50 shall consider the incremental cost to the locality related to increas-
51 ing the age of juvenile jurisdiction, changes in state or federal aid
52 payments, and other extraordinary costs, including the occurrence of a
53 disaster as defined in paragraph a of subdivision two of section twenty
54 of the executive law, repair and maintenance of infrastructure, annual

1 growth in tax receipts, including personal income, business and other
2 taxes, prepayment of debt service and other expenses, or such other
3 factors that the director may determine.

4 § 2. This act shall take effect immediately.

5 PART VV

6 Section 1. Section 17 of the social services law is amended by adding
7 a new subdivision (m) to read as follows:

8 (m) require that all temporary housing facilities shall provide access
9 to high-speed broadband internet service and WiFi service to all indi-
10 viduals residing in such temporary housing. The WiFi service shall be
11 made available in private and common areas accessible to residents.
12 Such shelter shall have at least one router and at least one modem, or
13 any technological equivalent that performs the function of providing an
14 area with high-speed broadband internet service. For the purposes of
15 this subdivision, the term "high-speed broadband internet service" means
16 internet service with download speeds of at least one gigabit per second
17 and upload speeds of at least one gigabit per second, or if such speeds
18 are not available the maximum download and upload speeds commercially
19 available within the local social services district. The term "WiFi
20 service" means access to high-speed broadband internet through wireless
21 router which connects to the internet by wire or cable. For purposes of
22 this subdivision, temporary housing shall include but not be limited to,
23 shelters for adults, shelters for adult families, small-capacity shel-
24 ters, shelters for families with children, domestic violence shelters,
25 runaway and homeless youth shelters, shelters in hotels or shelters for
26 refugees. Each temporary housing facility shall submit their plan to
27 provide internet access pursuant to this subdivision to the department
28 for oversight and approval within one year of the effective date of this
29 subdivision. Temporary housing facilities shall implement and comply
30 with such plans within one year of such approval.

31 (1) (i) A temporary housing facility shall not use, disclose, sell,
32 retain, or permit access to the personal information pertaining to a
33 person residing in temporary housing obtained in the course of providing
34 internet access except as required to provide such access without regard
35 to content, application, service, or use of a non-harmful device, or to
36 respond to a warrant or subpoena issued by a court of competent juris-
37 isdiction.

38 (ii) For the purposes of this subdivision, personal information shall
39 mean information that directly or indirectly identifies, relates to,
40 describes, is capable of being associated with, or could reasonably be
41 linked to a particular individual, family, or personal device. Informa-
42 tion is reasonably linkable to an individual, family, or personal device
43 if it can be used on its own or in combination with other reasonably
44 available information, regardless of whether such other information is
45 held by the social services district or temporary housing facility, to
46 identify an individual, family, or a personal device.

47 (2) Any contract or agreement for internet access provided by an
48 internet service provider to a temporary housing facility shall have the
49 same terms and conditions, other than the requirements of this section,
50 as the regularly priced comparable internet plan offered by such inter-
51 net service provider.

52 (3) Local social services districts, temporary housing facilities, and
53 their employees and subcontractors shall not be required to actively
54 monitor or control the information accessed through the WiFi service and

1 shall not be held responsible for any illegal and/or criminal activities
2 committed, orchestrated, or organized through the provided WiFi access
3 by residents.

4 (4) Where credentials, such as a password and username, are necessary
5 to access WiFi, temporary housing facilities must conspicuously display
6 such credentials in all public areas of the facility. Temporary housing
7 facilities need not disclose the credentials to access WiFi that is
8 reserved for staff or emergency service use.

9 (5) Where a temporary housing facility is a hotel or motel as defined
10 in section one hundred thirty-one-v of this chapter, and such temporary
11 housing facility provides WiFi access to patrons at no additional cost,
12 such facility shall provide WiFi to all residents, without discrimi-
13 nation at no additional cost.

14 § 2. Subdivision 10 of section 16-gg of section 1 of chapter 174 of
15 the laws of 1968, constituting the New York state urban development
16 corporation act, as added by section 2 of part MMM of chapter 58 of the
17 laws of 2022, is amended to read as follows:

18 10. ConnectAll digital equity grant program. The ConnectAll digital
19 equity grant program is hereby established to support individuals to
20 have the information technology capacity needed for full participation
21 in society and the economy, including the effective implementation of a
22 State Digital Equity Plan or any successor plan and to facilitate, fund,
23 or reimburse, the provision of internet access as provided in subdivi-
24 sion (m) of section 17 and section 153 of the social services law.

25 Grants issued pursuant to this program shall be awarded in a manner and
26 form as determined by the division consistent with all relevant federal
27 laws, codes, rules, and regulations associated with the federal Digital
28 Equity Act as established under the Infrastructure Investment and Jobs
29 Act. The division shall establish such State Digital Equity Plan and the
30 procedures to solicit, receive and evaluate proposals for the program
31 consistent with rules, regulations, or guidelines established by the
32 commissioner.

33 § 3. This act shall take effect immediately.

34 PART WW

35 Section 1. The private housing finance law is amended by adding a new
36 article 32 to read as follows:

37 ARTICLE XXXII

38 INFILL HOUSING PILOT PROGRAM

39 Section 1290. Legislative purpose.

40 1291. Infill housing pilot program.

41 § 1290. Legislative purpose. It is hereby declared and found that
42 there exists across upstate New York, and particularly in the cities of
43 Buffalo, Rochester, Syracuse, Albany, and Binghamton, a shortage of
44 affordable housing units available for purchase. It is further found
45 that homeownership is essential for building generational wealth, and
46 that the state therefore has an interest in promoting homeownership. In
47 order, further, to promote homeownership, it is hereby declared that
48 additional provisions should be made to provide public monies for the
49 purposes of one- to two- family dwellings in the cities of Buffalo,
50 Rochester, Syracuse, Albany, and Binghamton for purchase by low and
51 moderate income buyers living in or near the census tract where the
52 property is located. The necessity in the public interest for the
53 provisions of this article is hereby declared as a matter of legislative
54 determination.

1 § 1291. Infill housing pilot program. 1. The division of housing and
2 community renewal shall, subject to appropriation, develop a program to
3 make capital subsidies available for the purpose of building one- to
4 two- family dwellings in the cities of Buffalo, Rochester, Syracuse,
5 Albany, and Binghamton. The commissioner shall promulgate rules and
6 regulations sufficient for the creation of a new program for the purpose
7 of building such one- to two- family dwellings.

8 2. Funding for the program created pursuant to this article shall, to
9 the extent practicable, be prioritized for development on vacant, aban-
10 doned, or under-utilized land owned by the municipality.

11 3. Dwellings created pursuant to this program shall be sold to a not-
12 for-profit corporation for the purpose of resale or individuals or fami-
13 lies who are low or moderate income, as determined by the division of
14 housing and community renewal, at the time of sale, who own no other
15 real property, and who intend to use the dwelling as their primary resi-
16 dence.

17 4. The division of housing and community renewal shall restrict any
18 subsequent deed of sale to an individual or family of low or moderate
19 income, as determined by the division of housing and community renewal,
20 who intends to make the dwelling their primary residence.

21 5. Nothing in this article shall preclude the use of additional loans
22 or grants in conjunction with this program.

23 § 2. This act shall take effect immediately.

24 PART XX

25 Section 1. The real property tax law is amended by adding a new
26 section 421-p to read as follows:

27 § 421-p. Exemption of newly-constructed or converted rental multiple
28 dwellings. 1. (a) A city, town or village may, by local law, provide
29 for the exemption of rental multiple dwellings constructed or converted
30 in a benefit area designated in such local law from taxation and special
31 ad valorem levies, as provided in this section. Subsequent to the
32 adoption of such a local law, any other municipal corporation in which
33 the designated benefit area is located may likewise exempt such property
34 from its taxation and special ad valorem levies by local law, or in the
35 case of a school district, by resolution.

36 (b) As used in this section, the term "benefit area" means the area
37 within a city, town or village, designated by local law, to which an
38 exemption, established pursuant to this section, applies.

39 (c) The term "rental multiple dwelling" means a structure, other than
40 a hotel, consisting of twenty or more dwelling units, where all of the
41 units are rented for residential purposes, and such units, upon initial
42 rental and upon each subsequent rental following a vacancy during the
43 benefit period, are affordable to and restricted to occupancy by indi-
44 viduals or families whose household income does not exceed a certain
45 percentage, as determined based on recommendations developed by the
46 division of housing and community renewal for each economic development
47 region, of the area median income, adjusted for family size, on average,
48 at the time that such households initially occupy such dwelling units.
49 Such restriction period shall be in effect coterminous with the benefit
50 period, provided, however, that the tenant or tenants in an income
51 restricted dwelling unit at the time such restriction period ends shall
52 have the right to lease renewals at the income restricted level until
53 such time as such tenant or tenants permanently vacate the dwelling
54 unit.

2. (a) The division of housing and community renewal shall develop recommendations for each economic development region, as established by section two hundred thirty of the economic development law, regarding the implementation of the exemption created under this section. Cities, towns, and villages providing such exemption shall have the option to opt into such recommendations.

(b) Such recommendations shall:

(i) consider the financial feasibility of constructing new housing or converting a non-residential structure to a rental multiple dwelling and operating such housing in each economic development region, including any variation in construction costs and operating incomes for rental multiple dwelling projects in different parts of each such region, and among subsidized and unregulated rental multiple dwelling projects;

(ii) include recommendations for both rental multiple dwelling projects receiving additional subsidies or exemptions and rental multiple dwelling projects receiving no additional subsidies or exemptions; and

(iii) include recommendations for the conversion of non-residential property for residential use.

(c) Such recommendations shall be updated by the division of housing and community renewal no less than once every two years.

3. Application for exemption under this section shall be made on a form prescribed by the commissioner and filed with the assessor on or before the applicable taxable status date.

4. In the case of a newly constructed or converted property which is used partially as a rental multiple dwelling and partially for commercial or other purposes, the portion of the property that is used as a rental multiple dwelling shall be eligible for the exemption authorized by this section if:

(a) The square footage of the portion used as a rental multiple dwelling represents at least fifty percent of the square footage of the entire property;

(b) The rental units are affordable to individuals or families as determined according to the criteria set forth in paragraph (c) of subdivision one of this section; and

(c) The requirements of this section are otherwise satisfied with respect to the portion of the property used as a rental multiple dwelling.

5. The exemption authorized by this section shall not be available in a city with a population of one million or more.

6. Any recipient of the exemption authorized by this section or their designee shall certify compliance with the provisions of this section under penalty of perjury, at such time or times and in such manner as may be prescribed in the local law adopted by the city, town or village pursuant to paragraph (a) of subdivision one of this section, or by a subsequent local law. Such city, town or village may establish such procedures as it deems necessary for monitoring and enforcing compliance of an eligible building with the provisions of this section.

§ 2. This act shall take effect immediately.

PART YY

Section 1. The real property law is amended by adding a new section 265-c to read as follows:

§ 265-c. Homeowner protection program. 1. Legislative intent. The legislature declares that the establishment of the homeowner protection

1 program (HOPP) is necessary to ensure continuation of New York's invest-
2 ment in its statewide network of non-profit civil legal services provid-
3 ers and housing counseling agencies offering a range of homeownership
4 retention and preservation services to homeowners in every county in the
5 state. The program is also necessary to ensure that the statutory
6 mandates of sections thirteen hundred three and thirteen hundred four of
7 the real property actions and proceedings law and rule thirty-four
8 hundred eight of the civil practice law and rules are fulfilled, so that
9 free housing counseling and legal services are available to homeowners
10 as provided for by sections thirteen hundred three and thirteen hundred
11 four of the real property actions and proceedings law in every county,
12 and so that legal services are available to assist homeowners answering
13 complaints and participating in mandatory settlement conferences pursu-
14 ant to rule thirty-four hundred eight of the civil practice law and
15 rules.

16 2. Counseling and legal representation of individuals who are facing
17 loss of their home or threats to homeownership. (a) Within one year of
18 the effective date of this section, the department of law shall estab-
19 lish the homeowner protection program to ensure the availability of free
20 housing counseling and legal services to homeowners for the purposes of
21 mitigating threats to homeownership including, but not limited to,
22 homeownership retention, home preservation, estate planning, as a tool
23 for preventing theft of real property and other scams targeted to home-
24 owners, preventing avoidable foreclosures and displacement, preserving
25 home equity, preserving homeownership, especially in communities of
26 color, and for any other purposes related to preserving homeownership.
27 Such program shall be funded by annual appropriation by the legislature.

