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:

Section 1. This act enacts into law major components of legislation necessary to implement the state education, labor, housing and family assistance budget for the 2024-2025 state fiscal year. Each component is wholly contained within a Part identified as Parts A through FFF. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, 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 Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

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

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

lence for the two thousand nine--two thousand ten school year in conformity with the requirements of subparagraph (vi) of paragraph a of subdivision two of this section unless all schools in the district are identified as in good standing and provided further that, a school district that submitted a contract for excellence for the two thousand nine--two thousand ten school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand eleven--two thousand twelve school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the product of the amount approved by the commissioner in the contract for excellence for the two thousand nine--two thousand ten school year, multiplied by the district's gap elimination adjustment percentage and provided further that, a school district that submitted a contract for excellence for the two thousand eleven--two thousand twelve school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twelve--two thousand thirteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand eleven--two thousand twelve school year and provided further that, a school district that submitted a contract for excellence for the two thousand twelve--two thousand thirteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand thirteen--two thousand fourteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twelve--two thousand thirteen school year and provided further that, a school district that submitted a contract for excellence for the two thousand thirteen--two thousand fourteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand fourteen--two thousand fifteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand thirteen--two thousand fourteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand fourteen--two thousand fifteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand fifteen--two thousand sixteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand fourteen--two thousand fifteen school year; and provided further that a school district that submitted a contract for excellence for the two thousand fifteen--two thousand sixteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand sixteen--two thousand seventeen school year which shall, notwithstanding the requirements

of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand fifteen--two thousand sixteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand sixteen--two thousand seventeen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand seventeen--two thousand eighteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand sixteen--two thousand seventeen school year; and provided further that a school district that submitted a contract for excellence for the two thousand seventeen--two thousand eighteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand eighteen--two thousand nineteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand seventeen--two thousand eighteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand eighteen--two thousand nineteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand nineteen--two thousand twenty school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand eighteen--two thousand nineteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand nineteen--two thousand twenty school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty--two thousand twenty-one school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand nineteen--two thousand twenty school year; and provided further that, a school district that submitted a contract for excellence for the two thousand twenty--two thousand twenty-one school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-one--two thousand twenty-two school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty--two thousand twenty-one school year; and provided further that, a school district that submitted a contract for excellence for the two thousand twenty-one--two thousand twenty-two school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-two--two thousand twenty-three school year which shall, notwithstanding the requirements of

subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty-one--two thousand twenty-two school year; and provided further that, a school district that submitted a contract for excellence for the two thousand twenty-two--two thousand twenty-three school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-three--two thousand twenty-four school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty-two--two thousand twenty-three school year; **and provided further that, a school district that submitted a contract for excellence for the two thousand twenty-three--two thousand twenty-four school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-four--two thousand twenty-five school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty-three--two thousand twenty-four school year;** provided, however, that, in a city school district in a city having a population of one million or more, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, the contract for excellence shall provide for the expenditure as set forth in subparagraph (v) of paragraph a of subdivision two of this section. For purposes of this paragraph, the "gap elimination adjustment percentage" shall be calculated as the sum of one minus the quotient of the sum of the school district's net gap elimination adjustment for two thousand ten--two thousand eleven computed pursuant to chapter fifty-three of the laws of two thousand ten, making appropriations for the support of government, plus the school district's gap elimination adjustment for two thousand eleven--two thousand twelve as computed pursuant to chapter fifty-three of the laws of two thousand eleven, making appropriations for the support of the local assistance budget, including support for general support for public schools, divided by the total aid for adjustment computed pursuant to chapter fifty-three of the laws of two thousand eleven, making appropriations for the local assistance budget, including support for general support for public schools. Provided, further, that such amount shall be expended to support and maintain allowable programs and activities approved in the two thousand nine--two thousand ten school year or to support new or expanded allowable programs and activities in the current year.

§ 2. Intentionally omitted.

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

k. Foundation aid payable in the two thousand twenty-three--two thousand twenty-four **and two thousand twenty-four--two thousand twenty-five** school [~~year~~] **years**. Notwithstanding any provision of law to the contrary, foundation aid payable in the two thousand twenty-three--two thousand twenty-four **and two thousand twenty-four--two thousand twenty-five** school [~~year~~] **years** shall be equal to the sum of the total foundation aid base computed pursuant to paragraph j of subdivision one of this

section plus the greater of (a) the positive difference, if any, of (i) total foundation aid computed pursuant to paragraph a of this subdivision less (ii) the total foundation aid base computed pursuant to paragraph j of subdivision one of this section, or (b) the product of three hundredths (0.03) multiplied by the total foundation aid base computed pursuant to paragraph j of subdivision one of this section.

§ 3. Intentionally omitted.

§ 4. Intentionally omitted.

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

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

§ 6. Intentionally omitted.

§ 7. Intentionally omitted.

§ 8. Intentionally omitted.

§ 9. Intentionally omitted.

§ 10. Intentionally omitted.

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

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

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

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

Allowable transportation capital, debt service and lease expense shall include base year expenditures [~~for:~~] as described in this subdivision, net of revenue received with the express purpose of funding such expenditures as prescribed by the commissioner, except as provided in paragraph d of subdivision three of this section.

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

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

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

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

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

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

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

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

Each school district shall be eligible to receive a high tax aid apportionment in the two thousand eight--two thousand nine school year, which shall equal the greater of (i) the sum of the tier 1 high tax aid apportionment, the tier 2 high tax aid apportionment and the tier 3 high tax aid apportionment or (ii) the product of the apportionment received by the school district pursuant to this subdivision in the two thousand 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[~~,~~] **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 instructional 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 buildings and on school campuses, including but not limited to video surveillance, 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 executive 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) multiplied 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

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

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

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

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

10. **Underrepresented teachers of tomorrow tuition reimbursement 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 YYY 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

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

§ 26. Subdivisions 22 and 24 of section 140 of 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, as amended by section 38 of part YYY of chapter 59 of the laws of 2019, are amended to read as follows:

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

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

§ 27. Subdivision b of section 2 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 20 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

b. Reimbursement for programs approved in accordance with subdivision a of this section for the reimbursement for the 2018--2019 school year shall not exceed 59.4 percent of the lesser of such approvable costs per contact hour or fourteen dollars and ninety-five cents per contact hour, reimbursement for the 2019--2020 school year shall not exceed 57.7 percent of the lesser of such approvable costs per contact hour or fifteen dollars sixty cents per contact hour, reimbursement for the 2020--2021 school year shall not exceed 56.9 percent of the lesser of such approvable costs per contact hour or sixteen dollars and twenty-five cents per contact hour, reimbursement for the 2021--2022 school year shall not exceed 56.0 percent of the lesser of such approvable costs per contact hour or sixteen dollars and forty cents per contact hour, reimbursement for the 2022--2023 school year shall not exceed 55.7 percent of the lesser of such approvable costs per contact hour or sixteen dollars and sixty cents per contact hour, [~~and~~] reimbursement for the 2023--2024 school year shall not exceed 54.7 percent of the lesser of such approvable costs per contact hour or seventeen dollars and seventy cents per contact hour, **and reimbursement for the 2024--2025 school year shall not exceed 56.6 percent of the lesser of such approvable costs per contact hour or eighteen dollars and seventy cents per contact hour,** and where a contact hour represents sixty minutes of instruction services provided to an eligible adult. Notwithstanding any other provision of law to the contrary, for the 2018--2019 school year such contact hours shall not exceed one million four hundred sixty-three thousand nine hundred sixty-three (1,463,963); for the 2019--2020 school 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 YYY 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

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.

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

1. for the development, maintenance or expansion of magnet schools or magnet school programs for the 2024--2025 school year. For the city school district of the city of New York there shall be a set-aside of foundation aid equal to forty-eight million one hundred seventy-five thousand dollars ($48,175,000) including five hundred thousand dollars ($500,000) for the Andrew Jackson High School; for the Buffalo city school district, twenty-one million twenty-five thousand dollars ($21,025,000); for the Rochester city school district, fifteen million dollars ($15,000,000); for the Syracuse city school district, thirteen million dollars ($13,000,000); for the Yonkers city school district, forty-nine million five hundred thousand dollars ($49,500,000); for the Newburgh city school district, four million six hundred forty-five thousand dollars ($4,645,000); for the Poughkeepsie city school district, two million four hundred seventy-five thousand dollars ($2,475,000); for the Mount Vernon city school district, two million dollars ($2,000,000); for the New Rochelle city school district, one million four hundred ten thousand dollars ($1,410,000); for the Schenectady city school district, one million eight hundred thousand dollars ($1,800,000); for the Port Chester city school district, one million one hundred fifty thousand dollars ($1,150,000); for the White Plains city school district, nine hundred thousand dollars ($900,000); for the Niagara Falls city school district, six hundred thousand dollars ($600,000); for the Albany city school district, three million five hundred fifty thousand dollars ($3,550,000); for the Utica city school district, two million dollars ($2,000,000); for the Beacon city school district, five hundred sixty-six thousand dollars ($566,000); for the Middletown city school district, four hundred thousand dollars ($400,000); for the Freeport union free school district, four hundred thousand dollars ($400,000); for the Greenburgh central school district, three hundred thousand dollars ($300,000); for the Amsterdam city school district, eight hundred thousand dollars ($800,000); for the Peekskill city school district, two hundred thousand dollars ($200,000); and for the Hudson city school district, four hundred thousand dollars ($400,000).

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

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

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

§ 38-b. Section 2 of 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, as amended by chapter 49 of the laws of 2019, is amended to read as follows:

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

§ 39. Severability. The provisions of this act shall be severable, and if the application of any clause, sentence, paragraph, subdivision, section or part of this act to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not necessarily affect, impair or invalidate the application of any such clause, sentence, paragraph, subdivision, section, part of this act or remainder thereof, as the case may be, to any other person or circumstance, 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.

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

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

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

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

PART A-1

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

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

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

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

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

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

a. Assisting local educational agencies with one or more community-eligibility qualifying schools in meeting any state and federal requirements necessary in order to receive reimbursement through the community eligibility provision.

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

c. Maximizing direct certification for specific populations as allowable under federal rules.

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

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

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

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

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

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

l. Tuition rates approved on an interim basis in advance of the establishment of reimbursement rates pursuant to the tuition methodology established pursuant to this subdivision for the two thousand twenty-four--two thousand twenty-five school year and annually thereafter, for special services and 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, by July and August programs for students with disabilities approved pursuant to section forty-four hundred eight of this article, and for special services or programs provided to preschool students with disabilities by programs 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, shall be equal to the last certified prospective or reconciliation rate and shall include compounded growth determined in accordance with the following:

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

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

(iii) If the last certified prospective or reconciliation rate was 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.

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

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

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

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

(iii) If the last certified prospective or reconciliation rate was 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

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.

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

5. For the two thousand twenty-four--two thousand twenty-five school year and thereafter, an institution subject to this article shall be authorized to retain funds in excess of their allowable and reimbursable costs incurred for services and programs to students appointed. The amount of funds that may be annually retained shall not exceed one percent of the institution's total allowable and reimbursable costs for services and programs provided to students for the school year from which the funds are to be retained, provided that the total accumulated balance that may be retained shall not exceed four percent of such total costs for such school year and provided, further, that such funds shall not be recoverable on reconciliation, such funds shall be carried forward as total reimbursable costs for purposes of calculating subsequent year prospective and reconciliation tuition rates and such funds shall be separate from and in addition to any other authorization to retain surplus funds on reconciliation. Funds shall be expended only pursuant to an authorization of the governing board of the institution for a purpose expressly authorized as part of allowable costs for the year in which the funds are to be expended, provided that funds may be expended to pay prior year outstanding debts. Any institution that retains funds pursuant to this subdivision shall be required to annually report a statement of the total balance of such retained funds, the amount, if any, retained in the prior school year, the amount, if any, dispersed in the prior school year, and the financial reports that are required to be annually submitted to the department.

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

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

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

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

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

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

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

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

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

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

~~(1) Such plan shall include, but not be limited to:~~

~~(i) The process by which a request for proposals will be developed;~~

~~(ii) The scoring rubric by which such proposals will be evaluated, provided that such grants shall be awarded based on factors including, but not limited to: measures of school district need; measures of the need of students to be served by each of the school districts; the school district's proposal to target the highest need schools and students; the sustainability of the proposed community schools program; and proposal quality;~~

~~(iii) The form and manner by which applications will be submitted;~~

~~(iv) The manner by which calculation of the amount of the award will be determined;~~

~~(v) The timeline for the issuance and review of applications; and~~

~~(vi) Program implementation phases that will trigger payment of set percentages of the total award.~~

~~(2) In assessing proposal quality, the commissioner shall take into account factors including, but not limited to:~~

~~(i) The extent to which the school district's proposal would provide such community services through partnerships with local governments and non-profit organizations;~~

~~(ii) The extent to which the proposal would provide for delivery of such services directly in school buildings;~~

~~(iii) The extent to which the proposal articulates how such services would facilitate measurable improvement in student and family outcomes;~~

~~(iv) The extent to which the proposal articulates and identifies how existing funding streams and programs would be used to provide such community services; and~~

~~(v) the extent to which the proposal ensures the safety of all students, staff and community members in school buildings used as community 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

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

c. The commissioner shall promulgate regulations that set forth the requirements for use of such funds by districts, which shall include a requirement that districts require that funds be used to transform preexisting community school programs, struggling or persistently struggling schools, or schools with significant levels of poverty, homelessness, free and reduced price meals, or other factors as determined by the commissioner. Provided further that such regulations shall require school districts to demonstrate substantial teacher, parent and community involvement in the planning, implementation, and operation of a community school. The commissioner may determine that a preexisting community schools program satisfies the requirements of the commissioner's regulations provided that the commissioner may require any modification thereto.

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

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

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

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

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

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

(c) is employed by a nonpublic school.

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

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

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

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

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

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

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

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

(i) the commissioner of education or their representative;

(ii) one representative appointed by the governor;

(iii) one representative appointed by the public service commission;

(iv) one representative appointed by the department of transportation;

(v) one representative appointed by the department of motor vehicles;

(vi) one representative appointed by the empire state development corporation;

(vii) one representative appointed by the department of labor;

(viii) one representative appointed by the department of environmental conservation;

(ix) one representative appointed by the office of the state comptroller;

(x) one representative appointed by the department of state;

(xi) one representative appointed by the office of general services;

(xii) one representative appointed by the temporary president of the senate; and

(xiii) one representative appointed by the speaker of the assembly.

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

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

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

(i) school district budgeting and other related fiscal issues, including limitations upon school district tax levies pursuant to section two thousand twenty-three-a of this chapter;

(ii) issues with obtaining voter approval for school taxes and school bonds pursuant to section four hundred sixteen of this chapter for capital projects associated with electric school buses;

(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, 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

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

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

3. No school district shall be required to purchase or otherwise acquire school library materials, the cost of which shall exceed an amount equal to the library materials factor multiplied by the sum of the public school district enrollment and the nonpublic school enrollment in the base year as defined in subparagraphs two and three of paragraph n of subdivision one of section thirty-six hundred two of this chapter. For aid payable in the nineteen hundred ninety-eight--nineteen hundred ninety-nine school year, the library materials factor shall be four dollars. For aid payable in the two thousand seven--two thousand eight school year and thereafter, the library materials factor shall be six dollars and twenty-five cents. **For aid payable in the two thousand twenty-five--two thousand twenty-six school year, the library materials factor shall be eleven dollars, and the library materials factor shall be adjusted annually to reflect the percentage increase in the consumer price index as defined by paragraph hh of subdivision one of section thirty-six hundred two of this chapter.**

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

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

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

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

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

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

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

b. "Fund" shall mean the imagination library of New York fund established by section ninety-seven-bbbbb of the state finance law; and

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

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

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

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

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

c. Notwithstanding paragraph b of this subdivision, the state librarian may waive the dollar-for-dollar match requirement for a qualified local entity on a case-by-case basis to prevent undue financial hardship.

4. The state librarian shall coordinate with a nonprofit entity, qualified under section 501(c)(3) of the Internal Revenue Code, and organized solely to promote and encourage reading by the children of the state, for the purpose of implementing this section.

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

a. promoting the statewide development of local Dolly Parton's Imagination Library programs;

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

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

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

e. developing community engagement;

f. developing, promoting, and coordinating a public awareness campaign to make donors aware of the opportunity to donate to the affiliate programs and make the public aware of the opportunity to register eligible children to receive books through the program;

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

h. developing statewide marketing and communication plans; and

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

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

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

b. whether any local match requirements were waived;

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

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

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

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

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

commissioner of education an account of the miscellaneous special revenue account to be known as the "imagination library of New York fund".

2. Moneys in this fund shall be kept separate and shall not be commingled with any other moneys in the custody of the state comptroller and the commissioner of education.

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

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

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

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

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

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

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

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

4. (a) Notwithstanding any other provision of law to the contrary, any expenditures for transportation provided pursuant to this section [~~in~~] 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.

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

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

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

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

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

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

(ix) for the two thousand twenty-two--two thousand twenty-three **and the two thousand twenty-three--two thousand twenty-four** school [~~**year and thereafter**~~] **years**, each school district shall be eligible to receive a grant amount equal to the sum of (A) the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN ALLOCATION" on the computer file produced by the commissioner in support of the enacted budget for the prior year excluding amounts subject to section thirty-six hundred two-ee of this part and further excluding amounts paid pursuant to subdivision nineteen of this section plus (B) the Full-day 4-Year-Old Universal Prekindergarten Expansion added pursuant to paragraph e of subdivision nineteen of this section, provided that such school district has met all requirements pursuant to this section and such grants shall be added 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, plus (C) 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 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

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

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

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

§ 25. 1. The commissioner of education is hereby authorized and directed to conduct a study on the consolidation of all of the prekindergarten funding streams and to make recommendations on potential modifications to streamline the universal prekindergarten funding process and programmatic implementation. The scope of such study shall include, but shall not be limited to:

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

(b) programmatic differences and methods of alignment;

(c) differences in payment schedules; and

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

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 the speaker of the assembly no later than December 1, 2024.

§ 26. Severability. The provisions of this act shall be severable, and if the application of any clause, sentence, paragraph, subdivision, section or part of this act to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not necessarily affect, impair or invalidate the application of any such clause, sentence, paragraph, subdivision, section or part of this act or remainder thereof, as the case may be, to any other person or circumstance, 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.

§ 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

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

(f) "School" shall mean an individual school within a public school district or a 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.

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

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

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

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

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

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

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

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

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

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

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

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

(i) the student's last name;

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

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

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

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

(vi) if submitted, the date that the FAFSA or NYS DREAM Act application was accepted.

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

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

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

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

5. Notice to students. (a) Local educational agencies shall give notice of the requirement to complete a FAFSA, NYS DREAM Act application, and/or waiver as provided in subdivision two of this section no less than four times throughout the school year for high school seniors, and no less than two times throughout the school year for high school juniors. Included in such notice shall be an explanation of state-sponsored 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.

PART I

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

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

(A) non-income producing assets,

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

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

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

In determining the amount of income that may be attributed or imputed, the court shall consider the specific circumstances of the parent, to the extent known, including such factors as the parent's assets, residence, employment and earning history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, record of seeking work, the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors such as the age, number, needs, and care of the children covered by the child support order. Attribution or imputation of income shall be accompanied by specific written findings identifying the basis or bases for such determination utilizing factors required or permitted to be considered pursuant to this clause;

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

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

(A) non-income producing assets,

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

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

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

In determining the amount of income that may be attributed or imputed, the court shall consider the specific circumstances of the parent, to the extent known, including such factors as the parent's assets, residence, employment and earning history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, record of seeking work, the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors such as the age, number, needs, and care of the children covered by the child support order. Attribution or imputation of income shall be accompanied by specific written findings identifying the basis or bases for such deter-

mination utilizing factors required or permitted to be considered pursuant to this clause;

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

(k) When a party has defaulted and/or the court is otherwise presented with insufficient evidence to determine gross income, [~~the court shall order child support based upon the needs or standard of living of the child, whichever is greater~~] the support obligation shall be based on available information about the specific circumstances of the parent, in accordance with clause (iv) of subparagraph five of paragraph (b) of this subdivision. Such order may be retroactively modified upward, without a showing of change in circumstances.

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

(k) When a party has defaulted and/or the court is otherwise presented with insufficient evidence to determine gross income, [~~the court shall order child support based upon the needs or standard of living of the child, whichever is greater~~] the support obligation shall be based on available information about the specific circumstances of the parent, in accordance with clause (iv) of subparagraph five of paragraph (b) of this subdivision. Such order may be retroactively modified upward, without a showing of change in circumstances.

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

(v) an amount imputed as income based upon the parent's former resources or income, if the court determines that a parent has reduced resources or income in order to reduce or avoid the parent's obligation for child support; provided that incarceration shall not be considered voluntary unemployment[~~, unless such incarceration is 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~~];

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

(v) an amount imputed as income based upon the parent's former resources or income, if the court determines that a parent has reduced resources or income in order to reduce or avoid the parent's obligation for child support; provided that incarceration shall not be considered voluntary unemployment[~~, unless such incarceration is 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~~];

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

(a) 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~~].

§ 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

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

(b) In addition and as an alternative to any other remedy provided by this section and 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 issue a warrant under their official seal, directed to the sheriff of any county, commanding them to levy upon and sell the real and personal property which may be found within their county of an employer who has defaulted in the payment of any sum determined to be due from such employer for the payment of such sum together with interest, penalties, and the cost of executing the warrant, and to return such warrant to the commissioner and to pay into the fund the money collected by virtue thereof within sixty days after the receipt of such warrant. The sheriff shall, within five days after the receipt of the warrant, file with the clerk of the county a copy thereof, and thereupon such clerk shall enter in the judgment docket the name of the employer mentioned in the warrant and the amount of the contribution, interest, and penalties for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real property and chattels of the employer against whom the warrant is issued in the same manner as a judgment duly docketed in the office of such clerk. The sheriff shall then proceed upon the warrant in the same manner, and with like effect, as that provided by law in respect to executions issued against property upon judgments of a court of record, and for their services in executing the warrant they shall be entitled to the same fees, which they may collect in the same manner.

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

§ 2. Subdivision 3 of section 219 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, 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 liquidated damages due the employee, to that employee and may file an assignment or order in that amount in the name of such employee with the county clerk of the county where the employer resides or has a place of business. The filing of such assignment, order or decision shall have the full force and effect of a judgment duly docketed in the office of such clerk. The assignment[~~, order or decision~~] may be enforced [~~by and in the name of the commissioner, or~~] by the employee[~~,~~] in the same manner, and with like effect, as that prescribed by the civil practice law and rules for the enforcement of a money judgment.

(b) In addition and as an alternative to any other remedy provided by this section and 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 issue a warrant under their official seal, directed to the sheriff of any county, commanding them to levy upon and sell the real and personal property which may be found within their county of an employer who has defaulted in the payment of any sum determined to be due from such employer for the payment of such sum together with interest, penalties, and the cost of executing the warrant, and to return such warrant to the commissioner and to pay into the fund the money collected by virtue thereof within sixty days after the receipt of such warrant. The sheriff shall, within five days after the receipt of the warrant, file with the clerk of the county a copy thereof, and thereupon such clerk shall enter in the judgment docket the name of the employer mentioned in the warrant and the amount of the contribution, interest, and penalties for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real property and chattels real of the employer against whom the warrant is issued in the same manner as a judgment duly docketed in the office of such clerk. The sheriff shall then proceed upon the warrant in the same manner, and with like effect, as that provided by law in respect to executions issued against property upon judgments of a court of record, and for their services in executing the warrant they shall be entitled to the same fees, which they may collect in the same manner.

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

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

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

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

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

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

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

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

(b) Confirmation of order. Except where an order of attachment is granted on the ground specified in subdivision one **or six** of section 6201, an order of attachment granted without notice shall provide that within a period not to exceed five days after levy, the plaintiff shall move, on such notice as the court shall direct to the defendant, the garnishee, if any, and the sheriff, for an order confirming the order of attachment. Where an order of attachment without notice is granted on the ground specified in subdivision one **or six** of section 6201, the court shall direct that the statement required by section 6219 be served within five days, that a copy thereof be served upon the plaintiff, and the plaintiff shall move within ten days after levy for an order confirming the order of attachment. If the plaintiff upon such motion shall show that the statement has not been served and that the plaintiff will be unable to satisfy the requirement of subdivision (b) of section 6223 until the statement has been served, the court may grant one extension of the time to move for confirmation for a period not to exceed ten days. If plaintiff fails to make such motion within the required period,

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

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

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

2. On a motion for an attachment pursuant to subdivision six of section 6201, the court shall order that the plaintiff give an accessible undertaking of no more than five hundred dollars, or in the alternative, may waive the undertaking altogether. The attorney for the plaintiff shall not be liable to the sheriff for such fees. The surety on the undertaking shall not be discharged except upon notice to the sheriff.

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

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

(b) Any person who shall have been a shareholder of record of a corporation**, or who is or shall have been a laborer, servant or employee,** upon at least five days' written demand shall have the right to examine in person or by agent or attorney, during usual business hours, its minutes of the proceedings of its shareholders and record of shareholders and to make extracts therefrom for any purpose reasonably related to such person's interest as a shareholder**, laborer, servant or employee, provided the purpose reasonably related to a person's interest as a laborer, servant or employee shall be to obtain the names, addresses, and value of shareholders' interests in the corporation**. Holders of voting trust certificates representing shares of the corporation shall be regarded as shareholders for the purpose of this section. Any such agent or attorney shall be authorized in a writing that satisfies the requirements of a writing under paragraph (b) of section 609 (Proxies). A corporation requested to provide information pursuant to this paragraph shall make available such information in written form and in any other format in which such information is maintained by the corporation and shall not be required to provide such information in any other

format. If a request made pursuant to this paragraph includes a request to furnish information regarding beneficial owners, the corporation shall make available such information in its possession regarding beneficial owners as is provided to the corporation by a registered broker or dealer or a bank, association or other entity that exercises fiduciary powers in connection with the forwarding of information to such owners. The corporation shall not be required to obtain information about beneficial owners not in its possession.

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

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

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

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

(c) A shareholder who has paid more than [~~his~~] **their** pro rata share under this section shall be entitled to contribution pro rata from the other shareholders liable under this section with respect to the excess so paid, over and above [~~his~~] **such shareholder'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 paragraph, "pro rata" means in proportion to beneficial share interest. Before a shareholder may claim contribution from other 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

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

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

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

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

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

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

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

2. Such fund shall consist of all monetary damages and penalties recovered by the department of labor for employer violations, unless otherwise designated, 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 with any regulations related thereto and all other moneys appropriated thereto from any other fund or source pursuant to law; provided, however that no monies due and owing to any other party shall be dedicated to the fund. Nothing contained in this section shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

3. The monies in the fund, after appropriation by the legislature, shall be available to the commissioner of labor for the sole purpose of supplementing the department's labor law enforcement duties; provided, 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

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

(b) For employers with between eleven and ninety-nine 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 at least five days of paid sick leave and unpaid leave until the termination of any mandatory or precautionary order of quarantine or isolation. After such five days of paid sick leave, an employee shall be eligible for paid family leave benefits and benefits due pursuant to disability pursuant to this act.

(c) For employers with one hundred or more 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 at least fourteen days of paid sick leave during any mandatory or precautionary order of quarantine or isolation.

(d) For public employers, each officer or employee working in a facility licensed pursuant to article 28 of the public health law 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 at least fourteen days of paid sick leave during any mandatory or precautionary order of quarantine or isolation. Each officer or employee shall be compensated at his or her regular rate of pay for those regular work hours during which the officer or employee is absent from work due to a mandatory or precautionary order of quarantine or isolation due to COVID-19. For purposes of this act, "public employer" shall mean [~~the following: (i) the state; (ii) a county, city, town or village; (iii) a school district, board of cooperative educational services, vocational education and extension board or a school district as enumerated in section 1 of chapter 566 of the laws of 1967, as amended; (iv) any governmental entity operating a college or university; (v) a public improvement or special district including police or fire districts; (vi) a public authority, commission or public benefit corporation; or (vii) any other public corporation, agency, instrumentality or unit of government which exercises governmental power under the laws of this state~~] any public facility or entity licensed under article 28 of the public health law.

(e) Such leave shall be provided without loss of an officer or employee's accrued sick leave.

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

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

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

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

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

8. Notwithstanding any other provision of law, and for purposes of this act only, for purposes of article 9 of the workers' compensation law, "family leave" shall mean: (a) any leave taken by an employee **working in a facility licensed pursuant to article 28 of the public health law** from work when an employee is subject to a mandatory or precautionary order of quarantine or isolation issued by the state, the department of health, a local board of health, or any government entity duly authorized to issue such order due to COVID-19; or (b) to provide care for a minor dependent child of the employee who is subject to a mandatory or precautionary order of quarantine or isolation issued by the state, the department of health, a local board of health, or any government entity duly authorized to issue such order due to COVID-19.

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

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

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

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

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

PART N

Section 1. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the neighborhood preservation program, a sum not to exceed $17,750,000 for the fiscal year ending March 31, 2025. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with neighborhood preservation program contracts authorized by this section, a total sum not to exceed $17,750,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to 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 to be made as soon as practicable but no later than June 30, 2024.

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

reimbursing any costs associated with rural preservation program contracts authorized by this section, a total sum not to exceed $7,750,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to 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 to be made as soon as practicable but no later than June 30, 2024.

§ 3. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural rental assistance program pursuant to article 17-A of the private housing finance law, a sum not to exceed $23,180,000 for the fiscal year ending March 31, 2025. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural rental assistance program contracts authorized by this section, a total sum not to exceed $23,180,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to 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 June 30, 2024.

§ 4. Notwithstanding any other provision of law, the homeless housing and assistance corporation may provide, for purposes of the New York state supportive housing program, the solutions to end homelessness program or the operational support for AIDS housing program, or to qualified grantees under such programs, in accordance with the requirements of such programs, a sum not to exceed $85,581,000 for the fiscal year ending March 31, 2025. The homeless housing and assistance corporation may enter into an agreement with the office of temporary and disability assistance to administer such sum in accordance with the requirements of such programs. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the homeless housing and assistance corporation, a total sum not to exceed $85,581,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to 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**

(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

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

(g) By deed theft.

A person commits deed theft when he or she:

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

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

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

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

§ 155.35 Grand larceny in the third degree.

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

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

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

3. when such person commits deed theft of one commercial real property, regardless of the value.

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

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

§ 155.40 Grand larceny in the second degree.

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

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

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

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

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

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

§ 155.42 Grand larceny in the first degree.

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

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

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

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

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

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

§ 8. Section 63 of the executive law is amended by adding a new subdivision 17 to read as follows:

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

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

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

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

13. Right of first refusal. (a) When a co-tenant receives a bona fide offer from a non-co-tenant to purchase a share or shares of an heirs property and the co-tenant intends to accept or respond with a counteroffer, the co-tenants who inherited their share or shares of the property, or the co-tenants who are relatives to those co-tenants who inherited their share or shares of the property shall have the right to purchase such shares for the identical price, terms, and conditions of the offer or counteroffer.

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

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

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

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

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

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

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

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

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

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

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

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

2. Nonexclusivity. This section does not affect any method of transferring property otherwise permitted under the law of this state.

3. Transfer on death deed authorized. An individual may transfer property to one or more beneficiaries effective at the transferor's death by a transfer on death deed.

4. Transfer on death deed revocable. A transfer on death deed is revocable even if the deed or another instrument contains a contrary provision.

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

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

7. Requirements. A transfer on death deed:

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

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

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

(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) Subject to subparagraph two of this paragraph, the interest in the property shall be transferred to the designated beneficiary in accordance with the deed.

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

(3) Subject to subparagraph four of this paragraph, concurrent interests shall be transferred to the beneficiaries in equal and undivided shares with no right of survivorship.

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

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

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

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

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

12. Applicability of invalidating and revocatory principles. (a) Nothing in this section shall limit the application of principles of fraud, undue influence, duress, mistake, or other invalidating cause to a transfer of property.

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

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

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

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

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

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

(front of form)

REVOCABLE TRANSFER ON DEATH DEED

NOTICE TO OWNER
You should carefully read all information on the other side of this form. You may want to consult a lawyer before using this form. This form must be recorded before your death, or it will not be effective.

IDENTIFYING INFORMATION
Owner or Owners Making This Deed:

_____
Printed name Mailing address

_____
Printed name Mailing address

Legal description of the property:

_____

PRIMARY BENEFICIARY
I designate the following beneficiary if the beneficiary survives me.

_____
Printed name Mailing address, if available

ALTERNATE BENEFICIARY - Optional
If my primary beneficiary does not survive me, I designate the following alternate beneficiary if that beneficiary survives me.

_____
Printed name Mailing address, if available

TRANSFER ON DEATH
At my death, I transfer my interest in the described property to the beneficiaries as designated above. Before my death, I have the right to revoke this deed.