28 (b) The department of law shall provide grants to eligible not-for-
29 profit housing counseling organizations and legal services organizations
30 to provide services under the program. Such services shall include, but
31 not be limited to, assistance with loss mitigation and loan and workout
32 applications and negotiations; assistance in applying for assistance
33 programs for homeowners; assistance with resolving property tax, utility
34 and building code violation debts and liens; representation in mortgage
35 and tax and utility lien foreclosure litigation, limited scope represen-
36 tation at settlement conferences pursuant to rule thirty-four hundred
37 eight of the civil practice law and rules; assistance to unrepresented
38 litigants with answers and motions in judicial foreclosure proceedings
39 and brief advice; assistance to homeowners victimized by deed fraud,
40 distressed property consultant, partition and other scammers; and
41 redress of predatory and discriminatory lending, abusive mortgage
42 servicing, and property flipping, including affirmative litigation and
43 administrative complaints with federal, state and local fair housing
44 agencies; and for whatever other purpose deemed necessary by the depart-
45 ment of law to preserve homeownership.

46 3. Program administration. (a) The department of law shall establish
47 criteria for selection of grant applications, review applications and
48 make awards, and exercise and perform such other functions as are
49 related to the purposes of this section.

50 (b) The department of law shall make one-year grants, within the
51 amounts appropriated for that purpose, to not-for-profit housing coun-
52 seling organizations serving homeowners at risk of losing their homes,
53 and legal services organizations, to provide counseling services and
54 legal representation of persons who reside in the state of New York who
55 are facing threats to homeownership.

(c) The department of law shall make one-year grants, within the amounts appropriated for that purpose, to ensure that housing counseling and legal services are available free of charge to homeowners in every county of the state and to ensure that the statutory mandates of sections thirteen hundred three and thirteen hundred four of the real property actions and proceedings law and rule thirty-four hundred eight of the civil practice law and rules are fulfilled.

(d) The department of law shall make one-year grants, within the amounts appropriated for that purpose, to ensure adequate training, technical assistance and support is provided to the not-for-profit housing counseling and legal services organizations providing services under this section, and to ensure the management of grants and supportive services including, but not limited to, toll-free hotlines, dedicated outreach, technical expertise and other assistance is made available to the organizations providing services.

4. Reporting. Each not-for-profit housing counseling organization and legal services organization receiving a grant under this section shall report to the attorney general no later than sixty days after the end of each one-year grant. Such report shall include an accounting of the funds received by the grant and the services provided.

§ 2. This act shall take effect immediately.

PART ZZ

Section 1. The private housing finance law is amended by adding a new article 32 to read as follows:

ARTICLE XXXII

RENTAL IMPROVEMENT FUND PILOT PROGRAM

Section 1290. Statement of legislative findings and purpose.

1291. Rental improvement fund pilot program.

§ 1290. Statement of legislative findings and purpose. It is hereby declared and found that there exists across upstate New York a shortage of safe and affordable rental units. It is further found that stable housing is tied to positive employment, education, and health outcomes, and that the state therefore has an interest in promoting safe and affordable housing opportunities. In order, further, to promote such opportunities, it is hereby declared that additional provisions should be made to provide public monies for the purpose of grants to owners of buildings with fewer than five units to make necessary improvements to rental units on the condition that renovated units will be leased at a reasonable rate for ten years. The necessity in the public interest for the provisions of this article is hereby declared as a matter of legislative determination.

§ 1291. Rental improvement fund pilot program. 1. (a) The division of housing and community renewal shall, subject to appropriation, make capital grants of up to seventy-five thousand dollars per unit to owners of buildings with fewer than five units for the purpose of making necessary improvements to rental units located outside of a city with a population of one million or more. No owner receiving a grant pursuant to this article may own more than five residential units in the state of New York at the time of application. The division of housing and community renewal, to the extent practicable, shall prioritize funding for units that are currently vacant or have outstanding code violations.

(b) Receipt of such capital grants shall be conditioned upon an agreement by such owners to lease such renovated units at a rate no higher than the small area fair market rent for a unit as calculated by the

1 United States department of housing and urban development for the ten-
2 year period commencing at the start of the first lease agreement follow-
3 ing a renovation or rehabilitation completed pursuant to this article.
4 Over such ten-year period, each such rental unit shall be eligible to
5 receive no more than ten thousand dollars for maintenance purposes in
6 addition to the initial grant amount. Upon a finding by the commission-
7 er of housing and community renewal that an owner who has received a
8 grant to renovate a rental unit pursuant to this section has charged a
9 tenant greater than the small area fair market rent amount, any grants
10 received by such landlord shall be subject to recoupment in full.
11 Rental restrictions shall not expire if the unit is transferred or sold
12 to a new owner. The division of housing and community renewal shall
13 promulgate rules and regulations to ensure compliance with this section.

14 2. The commissioner of housing and community renewal shall promulgate
15 rules and regulations deemed necessary and appropriate to establish and
16 administer the rental improvement fund pilot program pursuant to this
17 article, including but not limited to the application process, eligibil-
18 ity requirements, disbursement of grants, determination of a reasonable
19 lease rate, and any other rules, regulations, or definitions necessary
20 to carry out the provisions of this article.

21 § 2. The state finance law is amended by adding a new section 99-rr to
22 read as follows:

23 § 99-rr. Rental improvement fund. 1. There is hereby established in
24 the joint custody of the state comptroller and the commissioner of hous-
25 ing and community renewal a fund to be known as the "rental improvement
26 fund".

27 2. Such fund shall consist of all moneys collected therefor, or moneys
28 credited, appropriated or transferred thereto from any other fund or
29 source pursuant to law, or any other moneys made available for the
30 purposes of the fund.

31 3. Moneys of the fund, following appropriation by the legislature and
32 allocation by the director of the budget, shall be available only for
33 purposes of the rental improvement fund pilot program, as set forth in
34 article thirty-two of the private housing finance law.

35 § 3. This act shall take effect on the sixtieth day after it shall
36 have become a law. Effective immediately, the addition, amendment and/or
37 repeal of any rule or regulation necessary for the implementation of
38 this act on its effective date are authorized to be made and completed
39 on or before such effective date.

40 PART AAA

41 Section 1. The administrative code of the city of New York is amended
42 by adding a new section 26-511.2 to read as follows:

43 § 26-511.2 Vacant apartment and major tenancy repairs. a. Notwith-
44 standing any other law to the contrary, within amounts appropriated or
45 otherwise available therefor, the division of housing and community
46 renewal shall establish a program in the form of payments for reasonable
47 and necessary expenses for the repair of any vacant rent-stabilized,
48 pursuant to the emergency tenant protection act of nineteen seventy-
49 four, apartment units that are subject to this chapter which require
50 repair prior to being rented again. Eligible units must have been
51 continuously occupied for a period of fifteen years or greater imme-
52 diately prior or have conditions that would prevent the unit from
53 providing a warranty of habitability as promulgated in section two
54 hundred thirty-five-b of the real property law. No owner shall be

1 awarded more than one hundred thousand dollars for repairs under this
2 program.

3 b. (1) The division of housing and community renewal shall enter into
4 a contract with the department of housing preservation and development
5 to administer the program. The department of housing preservation and
6 development shall establish eligibility guidelines and criteria and an
7 application process.

8 The department of housing preservation and development may require
9 that an owner with a unit eligible to recover individual apartment
10 improvement costs utilize those funds recovered prior to or concurrently
11 with the program created pursuant to this section.

12 (2) No application shall be approved under this section if the owner
13 is found: (i) to have harassed a tenant to obtain the vacancy of such
14 unit; or (ii) responsible for the repairs due to their own fault or
15 neglect.

16 c. (1) The department of housing preservation and development shall
17 establish a notification and documentation procedure for owners that
18 requires an itemized list of work performed and a description or expla-
19 nation of the reason or purpose of such work, inclusive of photographic
20 evidence documenting the condition prior to and after the completion of
21 the performed work. The department of housing preservation and develop-
22 ment shall provide for the centralized electronic retention of such
23 documentation and any other supporting documentation.

24 (2) Upon receipt of the required documentation under this subdivision
25 and the approval of the work performed, the department of housing pres-
26 ervation and development shall award an owner up to one hundred thousand
27 dollars for the cost of the work performed. The division of housing and
28 community renewal shall fund half of such award and the department of
29 housing preservation and development shall fund the remaining half.

30 d. An owner shall rent any repaired units at the legal regulated rent,
31 plus any temporary individual apartment improvement rent increase, with-
32 in thirty days of receipt of payment. An owner shall not be entitled to
33 a temporary individual apartment improvement rent increase for costs
34 approved and paid for by the program and shall not pass along the cost
35 of repairs paid for by government funds to a tenant in the form of an
36 increase in the monthly rent or any non-rental fees. In addition to any
37 penalties provided for rent overcharges in section 26-516 of this chap-
38 ter, any owner found to have collected rent increases or non-rental fees
39 for costs approved and paid for by this program shall be liable to
40 refund the amount collected to the department of housing preservation
41 and development and the division of housing and community renewal.

42 e. Notwithstanding any law to the contrary, the benefits provided
43 under this section shall be deemed "public funds" pursuant to subdivi-
44 sion two of section two hundred twenty-four-a of the labor law. Any
45 eligible unit receiving such benefits that meets the definition of a
46 "covered project" pursuant to section two hundred twenty-four-a of the
47 labor law shall comply with all requirements of such law.

48 § 2. Section 4 of chapter 576 of the laws of 1974, constituting the
49 emergency tenant protection act of nineteen seventy-four, is amended by
50 adding a new section 10-c to read as follows:

51 § 10-c. Vacant apartment and major tenancy repairs. 1. Notwithstanding
52 any other law to the contrary, within amounts appropriated or otherwise
53 available therefor, the division of housing and community renewal shall
54 establish a program in the form of payments for reasonable and necessary
55 expenses for the repair of any vacant rent-stabilized, pursuant to this
56 act, apartment units in the city of New York and Nassau, Westchester,

1 and Rockland counties, that are subject to this act which require repair
2 prior to being rented again. Eligible units must have been continuously
3 occupied for a period of fifteen years or greater immediately prior or
4 have conditions that would prevent the unit from providing a warranty of
5 habitability as promulgated in section 235-b of the real property law.
6 No owner shall be awarded more than one hundred thousand dollars for
7 repairs under this program.

8 2. (a) The division of housing and community renewal shall administer
9 the program outside of cities with a population over one million and
10 shall establish eligibility guidelines and criteria and an application
11 process.

12 The division of housing and community renewal may require that an
13 owner with a unit eligible to recover individual apartment improvement
14 costs utilize those funds recovered prior to or concurrently with the
15 program created pursuant to this section.

16 (b) No application shall be approved under this section if the owner
17 is found: (i) to have harassed a tenant to obtain the vacancy of such
18 unit; or (ii) responsible for the repairs due to their own fault or
19 neglect.

20 3. (a) The division of housing and community renewal shall establish a
21 notification and documentation procedure for owners that requires an
22 itemized list of work performed and a description or explanation of the
23 reason or purpose of such work, inclusive of photographic evidence docu-
24 menting the condition prior to and after the completion of the performed
25 work. The division of housing and community renewal shall provide for
26 the centralized electronic retention of such documentation and any other
27 supporting documentation.

28 (b) Upon receipt of the required documentation under this subdivision
29 and the approval of the work performed, the division of housing and
30 community renewal shall award an owner up to one hundred thousand
31 dollars for the cost of the work performed.

32 4. An owner shall rent any repaired units at the legal regulated rent,
33 plus any temporary individual apartment improvement rent increase, with-
34 in thirty days of receipt of payment. An owner shall not be entitled to
35 a temporary individual apartment improvement rent increase for costs
36 approved and paid for by the program and shall not pass along the cost
37 of repairs paid for by government funds to a tenant in the form of an
38 increase in the monthly rent or any non-rental fees. In addition to any
39 penalties provided for rent overcharges in section twelve of this act,
40 any owner found to have collected rent increases or non-rental fees for
41 costs approved and paid for by this program shall be liable to refund
42 the amount collected to the division of housing and community renewal.