SIGNATURE OF OWNER OR OWNERS MAKING THIS DEED

_____

Signature Date

_____

Signature Date

SIGNATURE OF WITNESSES

_____

Signature Date

_____

Signature Date

_____

NOTARY ACKNOWLEDGMENT
(insert notary acknowledgment for deed here)

(back of form)
COMMON QUESTIONS ABOUT THE USE OF THIS FORM

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

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

How do I make a TOD deed?

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

Is the "legal description" of the property necessary?

Yes.

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

This information may be on the deed you received when you became an owner of the property. This information may also be available in the county clerk's office of the county where the property is located. If you are not absolutely sure, consult a lawyer.

Can I change my mind before I record the TOD deed?

Yes. If you have not yet recorded the deed and want to change your mind, simply tear up or otherwise destroy the deed.

How do I "record" the TOD deed?

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

Can I later revoke the TOD deed if I change my mind?

Yes. You can revoke the TOD deed. No one, including the beneficiaries, can prevent you from revoking the deed.

How do I revoke the TOD deed after it is recorded?

There are three ways to revoke a recorded TOD deed:

(1) Complete and acknowledge a revocation form and record it in each county where the property is located.

(2) Complete and acknowledge a new TOD deed that disposes of the same property and record it in each county where the property is located.

(3) Transfer the property to someone else during your lifetime by a recorded deed that expressly revokes the TOD deed. You may not revoke the TOD deed by will.

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

Do not complete this form under pressure. Seek help from a trusted family member, friend, or lawyer.

Do I need to tell the beneficiaries about the TOD deed?

No, but it is recommended. Secrecy can cause later complications and might make it easier for others to commit fraud.

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

This form is designed to fit some but not all situations. If you have 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

Signature Date

Signature Date

NOTARY ACKNOWLEDGMENT
(insert notary acknowledgment here)

(back of form)

COMMON QUESTIONS ABOUT THE USE OF THIS FORM

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

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

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

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

How do I "record" the form?

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

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

Do not complete this form under pressure. Seek help from a trusted family member, friend, or lawyer.

I have other questions about this form. What should I do?
This form is designed to fit some but not all situations. If you have other questions, consult a lawyer.

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

PART P

Section 1. This Part enacts into law components of legislation relating to the conveyance and use of real property owned and maintained by the state university of New York and the New York state department of transportation. 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 Subpart, including the effective date of the Subpart, which makes 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 Part sets forth the general effective date of this Part.

SUBPART A

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

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

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

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

§ 5. Without limiting the determination of the terms and conditions of such contracts or leases, such terms and conditions may provide for leasing, subleasing, construction, reconstruction, rehabilitation, improvement, operation and management of and provision of services and assistance and the granting of licenses, easements and other arrangements with regard to such grounds and facilities by the New York housing opportunity corporation, and parties contracting with the New York housing opportunity corporation, and in connection with such activities, the obtaining of funding or financing, whether public or private, unsecured or secured, including, but not limited to, secured by leasehold mortgages and assignments of rents and leases, by the New York housing opportunity corporation and parties contracting with the New York housing opportunity corporation for the purposes of completing the project described in this act.

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

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

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

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

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

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

§ 11. This act shall take effect immediately.

SUBPART B

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

§ 2. Notwithstanding any other law to the contrary, the Trustees are authorized and empowered, without any public bidding, to lease and otherwise contract to make available to the New York housing opportunity corporation a portion of the lands of Stony Brook generally described in this act for the purpose of developing, constructing, maintaining and operating multi-purpose facilities to support affordable housing needs and supporting amenities, as permitted by the New York housing opportunity corporation act. Such lease or contract shall be for a period not exceeding ninety-nine years without any fee simple conveyance and otherwise upon terms and conditions determined by such trustees, subject to the approval of the director of the division of the budget, the attorney general and the state comptroller. In the event that the real property that is the subject of such lease or contract shall cease to be used for the purpose described in this act, such lease or contract shall immediately terminate and the real property and any improvements thereon shall revert to the state university of New York. Any lease or contract entered into pursuant to this act shall provide that the real property that is the subject of such lease or contract and any improvements thereon shall revert to the state university of New York on the expiration of such contract or lease. Any and all proceeds related to the leases authorized by this act shall be used for the benefit of the Stony Brook campus and the allocation of such proceeds shall be subject to approval by the Trustees.

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

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

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

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

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

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

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

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

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

§ 11. This act shall take effect immediately.

SUBPART C

Section 1. Notwithstanding the provisions of section 400 of the transportation law, or any other provision of law to the contrary, the commissioner of transportation is hereby authorized and empowered to, without any public bidding, lease and otherwise contract to make available to the New York housing opportunity corporation (the "ground lessee") for the purpose of developing, constructing, maintaining and operating multi-purpose facilities to support affordable housing needs and supporting amenities as permitted by the New York housing opportunity corporation act, certain state-owned real property, as described in section two of this act. Such lease or contract shall be for a period not exceeding ninety-nine years without any fee simple conveyance and otherwise upon terms and conditions determined by the commissioner of transportation, subject to the approval of the director of the division of the budget, the attorney general and the state comptroller. In the event that the real property that is the subject of such lease or contract shall cease to be used for the purpose described in this act, such lease or contract shall immediately terminate and the real property and any improvements thereon shall revert to the department of transportation. Any lease or contract entered into pursuant to this act shall provide that the real property that is the subject of such lease or contract and any improvements thereon shall revert to the department of transportation on the expiration of such contract or lease.

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

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

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

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

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

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

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

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

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

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

§ 4. This act shall take effect immediately.

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

subdivision, section, or subpart 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 part and each subpart herein 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 Subparts A through C of this act shall be as specifically set forth in the last section of such Subparts.

PART Q

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

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

a. A fireproof class B dwelling in which six or more passenger elevators are maintained and operated in any city having a local zoning law, ordinance or resolution restricting districts in such city to residential use, may be erected in accordance with the provisions of such zoning law, ordinance or resolution, if such class B dwelling is erected in a district no part of which is restricted by such zoning law, ordinance or resolution to residential uses.

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

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

(2) such city designates the lot where such dwelling or dwellings are located as subject to a program established in the zoning law, ordinance or resolution of such city that mandates that any new housing on designated lots include minimum percentages of permanently affordable housing, including, where applicable, any mandatory inclusionary housing requirements; and

(3) such dwelling or dwellings are not located within an area designated by such city as a historic district.

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

(1) such project include at least the same minimum percentage of permanently affordable housing that such project would otherwise have to include if the project had been approved pursuant to a program established in the zoning law, ordinance or resolution of such city mandating that new housing on designated lots include minimum percentages of permanently affordable housing, including, where applicable, any mandatory inclusionary housing requirements; and

(2) such dwelling or dwellings are not located within an area designated by such city as a historic district.

§ 2. This act shall take effect immediately.

PART R

Section 1. 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 a new paragraph e is 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[~~.~~]; or

e. Benefits under section four hundred sixty-seven-m of the real property tax law.

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

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

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

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

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

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

e. "Agency" shall mean the New York city department of housing preservation and development.

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

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

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

i. "Completion date" shall mean the date upon which the local department of buildings issues the first temporary or permanent certificate of occupancy covering all residential areas of an eligible multiple dwelling.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

z. "Nineteen-year benefit" shall mean: (i) for the construction period, a one hundred percent exemption from real property taxation, other than assessments for local improvements; (ii) for the first fifteen years of the restriction period, (A) within the Manhattan prime development area, an eighty percent exemption from real property taxation, other than assessments for local improvements, and (B) outside of the Manhattan prime development area, a sixty-five percent exemption from real property taxation, other than assessments for local improvements; (iii) for the sixteenth year of the restriction period, (A) within the Manhattan prime development area, a sixty-four percent exemption from real property taxation, other than assessments for local improvements, and (B) outside of the Manhattan prime development area, a fifty-two percent exemption from real property taxation, other than assessments for local improvements; (iv) for the seventeenth year of the restriction period, (A) within the Manhattan prime development area, a forty-eight percent exemption from real property taxation, other than assessments for local improvements, and (B) outside of the Manhattan prime development area, a thirty-nine percent exemption from real property taxation, other than assessments for local improvements; (v) for the eighteenth year of the restriction period, (A) within the Manhattan prime development area, a thirty-two percent exemption from real property taxation, other than assessments for local improvements, and (B) outside of the Manhattan prime development area, a twenty-six percent exemption from real property taxation, other than assessments for local improvements; and (vi) for the nineteenth year of the restriction period, (A) within the Manhattan prime development area, a sixteen percent exemption from real property taxation, other than assessments for local improvements, and (B) outside of the Manhattan prime development area, a thirteen percent exemption from real property taxation, other than assessments for local improvements.

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

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

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

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

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

6. Affordability requirements. An eligible multiple dwelling shall comply with the affordability requirement defined in paragraph b of subdivision one of this section during the restriction period. An eligible multiple dwelling shall also comply with the following requirements during the restriction period:

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

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

c. Notwithstanding any provision of rent stabilization to the contrary: (i) all affordable housing units shall remain fully subject to rent stabilization during the restriction period; and (ii) any affordable housing unit occupied by a tenant that has been approved by the agency prior to the agency's denial of an eligible multiple dwelling's application for AHCC program benefits shall remain subject to rent stabilization until such tenant vacates such affordable housing unit.

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

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

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

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

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

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

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

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

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

7. Building service employees. a. For the purposes of this subdivision, "applicant" shall mean an applicant for AHCC program benefits, any successor to such applicant, or any employer of building service employees for such applicant including, but not limited to, a property management company or contractor.

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

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

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

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

c. The agency may rely on certification by an architect or engineer submitted by an applicant in connection with the filing of an application. A false certification by such architect or engineer shall be deemed to be professional misconduct pursuant to section sixty-five hundred nine of the education law. Any architect or engineer found guilty of such misconduct under the procedures prescribed in section sixty-five hundred ten of the education law shall be subject to the penalties prescribed in section sixty-five hundred eleven of the education law and shall thereafter be ineligible to submit a certification pursuant to this section.

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

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

a. imposing a lesser fee for 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; and

b. requiring a portion of the filing fee to be paid upon the submission of the information the agency requires in advance of approving the commencement of the marketing process for such eligible conversion.

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

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

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

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

d. A person or entity who fails to pay a penalty imposed pursuant to this subdivision shall be guilty of a misdemeanor punishable by imprisonment 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~~]**one hundred twenty-five** 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

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

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

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

PART X

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

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

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

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

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

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

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

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

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

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

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

PART Y

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

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

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

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

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

(ii) The commissioner determines that the claimant:

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

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

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

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

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

§ 2. This act shall take effect immediately.

PART Z

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

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

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

2. [~~At any time after the expiration of the first seven days of disability on the part of an injured employee, or at any time after the employee's death, a claim for compensation may be presented to the employer or to the chair. The~~] **Within sixty days after a claim for compensation has been indexed, the** board shall **hold an initial hearing for each claim in which the injured worker asserts lost wages or lost time due to injury and shall** have full power and authority to determine all questions in relation to the payment of claims presented to it for compensation under the provisions of this chapter. The chair or board shall **thereafter** make or cause to be made such investigation as it deems necessary, and upon application of either party **or an attorney representing either party**, shall order a hearing **before a referee to take place within forty-five calendar days of the application from either party**, and within thirty days after a claim for compensation is submitted under this section, or such hearing closed, shall make or deny an award, determining such claim for compensation, and file the same in the office of the chair. **No application for a hearing made by a party or an attorney pursuant to this section shall be subject to limitations, prerequisites, or penalties imposed by the board.** Immediately after such filing the chair shall send to the parties a copy of the decision. Upon a hearing pursuant to this section either party may present evidence and be represented by counsel. The decision of the board shall be final as to all questions of fact, and, except as provided in section twenty-three of this article, as to all questions of law. Except as provided 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-

uals who have historically been excluded from access to fresh produce; in food deserts where access to healthy and affordable food is limited or where there are no grocery stores; and local farmers who struggle to compete with imported goods and produce. Furthermore, it is the articulated public policy of this state to promote and foster growth in the number of farm to consumer entities accepting supplemental nutrition assistance benefits and participate in the healthy food incentive program. The healthy food incentive program provides earned dollars for supplemental nutrition assistance program recipients to spend on local healthy food that is fresh and nutritious for those who may be unable to readily afford or have easy access to fresh fruits and vegetables for themselves or their families; promotes healthier individual lifestyles by incentivizing better eating habits; fosters the retention and expansion of farm to consumer entities, particularly in food insecure environments; engenders a closer relationship between communities and local farmers; increases capacity for local farms; and stimulates local economies. It is therefore the intent of the legislature and the purpose of this section to create a state operated healthy food incentive program, known as the New York healthy incentive program (NYHIP), for all SNAP recipients and local economies across the state.

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

a. "Office" shall mean the office of temporary and disability assistance.

b. "Commissioner" shall mean the commissioner of the office of temporary and disability assistance.

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

d. "Local" or "locally" shall mean located within the state of New York, however, if neighboring states create their own healthy incentive programs the office may make agreements of reciprocity to allow SNAP beneficiaries to earn dollar rewards for the purchase of healthy foods from such neighboring state and may place a boundary limitation based on distance from state lines.

e. "Local healthy food" shall mean any agricultural product that provides nutritional support to humans such as produce, dairy, meat and processed foods that must consist of ingredients that are grown and cultivated in the state of New York, but may be processed elsewhere. For the purposes of this paragraph, "processed foods" shall mean any raw agricultural commodities that have been milled, cut, chopped, heated, pasteurized, blanched, cooked, canned, frozen, dried, dehydrated, or mixed, and shall consist of at least seventy-five percent of local ingredients.

f. "Similarly situated entities" shall mean stores of any size that have agreed to and signed a memorandum of understanding detailing how they will prioritize sourcing produce and other healthy foods locally, agree to goal metrics to increase their ability to locally source, and meet those metrics to maintain their healthy food incentive program participation. For the purposes of this paragraph, "stores" shall mean any not farm to consumer produce retailer that is currently authorized as an electronic benefit transfer retailer, such as grocery stores,

corner stores, bodegas, food marts, food stores, convenience stores, or markets.

g. "SNAP card" or "SNAP benefit card" shall mean any electronic method in which the supplemental nutrition assistance program is administered to beneficiaries on a credit or debit card, including through the electronic benefit transfer system described in section twenty-one-a of this chapter.

3. Office powers and duties to promulgate program. a. The office is directed to apply for any necessary grant or waiver to participate in the Gus Schumacher Nutrition Incentive Program or similar grant administered by the United States Department of Agriculture and the National Institute of Food and Agriculture for approval, and to act for the state in any negotiations relative to the submission and approval of such plan, waiver, or grant, and shall make such arrangements and take such action, not inconsistent with law, as may be required to obtain and retain such approval, to implement such plan, waiver, or grant and to secure for the state the benefits available.

b. The office shall actively search for, find and apply for grants and other streams of funding to promulgate this section and fund this program.

c. The office shall promulgate rules and regulations and take all other actions necessary for the effective creation and implementation of NYHIP, providing earned dollars for SNAP beneficiaries to spend on local healthy food that is fresh and nutritious, in accordance with this section. Nothing in this section shall prohibit or limit the commissioner's ability to expand access to NYHIP to all New Yorkers, so long as it continues to prioritize the earned dollars used to buy locally grown healthy foods. Nothing in this section shall prohibit or limit the office from including New York grown and certified foods, as created by section one hundred fifty-six-h of the agriculture and markets law, from being included in NYHIP. NYHIP shall include the following:

i. A fixed earned dollar amount for the purchase of fresh locally grown healthy foods using SNAP;

ii. Automation of earned dollar amounts on SNAP cards;

iii. Automation of SNAP benefit cards so SNAP beneficiaries are able to participate in local community supported agriculture subscriptions and earn NYHIP dollars;

iv. Ensuring NYHIP is available at all farm to consumer entities and similarly situated entities by encouraging them to participate;

v. Connecting farm to consumer entities and similarly situated entities with the necessary resources and technology to participate in NYHIP;

vi. Regular updates and maintenance of the mobile application and website; and

vii. Creation and maintenance of a NYHIP outreach program to ensure all SNAP beneficiaries are aware of the opportunity to participate in such program.

d. The office may contract with outside entities to effect the implementation and promulgation of NYHIP and shall give greater weight to entities that manage healthy incentive programs in the state when determining contract award.

e. The office shall establish a grant program, for farmers, farmers markets, and community-supported agriculture partnerships, in attaining any technology needed to take payment from SNAP beneficiaries and participate in NYHIP. The office, in consultation with the department of 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

fresh and nutritious for those who may be unable to readily afford or have easy access to fresh fruits and vegetables for themselves or their families. The office shall promptly seek any necessary approvals from the USDA in order to maximize availability of NYHIP purchasing options throughout the state.