43 5. Notwithstanding any law to the contrary, the benefits provided
44 under this section shall be deemed "public funds" pursuant to subdivi-
45 sion 2 of section 224-a of the labor law. Any eligible unit receiving
46 such benefits that meets the definition of a "covered project" pursuant
47 to section 224-a of the labor law shall comply with all requirements of
48 such law.

49 § 3. This act shall take effect April 1, 2025; provided that the
50 amendments to chapter 4 of title 26 of the administrative code of the
51 city of New York made by section one of this act shall expire on the
52 same date as such chapter expires and shall not affect the expiration of
53 such chapter as provided under section 26-520 of such law.

1 Section 1. This act shall be known and may be cited as the "mothers
2 and infants lasting change ("MILC") allowance".

3 § 2. Legislative findings and intent. The legislature hereby finds and
4 declares that child poverty in New York city and cities across New York
5 state is shamefully high and will likely worsen if current economic
6 trends continue. Half of the top six cities in the United States with
7 the highest child poverty rates are in New York state, disproportionate-
8 ly affecting communities and children of color. In New York city, nearly
9 1 in 4 children live in poverty. In Rochester and Buffalo, that number
10 is even higher: 1 in 2 children live in poverty.

11 The legislature hereby finds and declares that New Yorkers are unable
12 to cover their basic necessities and support their families, particular-
13 ly in the face of rising interest rates and inflation. Most notably, the
14 cost of childcare, which already consumes a massive portion of family
15 income, rose 41% during the pandemic, and the total cost of raising a
16 child through high school has risen to more than \$300,000, which is a
17 \$26,000 increase from five years ago and is likely to present a heavier
18 burden for low-income parents and families for whom expenses such as
19 food, housing, and gas comprise an even larger portion of their income.

20 The legislature hereby finds and declares there is overwhelming
21 evidence that the prenatal-to-three and early childhood development
22 period are critical for a child's future prospects and affects their
23 physical, mental, emotional and social outcomes over a lifetime. A
24 program targeting infants in this formative phase would help break the
25 intergenerational cycle of poverty rather than attempting to mitigate it
26 later on, creating a positive impact on children's lives and saving
27 government funds down the road.

28 The legislature hereby finds and declares it is proven that unre-
29 stricted cash is a direct and effective solution to alleviating poverty
30 and meeting needs for families. This was shown on a national level with
31 the overwhelming success of the expanded Child Tax Credit, which lifted
32 millions of children out of poverty with its monthly payments and led to
33 a 41% spike in child poverty the first month it expired. The unre-
34 stricted cash intervention further proved how an investment in the
35 earliest days of life can have multiplying effects: studies have found
36 that a permanent expansion of the expanded Child Tax Credit would have
37 generated 10 times as much revenue as it cost. New York state has
38 recently made a commitment through the Child Poverty Reduction Act in
39 December 2021 to reduce child poverty by 50% over the course of ten
40 years, with the support of the Child Poverty Reduction Advisory Council,
41 and there is an opportunity for unrestricted cash to support this goal
42 and help the state reach its target.

43 Therefore, the legislature hereby finds and declares that New York
44 state has an opportunity and obligation to invest in its most vulnerable
45 residents by leading the fight against childhood poverty, and toward an
46 equitable economy for all, through a guaranteed income program for
47 infants.

48 § 3. Article 6 of the social services law is amended by adding a new
49 title 4-C to read as follows:

50 TITLE 4-C

51 MOTHERS AND INFANTS LASTING CHANGE ("MILC") ALLOWANCE

52 Section 409-o. Mothers and infants lasting change allowance.

53 § 409-o. Mothers and infants lasting change allowance. 1. Within one
54 year of the effective date of this section, the office shall, subject to
55 appropriation, establish a mothers and infants lasting change allowance
56 pilot program to support low-income families for three months of preg-

1 nancy and nine months of a child's life. Such pilot program shall be in
2 effect for twelve months.

3 2. For the purposes of this title, the following definitions shall
4 apply:

5 (a) "local social services district" shall mean the local social
6 services district in which the individual participating in the MILC
7 allowance resides.

8 (b) "mother" shall mean an individual who carries a pregnancy and
9 births a child and such mother and child are selected for participation
10 in a program pursuant to this title.

11 (c) "office" shall mean the office of temporary and disability assist-
12 ance.

13 (d) "survey" shall mean information sought or required, via writing or
14 verbal communication, pursuant to regulations promulgated by the
15 provisions of this title.

16 (e) "commissioner" shall mean the commissioner of the office of tempo-
17 rary and disability assistance.

18 3. (a) The office shall promulgate rules and regulations for the
19 implementation and administration of this title.

20 (b) The office, in coordination with local social services districts,
21 shall develop criteria that local social services districts shall use to
22 select a total of one thousand eligible families for participation in
23 the program.

24 (c) Eligible individuals chosen for participation in the program shall
25 receive a subsidy of one thousand dollars per month for the last three
26 months of pregnancy and the first nine months of a child's life.

27 (d) The office shall allocate the necessary funds to local social
28 services districts for selected eligible selected participants.

29 (e) Monthly distributions shall be made by local social services
30 districts on the first of each month for the duration of the program to
31 the eligible selected participants.

32 4. Eligible participants shall:

33 (a) have an income which is below two hundred percent of the federal
34 poverty level. Such income shall be proven by providing one of the
35 following:

36 (i) a filed state or federal tax return from the previous year;

37 (ii) a letter from an employer documenting the dates of work of the
38 applicant and the yearly pay from the employer;

39 (iii) a W-2 or 1099 form from the previous tax year; or

40 (iv) a wage notice provided pursuant to section one hundred ninety-
41 five of the labor law that documents employment for a period of time
42 within six months prior to the date the applicant certifies that such
43 person's became eligible;

44 (b) participate in monthly surveys provided by the office or local
45 districts pursuant to regulations issued by the office pursuant to this
46 title;

47 (c) remain a resident of the state of New York while receiving subsidy
48 payments; and

49 (d) meet any other criteria deemed necessary by the office.

50 5. All mothers selected to participate in the program pursuant to this
51 title shall be provided, in writing and orally, the eligibility criteria
52 and all ongoing requirements for program participation.

53 (a) Such notice shall be provided in the language identified by the
54 participant mother as their language of preference.

55 (b) The office shall establish via regulations the criteria and
56 circumstances under which eligible participants may be discharged from

1 the program established pursuant to this title. All participants shall
2 be provided with such discharge criteria in their preferred language
3 upon acceptance to the program.

4 6. For purposes of proving residence as required by this title eligi-
5 ble participants may utilize a driver's license, motor vehicle ID card,
6 IDNYC, or other New York municipal or county identification card, a
7 valid passport, a currently valid lease, a utility bill issued within
8 the prior six months, or any other documentation authorized by the
9 commissioner.

10 7. Of the one thousand eligible participants:

11 (a) Seven hundred participants shall reside in a city with a popu-
12 lation of one hundred forty thousand or more; and

13 (b) Three hundred participants shall reside in a rural area as defined
14 in section twenty-nine hundred fifty-one of the public health law.

15 8. The office, in coordination with local social services districts,
16 shall assist eligible participants with access to resources, subsidy
17 management, and anything else deemed necessary by the office.

18 9. The office and local social services districts shall conduct a
19 monthly survey to determine the impact of the program. The office shall
20 prepare an interim report regarding the first six months of the program
21 which shall be completed by the twelfth month of the program and a final
22 report shall be made no later than six months after the completion of
23 the twelve month program.

24 10. The office shall submit the interim report and the final report to
25 the governor, the speaker of the assembly, and the temporary president
26 of the senate.

27 § 4. Paragraph (a) of subdivision 8 of section 131-a of the social
28 services law is amended by adding a new subparagraph (xiv) to read as
29 follows:

30 (xiv) any financial assistance received by individuals from the moth-
31 ers and infants lasting change ("MILC") allowance. Such exemption and
32 disregard shall be applicable for the length of time the individual
33 receives the allowance. The commissioner shall seek federal waiver
34 authority to disregard the income from the mothers and infants lasting
35 change ("MILC") allowance for the purpose of the supplemental nutrition
36 assistance program.

37 § 5. This act shall take effect immediately.

38 PART CCC

39 Section 1. The private housing finance law is amended by adding a new
40 article 32 to read as follows:

41 ARTICLE 32

42 NEW YORK HOUSING OPPORTUNITY CORPORATION ACT OF 2024

43 Section 1283. Legislative findings.

44 1284. Definitions.

45 1285. New York housing opportunity corporation.

46 1286. Corporation powers.

47 1287. Identification of property.

48 1288. Lease of property.

49 1289. Public notification and engagement.

50 1290. Compliance with building codes and environmental review,
51 and local ordinances.

52 1291. Rental and ownership project requirements.

53 1292. Supervision and regulation.

1 1293. Construction and operation.

2 1294. Annual reports.

3 1295. New York housing opportunity corporation new construction
4 revolving fund.

5 1296. New York housing opportunity corporation maintenance and
6 preservation revolving fund.

7 1297. Designation of and service of process on secretary of
8 state and registered agent.

9 1298. Jurisdiction; courts; venue.

10 § 1283. Legislative findings. The legislature hereby finds and
11 declares that there exists in municipalities in this state a seriously
12 inadequate supply of safe and affordable housing for families and indi-
13 viduals. There is also an inadequate supply of housing for persons of
14 low, moderate, and middle incomes, resulting in increasing loss of popu-
15 lation, as well as unsustainably high rents and purchase prices of qual-
16 ity housing stock. These conditions are due, in large measure, to lack
17 of housing supply and the difficulty of the private market to create
18 housing affordable to many low, moderate, and middle-income residents
19 within this state. Such conditions constitute a housing crisis and
20 create unconscionable scarcity of quality affordable housing for the
21 citizens of this state, necessitating speedy relief. The current condi-
22 tions of the housing and rental markets within this state demonstrate
23 such relief cannot readily be provided by the ordinary unaided operation
24 of private enterprise and require that provisions be made by which
25 private free enterprise may be encouraged to invest in providing housing
26 facilities and other facilities incidental thereto for families or
27 persons of low, moderate, and middle incomes. It is necessary that
28 provision be made for participation by the state, its municipalities and
29 the New York state division of housing and community renewal in the
30 financing of such housing, for the acquisition by such companies of real
31 property required for such purposes and for public assistance to such
32 companies in providing financing for construction. The cooperation of
33 the state, its subdivisions and the division of housing and community
34 renewal is necessary to accomplish such purposes; that the provision of
35 such safe and affordable housing accommodations by such companies joint-
36 ly or severally are public uses and purposes for which public money may
37 be loaned and private property may be acquired by and for such compa-
38 nies; that such conditions require the creation of the companies herein-
39 after prescribed for the purpose of attaining the ends herein recited;
40 and the necessity in the public interest for the provisions hereinafter
41 enacted is hereby declared as a matter of legislative determination.

42 § 1284. Definitions. For the purposes of this article the following
43 terms shall have the following meanings:

44 1. "Commissioner" shall mean the state commissioner of the division of
45 housing and community renewal.

46 2. "Division" shall mean the division of housing and community
47 renewal.

48 3. "Local legislative body" (a) In a city, such term shall mean the
49 board of aldermen, common council, council, commission or other board or
50 body now or hereafter vested by its charter or other law with jurisdic-
51 tion to enact ordinances or local laws, except that in a city having a
52 population of one million or more, as to such city, the term shall mean
53 the officer or agency vested with power under the charter of such city,
54 or by other law, to act pursuant to this chapter; (b) In a town such
55 term shall mean the town board; (c) In a village such term shall mean
56 the board of trustees.

1 4. "Previously disturbed land" shall mean a parcel or lot of land that
2 was occupied or formerly occupied by a building or otherwise improved or
3 utilized that is not located in a one hundred year floodplain, and was
4 not being used for commercial agricultural purposes or forestry as of
5 the effective date of this article.

6 5. "Disabled person" shall mean a person who has an impairment which
7 results from anatomical, physiological or psychological conditions,
8 other than addiction to alcohol, gambling, or any controlled substance,
9 which is demonstrated by medically acceptable clinical and laboratory
10 diagnostic techniques and which is expected to be permanent and to
11 substantially limit one or more of such person's major life activities.