(b) The office shall ensure SNAP beneficiaries and locally grown fresh food subscription services, such as community supported agriculture partnerships, are held harmless under situations in which SNAP beneficiaries lose benefits during their subscription contract. The office shall honor the entirety of the subscription service contract at the expense of the state.

(c) Within one hundred eighty days after the effective date of this subdivision, the office shall apply for a waiver or any other necessary measure to the USDA to automate the use of SNAP in the state to streamline NYHIP and increase access to locally grown CSA subscriptions.

(d) For the purposes of this subdivision, "community supported agriculture partnerships" or "CSA" shall mean a system that connects farmers and consumers by allowing the consumer to invest in farmers by subscribing to a harvest of a certain farm or group of farms, usually done by crop season but may be year round.

§ 2. This act shall take effect immediately.

SUBPART C

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

§ 95-c. New York healthy incentive program (NYHIP) outreach program. 1. In accordance with federal requirements and to the extent that federal matching funds are available, the office shall develop and implement an outreach plan to inform low-income households potentially eligible to receive food stamps and participate in NYHIP to encourage the participation of eligible households that wish to participate.

2. In developing and implementing such a plan the office is authorized and empowered, subject to the approval of the director of the budget and provided that federal aid is available therefor, to enter into contractual agreements with public and/or private organizations to develop and implement local, regional, and statewide outreach programs.

3. Each commissioner of social services shall develop and submit to the office on an annual basis for its approval, a local outreach plan governing the use of local social services personnel and services provided by federally funded and other agencies and organizations to inform potentially eligible households of the availability and benefits of NYHIP and to encourage and facilitate the participation of eligible households. The office shall provide commissioners of social services with technical assistance as needed to carry out the provisions of this subdivision.

4. As part of each local outreach plan, social services officials shall take all steps necessary to maintain a supply of information leaflets in public buildings, including but not limited to local unemployment insurance and employment services offices of the department of labor, institutions and facilities under the supervision or control of the department of health, food stores, union halls, community centers, entities participating in NYHIP, and local agencies providing services to the elderly to help ensure that eligible persons are informed of the supplemental nutrition assistance program and NYHIP. Additionally, as part of the local outreach plan, social services officials shall ensure

that every new supplemental nutrition assistance program applicant receives information on NYHIP upon submission of an application and shall provide such information in the home language of the applicant pursuant to any federal and state laws, rules and regulations.

5. The office shall periodically distribute to all newspapers, and to television and radio stations throughout the state, public service announcements describing NYHIP, including the NYHIP interactive map and website, and shall promptly inform such media of significant changes in the program affecting eligibility requirements and/or the amount of NYHIP earnings.

6. The office shall establish procedures in cooperation with the industrial commissioner of the department of labor to ensure that informational leaflets about NYHIP are sent to each local employment services office for distribution pursuant to section five hundred forty of the labor law. Each leaflet shall include, but not be limited to: the phone number for the New York state food stamp hotline; how to access the NYHIP website and interactive map; how SNAP beneficiaries earn NYHIP benefits buying local healthy foods; estimated maximum income eligibility levels by household size for participation in SNAP; and the availability of local social services departments to provide additional information about NYHIP.

7. In accordance with applicable federal and state laws, rules and regulations, the office shall make available appropriate translated materials so that potentially eligible non-English speaking individuals may be informed about NYHIP.

8. The office shall promulgate rules and regulations and take all other actions necessary for the effective implementation of this section.

§ 2. This act shall take effect immediately.

§ 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 Subparts A through C of this act shall be as specifically set forth in the last section of such Subparts.

PART BB

Section 1. Subdivision 1 of section 350 of the social services law is amended by adding a new paragraph (c) to read as follows:

(c) In accordance with the regulations of the department approved by the director of the budget, allowances granted under the provisions of this title may include the costs of diapers for an eligible child, two years of age or younger. Said allowances shall not exceed eighty dollars, every three months, per eligible child.

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

PART CC

Section 1. Subdivision 14 of section 131-a of the social services law, as amended by section 1 of part ZZ of chapter 59 of the laws of 2018, is amended to read as follows:

14. In determining the [~~need for~~] amount of aid provided pursuant to public assistance programs, each person living with medically diagnosed HIV infection [~~as defined by the AIDS institute of the department of health in social services districts with a population over five million~~] who applies for or is receiving [~~services through such district's administrative unit providing HIV/AIDS services,~~] public assistance and has earned and/or unearned income, up to two hundred percent of the federal poverty guidelines, shall not be required to pay more than thirty percent of his or her monthly earned and/or unearned income toward the cost of rent that such person has a direct obligation to pay; this provision shall not apply to the amount of payment obligations for room and board arrangements attributable to the provision of goods and services other than living space.

§ 2. Subdivision 15 of section 131-a of the social services law is REPEALED and a new subdivision 15 is added to read as follows:

15. Notwithstanding the provisions of this chapter or of any other law or regulation to the contrary, in determining the amount of aid provided pursuant to public assistance programs, social service districts shall, upon application, provide access to emergency shelter, transportation, or nutrition payments which the district determines are necessary to establish or maintain independent living arrangements among persons living with medically diagnosed HIV infection who are homeless or facing homelessness and for whom no viable and less costly alternative to housing is available, including HIV emergency shelter allowance payments in excess of those promulgated by the office of temporary and disability assistance but not exceeding an amount reasonably approximate to one hundred ten percent of fair market rent as determined by the federal department of housing and urban development.

§ 3. Section 131 of the social services law is amended by adding two new subdivisions 21 and 22 to read as follows:

21. When necessary, each local social services district shall assist persons with medically diagnosed HIV infection by (i) helping to secure the required documentation to determine eligibility for assistance, (ii) arranging for required face-to-face interviews to be conducted during home visits or at other appropriate sites, and (iii) providing referrals for services as well as other resources and materials as described in subdivision twenty-two of this section.

22. The office, in consultation with the department of health, shall create, maintain, and periodically update information on the office's website regarding resources and services throughout the state, including the location of such services, which shall include but not be limited to, community based supports, employment opportunities, and medical professionals specialized in assisting such persons with medically diagnosed HIV infection to be utilized by the local social services districts. Such information shall also be made available on the office's website.

§ 4. Paragraphs f and (g) of subdivision 1 of section 153 of the social services law, paragraph f as amended by chapter 81 of the laws of 1995 and paragraph (g) as amended by chapter 471 of the laws of 1980, are amended and a new paragraph h is added to read as follows:

f. the full amount expended by any district, city, town or Indian tribe for the costs, including the costs of administration of public assistance and care to eligible needy Indians and members of their fami-

lies residing on any Indian reservation in this state, after first deducting therefrom any federal funds properly received or to be received on account thereof[~~.~~]; [~~(g)~~] g. fifty per centum of the amount expended for substance abuse services pursuant to this chapter, after first deducting therefrom any federal funds properly received or to be received on account thereof. In the event funds appropriated for such services are insufficient to provide full reimbursement of the total of the amounts claimed by all social services districts pursuant to this section then reimbursement shall be in such proportion as each claim bears to such total[~~.~~]; and

h. notwithstanding any inconsistent provision of law, one hundred per centum of safety net or family assistance expenditures, in social services districts with a population of five million or fewer, for HIV emergency shelter allowance payments in excess of those promulgated by the office of temporary and disability assistance but not exceeding an amount reasonably approximate to one hundred ten percent of fair market rent as determined by the federal department of housing and urban development, and for transportation or nutrition payments, which the district determines are necessary to establish or maintain independent living arrangements among persons living with medically diagnosed HIV infection and who are homeless or facing homelessness and for whom no viable and less costly alternative to housing is available, after first deducting therefrom any federal funds properly received or to be received on account thereof.

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

PART DD

Section 1. Section 410-x of the social services law is amended by adding a new subdivision 10 to read as follows:

10. A social services district shall provide child care assistance funded under the block grant for additional or different hours than a parent or caretaker spends in work, training, educational activities or other reasons for care designated by the social services district in its consolidated services plan in accordance with paragraph (e) of subdivision one of section four hundred ten-w of this title, including, but not limited to, paying for full-time child care assistance regardless of the hours of the activity of the parent's or caretaker's reason for care.

§ 2. Section 410-w of the social services law is amended by adding a new subdivision 1-a to read as follows:

1-a. For all families eligible for child care assistance pursuant to subdivision one of this section, a social services district shall not limit authorized child care services strictly based on the hours during which the parent or caretaker is engaged in work, education or other activity or the number of hours the parent or caretaker is engaged in any such reasons for care.

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

PART EE

Section 1. (a) There is hereby established a fiscal cliff task force to study fiscal cliffs in the state's public assistance programs and make recommendations on how to reduce and eliminate such fiscal cliffs. For the purposes of this section, the term "fiscal cliff" shall mean a

sudden decrease in public benefits that can occur with a small increase in earnings.

(b) (i) The task force shall consist of nineteen members, each to serve for a term ending December 31, 2026. Such members shall be appointed as follows: two members shall be appointed by the temporary president of the senate; one member shall be appointed by the minority leader of the senate; two members shall be appointed by the speaker of the assembly; one member shall be appointed by the minority leader of the assembly; five members shall be appointed by the governor; three local social services district commissioners or their designees having relevant experience in administering public benefits shall be appointed by the governor, of which one district shall have five million or more inhabitants; the commissioner of the office of temporary and disability assistance or such commissioner's designee; the commissioner of health or such commissioner's designee; the commissioner of taxation and finance or such commissioner's designee; the commissioner of the department of labor or such commissioner's designee; the commissioner of the office of children and family services or such commissioner's designee. Appointments shall be made within sixty days of the effective date of this section. Vacancies in the task force shall be filled in the manner provided for original appointments.

(ii) All appointments shall be coordinated to ensure geographic representation from the entire state.

(iii) The task force shall elect a chair, vice-chair, and other necessary officers from among all appointed members.

(iv) A majority of the members of the task force then in office shall constitute a quorum for the transaction of business or the exercise of any power or function of the task force. An act, determination or decision of the majority of the members present during the presence of a quorum shall be held to be the act, determination, or decision of the task force.

(v) The task force shall meet at least quarterly at the call of the chair. Meetings may be held via teleconference. Special meetings may be called by the chair at the request of a majority of the members of the task force.

(vi) Members of the task force shall receive no compensation for their services but shall be reimbursed for their actual expenses incurred in the performance of their duties in the work of the task force.

(c) The task force shall:

(i) conduct a study on the fiscal cliffs in the state. Such study shall include, but not be limited to: public assistance programs; the supplemental nutrition assistance program (SNAP); the home energy assistance program (HEAP); housing assistance; the child care tax credit and other tax credits; the school tax relief program (STAR) and other real property tax credits and reductions; Medicaid; NY state of health, the official health plan marketplace; child care subsidies tied to income; cash benefits; effective tax rates; and any other program or service provided by the state or any political subdivision thereof which is tied to income;

(ii) study the causes and reasons why fiscal cliffs occur to individuals on public benefits, including but not limited to, the impact of current public assistance programs monetary allotments, asset tests, asset limits, and income disregards, as well as how minimum wage and other earnings may impact those receiving public benefits; and

(iii) recommend ways to reduce and/or eliminate fiscal cliffs including, but not limited to, recommending program and policy modifications,

amendments to the law, including but not limited to possible changes in calculating and paying the earned income tax credit or other tax credits, changes to the New York codes, rules and regulations, and any other recommendation the task force deems appropriate.

(d) The task force may, as it deems appropriate, request that studies, surveys, or analyses relating to the task force's powers and duties be performed by any state department, commission, agency or public authority. All state departments, commissions, agencies or public authorities shall provide information and advice in a timely manner and otherwise assist the task force with its work.

(e) The office of temporary and disability assistance shall provide staff services to the task force and such other administrative assistance as may be necessary for the task force to carry out its duties, functions and powers.

(f) The task force shall make a preliminary report to the governor and the legislature of its findings, conclusions, recommendations and activities already undertaken by the task force, not later than January 1, 2026, and a final report of its findings, conclusions, recommendations and activities already undertaken by the task force, not later than September 1, 2026 and shall submit with its reports legislative proposals as it deems necessary to implement its recommendations.

§ 2. This act shall take effect immediately and shall expire three years after it shall have become a law when upon such date the provisions of this act shall be deemed repealed.

PART FF

Section 1. Section 410-x of the social services law is amended by adding a new subdivision 10 to read as follows:

10. A social services district shall establish differential payment rates for child care services provided by licensed, registered or enrolled child care providers as required by this subdivision.

(a) Local social services districts shall establish a differential payment rate for child care services provided by licensed or registered or enrolled child care providers who provide care to a child or children experiencing homelessness. Such differential payment rate shall be no less than ten percent higher but no greater than fifteen percent higher than the actual cost of care or the applicable market-related payment rate established by the office in regulations, whichever is less.

(b) Local social services districts shall establish a differential payment rate for child care services provided by licensed, registered, or enrolled child care providers who provide care to a child during nontraditional hours. Nontraditional hours shall mean care provided in the evening, night or on the weekend. Such differential payment rate shall be no less than ten percent higher but no greater than fifteen percent higher than the actual cost of care or the applicable market-related payment rate established by the office in regulations, whichever is less.

(c) Local social services districts may establish differential payment rates that are higher than the actual cost of care or applicable market rate for child care services provided in any other situation they deem appropriate to incentivize licensed, registered or enrolled child care providers to serve eligible families in need of care.

§ 2. This act shall take effect on the first of April next succeeding 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:

(i) has graduated from a dual or concurrent enrollment program in the two thousand twenty-two--two thousand twenty-three academic year or thereafter;

(ii) is matriculated in an approved program leading to the granting of a post-secondary degree at a post-secondary institution eligible to participate in the tuition assistance program;

(iii) meets the eligibility criteria for a general award pursuant to section six hundred sixty-one of this title;

(iv) is eligible for a tuition assistance program award pursuant to section six hundred sixty-seven of this title; and

(v) has received degree granting credit from a post-secondary institution eligible to participate in the tuition assistance program for the coursework undertaken in the approved dual or concurrent enrollment program.

4. Part-time study. A student who otherwise satisfies the eligibility requirements set forth in paragraph b of subdivision three of this section and is enrolled at least half-time at a post-secondary institution eligible to participate in the tuition assistance program, shall also be deemed an eligible student.

5. Amount. The commissioner shall make an award to the school district in which the dual or concurrent enrollment program is located for each eligible student in an amount certified by the president.

§ 2. The education law is amended by adding a new section 669-i to read as follows:

§ 669-i. Dual or concurrent enrollment award program. 1. Certification. For each student identified by the post-secondary institution, which shall be eligible to participate in the tuition assistance program, shall certify to the president: (i) whether such student is eligible for a tuition assistance program award pursuant to section six hundred sixty-seven of this subpart; (ii) whether such student meets the eligibility criteria for a general award pursuant to section six hundred sixty-one of this part; (iii) whether such student satisfies the requirement set forth in subdivision four of section six hundred forty-five of this title; (iv) the number of degree granting credits such student received from the post-secondary institution for the coursework undertaken in the dual or concurrent enrollment program; and (v) such other information as the commissioner and/or the president deem necessary to administer the program. The president shall certify this information and the amount of the award calculated in accordance with subdivision two of this section to the commissioner.

2. Calculation of award amounts. The president shall be responsible for calculating the dollar amount of each award in an amount equal to the product of: the number of degree granting credits accepted by the eligible student's post-secondary institution for coursework undertaken in the dual or concurrent enrollment program for such eligible student and the dollar amount established for one credit for such eligible student. For an eligible student enrolled full-time at a post-secondary institution eligible to participate in the tuition assistance program, the dollar amount for one credit shall be established as the quotient of: the eligible student's tuition assistance program award pursuant to section six hundred sixty-seven of this subpart; and the minimum number of credits required for full-time study as defined by the commissioner. For an eligible student enrolled part-time at a post-secondary institution eligible to participate in the tuition assistance program, the dollar amount for one credit shall be established as the quotient of: 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

(including hotels and motels paid for by federal, state or local government programs for low-income individuals or by charitable organizations, congregate shelters, or transitional housing); exiting an institution where an individual or family has resided and lacking a regular fixed and adequate nighttime residence upon release or discharge; individuals released or scheduled to be released from incarceration and lacking a regular fixed and adequate nighttime residence upon release or discharge; being a homeless family with children or unaccompanied youth defined as homeless under 42 U.S.C. § 11302(a); having experienced a long-term period without living independently in permanent housing or having experienced persistent instability as measured by frequent moves and being reasonably expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, multiple barriers to employment, or other dangerous or life-threatening conditions, including conditions that relate to violence against an individual or a family member.

2. "Imminent loss of housing" means having received a verified rent demand or a petition for eviction; having received a court order resulting from an eviction action that notifies the individual or family that they must leave their housing; facing loss of housing due to a court order to vacate the premises due to hazardous conditions, which may include but not be limited to asbestos, lead exposure, mold, and radon; having a primary nighttime residence that is a room in a hotel or motel and lacking the resources necessary to stay; facing loss of the primary nighttime residence, which may include living in the home of another household, where the owner or renter of the housing will not allow the individual or family to stay, provided further, that an assertion from an individual or family member alleging such loss of housing or homelessness shall be sufficient to establish eligibility; or fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, human trafficking or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, provided further that an assertion from an individual or family member alleging such abuse and loss of housing shall be sufficient to establish eligibility.

3. "Public housing agency" means any county, municipality, or other governmental entity or public body that is authorized to administer any public housing program (or an agency or instrumentality of such an entity), and any other public or private non-profit entity that administers any other public housing program or assistance.

4. "Section 8 local administrator" means a public housing agency that administers the Section 8 Housing Choice Voucher program under section 8 of the United States housing act of 1937 within a community, county or region, or statewide, on behalf of and under contract with the housing trust fund corporation.

5. "Housing access voucher local administrator" means a public housing agency, as defined in subdivision three of this section, or Section 8 local administrator designated to administer the housing access voucher program within a community, county or region, or statewide, on behalf of and under contract with the housing trust fund corporation. In the city of New York, the housing access voucher local administrator shall be the New York city department of housing preservation and development, or the 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

to those of any gainful activity in which they have previously engaged with some regularity and over a substantial period of time; or

(c) a physical, mental, or emotional impairment which:

(i) is expected to be of long-continued and indefinite duration;

(ii) substantially impedes his or her ability to live independently; and

(iii) is of such a nature that such ability could be improved by more suitable housing conditions; or

(d) a developmental disability that is a severe, chronic disability of an individual that:

(i) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) is manifested before the individual attains age twenty-two;

(iii) is likely to continue indefinitely;

(iv) results in substantial functional limitations in three or more of the following areas of major life activity:

(A) self-care;

(B) receptive and expressive language;

(C) learning;

(D) mobility;

(E) self-direction;

(F) capacity for independent living; or

(G) economic self-sufficiency; and

(v) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

§ 607. Housing access voucher program. The commissioner, subject to the appropriation of funds for this purpose, shall implement a program of rental assistance in the form of housing vouchers for eligible individuals and families who are homeless or who face an imminent loss of housing in accordance with the provisions of this article. The housing trust fund corporation shall issue vouchers pursuant to this article, subject to appropriation of funds for this purpose, and may contract with the division of housing and community renewal to administer any aspect of this program in accordance with the provisions of this article. The commissioner shall designate housing access voucher local administrators in the state to make vouchers available to such individuals and families and to administer other aspects of the program in accordance with the provisions of this article.

§ 608. Eligibility. The commissioner shall promulgate standards for determining eligibility for assistance under this program. Individuals and families who meet the standards shall be eligible regardless of immigration status. Eligibility shall be limited to individuals and families who are homeless or facing imminent loss of housing. Housing access voucher local administrators may rely on a certification from a social services provider serving homeless individuals, including, but not limited to, homeless shelters to determine whether an applicant qualifies as a homeless individual or family.

1. An individual or family shall be eligible for this program if they are homeless or facing imminent loss of housing and have an income of no more than fifty percent of the area median income, as defined by the United States department of housing and urban development.

2. An individual or family in receipt of rental assistance pursuant to this program shall be no longer financially eligible for such assistance under this program when thirty percent of the individual's or family's

adjusted income is greater than or equal to the total rent for the dwelling unit.

3. When an individual or family becomes financially ineligible for rental assistance under this program pursuant to subdivision two of this section, the individual or family shall retain rental assistance for a period no shorter than one year, subject to appropriation of funds for this purpose.

4. Income eligibility shall be verified prior to a housing access voucher local administrator's initial determination to provide rental assistance for this program and upon determination of such eligibility, an individual or family shall annually certify their income for the purpose of determining continued eligibility and any adjustments to such rental assistance.

5. The commissioner may collaborate with the office of temporary and disability assistance and other state and city agencies to allow a housing access voucher local administrator to access income information for the purpose of determining an individual's or family's initial and continued eligibility for the program.

6. Reviews of income shall be made no less frequently than annually.

§ 609. Funding allocation and distribution. 1. Subject to appropriation, funding shall be allocated by the commissioner in each county except for those counties located within the city of New York, the initial allocation shall be in proportion to the number of households in each county or the city of New York who are severely rent burdened based on data published by the United States census bureau. Funding for counties located within the city of New York shall be allocated directly to the New York city department of housing preservation and development and/or the New York city housing authority, as appropriate, in proportion to the number of households in New York city as compared to the rest of the state of New York who are severely rent burdened based on data published by the United States census bureau.

2. The commissioner shall be responsible for distributing the funds allocated in each county not located within the city of New York among housing access voucher local administrators operating in each county or in the city of New York.

3. Priority shall be given to applicants who are homeless. The commissioner shall have the discretion to establish further priorities as appropriate.

4. Up to ten percent of the funds allocated may be used by the commissioner and the housing access voucher local administrator for administrative expenses attributable to administering the housing access voucher program.

§ 610. Payment of housing vouchers. 1. The housing voucher shall be paid directly to any owner under a contract between the owner of the dwelling unit to be occupied by the voucher recipient and the appropriate housing access voucher local administrator. The commissioner shall determine the form of the housing assistance payment contract and the method of payment. A housing assistance payment contract entered into pursuant to this section shall establish the payment standard (including utilities and all maintenance and management charges) which the owner is entitled to receive for each dwelling unit with respect to which such assistance payments are to be made. The payment standard shall not exceed one hundred twenty percent nor be less than ninety percent of the fair market rent for the rental area in which it is located. Fair market rent shall be determined pursuant to the procedures and standards as set forth in the Federal Housing Choice voucher program, as set forth

in the applicable sections of Part 888 of Title 24 of the Code of Federal Regulations. Fair market rent for a rental area shall be published not less than annually by the commissioner and shall be made available on the website of New York state homes and community renewal.

2. A housing assistance payment contract entered into pursuant to subdivision one of this section may provide for an initial payment of up to five months of rent arrears that have accrued during prior occupancy of a dwelling unit by a voucher recipient if such payment of arrears is necessary to continue such voucher recipient's occupancy of such dwelling unit, and thereby prevent imminent loss of housing.

§ 611. Leases and tenancy. Each housing assistance payment contract entered into by a housing access voucher local administrator and the owner of a dwelling unit shall provide:

1. that the lease between the tenant and the owner shall be for a term of not less than one year, except that the housing access voucher local administrator may approve a shorter term for an initial lease between the tenant and the dwelling unit owner if the housing access voucher local administrator determines that such shorter term would improve housing opportunities for the tenant and if such shorter term is considered to be a prevailing local market practice;

2. that the dwelling unit owner shall offer leases to tenants assisted under this article that:

(a) are in a standard form used in the locality by the dwelling unit owner; and

(b) contain terms and conditions that:

(i) are consistent with state and local law; and

(ii) apply generally to tenants in the property who are not assisted under this article;

(c) shall provide that during the term of the lease, the owner shall not terminate the tenancy except for serious or repeated violation of the terms and conditions of the lease, for violation of applicable state or local law, or for other good cause, including, but not limited to, the non-payment of the tenant's portion of the rent owed, and in the case of an owner who is an immediate successor in interest pursuant to foreclosure during the term of the lease vacating the property prior to sale shall not constitute other good cause, except that the owner may terminate the tenancy effective on the date of transfer of the unit to the owner if the owner:

(i) will occupy the unit as a primary residence; and

(ii) has provided the tenant a notice to vacate at least ninety days before the effective date of such notice;

(d) shall provide that any termination of tenancy under this section shall be preceded by the provision of written notice by the owner to the tenant specifying the grounds for that action, and any relief shall be consistent with applicable state and local law;

3. that any unit under an assistance contract originated under this article shall only be occupied by the individual or family designated in said contract and shall be the designated individual or family's primary residence. Contracts shall not be transferable between units and shall not be transferable between recipients. A family or individual may transfer their voucher to a different unit under a new contract pursuant to this article;

4. that an owner shall not charge more than a reasonable rent as defined in section six hundred six of this article.

§ 612. Rental obligation. The monthly rental obligation for an individual or family receiving housing assistance pursuant to the housing access voucher program shall be the greater of:

1. thirty percent of the monthly adjusted income of the family or individual; or

2. If the family or individual is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the actual housing costs of the family, is specifically designated by that agency to meet the housing costs of the family, the portion of those payments that is so designated. These payments include, but are not limited to any shelter assistance or housing assistance administered by any federal, state or local agency.

§ 613. Monthly assistance payment. 1. The amount of the monthly assistance payment with respect to any dwelling unit shall be the difference between the maximum monthly rent which the contract provides that the owner is to receive for the unit and the rent the individual or family is required to pay under section six hundred twelve of this article.

2. The commissioner shall establish maximum rent levels for different sized rentals in each rental area in a manner that promotes the use of the program in all localities based on the fair market rent of the rental area. Rental areas shall be determined by the commissioner. The commissioner may rely on data or other information promulgated by any other state or federal agency in determining the rental areas and fair market rent.

3. The payment standard for each size of dwelling unit in a rental area shall not be less than ninety percent and shall not exceed one hundred twenty percent of the fair market rent established in section six hundred six of this article for the same size of dwelling unit in the same rental area, except that the commissioner shall not be required as a result of a reduction in the fair market rent to reduce the payment standard applied to a family continuing to reside in a unit for which the family was receiving assistance under this article at the time the fair market rent was reduced.

§ 614. Inspection of units. Inspection of units shall be conducted pursuant to the procedures and standards of the Federal Housing Choice voucher program, as set forth in the applicable sections of Part 982 of Title 24 of the Code of Federal Regulations.

§ 615. Rent. 1. The rent for dwelling units for which a housing assistance payment contract is established under this article shall be reasonable in comparison with rents charged for comparable dwelling units in the private, unassisted local market.

2. A housing access voucher local administrator (or other entity, as provided in section six hundred seventeen of this article) may, at the request of an individual or family receiving assistance under this article, assist that individual or family in negotiating a reasonable rent with a dwelling unit owner. A housing access voucher local administrator (or other such entity) shall review the rent for a unit under consideration by the individual or family (and all rent increases for units under lease by the individual or family) to determine whether the rent (or rent increase) requested by the owner is reasonable. If a housing access voucher local administrator (or other such entity) determines that the rent (or rent increase) for a dwelling unit is not reasonable, the housing access voucher local administrator (or other such entity) shall not make housing assistance payments to the owner under this subdivision with respect to that unit.

3. If a dwelling unit for which a housing assistance payment contract is established under this article is exempt from local rent control provisions during the term of that contract, the rent for that unit shall be reasonable in comparison with other units in the rental area that are exempt from local rent control provisions.

4. Each housing access voucher local administrator shall make timely payment of any amounts due to a dwelling unit owner under this section, subject to appropriation of funds for this purpose.

§ 616. Vacated units. If an assisted family vacates a dwelling unit for which rental assistance is provided under a housing assistance payment contract before the expiration of the term of the lease for the unit, rental assistance pursuant to such contract may not be provided for the unit after the month during which the unit was vacated.

§ 617. Leasing of units owned by a housing access voucher local administrator. 1. If an eligible individual or family assisted under this article leases a dwelling unit (other than a public housing dwelling unit) that is owned by a housing access voucher local administrator administering assistance to that individual or family under this section, the commissioner shall require the unit of general local government or another entity approved by the commissioner, to make inspections required under section six hundred fourteen of this article and rent determinations required under section six hundred fifteen of this article. The housing access voucher local administrator shall be responsible for any expenses of such inspections and determinations, subject to the appropriation of funds for this purpose.

2. For purposes of this section, the term "owned by a housing access voucher local administrator" means, with respect to a dwelling unit, that the dwelling unit is in a project that is owned by such administrator, by an entity wholly controlled by such administrator, or by a limited liability company or limited partnership in which such administrator (or an entity wholly controlled by such administrator) holds a controlling interest in the managing member or general partner. A dwelling unit shall not be deemed to be owned by a housing access voucher local administrator for purposes of this section because such administrator holds a fee interest as ground lessor in the property on which the unit is situated, holds a security interest under a mortgage or deed of trust on the unit, or holds a non-controlling interest in an entity which owns the unit or in the managing member or general partner of an entity which owns the unit.

§ 618. Verification of income. The commissioner shall establish procedures which are appropriate and necessary to assure that income data provided to the housing access voucher local administrator and owners by individuals and families applying for or receiving assistance under this article is complete and accurate. In establishing such procedures, the commissioner shall randomly, regularly, and periodically select a sample of families to authorize the commissioner to obtain information on these families for the purpose of income verification, or to allow those families to provide such information themselves. Such information may include, but is not limited to, data concerning unemployment compensation and federal income taxation and data relating to benefits made available under the social security act, 42 U.S.C. 301 et seq., the food and nutrition act of 2008, 7 U.S.C. 2011 et seq., or title 38 of the United States Code. Any such information received pursuant to this section shall remain confidential and shall be used only for the purpose of verifying incomes in order to determine eligibility of individuals

and families for benefits (and the amount of such benefits, if any) under this article.

§ 619. Division of an assisted family. 1. In those instances where a family assisted under this article becomes divided into two otherwise eligible individuals or families due to divorce, legal separation or the division of the family, where such individuals or families cannot agree as to which such individual or family should continue to receive the assistance, and where there is no determination by a court, the housing access voucher local administrator shall consider the following factors to determine which of the individuals or families will continue to be assisted:

(a) which of such individuals or families has custody of dependent children;

(b) which such individual was the head of household when the voucher was initially issued as listed on the initial application;

(c) the composition of such individuals and families and which such family includes elderly or disabled members;

(d) whether domestic violence was involved in the breakup of such family;

(e) which family members remain in the unit; and

(f) recommendations of social services professionals.

2. Documentation of these factors will be the responsibility of the requesting parties. If documentation is not provided, the housing access voucher local administrator will terminate assistance on the basis of failure to provide information necessary for a recertification.

§ 620. Maintenance of effort. Any funds made available pursuant to this article shall not be used to offset or reduce the amount of funds previously expended for the same or similar programs in a prior year in any county or in the city of New York, but shall be used to supplement any prior year's expenditures. The commissioner may grant an exception to this requirement if any county, municipality, or other governmental entity or public body can affirmatively show that such amount of funds previously expended is in excess of the amount necessary to provide assistance to all individuals and families within the area in which the funds were previously expended who are homeless or facing an imminent loss of housing.

§ 621. Vouchers statewide. Notwithstanding section six hundred eleven of this article, any voucher issued pursuant to this article may be used for housing anywhere in the state. The commissioner shall inform voucher holders that a voucher may be used anywhere in the state and, to the extent practicable, the commissioner shall assist voucher holders in finding housing in the area of their choice. Provided further, however, that a voucher must be used in the county in which it was issued, or within the city of New York, if the voucher was issued within the city of New York, for no less than one year before it can be used in a different jurisdiction, unless the issuing housing access voucher local administrator grants a waiver, or the voucher holder, or a family member thereof, is or has been the victim of domestic violence, dating violence, sexual assault, or stalking.

§ 622. Applicable codes. Housing eligible for participation in the housing access voucher program shall comply with applicable state and local health, housing, building and safety codes.

§ 623. Housing choice. 1. The commissioner shall administer the housing access voucher program under this article to promote housing choice for voucher holders. The commissioner shall affirmatively promote fair 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,

and why a project labor agreement on the project would otherwise be inconsistent with statutes, rules, or regulations applicable to the fund. Such explanation shall be granted for a particular project contract by the solicitation date.

(c) An agency may require the use of a project labor agreement on construction projects where the total cost to the fund is less than that for a large-scale construction project, if consistent with paragraph (a) of subdivision two of section two hundred twenty-two of the labor law.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all contracts entered into, renewed, modified or amended on or after such date.