12 6. "Senior citizen" shall mean a person who is sixty-two years of age
13 or older.

14 7. "Corporation" shall mean the New York housing opportunity corpo-
15 ration, as established in section twelve hundred eighty-five of this
16 article.

17 8. "Lessee" shall mean the party which has entered into a contract
18 with the corporation or the division for the purpose of developing hous-
19 ing on state-owned land pursuant to this article.

20 9. "Housing corporation" shall mean any housing cooperative created
21 pursuant to this article for the purposes of developing and maintaining
22 affordable housing on state-owned land.

23 10. "Rental project" shall mean a rental multiple dwelling created
24 pursuant to this article.

25 11. "Ownership project" shall mean a cooperative housing development
26 consisting of multiple dwellings created pursuant to this article.

27 12. "Managing agent" shall mean a person who exercises control over
28 the assets of an ownership or rental project.

29 § 1285. New York housing opportunity corporation. 1. There is hereby
30 established a public benefit corporation known as the "New York housing
31 opportunity corporation" as a subsidiary corporation of the division.

32 2. The division may transfer to such subsidiary corporation any real,
33 personal or mixed property in order to carry out the purposes of section
34 twelve hundred ninety-two of this article. Such subsidiary corporation
35 shall have all the privileges, immunities, tax exemption and other
36 exemptions of the corporation to the extent the same are not inconsis-
37 tent with this section.

38 3. The board of directors of such subsidiary corporation shall consist
39 of the commissioner of housing and community renewal, the director of
40 the budget, the commissioner of taxation and finance, one member
41 appointed by the temporary president of the senate, and one member
42 appointed by the speaker of the assembly. In addition, there shall be
43 four members to be appointed by the governor with the advice and consent
44 of the senate. The powers of such subsidiary corporation shall be vest-
45 ed in and exercised by no less than six of its members thereof then in
46 office. The subsidiary corporation may delegate to one or more of its
47 members, or its officers, agents and employees, such powers and duties
48 as it may deem proper. The commissioner of the division of housing and
49 community renewal shall serve as the president and chairperson of the
50 corporation.

51 3-a. The chairperson of the corporation may appoint an officer or
52 employee of the corporation to represent the chairperson at all meetings
53 of the corporation from which the chairperson may be absent. Any such
54 representative so designated shall have the power to attend and to vote
55 at any meeting of the corporation from which the chairperson of the
56 corporation is absent with the same force and effect as if the chair-

1 person of the corporation were present and voting. Such designation
2 shall be by written notice filed with the chairperson of the corpo-
3 ration. The designation of such person shall continue until revoked at
4 any time by written notice to such chairperson. Such designation shall
5 not be deemed to limit the power of the chairperson of the corporation
6 to attend and vote at any meeting of the corporation.

7 4. No officer or member of the corporation shall receive any addi-
8 tional compensation, either direct or indirect, other than reimbursement
9 for actual and necessary expenses incurred in the performance of their
10 duties, by reason of serving as a member, director, or trustee of such
11 subsidiary corporation.

12 5. Notwithstanding any inconsistent provisions of law, general,
13 special or local, no officer or employee of the state, or of any civil
14 division thereof, or any public benefit corporation, shall be deemed to
15 have forfeited or shall forfeit their office or employment by reason of
16 acceptance of membership on the corporation created by this section.

17 6. The fiscal year of such subsidiary corporation shall begin with the
18 first day of April of each year and end with the next following thirty-
19 first day of March.

20 7. The corporation shall have the power to:

21 (a) Sue and be sued;

22 (b) Have a seal and alter the same at pleasure;

23 (c) Make and alter by-laws for its organization and internal manage-
24 ment and make rules and regulations governing the use of its property
25 and facilities;

26 (d) Make and execute contracts and all other instruments necessary or
27 convenient for the exercise of its powers and functions under this chap-
28 ter;

29 (e) Acquire, hold and dispose of real or personal property for its
30 corporate purposes;

31 (f) Engage the services of private consultants on a contract basis for
32 rendering professional and technical assistance advice;

33 (g) Procure insurance against any loss in connection with its activ-
34 ities, properties and other assets, in such amount and from such insur-
35 ers as it deems desirable; and

36 (h) Invest any funds of the corporation, or any other monies under its
37 custody and control not required for immediate use or disbursement, at
38 the discretion of the corporation, in obligations of the state or the
39 United States government or obligations the principal and interest of
40 which are guaranteed by the state or the United States government, or in
41 any other obligations in which the comptroller of the state is author-
42 ized to invest pursuant to section ninety-eight of the state finance
43 law.

44 8. The corporation will encourage the creation of local housing part-
45 nerships; such partnerships may include but not be limited to members of
46 the business community, the financial community, housing developers,
47 builders, not-for-profit organizations and community leaders who are
48 committed to the development of low, moderate, and middle-income housing
49 within such community.

50 9. The corporation will facilitate the coordination of local housing
51 partnerships and existing state, federal and local programs which
52 promote the development of low, moderate, and middle-income housing.

53 10. The corporation is a public housing agency as defined in the
54 United States housing act of 1937, as amended, and may receive and
55 administer funds including but not limited to subsidies, loans and fees
56 made available through federal programs under such act.

1 (a) The corporation shall be the sole entity with authority in the
2 state to undertake any statewide or regional multi-state contract for
3 performance based annual contributions contract administration issued
4 under authority granted in 42 U.S.C. section 1437f or any replacement or
5 successor program or contract, whether called an annual contributions
6 contract or other name, that requires substantially the same adminis-
7 tration or support services offered nationally, regionally or statewide.
8 The corporation may in its discretion subcontract such activities as it
9 may require. The division shall be the entity responsible for such
10 statewide or regional multi-state contract administration with all
11 powers and responsibilities which would otherwise be available to the
12 corporation in the event the corporation is unable or unwilling to act
13 as such entity.

14 (b) The powers vested in the corporation and the division pursuant to
15 paragraph (a) of this subdivision are coincident to the powers of any
16 municipal or other local public housing agency or public housing author-
17 ity operating within the state on the effective date of this paragraph.

18 11. The division and all other state officers, departments, boards,
19 divisions, commissions, public authorities and public benefit corpo-
20 rations may render such services to the corporation within their respec-
21 tive functions as may be requested by the corporation.

22 12. Notwithstanding the provisions of article one-A of the public
23 authorities law, contracts entered into by the corporation pursuant to
24 articles eighteen and eighteen-A of this chapter shall not be subject to
25 the provisions of article one-A of the public authorities law.

26 § 1286. Corporation powers. 1. Subject to the limitations of this
27 article, the corporation shall have the powers and be subject to the
28 limitations contained in the business corporation law or the not-for-
29 profit corporation law, as the case may be, and shall have the following
30 additional specific powers:

31 (a) To make and execute contracts and other instruments necessary or
32 convenient in the exercise of its powers;

33 (b) To acquire or contract to acquire from any person, firm, corpo-
34 ration, municipality, federal or state agency, by grant, purchase,
35 condemnation or otherwise, leaseholds, real, personal or mixed property
36 or any interest therein, and to sell, assign, exchange, transfer, mort-
37 gage or encumber the same;

38 (c) To own, hold, clear and improve, leasehold, real, personal or
39 mixed property or any interest therein;

40 (d) To construct, reconstruct, rehabilitate, improve, alter or repair
41 or provide for the construction, reconstruction, improvement, alteration
42 or repair of any project;

43 (e) To lease or rent any of the housing or other accommodations or any
44 of the lands, buildings, structures or facilities embraced in any
45 project and establish and revise the rents or charges therefor; or to
46 purchase or lease a project or a part thereof from an authority.

47 (f) To arrange or contract with a municipality for the planning,
48 replanning, opening, grading or closing of streets, roads, roadways,
49 alleys or other places or for the furnishing of facilities or for the
50 acquisition by a municipality of property or property rights or for the
51 furnishing of property or services in connection with a project;

52 (g) To insure or provide for the insurance of its property or oper-
53 ations as required by law and also against such other risks as it may
54 deem advisable;

55 (h) To limit by contract the exercise of any of its powers;

1 (i) To invest any funds held in reserves or sinking funds, or any
2 funds not required for immediate disbursement in property or securities
3 in which savings banks may legally invest funds subject to their
4 control;

5 (j) To sue and be sued;

6 (k) To have a seal and alter the same at pleasure;

7 (l) To make and from time to time amend and repeal by-laws, rules and
8 regulations not inconsistent with the provisions of this article;

9 (m) To sell, lease, or otherwise convey all or any part of a project
10 to an authority upon such terms and conditions as shall have the prior
11 approval of the commissioner, as the case may be;

12 (n) To lease to any authority, or to a municipality in connection with
13 any federally-aided program to provide dwelling accommodations for
14 income eligible applicants, one or more dwelling units in a project upon
15 such terms and conditions as shall have the prior written approval of
16 the commissioner, as the case may be;

17 (o) To lease, with or without an option to purchase, all or any part
18 of a project to any person, firm, partnership, trust or corporation,
19 subject to the prior written consent of the commissioner, as the case
20 may be. Any property so leased shall remain subject to the provisions of
21 this article and to the rules and regulations of the commissioner, as
22 the case may be. Such lease may provide for the assumption by the lessee
23 of the management and control of the project, as well as the right of
24 the lessee to collect all revenues accruing thereto;

25 (p) To issue payments in lieu of taxes;

26 (q) To do all other things necessary or convenient to carry out its
27 powers.

28 2. The corporation shall file with the commissioner, as the case may
29 be, a copy of any by-laws, rules, regulations and amendments thereto
30 adopted by it from time to time, which shall become effective upon
31 approval by the commissioner; provided, however, that if the commission-
32 er shall fail to approve or disapprove such proposed by-laws within
33 three months after such filing, such by-laws shall become effective upon
34 the expiration of such three month period. These by-laws, rules, regu-
35 lations and amendments shall contain such provisions relating to the
36 management of its business, the regulation of its affairs, the calling
37 of meetings, the manner of selection of officers and trustees and such
38 other provisions as may be reasonable and necessary.

39 3. Notwithstanding the provisions of any law, general or special,
40 lessee may, with the approval of the commissioner, as the case may be,
41 require a standard form and procedure for the casting of proxies or
42 absentee ballots in any matter requiring a shareholder vote.

43 4. Notwithstanding the provisions of any law, general or special, the
44 corporation created pursuant to the provisions of this article shall:

45 (a) Hold at least four meetings of the board of directors annually.
46 Such meetings shall be open to the public, except that they may include
47 executive sessions open only to directors for the sole purpose of
48 discussing confidential personnel issues, legal advice and counsel from
49 an attorney to whom the corporation is a client, or confidential issues
50 affecting individual shareholders or residents, or contract negotiation.
51 Any such board of directors meetings held in addition to the minimum
52 number of four as required by this section shall be open to the public,
53 and subject to the aforementioned exception regarding executive
54 sessions.

55 (b) Maintain a record of any vote on a resolution of such board,
56 including specification of how each director voted. Such record shall be

1 a matter of public record which will be made available as a paper copy
2 at the request of a shareholder and will also be posted on a website
3 that is publicly accessible maintained by the board of directors,
4 provided however, that there may be redactions to the extent minutes
5 would reflect the discussions held in executive session.

6 § 1287. Identification of property. 1. For a period of six months
7 after the effective date of this article, the commissioner of the office
8 of general services, in consultation with each executive agency and
9 public benefit corporation or authority established pursuant to state
10 law shall, for the purpose of locating sites to further the goal of
11 creating housing within the state for low, moderate, and middle-income
12 persons, survey its jurisdiction to determine the existence and location
13 of unused or underutilized parcels of real property containing previous-
14 ly disturbed land, as well as buildings and structures currently not in
15 use and in the control and possession of the state of New York and any
16 public benefit corporations and public authorities established pursuant
17 to state law.