PART KK

Section 1. The executive law is amended by adding a new article 49-C to read as follows:

ARTICLE 49-C

COMMISSION FOR THE MODERNIZATION AND REVITALIZATION OF DOWNSTATE MEDICAL CENTER

Section 996. Commission for the modernization and revitalization of downstate medical center.

§ 996. Commission for the modernization and revitalization of downstate medical center. 1. Legislative intent. The legislature hereby finds and declares that the state university downstate medical center ("downstate") as established pursuant to section three hundred fifty-two of the education law, is a vital component of our state's health care system. As one of three state hospitals and the only state hospital in the city of New York, it is incumbent upon the state to ensure that this hospital remains fiscally viable to continue to provide the health care services that the residents of central Brooklyn deserve and depend on. The state university downstate medical center is one of the state's largest safety-net hospitals, which cares for all patients, regardless of their ability to pay. It predominantly serves people of color, low income, uninsured, underinsured, undocumented and at-risk individuals who have limited access to affordable health care and who are more prone to suffer from serious disease and face higher morbidity rates than other patients across our city and state. In two thousand twenty-two, the hospital had over three hundred thousand outpatient visits and has an average of fourteen thousand inpatients each year. It also provides seven thousand four hundred free health screenings a year and sponsors over one hundred community service projects annually.

Provided further, downstate is in the heart of central Brooklyn and has the largest medical school in New York city, which offers training in fifty-six specialties across five schools and colleges and annually educates and trains nearly one thousand nine hundred students. The medical school student population is made up of nearly sixty percent students of color, produces the most physicians of color in the state of New York, and nearly seventy percent of two thousand twenty-two graduates remained in New York for their residency. Having a hospital affiliated with the medical school is both critical for the training of medical students and is an essential part in producing the next generation of health care professionals, which are desperately needed to enhance the access to vital health care in our communities.

The legislature further finds that the entire Brooklyn health care delivery system remains in need of a continued global examination, assessing the needs of each of its diverse communities, the access to

high quality of care throughout Brooklyn, the demographics, health care equities and disparities of each community, the availability of specialty services for low income populations, and the interconnectivity between the various health care systems to ensure the long term financial sustainability of each of the various delivery systems in the borough. Such further examination can begin with the modernization and revitalization of downstate continuing as a hospital offering critical hospital specialty services for the community, becoming a core specialty hospital center of excellence for those critical specialty services, but simultaneously undertaking an examination of the appropriateness of converting certain designated inpatient beds that are not utilized for the specialty hospital center of excellence (providing specialty services pursuant to subdivision three of this section), to an outpatient setting, expanding services to include access to primary care thru clinics, urgent care or other hospital affiliated medical practices.

The legislature further finds that the continued operation of the state university downstate medical center as a free-standing state-operated public hospital, staffed with public employees, at its current location, within and under the appointing authority of the state university of New York in a modernized and revitalized form, is vital and necessary, and the state should develop a plan to ensure its future sustainability and shall provide state funding and other resources necessary to implement and execute such plan. Such plan shall be based on the recommendations of the commission for the modernization and revitalization of downstate medical center. The commission for the modernization and revitalization of downstate medical center shall examine those services that are necessary to be provided at downstate, alternative services which are more suitable for the community and which are in addition to the core center of excellence specialty services which shall continue to be offered at downstate.

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

(a) "Commission" shall mean the commission for the modernization and revitalization of downstate medical center.

(b) "Downstate" shall mean the downstate medical center.

(c) "Core specialty center of excellence services" shall include the following services which shall continue to be offered in a hospital setting at downstate, notwithstanding the recommendations of the commission:

(i) Level II Trauma care and related services;

(ii) Transplant care and related services;

(iii) Cardiology care and related services;

(iv) Maternity and pediatric care for low income and ethnically diverse populations; and

(v) Emergency services. Provided, however, the commission shall be authorized to examine the size, scope and other appropriate features necessary in providing emergency services at downstate.

3. Commission for the modernization and revitalization of downstate medical center. (a) There is hereby created within the executive department the commission for the modernization and revitalization of downstate medical center.

(b) The commission shall examine those services that should be offered at downstate, or a downstate affiliate, which are in addition to the core specialty center of excellence services which shall continue to be offered at downstate. In determining its recommendations, the commission shall consider the following factors: (i) the financial sustainability

of downstate considering management operations, billing practices, current health care services and delivery model; (ii) the patient mix and demographics, including but not limited to, the financial challenges posed by the provision of safety net services to low income, uninsured, underinsured, undocumented and at-risk individuals; (iii) the services available and readily accessible at other health care systems or providers in Brooklyn and access to those services by residents of central Brooklyn; (iv) the health care disparities in central Brooklyn; (v) access to primary care, outpatient services, and emergency services for residents of the downstate community and the feasibility of downstate offering expanded services to address these needs; (vi) those services which are necessary for the training and education of students and graduates of the downstate medical school; and (vii) other services the commission deems appropriate in making its recommendations. The commission shall also determine what capital project improvements are required at downstate to both maintain the core specialty center of excellence services and also enable the hospital to adequately meet current and future health care needs of the community as identified by the commission. The commission shall also provide an analysis of current emergency room operations, which shall include, but shall not be limited to, patient care and service capacity as well as improvements needed to adequately address patient service demands and the technology, equipment and capital infrastructure improvements that are required to improve patient services and to improve the financial position of downstate.

(c) The commission shall not be authorized to make recommendations which reduce, limit or any in way alter the core specialty center of excellence services offered in a hospital setting at downstate.

4. Commission appointments. The commission shall consist of the following members: (a) the commissioner of health, who shall serve as the ex-officio chair the commission; (b) a representative of organized labor representing employees at the state university of New York pursuant to article fourteen of the civil service law; (c) one member appointed by the temporary president of the senate; (d) one member appointed by the speaker of the assembly; (e) one member appointed by the minority leader of the senate; (f) one member appointed by the minority leader of the assembly; (g) two members appointed by the local community boards; (h) two members appointed by the governor; and (i) the chancellor of the state university of New York.

5. Compensation. The members of the commission shall receive no compensation for their service as members, but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

6. Commission commencement. (a) The commission and its deliberations shall be subject to article seven of the public officers law.

(b) The commission shall adopt its bylaws on or by its second meeting.

(c) The commission shall begin to act forty-five days after this article shall have become a law.

7. Department of health assistance. (a) The commissioner of health shall designate such employees of the department of health as are reasonably necessary to provide support services to the commission.

(b) The commissioner of health shall also submit to the commission such information as may be available from the department of health on general hospital and nursing home capacity, services and beds, availability of primary and ambulatory care services, and current number of beds in such facilities, including, but not limited to, information 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,

however, that nothing herein shall be construed as: (i) limiting the authority of the commissioner of health to enforce or implement any provision of the public health law relating to the health or safety of the patients at downstate; or (ii) from approving an application relating to capital and infrastructure improvements at downstate that do not impact the scope or level of services offered at downstate.

12. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this section 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 section would have been enacted even if such invalid provisions had not been included herein.

§ 2. This act shall take effect immediately.

PART LL

Section 1. The education law is amended by adding a new section 679-k to read as follows:

§ 679-k. New York state mental health professional student loan forgiveness program. 1. Purpose. The president, in consultation with the office of mental health, shall grant student loan forgiveness awards for the purpose of alleviating the burden of student loan debt for mental health professionals in New York state who work in a facility or program licensed by the office of mental health. Such awards shall be made on a competitive basis as promulgated by the corporation for such purposes, to applicants who meet the eligibility criteria.

2. Eligibility. To be eligible for an award pursuant to this section, applicants shall:

(a) have graduated and obtained a degree from an approved New York state college or university;

(b) have an outstanding student loan debt from obtaining such degree;

(c) be employed as a psychiatrist, psychiatric nurse practitioner, physician assistant, licensed master social worker, licensed clinical social worker, licensed mental health counselor, licensed marriage and family therapist, psychoanalyst, creative arts therapist, or applied behavior analyst in New York state working in a program or facility licensed by the office of mental health;

(d) comply with rules and regulations developed by the corporation; and

(e) make a commitment to practice in a mental health program or facility licensed by the office of mental health, including psychiatric inpatient units of general hospitals, comprehensive psychiatric emergency programs, crisis, residential and outpatient programs for the duration of the award.

3. Awards. The corporation, in consultation with the office of mental health, shall grant such awards within amounts appropriated for such purposes and based on the availability of funds.

4. Rules and regulations. The corporation is authorized to promulgate rules and regulations. In the event that there are more applicants than there are remaining awards, the corporation shall provide in regulation the method of distributing the remaining number of such awards, which 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

subject to rent registration, affordability, rent stabilization and application requirements of the program is no longer subject to such requirements.

(b) (i) If an audit by the comptroller of the city of New York finds any units are not in compliance with the rent registration, affordability, rent stabilization, and application requirements of the affordable New York housing program, the comptroller of the city of New York shall present evidence of such noncompliance to the division of housing and community renewal, the department of housing preservation and development, and the New York city department of finance for enforcement actions as provided. Such notification of noncompliance shall be made within fifteen days after the results of the audit have been published on the comptroller's website.

(ii) The division of housing and community renewal, the department of housing preservation and development, and the New York city department of finance shall enforce and remedy any noncompliance with the rent registration, affordability, rent stabilization, and application requirements as provided or available under any other law, rule, or regulation.

19. During and on and after the expiration date of the affordable New York housing program benefit provided pursuant to this section, provided such project is required to comply with any affordability requirements, the department of housing preservation and development shall impose, after notice and an opportunity to be heard, a penalty for any violation of the affordability requirements of this section by such project.

(a) The department of housing preservation and development shall establish a schedule and method of calculation of such penalties.

(b) A penalty under this subdivision shall be imposed on the owner of the eligible site containing such project at the time the violation occurred.

(c) A failure to pay such fine may result in a lien and such other remedies as may be available pursuant to applicable law and regulation.

(d) The department of housing preservation and development shall ensure the minimum number of required affordable units are offered in compliance with the appropriate affordability requirements at all times such affordability requirements apply. This includes, but is not limited to, for each unit designated as an affordable unit found not to be in compliance with the affordability requirements, the department of housing preservation and development shall either bring such designated affordable unit into compliance with the affordability requirements or designate another unit of similar size as an affordable unit in substitution of the original unit.

§ 2. Subparagraph (ii) of paragraph (f) of subdivision 2 of section 421-a of the real property tax law, as amended by chapter 289 of the laws of 1985, is amended to read as follows:

(ii) with respect to units which become subject to the provisions of this section after the effective date of this subparagraph, such tax benefit period as provided in the opening paragraph of this paragraph or applicable law or act shall have expired and either each lease and renewal thereof for such unit for the tenant in residence at the time of such decontrol has included a notice in at least twelve point type informing such tenant that the unit shall become subject to such decontrol upon the expiration of such tax benefit period as provided in the opening paragraph of this paragraph or applicable law or act and states the approximate date on which such tax benefit period as provided in the 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.

Construction commenced on your building, located at address on MM/DD/YYYY.
Construction was completed on MM/DD/YYYY.
On (MM/DD/YYYY specific to tenant), your landlord can begin to increase the rent for unit number by 2.2% each year.
The 421-a benefits for unit number expire on (MM/DD/YYYY). After the expiration of the 421-a tax abatement, your unit will (either remain rent-stabilized for the duration of your tenancy or continue to be protected due to additional programs outlined below).
Unit number also receives (list any other city, state, federal affordability program) and (the impact that has on the unit's continuing affordability, the date on which those benefits expire and the impact of the expiration of those benefits on the unit).
If you believe that any of the information contained in this rider is incorrect, contact New York State Homes 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."

§ 4. This act shall take effect immediately.

PART OO

Section 1. Subparagraph (xiii) of paragraph (a) of subdivision 8 of section 131-a of the social services law, as added by section 2 of part X of chapter 56 of the laws of 2023, is amended to read as follows:

(xiii) once during the lifetime of a recipient of public assistance, all of the earned income of such recipient will be disregarded following job entry, provided that such exemption of income for purposes of public assistance eligibility shall be for no more than six consecutive months from the initial date of obtaining such employment and that the recipient's total income shall not be more than [~~two~~] four hundred percent of the federal poverty level. In the event a recipient moves from one to another social services district, this disregard shall follow the recipient. The commissioner shall seek any federal waiver necessary to effectuate the one-time earned income disregard pursuant to this subdivision.

§ 2. This act shall take effect immediately.

PART PP

Section 1. The veterans' services law is amended by adding a new section 29-b to read as follows:

§ 29-b. Staff sergeant Alex R. Jimenez New York state military immigrant family legacy program. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Uniformed service member" shall mean a member of the army, navy, air force, space corps, marine corps, coast guard, public health service commissioned corps, or national oceanic and atmospheric administration commissioned officer corps serving on active duty.

(b) "The program" shall mean the staff sergeant Alex R. Jimenez military immigrant family legacy program.

(c) "Coordinator" shall mean an employee of the department appointed by the commissioner, or an employee of the division of military and naval affairs appointed by the adjutant general, to serve as a military immigrant family legacy program coordinator pursuant to subdivision three of this section.

(d) "Veteran" shall have the same meaning as such term is defined in section one of this article and shall also include any veteran with a qualifying condition, as defined in section one of this article, and has received a discharge other than bad conduct or dishonorable from such service, or is a discharged LGBT veteran, as defined in section one of this article, and has received a discharge other than bad conduct or dishonorable from such service.

(e) "Intended recipients" shall mean uniformed service members, veterans, reserve component members and their family members.

(f) "Reserve component members" shall mean those serving in the army reserve, navy reserve, marine corps reserve, the army national guard, the air national guard, or reserve corps of the public health service during the time the unit was federally recognized as a reserve component.

2. There is hereby established within the department, in conjunction with the division of military and naval affairs, the staff sergeant Alex R. Jimenez New York state military immigrant family legacy program which shall be jointly developed and implemented by the commissioner and the adjutant general of the division of military and naval affairs, in consultation with the office for new Americans established pursuant to section ninety-four-b of the executive law, and in accordance with the provisions of this section. The primary purpose of the program shall be to assist intended recipients to secure legal immigration status in the United States, including but not limited to, citizenship.

3. Two military immigrant family legacy program coordinators shall be appointed, one appointed by the commissioner and one by the adjutant general of the division of military and naval affairs, to administer the program. Each coordinator shall be a veteran. The coordinators' duties shall include, but not be limited to:

(a) assisting intended recipients, who may qualify for adjustment of status, special immigration status through the federal Parole in Place program authorized by section 1758 of the 2020 National Defense Authorization Act, or any other sort of immigration relief, including relief that can lead to citizenship, in securing legal representation or consultation by qualified immigration attorneys or duly authorized board of immigration appeals representatives as may be necessary to obtain such relief.

(b) communicating with the commissioner and the adjutant general and the office for new Americans regarding existing policies and regulations pertaining to the needs of intended recipients and to make recommendations regarding the improvement of benefits and services to such intended recipients.

(c) serving as liaison between the department and the division of military and naval affairs, the United States citizenship and immigration services, immigration and customs enforcement, the United States department of veterans affairs, the United States department of defense, local veterans' service agencies, state agencies, community groups, advocates, and other veterans and military organizations and interested parties for the purpose of coordinating efforts to provide immigration relief to intended recipients.

(d) consulting with qualified immigration attorneys or duly authorized board of immigration appeals approved representatives to facilitate such coordination with the United States citizenship and immigration services or other appropriate agency.

(e) advocating for intended recipients.

(f) developing and maintaining a clearinghouse for information and resources relating to the program as well as other federal, state, local and non-profit programs that may offer assistance to intended recipients in immigration matters.

(g) promoting events and activities that educate and assist intended recipients, including but not limited to, veteran human rights conferences, veterans benefit and resources events.

(h) including the contributions that intended recipients have made on behalf of the United States and this state on the department's official website.

(i) developing information to be made available to congressionally chartered veterans' organizations, and local veterans' services agencies to provide a general overview of the program, including but not limited to, its purpose and the eligibility requirements for adjustment of status, citizenship, or any other form of available relief.

(j) preparing reports on topics, including but not limited to, the demographics of intended recipients residing in the state, including the number of such intended recipients by county, an estimate of how many may be eligible for naturalization, and the unique needs of the intended recipients within New York state to the commissioner, the adjutant general of the division of military and naval affairs and the office for new Americans.

4. The coordinators shall submit a report to the commissioner and to the adjutant general of the division of military and naval affairs on January first each year following the first full year after the effective date of this section. Such report shall include, but not be limited to, a description and evaluation of the coordinators' activities for the preceding calendar year as well as any recommendations for future programmatic changes. The commissioner shall submit the report to the governor and the legislature in accordance with the provisions of section four of this article. The adjutant general of the division of military and naval affairs shall submit the report to the governor and the legislature in accordance with the provisions of section one hundred sixty-four of the executive law.

§ 2. Section 4 of the veterans' services law is amended by adding a new subdivision 39 to read as follows:

39. To encourage the development of and provide for the establishment of a state military immigrant family legacy program coordinator, as provided in section twenty-nine-b of this article.

§ 3. The military law is amended by adding a new section 256 to read as follows:

§ 256. State military immigrant family legacy program support. The adjutant general shall encourage the development of and provide for the establishment of a state military immigrant family legacy program coordinator, as provided in section twenty-nine-b of the veterans' services law.

§ 4. Paragraph (l) of subdivision 5 of section 94-b of the executive law, as added by chapter 206 of the laws of 2014, is amended to read as follows:

(l) (i) Coordinate with other state agencies and otherwise marshal the resources of the state to serve the needs of immigrants, and (ii) advise the state military immigrant family legacy program coordinators pursuant to section twenty-nine-b of the veterans' services law;

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

PART QQ

Section 1. Paragraph a of subdivision 4 of section 665 of the education law, as added by chapter 195 of the laws of 1980, is amended to read as follows:

a. Student refunds. If a student receives payment as a result of administrative error by the institution or the corporation or a false or erroneous statement on [~~his~~] such student's application or financial form, or any other act of omission or commission on the part of the student, [~~his~~] such student's spouse, or [~~his~~] such student's parents, such that the recipient would otherwise have been considered by the president ineligible to receive such payment, the recipient shall be required to refund the improper payment to the state. Provided that no repayment shall be demanded or occur from a student, former student or institution where the error was an inadvertent or administrative error on the part of the corporation or other state agency.

§ 2. This act shall take effect immediately and be deemed to have been in full force and effect for academic years beginning 2020--2021.

PART RR

Section 1. Subdivision 2 of section 1111 of the private housing finance law, as amended by chapter 202 of the laws of 2010, is amended and a new subdivision 9 is added to read as follows:

2. "Eligible applicant" shall mean a city, a town, a village, a housing development fund company incorporated pursuant to article eleven of this chapter, any not-for-profit corporation or charitable organization which has as one of its primary purposes the improvement of housing or a municipal housing authority created pursuant to the public housing law, a community land trust as defined in subdivision nine of this section, or a public benefit corporation formed to assist particular municipalities with their housing, community development or renewal needs, or a county, provided, however, that the county acts as an administrator of a program under which projects are constructed, rehabilitated or improved by other eligible applicants or acts in any other capacity as permitted by law.

9. For the purposes of this subdivision, "community land trust" shall mean a corporation organized pursuant to the not-for-profit corporation law and exempt from taxation pursuant to section 501(c)(3) of the internal revenue code that satisfies the following criteria:

(a) such nonprofit corporation's primary purpose is the creation and preservation of permanently affordable single-family or multi-family residences;

(b) all dwellings and units located on land owned by such nonprofit corporation is sold to a qualified owner to be occupied as the qualified owner's primary residence or rented to persons or families of low income as defined in subdivision nineteen of section two of this chapter; and

(c) the land owned by the nonprofit corporation, on which a dwelling or unit sold to a qualified owner is situated, is leased by such corporation to the qualified owner for the convenient occupation and use of such dwelling or unit for an initial term of ninety-nine years with renewal rights under the same initial terms and conditions.

§ 2. The private housing finance law is amended by adding a new section 59-j to read as follows:

§ 59-j. The New York state community land trust acquisition fund. The 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

shall include all areas zoned for single-family or multi-family residential use, and all lots with an existing residential use.

(ii) Provide for protections for existing illegal accessory dwelling units to aid in the conversion of such units to become legal and in compliance with state and local regulations, including but not limited to: (1) a mechanism for the conversion of an illegal accessory dwelling unit to be a legal unit, provided such unit is in compliance with all applicable fire and safety codes; and (2) protections for tenants of illegal accessory dwelling units from unreasonable rent increases.

(iii) Provide for a streamlined approval process involving no more than one meeting with the applicable approving authority, and limiting the cost of any necessary applications and permits to a total of five hundred dollars.

(iv) Provide that sewer and septic hookups shall be governed under the applicable existing local requirements.

(b) A qualifying local law or ordinance may:

(i) Require owner occupancy in either the primary or accessory dwelling unit.

(ii) Set a minimum lease duration for accessory dwelling units.

(iii) Limit the total build out to the existing allowable square-foot-under-floor ratio and lot coverage, consistent with existing setback for other accessory uses.

(iv) Set minimum or maximum size limits for an accessory dwelling unit.

(c) To qualify for the program established pursuant to subdivision one of this section, a local law or ordinance shall not:

(i) Impose an off-street parking requirement on an accessory dwelling unit, except where no adjacent public street permits year-round on-street parking and the accessory dwelling unit is greater than one-half mile from a subway stop, rail station or bus stop. For purposes of this subparagraph, an adjacent public street shall be considered as permitting year-round on-street parking notwithstanding rules that prohibit parking during limited hours or on certain days of the week.

(ii) Impose undue or unnecessary fire and safety codes on accessory dwelling units.

(iii) Require more than one point of exterior access by door to an accessory dwelling unit.

3. To opt-in to the program established pursuant to subdivision one of this section a local government shall submit a copy of its local law or ordinance to the division. Within ninety days of receipt of a local government's law or ordinance, the division shall submit written findings to the local government as to whether the local government's local law or ordinance qualifies for the program.

4. All local governments who opt-in to the program and are determined by the division to have a qualifying local law or ordinance shall be eligible for a ten percent increase of points on such local government's consolidated funding application, a ten percent increase in aid and incentives for municipalities and aid and incentives for municipalities related payments, increased eligibility for individual infrastructure, transportation, parks, and economic development grants.

§ 482. Low- and moderate-income homeowners program. 1. Within one hundred eighty days of the effective date of this article, the division shall establish a lending program to assist low-income homeowners and moderate-income homeowners in securing financing for the creation of 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

authorized pursuant to this section. A copy of such local law or resolution shall be filed with the commissioner and the assessor of such county, city, town or village who prepares the assessment roll on which the taxes of such county, city, town, village or school district are levied.

2. (a) Such buildings shall be exempt for a period of five years to the extent of one hundred per centum of the increase in assessed value thereof attributable to such reconstruction, alteration, improvement, or new construction for such additional residential unit or units that provide independent living facilities for one or more persons, and for an additional period of five years subject to the following:

(i) The extent of such exemption shall be decreased by twenty-five per centum of the "exemption base" for each of the first three years during such additional period and shall be decreased by a further ten per centum of the "exemption base" during each of the final two years of such additional period. The exemption shall expire at the end of the extended period. The "exemption base" shall be the increase in assessed value as determined in the initial year of the term of the exemption, except as provided in subparagraph (ii) of this paragraph.

(ii) In any year in which a change in level of assessment of fifteen percent or more is certified for a final assessment roll pursuant to the rules of the commissioner, the exemption base shall be multiplied by a fraction, the numerator of which shall be the total assessed value of the parcel on such final assessment roll (after accounting for any physical or quantity changes to the parcel since the immediately preceding assessment roll), and the denominator of which shall be the total assessed value of the parcel on the immediately preceding final assessment roll. The result shall be the new exemption base. The exemption shall thereupon be recomputed to take into account the new exemption base, notwithstanding the fact that the assessor receives certification of the change in level of assessment after the completion, verification and filing of the final assessment roll. In the event the assessor does not have custody of the roll when such certification is received, the assessor shall certify the recomputed exemption to the local officers having custody and control of the roll, and such local officers are hereby directed and authorized to enter the recomputed exemption certified by the assessor on the roll. The assessor shall give written notice of such recomputed exemption to the property owner, who may, if he or she believes that the exemption was recomputed incorrectly, apply for a correction in the manner provided by title three of article five of this chapter for the correction of clerical errors.

(iii) Such exemption shall be limited to two hundred thousand dollars in increased market value of the property attributable to such reconstruction, alteration, improvement, or new construction and any increase in market value greater than such amount shall not be eligible for the exemption pursuant to this section. For the purposes of this section, the market value of the reconstruction, alteration, improvement, or new construction as authorized by subdivision one of this section shall be equal to the increased assessed value attributable to such reconstruction, alteration, improvement, or new construction divided by the class one ratio in a special assessing unit or the most recently established state equalization rate or special equalization rate in the remainder of the state, except where the state equalization rate or special equalization rate equals or exceeds ninety-five percent, in which case the increase in assessed value attributable to such reconstruction, alteration, improvement, or new construction shall be deemed

to equal the market value of such reconstruction, alteration, improvement, or new construction.

(b) No such exemption shall be granted for reconstruction, alterations, improvements, or new construction unless:

(i) such reconstruction, alteration, improvement, or new construction was commenced subsequent to the effective date of the local law or resolution adopted pursuant to subdivision one of this section; and

(ii) the value of such reconstruction, alteration, improvement, or new construction exceeds three thousand dollars; and

(iii) such reconstruction, alteration, improvement, or new construction created one or more additional residential dwelling units on the same parcel as the pre-existing residential building to provide independent living facilities for one or more persons.

(c) For purposes of this section the terms reconstruction, alteration, improvement, and new construction shall not include ordinary maintenance and repairs.

3. Such exemption shall be granted only upon application by the owner of such building on a form prescribed by the commissioner. The application shall be filed with the assessor of the city, town, village or county having the power to assess property for taxation on or before the appropriate taxable status date of such city, town, village or county.

4. If satisfied that the applicant is entitled to an exemption pursuant to this section, the assessor shall approve the application and such building shall thereafter be exempt from taxation and special ad valorem levies as herein provided commencing with the assessment roll prepared on the basis of the taxable status date referred to in subdivision three of this section. The assessed value of any exemption granted pursuant to this section shall be entered by the assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

5. For the purposes of this section, a residential building shall mean any building or structure designed and occupied exclusively for residential purposes by not more than two families.

6. In the event that a building granted an exemption pursuant to this section ceases to be used primarily for residential purposes, or title thereto is transferred to other than the heirs or distributees of the owner, the exemption granted pursuant to this section shall cease.

7. (a) A county, city, town or village may, by its local law, or school district, by its resolution:

(i) reduce the per centum of exemption otherwise allowed pursuant to this section; and

(ii) limit eligibility for the exemption to those forms of reconstruction, alterations, improvements, or new construction as are prescribed in such local law or resolution.

(b) No such local law or resolution shall repeal an exemption granted pursuant to this section until the expiration of the period for which such exemption was granted.

§ 5. This act shall take effect immediately; provided however, that section four of this act shall apply to assessment rolls based on taxable status dates occurring on or after such effective date.

PART TT

Section 1. The executive law is amended by adding a new article 29 to read as follows:

ARTICLE 29

NEW YORK STATE OFFICE OF CIVIL REPRESENTATION

Section 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;

(p) a list of designated community organizations, the geographic region in which such organizations provide services, and the amount of funding provided to each;

(q) the number of buildings in which outreach was conducted, the number of workshops offered, the number of attendees at such workshops, the number of people referred to non-profits having status under section 501 (C) (3) of the United States internal revenue code, and the number of trainings offered; and

(r) an evaluation of implementation challenges and recommendations for any future programmatic improvements.

3. provide an annual estimate for the funding necessary for the operation of the program under section eight hundred thirty of this article;

4. coordinate with other programs providing legal representation in covered proceedings to ensure efficiency of functions and to prevent duplication of work;

5. subject to available funding, create a program providing outreach and education through designated legal organizations, or other community organizations, to spread awareness of the availability of legal representation and legal consultation by such designated legal organizations;

6. create and make available resources for individuals with regard to their rights in civil legal matters regarding housing accommodations in the languages required by law and such additional languages as may be necessary; and

7. promulgates any rules, regulations, and guidance necessary for the implementation of the provisions of this article.

§ 829. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "executive director" means the executive director of the New York state office of civil representation.

2. "office" means the New York state office of civil representation.

3. "eligible individual" means an individual who is at risk of losing their housing accommodation in a covered proceeding and who has an income at or below eighty percent of the area median income and, where applicable, does not otherwise qualify for legal representation under any other program providing individuals legal representation operated or funded by a municipality, as well as any other individual meeting criteria developed by the office, which may include but not be limited to individuals eligible for a stay on the issuance of a warrant of eviction under section seven hundred fifty-three of the real property actions and proceedings law.

4. "covered proceeding" means any proceeding to evict an individual or otherwise terminate a tenancy, any other proceeding that is likely to result in an individual losing such individual's housing accommodation, as determined by the office, or a proceeding brought by an eligible individual to enforce the warranty of habitability or in response to the unlawful actions of a landlord, as well as any appeals from any such proceedings.

5. "designated legal organization" means a not-for-profit organization or association having non-profit status under section 501(C)(3) of the United States internal revenue code that has the capacity to provide comprehensive and effective legal services for the program established under section eight hundred thirty of this article. To the extent practicable, such designated legal organizations shall be organizations that maintain a practice of furnishing free or reduced cost legal services to individuals; possess expertise in the areas of law for covered proceedings; have a demonstrated history or practice with regard to the

legal issues facing low-income residents of the state of New York; possess adequate infrastructure to provide consistent legal representation and/or legal consultation.

6. "designated community organization" means a not-for-profit organization or association having non-profit status under section 501(C)(3) of the United States internal revenue code that has the capacity to provide education in a program established under section eight hundred thirty of this article. To the extent practicable, such designated community organization shall maintain a practice of furnishing free services; possess expertise and experience in community education and organizing, and ties to the communities they serve; demonstrate expertise in recognizing and responding to the housing issues facing low-income residents of the state of New York; possess adequate expertise to provide consistent, high quality supervision, oversight, training, evaluation, and strategic response to emerging or changing needs in the communities served; and maintain reasonable workloads and working conditions for their staff.

7. "legal representation" means ongoing legal representation provided by a designated legal organization to eligible individuals and the provision of legal advice, advocacy, and assistance, including but not be limited to: filing a notice of appearance, filing and preparation of pleadings and motions on behalf of eligible individuals, court appearances on behalf of eligible individuals, pre- and post-trial settlement conferences, and any other activities needed to provide legal representation in a covered proceeding.

8. "legal consultation" means the provision of legal advice, including advising an individual, who is not otherwise an eligible individual under this section, of the applicable laws and remedies pertaining to the covered proceeding in which they are involved, provided by a designated legal organization to an individual who is not otherwise an eligible individual.

9. "housing accommodation" means that part of any building or structure or any part thereof, permanent or temporary, occupied or intended, arranged or designed to be used or occupied, by one or more individuals as a residence, home, dwelling unit or apartment, sleeping place, boarding house, lodging house or hotel, and all essential services, privileges, furnishings, furniture and facilities supplied in connection with the occupation thereof.

§ 830. Provision of legal representation, legal consultation, and community education. 1. Subject to available funding and in accordance with this article, the office shall develop programs to provide:

(a) legal representation through one or more designated legal organizations to eligible individuals in covered proceedings throughout the state;

(b) legal consultation through one or more designated legal organizations to individuals not eligible for legal representation under this article and not otherwise eligible for legal consultation under any program operated or funded by a municipality; and

(c) community outreach and education through one or more designated legal organizations and/or designated community organizations regarding the programs created herein.

2. In creating the programs under subdivision one of this section, the executive director shall consult with the following:

(a) tenants and/or representatives of tenants, and community groups representing low-income or other at-risk members of the community;

(b) legal and community-based organizations;

(c) representatives of the judiciary;

(d) representatives of a municipality operating or funding a program providing legal representation, legal consultation, or community education and outreach and/or representatives of the organizations involved in such programs; and

(e) any other organizations or individuals as may be necessary as determined by the executive director.

3. The office shall post on its website information regarding the programs created under this section including how individuals may find services available in their geographic area.

4. The office shall hold one or more hearings or listening sessions in each region of the state on an annual basis to evaluate the programs created pursuant to this section and to incorporate any necessary changes to such programs.

§ 2. Section 701 of the real property actions and proceedings law is amended by adding a new subdivision 3 to read as follows:

3. Any court maintaining a covered proceeding, as defined by section eight hundred twenty-nine of the executive law, shall notify all respondents by mail upon filing of a petition, not less than fourteen days before trial, of the ability to obtain legal representation or legal consultation, as applicable, pursuant to section eight hundred thirty of the executive law.