18 2. No later than December thirty-first, two thousand twenty-four, the
19 commissioner of the office of general services, in consultation with the
20 executive agencies shall submit a report to the temporary president of
21 the senate, the speaker of the assembly, and the commissioner cataloging
22 the sites identified pursuant to subdivision one of this section. The
23 report shall include, but need not be limited to, the location, condi-
24 tion, and status of all identified real property, including buildings.
25 In consultation with the division and the department of environmental
26 conservation, the report shall contain an assessment of whether a parcel
27 can be developed for the purposes of housing. The commissioner of gener-
28 al services may, from time to time, update this report to reflect chang-
29 es in the parcels included and furnish a copy of the report to the
30 temporary president of the senate, the speaker of the assembly, and the
31 commissioner.

32 3. The corporation, in consultation with the division, shall make
33 available for lease sites identified pursuant to subdivision two of this
34 section through a request for proposal for the construction of afforda-
35 ble housing and other mixed uses including community amenities. In eval-
36 uating the proposals, the corporation shall evaluate whether the appli-
37 cant affirmatively furthers fair housing, is engaging in a sound and
38 efficient use of state resources, provides housing for a range of
39 incomes-- low, moderate, and middle, and serves the interests of the
40 surrounding community. The request for proposal shall be posted on the
41 division's website for a period of no less than ninety days. The corpo-
42 ration shall notify all applicants in writing of its decision within
43 thirty days of selecting a proposal.

44 4. Notwithstanding any other provision of this article, the corpo-
45 ration shall not be empowered to undertake the acquisition,
46 construction, reconstruction, rehabilitation or improvement of a project
47 unless the corporation finds:

48 (a) That there exists, in the area in which the project is to be
49 located, or in an area reasonably accessible to such area, a need for
50 safe and sanitary housing accommodations for persons or families of low,
51 moderate, or middle income, which the operations of private enterprise
52 cannot provide;

53 (b) The project affirmatively furthers fair housing;

54 (c) The project engages in a sound and efficient use of state
55 resources;

1 (d) The project provides housing for persons and families of a range
2 of incomes-- low, moderate, and middle; and

3 (e) The project will not cause harm to the health and safety of the
4 surrounding community.

5 § 1288. Lease of property. 1. Notwithstanding any provision of law to
6 the contrary, the commissioner of the office of general services is
7 hereby authorized, without any public bidding, to lease and otherwise
8 contract to make available to a lessee, as defined in this article, real
9 property and existing structures for the purpose of developing,
10 constructing, maintaining and operating affordable housing. Such lease
11 or contract shall be for a period not exceeding ninety-nine years with-
12 out any fee simple conveyance and otherwise upon terms and conditions
13 determined by the commissioner of general services in consultation with
14 the division, subject to the approval of the director of the division of
15 the budget, the attorney general and the state comptroller. In the event
16 that the real property that is the subject of such lease or contract
17 shall cease to be used for the purpose described in this article, such
18 lease or contract shall immediately and automatically terminate and the
19 real property and any improvements thereon shall revert to the corpo-
20 ration. Any lease or contract entered into pursuant to this article
21 shall provide that the real property that is the subject of such lease
22 or contract and any improvements thereon shall revert to the corporation
23 on the expiration of such contract or lease.

24 2. Any contract or lease entered into pursuant to this act shall be
25 deemed to be a state contract for purposes of article fifteen-A of the
26 executive law, and any contractor, subcontractor, lessee or sublessee
27 entering into such contract or lease for the construction, demolition,
28 reconstruction, excavation, rehabilitation, repair, renovation, alter-
29 ation or improvement authorized pursuant to this act shall be deemed a
30 state agency for the purposes of article fifteen-A of the executive law
31 and subject to the provisions of such article.

32 3. Without limiting the determination of the terms and conditions of
33 such contracts or leases, such terms and conditions may provide for
34 leasing, subleasing, construction, reconstruction, rehabilitation,
35 improvement, operation and management of and provision of services and
36 assistance and the granting of licenses, easements and other arrange-
37 ments with regard to such grounds and facilities by the ground lessee,
38 and parties contracting with the ground lessee, and in connection with
39 such activities, the obtaining of funding or financing.

40 4. Such lease shall include an indemnity provision whereby the lessee
41 or sublessee promises to indemnify, hold harmless and defend the lessor
42 against all claims, suits, actions, and liability to all persons on the
43 leased premises, including tenants, shareholders, shareholders' tenants
44 agents, contractors, subcontractors, employees, customers, guests,
45 licensees, invitees and members of the public, for damage to any such
46 person's property, whether real or personal, or for personal injuries
47 arising out of a lessee's use or occupation of the demised premises.

48 § 1289. Public notification and engagement. 1. In effectuating the
49 purposes of this article, the corporation shall work closely, consult
50 and cooperate with local elected officials and community leaders at the
51 earliest practicable time. The corporation shall give primary consider-
52 ation to local needs and desires and shall foster local initiative and
53 participation in connection with the planning and development of its
54 projects. Consideration shall also be given to local and regional goals
55 and policies for the creation of low, moderate, and middle-income hous-
56 ing.

1 (a) There shall be written notification to all state and local offi-
2 cial's whose jurisdictions include the project site within thirty days of
3 a proposal being selected.

4 (b) The commissioner shall make themselves available for a period of
5 no fewer than thirty days after the dispatch of written notification in
6 order to brief state and local officials about the proposed site and to
7 collect feedback about the site.

8 2. Before commencing the acquisition, construction, reconstruction,
9 rehabilitation, alteration or improvement of any project:

10 (a) The corporation must file a copy of the project plan in its corpo-
11 rate offices and in the office of the clerk of any municipality in which
12 the project is to be located.

13 (b) Upon request, any other person shall be furnished with a digest of
14 such plan;

15 (c) The corporation shall: (i) publish in one newspaper of general
16 circulation within the municipality, (ii) provide to the chief executive
17 officer of the municipality within which the project is located, and
18 (iii) in any city having a population of one million or more, provide to
19 any community board in which the project will be located, a notice that
20 such plan will be filed upon its adoption by the corporation and that
21 digests thereof will be available, which notice shall also state that a
22 public hearing will be held to consider the plan at a specified time and
23 place on a date not less than ten days after such publication.

24 (d) The corporation shall conduct a public hearing pursuant to such
25 notice, provided that such public hearing shall not take place before
26 the adoption or the filing of such plan by the corporation.

27 (e) Upon a written finding of the corporation that no substantive
28 negative testimony or comment has been received at such public hearing,
29 such plan shall be effective at the conclusion of such hearing;
30 provided, however, that if any substantive negative testimony or comment
31 is received at such public hearing, the corporation may, after due
32 consideration of such testimony and comment, affirm, modify or withdraw
33 the plan in the manner provided for the initial filing of such plan in
34 paragraph (a) of this subdivision.

35 3. After consultation with local officials, as provided in subdivision
36 one of this section, the corporation and any subsidiary thereof shall,
37 in constructing, reconstructing, rehabilitating, altering or improving
38 any project, comply with the requirements of local laws, ordinances,
39 codes, charters or regulations applicable to such construction, recon-
40 struction, rehabilitation, alteration or improvement, provided however,
41 that when, in the discretion of the corporation, such compliance is not
42 feasible or practicable, the corporation and any subsidiary thereof
43 shall comply with the requirements of the state building construction
44 code, formulated by the state building code council pursuant to article
45 eighteen of the executive law, applicable to such construction, recon-
46 struction, rehabilitation, alteration or improvement. In those circum-
47 stances where, in the discretion of the corporation, such compliance
48 with local laws, ordinances, codes, charters or regulations is not
49 feasible or practicable the requirements of subdivision two of this
50 section shall be complied with; provided, however, that (a) the corpo-
51 ration shall provide a copy of the plan to the chief executive officer
52 of any municipality within which the project is to be located, the
53 chairperson of the planning board or commission of any such munici-
54 pality, or if there is no planning board or commission, to the presiding
55 officer of the local governing body and in any city having a population
56 of one million or more, to any community board in which the project is

1 located, and the public hearing to consider the plan required pursuant
2 thereto shall be held on thirty days notice following adoption of the
3 plan by the corporation; (b) any person shall have the opportunity to
4 present written comments on the plan within thirty days after the public
5 hearing; (c) any municipality within which the project is to be located,
6 by majority vote of its planning board or commission, or in the event
7 there is no planning board or commission, by majority vote of its local
8 governing body, may recommend approval, disapproval or modification of
9 the plan, which recommendation shall be submitted in writing to the
10 corporation within thirty days after such hearing; and (d) after due
11 consideration of such testimony and comments and municipal recommenda-
12 tions, if any, the corporation may affirm, modify or withdraw the plan
13 in the manner provided for the initial filing of such plan in paragraph
14 (a) of subdivision two of this section, provided, however that in the
15 event any such municipality has recommended disapproval or modification
16 of the plan, as provided herein, the corporation may affirm the plan
17 only by a vote of two-thirds of the directors thereof then in office. No
18 municipality shall have power to modify or change the drawings, plans or
19 specifications for the construction, reconstruction, rehabilitation,
20 alteration or improvement of any project of the corporation or of any
21 subsidiary thereof, or the construction, plumbing, heating, lighting or
22 other mechanical branch of work necessary to complete the work in ques-
23 tion, nor to require that any person, firm or corporation employed on
24 any such work shall perform any such work in any other or different
25 manner than that provided by such plans and specifications, nor to
26 require that any such person, firm or corporation obtain any other or
27 additional authority, approval, permit or certificate from such munici-
28 pality in relation to the work being done, and the doing of any such
29 work by any person, firm or corporation in accordance with the terms of
30 such drawings, plans, specifications or contracts shall not subject said
31 person, firm or corporation to any liability or penalty, civil or crimi-
32 nal, other than as may be stated in such contracts or incidental to the
33 proper enforcement thereof; nor shall any municipality have power to
34 require the corporation or any subsidiary thereof, or lessee therefrom
35 or successor in interest thereto, to obtain any other or additional
36 authority, approval, permit, certificate or certificate of occupancy
37 from such municipality as a condition of owning, using, maintaining,
38 operating or occupying any project acquired, constructed, reconstructed,
39 rehabilitated, altered or improved by the corporation or by any subsid-
40 iary thereof. The foregoing provisions shall not preclude any munici-
41 pality from exercising the right of inspection for the purpose of
42 requiring compliance by any such project with local requirements for
43 operation and maintenance, affecting the health, safety and welfare of
44 the occupants thereof, provided, however, that such compliance does not
45 require changes, modifications or additions to the original construction
46 of such project.

47 § 1290. Compliance with building codes and environmental review, and
48 local ordinances. 1. Projects completed pursuant to this act shall
49 conform to the state uniform fire prevention and building code and ener-
50 gy conservation code pursuant to article eighteen of the executive law,
51 unless such compliance conflicts with the municipal code in which the
52 project is located.

53 2. In a city, town, or village with a population of under one million,
54 no project shall exceed fifty-five feet in height except as otherwise
55 permitted by local law.

1 3. Any proposed development on previously disturbed land shall be
2 exempt from any environmental review requirements pursuant to article
3 eight of the environmental conservation law and any rules and regu-
4 lations promulgated pursuant thereto, and any substantially equivalent
5 local law, regulation or rule to article eight of the environmental
6 conservation law, including, but not limited to, in a city with a popu-
7 lation greater than one million people, city environmental quality
8 review, but must meet the following criteria:

9 (a) be located in a census tract defined as an urbanized area or an
10 urban cluster by the federal census bureau; and

11 (i) have fewer than ten total residential units or ten thousand square
12 feet of floor area, whichever is greater, a maximum of twenty percent of
13 which may consist of commercial or community facility uses, in munici-
14 palities that have not adopted zoning or subdivision regulations;

15 (ii) have fewer than fifty total residential units or fifty thousand
16 square feet of floor area, whichever is greater, a maximum of twenty
17 percent of which may consist of commercial or community facility uses,
18 not to be connected at the commencement of habitation to existing commu-
19 nity or public water and sewerage systems including sewage treatment
20 works;

21 (iii) in a city, town, or village having a population of ninety thou-
22 sand persons or less, fewer than two hundred total residential units or
23 two hundred thousand square feet of floor area, whichever is greater, a
24 maximum of twenty percent of which may consist of commercial or communi-
25 ty facility uses, to be connected at the commencement of habitation to
26 existing community or public water and sewerage systems including sewage
27 treatment works;

28 (iv) in a city, town, or village having a population of greater than
29 ninety thousand but less than one million, fewer than five hundred total
30 residential units, or five hundred thousand square feet of floor area,
31 whichever is greater, a maximum of twenty percent of which may consist
32 of commercial or community facility uses, to be connected at the
33 commencement of habitation to existing community or public water and
34 sewerage systems including sewage treatment works; or

35 (v) in a city having a population of one million or more persons,
36 fewer than one thousand total residential units, or one million square
37 feet of floor area, whichever is greater, to be connected at the
38 commencement of habitation to existing community or public water and
39 sewerage systems including sewage treatment works; and

40 (b) complete a Phase I Environmental Site Assessment (ESA) pursuant to
41 the federal Comprehensive Environmental Response, Compensation and
42 Liability Act (42 U.S.C. Chapter 103), and complete testing for lead
43 water and paint, asbestos, and radon, the results of which shall be
44 submitted by the proposed developer of such action to the local agency
45 responsible for approving or denying the application for such action;
46 and

47 (c) receive certification from a qualified environmental professional,
48 as such term is defined by the commissioner pursuant to regulation, that
49 such action, as proposed, will not violate any state wetland laws or
50 drinking water laws under article eleven of the public health law, or
51 any rules or regulations promulgated thereto; or

52 (d) have been subject to a general environmental impact analysis
53 through an environmental impact statement.

54 4. A court shall not intervene with an environmental review conducted
55 pursuant to this article or rules or regulations promulgated thereto

1 unless there is substantial information missing that is necessary and
2 material to the decision makers' review.

3 5. Unless specifically set forth by this section, nothing set forth in
4 this subdivision shall be interpreted to override or otherwise waive any
5 permitting required pursuant to state or federal laws or regulations.

6 § 1291. Rental and ownership project requirements. 1. (a) A lessee
7 may, with the approval of the commissioner, as applicable, establish
8 maximum rental rates per unit size that can be charged to tenants of the
9 dwelling. The average rental rates for all dwellings in any project
10 shall not exceed the maximum average rental rates determined by the
11 commissioner, as applicable, prior to the lessee making any commitments
12 for the construction of the project.

13 (b) The commissioner, upon the commissioner's own motion, or upon
14 application by the lessee, may vary such rental rate from time to time
15 so as to secure, together with all other income of the lessee, suffi-
16 cient income for it to meet within reasonable limits all necessary
17 payments to be made or projected to be made during the term of a lease
18 by the said lessee, of all expenses including fixed charges, sinking
19 funds, reserves and dividends on outstanding stock as authorized by the
20 commissioner, as the case may be. Letting, subletting or assignment of
21 leases of apartments at greater rentals than those approved by the
22 commissioner shall be unlawful. Where the mortgage loan of a lessee is
23 insured or held by the federal government or where a project is owned by
24 the federal government, rental rates shall be varied without regard to
25 the provisions of any general, special or local law which would other-
26 wise limit or control such rental rates or the determination or vari-
27 ation thereof for so long as such mortgage loan remains outstanding or
28 the project financed by such a mortgage loan is owned by the federal
29 government. No variation of a rental rate in a project financed by a
30 mortgage loan insured or held by or owned by the federal government
31 shall be effective unless approved by the federal government.

32 (c) Unless any applicable regulation of or regulatory agreement with
33 the federal government shall otherwise provide, (i) the rental rates to
34 be charged under any such lease shall be established after consideration
35 of the term of such lease and may differ from the rental rates to be
36 charged under any other lease of a different term and (ii) the commis-
37 sioner, as the case may be, shall in establishing such rental rates
38 consider the obligations of the lessee under any instruments evidencing
39 or securing any residual indebtedness. Such leases shall contain a
40 provision authorizing the variation of the rental rates during the term
41 of such leases.

42 (d) The commissioner or administrator, as the case may be, shall make
43 available for inspection and copying by the residents in any affected
44 development, all items and data and recommendations utilized as the
45 various basis for the decision on increases in rental or carrying charg-
46 es upon request of the residents.

47 2. The dwelling in a project created pursuant to this article shall be
48 affordable to and restricted to occupancy by individuals or families
49 whose household income does not exceed one hundred sixty-five percent of
50 the area median income, adjusted for family size, at the time that such
51 household initially occupies such dwelling unit.

52 3. (a) Preference in admission to a project with an open waiting list,
53 as determined by the commissioner, shall be given to persons in the
54 following manner:

55 (i) First priority shall be to veterans or surviving spouses of
56 persons who are veterans as such term is defined pursuant to section

eighty-five of the civil service law, homeless families with children referred by a municipal entity or agency charged with the provision of homeless services, or homeless applicants referred by HIV/AIDS Services Administration;

(ii) Second priority shall be to an applicant who demonstrates they are a victim of domestic violence;

(iii) Third priority shall be to applicants listed on the waiting list for the Mitchell-Lama program pursuant to article two of this chapter for no less than five years prior to January first, two thousand twenty-five; and

(iv) Fourth priority shall be to applicants on waiting lists by unit size in strict chronological order by date of receipt of application or order of selection by lottery, at the discretion of the commissioner.

(b) In addition to any other applicable priority, preference in admission to any project or to such portion of any project which has been specifically designed for occupancy by a senior citizen or disabled persons, as the case may be, shall be given to such eligible applicants.

(c) Applicants who are residents of the applicable county wherein the respective property is located for no less than one year shall receive priority above applicants who do not reside in such county or have not met the durational residency requirement, except where subparagraph (i) of paragraph (a) of this subdivision applies.

(d) Preference in admission shall only be provided to eligible applicants whose names appear on the waiting list as the applicants of record. No preference eligible applicant shall be entitled to benefit from a preference for admission pursuant to this paragraph more than one time.

4. The commissioner shall develop a written procedure with regard to how applications for admission to a housing development are processed and numbered, and how tenants are selected. Such procedure shall be implemented and followed by all lessees or housing corporations subject to the provisions of this article; provided, however, that any lessee or housing corporation may elect additional procedures so long as such procedures are not inconsistent with the procedures developed by the commissioner and any other requirements set forth in this article.

5. The commissioner shall develop a procedure whereby applicants are notified in the case that their application is rejected by a lessee or housing corporation subject to the provisions of this article, and such procedure shall also include the appeals process available to the rejected applicant. The notification that shall be sent to the applicant shall be in written form, include reasons why the applicant was rejected, the appeal's process, and be sent to the applicant within sixty days after the lessee or housing corporation rejects such applicant. Any lessee or housing corporation may elect to include additional procedures so long as such procedures are not inconsistent with the procedures developed by the commissioner and any other requirements set forth in this article. For purposes of this subdivision, an applicant shall not be deemed rejected if their application is still active on the rental or ownership project waiting list and such waiting list is still open and accepting applications.

6. The commissioner shall develop and require the use of a publicly available electronic automated system for lessees or housing corporations to store, process, and maintain applications and waiting lists. Waiting lists maintained by the managing agent of a development shall use a method that protects any personally identifiable information of applicants from being publicly disclosed or accessible to the public.

1 Such electronic automated system shall also include general information
2 about each rental or ownership development, including, but not limited
3 to: the name and address of the development; the management office and
4 address; the number and size of all units in each building; and informa-
5 tion on the status of each waiting list, including whether the rental or
6 ownership development is currently accepting applications and how long
7 applicants may have to wait.

8 § 1292. Supervision and regulation. The commissioner may:

9 1. Examine a lessee and keep informed as to its general condition, its
10 capitalization and the manner in which a rental or ownership project is
11 constructed, acquired, rehabilitated, leased, operated or managed, and
12 to its compliance with all provisions of law and orders of the commis-
13 sioner.

14 2. Require every lessee to file with the appropriate agency as deter-
15 mined by the commissioner, an annual report setting forth such informa-
16 tion as the commissioner may require, verified by the oath of any offi-
17 cer, general manager or other person in control of the lessee. Such
18 report shall be in a form, cover a period, and be filed at a time as
19 prescribed by the commissioner.

20 3. From time to time make, amend and repeal supplementary rules and
21 regulations for carrying into effect the provisions of this article
22 provided, however, that such supplementary rules and regulations shall
23 be strictly limited in their application to the means and methods of
24 compliance with the provisions of this article to which such power
25 relates.

26 4. Make such agreements with bondholders, mortgagees or creditors of a
27 lessee to do or refrain from doing any unlawful act to protect the
28 investment rights of the state of New York, the division, or of the
29 municipality.

30 5. (a) Administer oaths, take affidavits, hear testimony and take
31 proof under oath at public or private hearings; (b) subpoena and require
32 the attendance of witnesses and the production of books and papers
33 pertaining to any investigations and inquiries authorized by this arti-
34 cle and examine them in relation to any matter concerning which the
35 power to investigate is granted; (c) issue commissions for the examina-
36 tion of witnesses who are out of the state or unable to attend or are
37 excused from attendance; (d) investigate into the affairs of a lessee
38 and into the dealings, transactions or relationships of such lessee with
39 third persons and into the affairs of any person, firm, corporation or
40 other entity having a financial interest, whether direct or indirect, in
41 the design, construction, acquisition, reconstruction, rehabilitation,
42 improvement, financing or operation of any project undertaken by a
43 lessee; (e) intervene, as a matter of right, in any action or proceeding
44 of which notice shall be given affecting the project of a lessee; and
45 (f) take such steps in such action or proceeding as may be necessary to
46 protect the public interest.

47 6. With regard to duties and liabilities arising out of this article
48 the state, the commissioner may be sued in the same manner as a private
49 person. No costs shall be awarded against the commissioner or the state,
50 as the case may be, in any such litigation.

51 7. Whenever the commissioner, in the case of a lessee undertaking or
52 otherwise operating a state-aided project, shall be of the opinion that
53 such lessee is failing or omitting, or is about to fail or omit to do
54 anything required of it by law or by order of the commissioner or is
55 doing or is about to do anything, or permitting anything, or is about to
56 permit anything to be done, contrary to and in violation of law or of

1 any order, regulation or directive of the commissioner, as the case may
2 be, or which is improvident or prejudicial to the interest of the
3 public, the lienholders, the stockholders, or the tenants, the commis-
4 sioner, as the case may be, may, in addition to such other remedies as
5 may be available, commence an action or proceeding in the supreme court
6 of the state of New York in the name of the commissioner, as the case
7 may be, for the purpose of having such violations or threatened
8 violations stopped and prevented, and in such action or proceeding the
9 court may appoint a temporary or permanent receiver or both. Such action
10 or proceeding shall be commenced by a petition to the supreme court,
11 alleging the violation complained of and praying for appropriate relief.
12 It shall thereupon be the duty of the court to specify the time, not
13 exceeding twenty days after service of a copy of the petition, within
14 which the lessee complained of must answer the petition. In case of any
15 default or after answer the court shall immediately inquire into the
16 facts and circumstances in such manner as the court shall direct without
17 other or formal pleadings, and without respect to any technical require-
18 ments. Such other persons or corporations as it shall seem to the court
19 necessary or proper to join as parties in order to make its order or
20 judgment effective, may be joined as parties. The final judgment in any
21 such action or proceeding shall either dismiss the action or proceeding
22 or direct that an order or an injunction, or both, issue, or provide for
23 the appointment of a receiver as prayed for in the petition, and grant
24 such other relief as the court may deem appropriate.

25 8. The commissioner may modify supervision of a lessee or housing
26 corporation upon finding that duplicative supervisory functions may
27 impose an undue regulatory burden or unnecessary expenditure of agency
28 resources, by taking such actions as are deemed appropriate, including
29 consolidating supervisory functions associated with different programs,
30 and entering into memoranda of understanding with other agencies for the
31 allocation of supervisory functions.

32 9. Promulgate regulations providing for recognition of duly consti-
33 tuted tenants' associations and cooperators' advisory councils by the
34 commissioner and providing that a lessee or housing corporation shall
35 meet on a regular basis with representatives of such an association or
36 council at the specific project involved to discuss matters relating to
37 the project. A duly constituted cooperators' advisory council shall only
38 be such a council in a housing corporation project prior to the election
39 of a board of directors by the tenant-cooperators.

40 10. Require every managing agent to file with the appropriate agency
41 as determined by the commissioner, an annual operating budget for each
42 individual project in the manner prescribed by the commissioner.

43 11. Require every lessee, housing corporation, or the managing agent
44 thereof to file with the appropriate agency as determined by the commis-
45 sioner, semi-annual or quarterly financial statements and an annual
46 financial statement. Each annual financial statement shall be accompa-
47 nied by a certificate of the managing agent's independent certified
48 public accountant. Such financial statements shall be filed at the
49 times and in the manner prescribed by the commissioner.

50 12. Afford tenants and shareholders access to and an opportunity to
51 acquire copies of all operating budgets or financial statements respect-
52 ing the project in which such tenants and shareholders reside, to the
53 extent that such budgets and statements are required by law to be kept
54 by the commissioner.

55 13. Permit any tenant, duly constituted tenants' association, duly
56 constituted cooperators' advisory council or a duly authorized represen-

1 tative of any such entity to audit the books of the managing agent and
2 to have access during normal business hours to the financial records
3 upon which the managing agent's financial statements are based.

4 14. Promulgate regulations relating to managing agents, including
5 criteria for the eligibility for selection and the compensation of
6 managing agents by companies organized pursuant to this article. Such
7 regulations shall provide, among other things, that any contract with a
8 managing agent entered into shall be terminable for cause and shall be
9 terminable, with or without cause, at least every twelve months after
10 commencement of the term thereof, and that promptly upon termination the
11 managing agent shall turn over to the housing corporation or lessee all
12 project records, rent rolls, bills, canceled checks, bank statements and
13 other papers owned by such lessee or housing corporation.

14 15. Every tenant or resident, or a person acting on behalf of a share-
15 holder, tenant, or resident, shall be permitted to copy, by photographic
16 means, any document within the scope of this section pertaining to the
17 project in which such shareholder, tenant, or resident resides. A
18 reasonable fee, subject to a maximum therefor prescribed in regulations,
19 may be charged for such copies.

20 16. Require that within ten days of the filing of any reports or
21 financial statements with the commissioner, the managing agent shall
22 transmit a copy of said report or financial statement to a duly consti-
23 tuted resident board of directors, and if there be none, to a
24 cooperator's advisory council or a duly constituted tenants association
25 representing the project concerned. Where no such council or association
26 exists in a project, a notice shall be posted informing the residents of
27 the location on the premises of the project where a copy of said report
28 or financial statement is available for inspection. The notice shall be
29 posted within ten days of filing, in a prominent place on the premises
30 of the project concerned.

31 17. Promulgate regulations to require each tenant or shareholder to
32 use their dwelling unit as their primary residence to maintain their
33 right of continued occupancy or be subject to eviction in a court of
34 competent jurisdiction by a lessee.

35 18. Require every voting member of a board of directors of a housing
36 corporation subject to the provisions of this article, elected or
37 appointed for a term beginning on or after the effective date of this
38 subdivision, to complete, within the first year of their term and at
39 least once every three years thereafter, a minimum of two hours of
40 training, in person or virtually, as the commissioner may deem appropri-
41 ate, on the financial oversight, accountability and fiduciary responsi-
42 bilities of a board member; and to require every voting member of a
43 board of directors of a housing corporation subject to the provisions of
44 this article, elected or appointed for a term beginning before the
45 effective date of this subdivision, to complete such training within one
46 year of the effective date of this subdivision and at least once every
47 three years thereafter.

48 19. Require every voting member of a board of directors of a housing
49 corporation subject to the provisions of this article, elected or
50 appointed for a term beginning on or after the effective date of this
51 subdivision, to complete, within the first year of his or her term and
52 at least once every three years thereafter, in addition to the training
53 required by subdivision ten of this section, a training course, in
54 person or virtually, as the commissioner, as the case be, may deem
55 appropriate, to acquaint them with the powers, functions and duties of a
56 board of directors of a housing corporation subject to the provisions of

1 this article, as well as the powers and duties of other governing and
2 administrative authorities affecting such companies; and to require
3 every voting member of a board of directors of a housing corporation
4 subject to the provisions of this article, elected or appointed for a
5 term beginning before the effective date of this subdivision, to
6 complete such training within one year of the effective date of this
7 subdivision and at least once every three years thereafter.

8 20. Require each member of a board of directors of a housing corpo-
9 ration subject to the provisions of this article to demonstrate compli-
10 ance with the requirements set forth in subdivisions eighteen and nine-
11 teen of this section by filing a certificate of completion of such
12 course or courses on a form to be promulgated by the commissioner. Such
13 form shall be filed with the secretary of the housing corporation and
14 maintained by the secretary as a corporate record and distributed annu-
15 ally to the shareholders and upon the filing of any director with the
16 housing corporation of the intention to seek re-election to the posi-
17 tion. Sixty days prior to any scheduled election of members of the board
18 of directors, the secretary of the housing corporation shall furnish the
19 commissioner with a list of all incumbent directors indicating which
20 individuals have submitted certificates required in this subdivision.
21 Such course or courses shall be provided by the commissioner, as the
22 case may be, at no cost to the trainee or the board to which the trainee
23 has been elected.

24 21. Develop the curricula used for training required by subdivisions
25 eighteen and nineteen of this section for which the commissioner may
26 request and shall receive the cooperation and assistance from any
27 departments, divisions, boards, bureaus, commissions or agencies of the
28 state and political subdivisions thereof in developing such curricula.
29 These curricula may be offered together as a single course or separate-
30 ly. The training required by this section may be offered by providers
31 approved by the commissioner, as the case may be. In approving other
32 providers for these trainings, the commissioner shall consider a poten-
33 tial provider's understanding of cooperative homeownership and tenancy
34 laws; laws, rules and regulations affecting rent and ownership projects
35 subject to the provisions of this article; and the fiduciary responsi-
36 bilities of the board of a residential cooperative, as well as the expe-
37 rience of the provider in delivering such training.

38 22. Hold such meeting or meetings, in person or virtually as the
39 commissioner shall deem appropriate, with the board of a housing corpo-
40 ration on the financial oversight, accountability and fiduciary respon-
41 sibilities of such board; the powers, functions and duties of such
42 board; and the powers and duties of other governing and administrative
43 authorities affecting such corporation.

44 § 1293. Construction and operation. 1. The provisions of section two
45 hundred twenty-four-a of the labor law shall apply to construction
46 projects under this article.

47 2. Every lessee, contractor, or other third party that has entered
48 into an agreement with the corporation shall pay a service employee, as
49 defined in section two hundred thirty-one of the labor law, a wage of
50 not less than the prevailing wage in the locality for the craft, trade,
51 or occupation of the service employee. Employment of building service
52 workers pursuant to this article shall be subject to requirements in
53 article nine of the labor law.

54 § 1294. Annual reports. The commissioner shall, on or before the first
55 day of December thirty-first of each year, submit a report to the legis-
56 lature, the state comptroller, and the attorney general on the implemen-

1 tation of section twelve hundred ninety-two of this article by the
2 commissioner and the policy included therein. Such report shall include
3 and not be limited to rent and carrying charge levels, changes therein,
4 operation of the New York housing opportunity corporation new
5 construction revolving fund and New York housing opportunity corporation
6 maintenance and preservation revolving fund, tax credit, abatement, or
7 exemption levels, total capital outlay, amortization, mortgage interest
8 rates, income levels served by the housing, surcharge billings and
9 collections and use of surcharge revenues, and vacancy rates. For the
10 purpose of preparing such report, the commissioner may request, and
11 shall receive, from any municipality such data as he deems necessary or
12 desirable and such municipality or shall furnish the requested data
13 within sixty days of such request.

14 § 1295. New York housing opportunity corporation new construction
15 revolving fund. 1. (a) There is hereby created and established in the
16 division a revolving fund to be known as the "New York housing opportu-
17 nity corporation new construction revolving fund".

18 (b) Moneys in the New York housing opportunity corporation new
19 construction revolving fund shall only be used in accordance with the
20 provisions of this article. The moneys in such fund shall be applied to
21 or paid out for authorized purposes related to new construction of
22 dwelling units being built in accordance with the provisions of this
23 article.

24 2. There shall be paid into such New York housing opportunity corpo-
25 ration new construction revolving fund (a) any moneys appropriated and
26 made available by the state for the purposes of such fund, (b) notwith-
27 standing the provisions of the state finance law or any other provision
28 of law, any moneys which the division shall receive in repayment of
29 advances made from such fund, and (c) any other moneys which may be made
30 available to the division for the purpose of such fund from any other
31 source or sources.

32 3. All moneys paid into the fund from repayments of loans authorized
33 by this article shall continue to be made available for the purpose of
34 providing loans pursuant to such section, and shall be repaid as
35 follows:

36 (a) Each such advance shall be repaid in full by borrower to the fund;
37 and

38 (b) Such repayment shall be made concurrent with receipt by the
39 borrower or its successor in interest of the proceeds of its mortgage or
40 construction loan. The commissioner may, at his or her discretion,
41 extend the period for the repayment of such advances. In no event shall
42 the time of repayment be extended later than the date of final advance
43 of funds pursuant to such mortgage financing.

44 4. Moneys in the New York housing opportunity corporation new
45 construction revolving fund shall be segregated from all other funds of
46 or in the custody of the corporation subject to any rights of holders of
47 corporation bonds or notes issued for the purposes of this section.

48 5. Any moneys held in such New York housing opportunity corporation
49 new construction revolving fund not required for immediate disbursement
50 may be invested, at the discretion of the commissioner, in obligations
51 of the state or the United States government or obligations the princi-
52 pal and interest of which are guaranteed by the state or the United
53 States government. Any income or interest earned by, or increment to,
54 such housing development fund shall be added to the moneys held in such
55 fund for the purposes herein provided.

1 § 1296. New York housing opportunity corporation maintenance and pres-
2 ervation revolving fund. 1. (a) There is hereby created and established
3 in the division a revolving fund to be known as the "New York housing
4 opportunity corporation maintenance and preservation revolving fund".

5 (b) Moneys in the New York housing opportunity corporation maintenance
6 and preservation revolving fund shall only be used in accordance with
7 the provisions of this article. The moneys in such fund shall be
8 applied to or paid out for authorized purposes related to maintenance or
9 preservation of dwelling units, as deemed appropriate by the commission-
10 er, which were constructed in accordance with the provisions of this
11 article.

12 2. There shall be paid into such New York housing opportunity corpo-
13 ration maintenance and preservation revolving fund (a) any moneys appro-
14 priated and made available by the state for the purposes of such fund,
15 (b) notwithstanding the provisions of the state finance law or any other
16 provision of law, any moneys which the division shall receive in repay-
17 ment of advances made from such fund, and (c) any other moneys which may
18 be made available to the division for the purpose of such fund from any
19 other source or sources.

20 3. All moneys paid into the fund from repayments of loans authorized
21 by this article shall continue to be made available for the purpose of
22 providing loans pursuant to such section, and shall be repaid as
23 follows:

24 (a) Each such advance shall be repaid in full by the borrower to the
25 fund; and

26 (b) Such repayment shall be made concurrent with receipt by the
27 borrower or its successor in interest of the proceeds of its mortgage or
28 construction loan. The commissioner may, at such commissioner's
29 discretion, extend the period for the repayment of such advances. In no
30 event shall the time of repayment be extended later than the date of
31 final advance of funds pursuant to such mortgage financing.

32 4. Moneys in the New York housing opportunity corporation maintenance
33 and preservation revolving fund shall be segregated from all other funds
34 of or in the custody of the corporation subject to any rights of holders
35 of corporation bonds or notes issued for the purposes of this section.

36 5. Any moneys held in such New York housing opportunity corporation
37 maintenance and preservation revolving fund not required for immediate
38 disbursement may be invested, at the discretion of the commissioner, in
39 obligations of the state or the United States government or obligations
40 the principal and interest of which are guaranteed by the state or the
41 United States government. Any income or interest earned by, or increment
42 to, such housing development fund shall be added to the moneys held in
43 such fund for the purposes herein provided.

44 § 1297. Designation of and service of process on secretary of state
45 and registered agent. The provisions of sections three hundred four,
46 three hundred five and three hundred six of the business corporation law
47 shall apply to companies heretofore or hereafter organized pursuant to
48 the provisions of this article.

49 § 1298. Jurisdiction; courts; venue. The place of trial disputes aris-
50 ing from this article shall be within the jurisdictional area of the
51 court in which the real property or a portion thereof is situated;
52 except that where the property is located in an incorporated village
53 which includes parts of two or more towns the proceeding may be tried by
54 a justice of the peace of any such town who keeps an office in the
55 village.

§ 2. Paragraphs c and d of subdivision 2 of section 224-a of the labor law, as added by section 1 of part FFF of chapter 58 of the laws of 2020, are amended and two new paragraphs e and f are added to read as follows:

c. Money loaned by the public entity that is to be repaid on a contingent basis; ~~[or]~~

d. Credits that are applied by the public entity against repayment of obligations to the public entity~~[.];~~

e. Money loaned from the New York housing opportunity corporation new construction revolving fund; or

f. Money loaned from the New York housing opportunity corporation maintenance and preservation revolving fund.

§ 3. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

§ 4. This act shall take effect immediately.

PART DDD

Section 1. Section 131-w of the social services law, as added by chapter 41 of the laws of 1992, is amended to read as follows:

§ 131-w. Limitations in the payment of rent arrears. ~~[Districts]~~ Local social services districts shall not provide assistance to pay rent arrears, property taxes or mortgage arrears for persons not eligible for home relief, aid to dependent children, emergency assistance to needy families with children or emergency assistance for aged, blind and disabled persons, except to persons who are without income or resources immediately available to meet the emergency need, whose gross household income does not exceed ~~[one]~~ two hundred ~~[twenty-five]~~ percent of the federal income official poverty line ~~[and who sign a repayment agreement agreeing to repay the assistance in a period not to exceed twelve months. The districts shall enforce the repayment agreements by any legal method available to a creditor, in addition to any rights it has pursuant to this chapter].~~ Local social services districts shall not require an applicant for emergency assistance to pay rent arrears to demonstrate an ability to pay shelter expenses, including any amounts in excess of the appropriate local agency maximum monthly shelter allowance, in the future. Local social services districts shall not require a recipient to repay emergency assistance provided to pay rent arrears. The department shall promulgate regulations to implement this section which shall, among other things, ~~[establish standards for the contents of repayment agreements and]~~ establish standards to ensure that assistance is provided only in emergency circumstances; provided, however, proof that a court proceeding that has been initiated against the applicant or recipient shall not be required to establish emergency circumstances sufficient for the provision of emergency assistance to cover rent arrears.

§ 2. Section 131 of the social services law is amended by adding a new subdivision 21 to read as follows:

21. Notwithstanding any other law, rule or regulation to the contrary, any emergency assistance to pay rent arrears may be provided for a period of up to twelve months, unless a local social services district

determines in its discretion that additional assistance is necessary to cover rent areas in a particular case. A recipient of emergency assistance for payment of rent arrears shall not be eligible for subsequent emergency assistance to pay rent arrears for a period of at least twenty-four months unless the local social services district determines at its discretion that additional rent arrears payments are necessary based on the individual case circumstances.

§ 3. Subdivision 3 of section 350-j of the social services law, as amended by section 38 of part B of chapter 436 of the laws of 1997, is amended to read as follows:

3. Emergency assistance to needy families with children shall be provided to the extent of items of need and services set forth in sections one hundred thirty-one and one hundred thirty-one-a of this chapter, and items of medical services set forth in section three hundred sixty-five-a of this chapter, and in amounts set forth in the regulations of the department for children who are without available resources, and when such assistance is necessary to avoid destitution or to provide them with living arrangements in a home to prevent loss of living arrangements resulting from the non-payment of rent, and such destitution or such need did not arise because such children or relatives refused without good cause to accept employment or training for employment; provided, however, that no assistance shall be provided which would duplicate assistance under sections one hundred thirty-one and one hundred thirty-one-a of this article for which a person is eligible or would be eligible but for a sanction for violation of the requirements of title nine-B of article five of this chapter or other requirement of state law and provided further that, notwithstanding any inconsistent provision of this section or section one hundred thirty-one-a of this article, persons for whom preventive services are being provided under title four of article six of this chapter or who are living in foster care or in public, congregate or group facilities, such as residential facilities for victims of domestic violence, may, pursuant to regulations of the department within amounts specifically appropriated therefor and subject to the terms and conditions of such appropriation, receive assistance hereunder on their behalf for such services or for care in such facilities in amounts exceeding those set forth in section one hundred thirty-one-a of this article.

§ 4. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

§ 5. This act shall take effect immediately.

PART EEE

Section 1. Subdivisions 1, 3 and 8 of section 224-d of the labor law, subdivision 1 as separately amended by chapters 372 and 375 of the laws of 2022, subdivision 3 as added by section 2 of part AA of chapter 56 of the laws of 2021, and subdivision 8 as added by chapter 375 of the laws of 2022, are amended and a new subdivision 9 is added to read as follows:

1. For purposes of this section, a "covered renewable energy system" means (a) a renewable energy system, as such term is defined in section

1 sixty-six-p of the public service law, with a capacity of one or more
2 megawatts alternating current and which involves the procurement of
3 renewable energy credits by a public entity, or a third party acting on
4 behalf and for the benefit of a public entity; ~~(b)~~ (b) any "thermal
5 energy network" as defined by subdivision twenty-nine of section two of
6 the public service law; (c) any energy storage project associated or
7 paired with a covered renewable energy system; or (d) any major utility
8 transmission facility as such term is defined in section one hundred
9 twenty of the public service law, transmission project that receives
10 approval by the office of renewable energy siting or project that
11 supports the offshore wind supply chain, where such facility or project
12 is selected pursuant to a solicitation by the New York state energy
13 research and development authority, the New York power authority, or the
14 Long Island power authority, provided that such facility or project
15 receives no less than one hundred thousand dollars or in direct finan-
16 cial assistance from the state.

17 3. For purposes of this section, a covered renewable energy system
18 shall exclude construction work performed under a pre-hire collective
19 bargaining agreement between an owner or contractor and a bona fide
20 building and construction trade labor organization which has established
21 itself, and/or its affiliates, as the collective bargaining represen-
22 tative for all persons who will perform work on such a project, and
23 which provides that only contractors and subcontractors who sign a pre-
24 negotiated agreement with the labor organization can perform work on
25 such a project~~[, or construction work performed under a labor peace~~
26 ~~agreement, project labor agreement, or any other construction work~~
27 ~~performed under an enforceable agreement between an owner or contractor~~
28 ~~and a bona fide building and construction trade labor organization].~~

29 8. Any ~~[thermal energy network]~~ renewable energy system covered by
30 this section shall require all contractors and subcontractors performing
31 construction work to use apprenticeship agreements, as defined by arti-
32 cle twenty-three of this chapter, with pre-apprenticeship direct entry
33 providers registered with the department.

34 9. For any covered renewable energy system where state funds are used
35 for the construction, reconstruction, alteration, maintenance, moving,
36 demolition, excavation, development, or other improvement of any build-
37 ing, structure, or land associated with the project and the amount of
38 state funds provided meets or exceeds five million dollars, such covered
39 renewable energy system shall be subject to section two hundred twenty-
40 two of this article.

41 § 2. Subdivisions 1 and 3 and paragraph (a) of subdivision 4 of
42 section 66-r of the public service law, as added by section 2-a of part
43 AA of chapter 56 of the laws of 2021, are amended and a new subdivision
44 6 is added to read as follows:

45 1. For the purposes of this section, a "covered renewable energy
46 system" means (a) a renewable energy system, as such term is defined in
47 section sixty-six-p of this article, with a capacity of greater than
48 five megawatts alternating current and which involves the procurement of
49 renewable energy credits by a public entity, or a third party acting on
50 behalf and for the benefit of a public entity; (b) any energy storage
51 project associated or paired with a covered renewable energy system; or
52 (c) any major utility transmission facility as such term is defined in
53 section one hundred twenty of this chapter, transmission project that
54 receives approval by the office of renewable energy siting or project
55 that supports the offshore wind supply chain, where such facility or
56 project is selected pursuant to a solicitation by the New York state

energy research and development authority, the New York power authority, or the Long Island power authority, provided that such facility or project receives no less than one hundred thousand dollars or in direct financial assistance from the state.

3. The commission shall require that the owner of the covered renewable energy system, or a third party acting on the owner's behalf, as an ongoing condition of any renewable energy credits agreement with a public entity, shall stipulate to the fiscal officer that it will enter into [a] labor peace [~~agreement~~] agreements with [~~at least one~~] any bona fide labor [~~organization~~] organizations that either [~~where such bona fide labor organization is~~] are actively representing employees providing necessary operations and maintenance services for the renewable energy system at the time of such agreement or [~~upon~~] provide notice [~~by a bona fide labor organization~~] that [~~is~~] they are attempting to represent any employees in any titles who provide, or who will provide, necessary operations and maintenance services for the renewable energy system employed in the state. The maintenance of such a labor peace agreement, or agreements, which cover all classes of operations and maintenance employees, shall be an ongoing material condition of any continuation of payments under a renewable energy credits agreement. For purposes of this section "labor peace agreement" means an agreement between an entity and labor organization that, at a minimum, protects the state's proprietary interests by prohibiting labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with the relevant renewable energy system. "Renewable energy credits agreement" shall mean any public entity contract that provides production-based payments to a renewable energy project as defined in this section.

(a) Any public entity, in each contract for construction, reconstruction, alteration, repair, improvement or maintenance of a covered renewable energy system which involves the procurement of a renewable energy credits agreement by a public entity, or a third party acting on behalf and for the benefit of a public entity, the "public work" for the purposes of this subdivision, shall ensure that such contract shall contain a provision that the iron [~~and structural~~], steel and component parts used or supplied in the performance of the contract or any subcontract thereto [~~and that is permanently incorporated into the public work~~], shall be produced or made in whole or substantial part in the United States, its territories or possessions. In the case of [~~a structural~~] an iron or [~~structural~~] steel product all manufacturing must take place in the United States, from the initial melting stage through the application of coatings, except metallurgical processes involving the refinement of steel additives. [~~For the purposes of this subdivision, "permanently incorporated" shall mean an iron or steel product that is required to remain in place at the end of the project contract, in a fixed location, affixed to the public work to which it was incorporated. Iron and steel products that are capable of being moved from one location to another are not permanently incorporated into a public work.~~]

6. For any covered renewable energy system where state funds are used for the construction, reconstruction, alteration, maintenance, moving, demolition, excavation, development, or other improvement of any building, structure, or land associated with the project and the amount of state funds provided meets or exceeds five million dollars, such covered renewable energy system shall be subject to section two hundred twenty-two of the labor law.

§ 3. This act shall take effect immediately.

PART FFF

Section 1. The social services law is amended by adding a new section 95-b to read as follows:

§ 95-b. State SNAP minimum benefit program. 1. Notwithstanding any other provision of law to the contrary, there is hereby established a state SNAP minimum benefit program. Under such program, the office shall distribute to each eligible household a monthly state SNAP benefit equal to the difference between the household's federal SNAP monthly benefit and fifty dollars, which amount may be increased by the office as deemed appropriate subject to available state appropriations. If federal funds become available for the purposes of this subdivision, the office shall utilize such federal funds as the primary source for issuing the monthly state SNAP benefit before state funds, if necessary, are expended. The state SNAP benefit shall be provided to an eligible household in addition to the federal SNAP benefit.

2. The program shall be subject to the same state rules and procedures for implementing the federal SNAP to the greatest extent possible, including, but not limited to, distributing the state SNAP benefit using the program's electronic benefit transfer system and requiring that benefits be used solely for the purchase of food as defined in 7 U.S.C. s.2012. The office shall issue any rules or regulations necessary for administration and implementation of the program.

3. The office shall apply to the food and nutrition service within the federal department of agriculture and any other necessary federal department, division, or office for any necessary waivers or approvals to implement the provisions of the program set forth in this section.

4. As used in this section:

(a) "Eligible household" means a household that is certified to receive a federal SNAP benefit of at least one dollar per month but less than one hundred dollars per month, or a larger amount as deemed appropriate by the office pursuant to subdivision one of this section, subject to available state and federal funds.

(b) "SNAP" means the supplemental nutrition assistance program authorized pursuant to section ninety-five of this title.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately the addition, amendment and/or repeal of any rule or regulation or any action necessary for the implementation of this act on its effective date, including seeking any necessary federal waivers, are authorized to be made and completed on or before such date.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through FFF of this act shall be as specifically set forth in the last section of such Parts.