§ 3. Subdivisions 1 and 2 of section 711 of the real property actions and proceedings law, subdivision 1 as amended by chapter 305 of the laws of 1963 and subdivision 2 as amended by section 12 of part M of chapter 36 of the laws of 2019, are amended to read as follows:

1. The tenant continues in possession of any portion of the premises after the expiration of [~~his~~] the tenant's term, without the permission of the landlord or, in a case where a new lessee is entitled to possession, without the permission of the new lessee. Acceptance of rent after commencement of the special proceeding upon this ground shall not terminate such proceeding nor effect any award of possession to the landlord or to the new lessee, as the case may be. A proceeding seeking to recover possession of real property by reason of the termination of the term fixed in the lease pursuant to a provision contained therein giving the landlord the right to terminate the time fixed for occupancy under such agreement if [~~he deem~~] the landlord deems the tenant objectionable, shall not be maintainable unless the landlord shall by competent evidence establish to the satisfaction of the court that the tenant is objectionable. No proceeding shall be maintained unless the court has notified an individual of the ability to obtain legal representation or legal consultation, as applicable, pursuant to section eight hundred thirty of the executive law.

2. The tenant has defaulted in the payment of rent, pursuant to the agreement under which the premises are held, and a written demand of the rent has been made with at least fourteen days' notice requiring, in the alternative, the payment of the rent, or the possession of the premises, has been served upon [~~him~~] the tenant as prescribed in section seven hundred thirty-five of this article. No proceeding shall be maintained unless the court has notified an individual of the ability to obtain legal representation or legal consultation, as applicable, pursuant to section eight hundred thirty of the executive law. Any person succeeding to the landlord's interest in the premises may proceed under this subdivision for rent due [~~his~~] to the landlord's predecessor in interest if [~~he~~] such person has a right thereto. Where a tenant dies during the term of the lease and rent due has not been paid and the apartment is

occupied by a person with a claim to possession, a proceeding may be commenced naming the occupants of the apartment seeking a possessory judgment only as against the estate. Entry of such a judgment shall be without prejudice to the possessory claims of the occupants, and any warrant issued shall not be effective as against the occupants.

§ 4. Section 713 of the real property actions and proceedings law is amended by adding a new subdivision 12 to read as follows:

12. No proceeding shall be maintained, unless the court has provided the respondent with written notice of the ability of the respondent to obtain legal representation or legal consultation, as applicable, pursuant to section eight hundred thirty of the executive law.

§ 5. Section 745 of the real property actions and proceedings law is amended by adding a new subdivision 3 to read as follows:

3. Where a respondent who is an eligible individual, as defined in subdivision three of section eight hundred twenty-nine of the executive law, appears in court without counsel, the court shall notify such respondent orally of the ability to obtain legal representation pursuant to section eight hundred thirty of the executive law, and if such respondent would like counsel, the court shall adjourn the trial and provide sufficient time, not less than fourteen days, for such respondent to retain and consult counsel and shall grant such further adjournments as the court deems necessary for such covered individual to obtain counsel.

§ 6. Subdivisions 1 and 3 of section 749 of the real property actions and proceedings law, as amended by section 19 of part M of chapter 36 of the laws of 2019, are amended to read as follows:

1. Upon rendering a final judgment for petitioner, the court shall issue a warrant directed to the sheriff of the county or to any constable or marshal of the city in which the property, or a portion thereof, is situated, or, if it is not situated in a city, to any constable of any town in the county, describing the property, stating the earliest date upon which execution may occur pursuant to the order of the court, and commanding the officer to remove all persons named in the proceeding, provided upon a showing of good cause, the court may issue a stay of re-letting or renovation of the premises for a reasonable period of time. **However, no court shall issue a judgment authorizing the issuance of a warrant of eviction against a respondent who has defaulted, or authorize the execution of an eviction pursuant to a default judgment, unless the court has provided the respondent with written notice of the respondent's ability to obtain legal representation or legal consultation, as applicable, pursuant to section eight hundred thirty of the executive law in eviction proceedings in the notice required by sections seven hundred eleven, seven hundred forty-one and seven hundred forty-five of this article.**

3. Nothing contained herein shall deprive the court of the power to stay or vacate such warrant for good cause shown prior to the execution thereof, or to restore the tenant to possession subsequent to execution of the warrant. **The failure of the court to advise an individual of their ability to obtain legal representation or legal consultation, as applicable, pursuant to section eight hundred thirty of the executive law in an eviction proceeding shall constitute good cause to stay or vacate such warrant.** In a judgment for non-payment of rent, the court shall vacate a warrant upon tender or deposit with the court of the full rent due at any time prior to its execution, unless the petitioner establishes that the tenant withheld the rent due in bad faith. Petitioner may recover by action any sum of money which was payable at the

time when the special proceeding was commenced and the reasonable value of the use and occupation to the time when the warrant was issued, for any period of time with respect to which the agreement does not make any provision for payment of rent.

§ 7. The real property law is amended by adding a new section 235-j to read as follows:

§ 235-j. Lease provisions waiving right to counsel void. Any provision of a lease or contract waiving or otherwise limiting the tenant's ability to obtain legal representation or legal consultation under section eight hundred thirty of the executive law, as may be applicable, shall be void and unenforceable.

§ 8. Severability clause. If any provision of this act, or any application of any provision of this act, is held to be invalid, or to violate or be inconsistent with any federal law or regulation, that shall not affect the validity or effectiveness of any other provision of this act, which can be given effect without that provision or application; and to that end, the provisions and applications of this act are severable.

§ 9. This act shall take effect January 1, 2025; provided, however, that sections two through seven of this act shall take effect one year after such date.

PART UU

Section 1. Section 54-m of the state finance law, as added by section 104 of part WWW of chapter 59 of the laws of 2017, is amended to read as follows:

§ 54-m. Local share requirements associated with increasing the age of juvenile jurisdiction above fifteen years of age. **1.** Notwithstanding any other provision of law to the contrary, counties [~~and the city of New York~~] shall not be required to contribute a local share of eligible expenditures that would not have been incurred absent the provisions of [~~a~~] **part WWW of** chapter **fifty-nine** of the laws of two thousand seventeen [~~that added this section~~] unless the most recent budget adopted by a county that is subject to the provisions of section three-c of the general municipal law exceeded the tax levy limit prescribed in such section or the local government is not subject to the provisions of section three-c of the general municipal law[~~; provided, however, that the~~].

2. Notwithstanding any other provision of law to the contrary, the city of New York shall not be required to contribute a local share of eligible expenditures that would not have been incurred absent the provisions of part WWW of chapter fifty-nine of the laws of two thousand seventeen.

3. The state budget director shall be authorized to waive any local share of expenditures associated with [~~a~~] **part WWW of** chapter **fifty-nine** of the laws of two thousand seventeen that increased the age of juvenile jurisdiction above fifteen years of age, upon a showing of financial hardship by a county [~~or the city of New York~~] upon application in the form and manner prescribed by the division of the budget. In evaluating an application for a financial hardship waiver, the budget director shall consider the incremental cost to the locality related to increasing the age of juvenile jurisdiction, changes in state or federal aid payments, and other extraordinary costs, including the occurrence of a disaster as defined in paragraph a of subdivision two of section twenty of the executive law, repair and maintenance of infrastructure, annual

growth in tax receipts, including personal income, business and other taxes, prepayment of debt service and other expenses, or such other factors that the director may determine.

§ 2. This act shall take effect immediately.

PART VV

Section 1. Section 17 of the social services law is amended by adding a new subdivision (m) to read as follows:

(m) require that all temporary housing facilities shall provide access to high-speed broadband internet service and WiFi service to all individuals residing in such temporary housing. The WiFi service shall be made available in private and common areas accessible to residents. Such shelter shall have at least one router and at least one modem, or any technological equivalent that performs the function of providing an area with high-speed broadband internet service. For the purposes of this subdivision, the term "high-speed broadband internet service" means internet service with download speeds of at least one gigabit per second and upload speeds of at least one gigabit per second, or if such speeds are not available the maximum download and upload speeds commercially available within the local social services district. The term "WiFi service" means access to high-speed broadband internet through wireless router which connects to the internet by wire or cable. For purposes of this subdivision, temporary housing shall include but not be limited to, shelters for adults, shelters for adult families, small-capacity shelters, shelters for families with children, domestic violence shelters, runaway and homeless youth shelters, shelters in hotels or shelters for refugees. Each temporary housing facility shall submit their plan to provide internet access pursuant to this subdivision to the department for oversight and approval within one year of the effective date of this subdivision. Temporary housing facilities shall implement and comply with such plans within one year of such approval.

(1) (i) A temporary housing facility shall not use, disclose, sell, retain, or permit access to the personal information pertaining to a person residing in temporary housing obtained in the course of providing internet access except as required to provide such access without regard to content, application, service, or use of a non-harmful device, or to respond to a warrant or subpoena issued by a court of competent jurisdiction.

(ii) For the purposes of this subdivision, personal information shall mean information that directly or indirectly identifies, relates to, describes, is capable of being associated with, or could reasonably be linked to a particular individual, family, or personal device. Information is reasonably linkable to an individual, family, or personal device if it can be used on its own or in combination with other reasonably available information, regardless of whether such other information is held by the social services district or temporary housing facility, to identify an individual, family, or a personal device.

(2) Any contract or agreement for internet access provided by an internet service provider to a temporary housing facility shall have the same terms and conditions, other than the requirements of this section, as the regularly priced comparable internet plan offered by such internet service provider.

(3) Local social services districts, temporary housing facilities, and their employees and subcontractors shall not be required to actively monitor or control the information accessed through the WiFi service and

shall not be held responsible for any illegal and/or criminal activities committed, orchestrated, or organized through the provided WiFi access by residents.

(4) Where credentials, such as a password and username, are necessary to access WiFi, temporary housing facilities must conspicuously display such credentials in all public areas of the facility. Temporary housing facilities need not disclose the credentials to access WiFi that is reserved for staff or emergency service use.

(5) Where a temporary housing facility is a hotel or motel as defined in section one hundred thirty-one-v of this chapter, and such temporary housing facility provides WiFi access to patrons at no additional cost, such facility shall provide WiFi to all residents, without discrimination at no additional cost.

§ 2. Subdivision 10 of section 16-gg of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as added by section 2 of part MMM of chapter 58 of the laws of 2022, is amended to read as follows:

10. ConnectAll digital equity grant program. The ConnectAll digital equity grant program is hereby established to support individuals to have the information technology capacity needed for full participation in society and the economy, including the effective implementation of a State Digital Equity Plan or any successor plan and to facilitate, fund, or reimburse, the provision of internet access as provided in subdivision (m) of section 17 and section 153 of the social services law. Grants issued pursuant to this program shall be awarded in a manner and form as determined by the division consistent with all relevant federal laws, codes, rules, and regulations associated with the federal Digital Equity Act as established under the Infrastructure Investment and Jobs Act. The division shall establish such State Digital Equity Plan and the procedures to solicit, receive and evaluate proposals for the program consistent with rules, regulations, or guidelines established by the commissioner.

§ 3. This act shall take effect immediately.

PART WW

Section 1. The private housing finance law is amended by adding a new article 32 to read as follows:

ARTICLE XXXII
INFILL HOUSING PILOT PROGRAM

Section 1290. Legislative purpose.
1291. Infill housing pilot program.

§ 1290. Legislative purpose. It is hereby declared and found that there exists across upstate New York, and particularly in the cities of Buffalo, Rochester, Syracuse, Albany, and Binghamton, a shortage of affordable housing units available for purchase. It is further found that homeownership is essential for building generational wealth, and that the state therefore has an interest in promoting homeownership. In order, further, to promote homeownership, it is hereby declared that additional provisions should be made to provide public monies for the purposes of one- to two- family dwellings in the cities of Buffalo, Rochester, Syracuse, Albany, and Binghamton for purchase by low and moderate income buyers living in or near the census tract where the property is located. The necessity in the public interest for the provisions of this article is hereby declared as a matter of legislative determination.

§ 1291. Infill housing pilot program. 1. The division of housing and community renewal shall, subject to appropriation, develop a program to make capital subsidies available for the purpose of building one- to two- family dwellings in the cities of Buffalo, Rochester, Syracuse, Albany, and Binghamton. The commissioner shall promulgate rules and regulations sufficient for the creation of a new program for the purpose of building such one- to two- family dwellings.

2. Funding for the program created pursuant to this article shall, to the extent practicable, be prioritized for development on vacant, abandoned, or under-utilized land owned by the municipality.

3. Dwellings created pursuant to this program shall be sold to a not-for-profit corporation for the purpose of resale or individuals or families who are low or moderate income, as determined by the division of housing and community renewal, at the time of sale, who own no other real property, and who intend to use the dwelling as their primary residence.

4. The division of housing and community renewal shall restrict any subsequent deed of sale to an individual or family of low or moderate income, as determined by the division of housing and community renewal, who intends to make the dwelling their primary residence.

5. Nothing in this article shall preclude the use of additional loans or grants in conjunction with this program.

§ 2. This act shall take effect immediately.

PART XX

Section 1. The real property tax law is amended by adding a new section 421-p to read as follows:

§ 421-p. Exemption of newly-constructed or converted rental multiple dwellings. 1. (a) A city, town or village may, by local law, provide for the exemption of rental multiple dwellings constructed or converted in a benefit area designated in such local law from taxation and special ad valorem levies, as provided in this section. Subsequent to the adoption of such a local law, any other municipal corporation in which the designated benefit area is located may likewise exempt such property from its taxation and special ad valorem levies by local law, or in the case of a school district, by resolution.

(b) As used in this section, the term "benefit area" means the area within a city, town or village, designated by local law, to which an exemption, established pursuant to this section, applies.

(c) The term "rental multiple dwelling" means a structure, other than a hotel, consisting of twenty or more dwelling units, where all of the units are rented for residential purposes, and such units, upon initial rental and upon each subsequent rental following a vacancy during the benefit period, are affordable to and restricted to occupancy by individuals or families whose household income does not exceed a certain percentage, as determined based on recommendations developed by the division of housing and community renewal for each economic development region, of the area median income, adjusted for family size, on average, at the time that such households initially occupy such dwelling units. Such restriction period shall be in effect coterminous with the benefit period, provided, however, that the tenant or tenants in an income restricted dwelling unit at the time such restriction period ends shall have the right to lease renewals at the income restricted level until such time as such tenant or tenants permanently vacate the dwelling 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

program (HOPP) is necessary to ensure continuation of New York's investment in its statewide network of non-profit civil legal services providers and housing counseling agencies offering a range of homeownership retention and preservation services to homeowners in every county in the state. The program is also necessary 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, so that free housing counseling and legal services are available to homeowners as provided for by sections thirteen hundred three and thirteen hundred four of the real property actions and proceedings law in every county, and so that legal services are available to assist homeowners answering complaints and participating in mandatory settlement conferences pursuant to rule thirty-four hundred eight of the civil practice law and rules.

2. Counseling and legal representation of individuals who are facing loss of their home or threats to homeownership. (a) Within one year of the effective date of this section, the department of law shall establish the homeowner protection program to ensure the availability of free housing counseling and legal services to homeowners for the purposes of mitigating threats to homeownership including, but not limited to, homeownership retention, home preservation, estate planning, as a tool for preventing theft of real property and other scams targeted to homeowners, preventing avoidable foreclosures and displacement, preserving home equity, preserving homeownership, especially in communities of color, and for any other purposes related to preserving homeownership. Such program shall be funded by annual appropriation by the legislature.

(b) The department of law shall provide grants to eligible not-for-profit housing counseling organizations and legal services organizations to provide services under the program. Such services shall include, but not be limited to, assistance with loss mitigation and loan and workout applications and negotiations; assistance in applying for assistance programs for homeowners; assistance with resolving property tax, utility and building code violation debts and liens; representation in mortgage and tax and utility lien foreclosure litigation, limited scope representation at settlement conferences pursuant to rule thirty-four hundred eight of the civil practice law and rules; assistance to unrepresented litigants with answers and motions in judicial foreclosure proceedings and brief advice; assistance to homeowners victimized by deed fraud, distressed property consultant, partition and other scammers; and redress of predatory and discriminatory lending, abusive mortgage servicing, and property flipping, including affirmative litigation and administrative complaints with federal, state and local fair housing agencies; and for whatever other purpose deemed necessary by the department of law to preserve homeownership.

3. Program administration. (a) The department of law shall establish criteria for selection of grant applications, review applications and make awards, and exercise and perform such other functions as are related to the purposes of this section.

(b) The department of law shall make one-year grants, within the amounts appropriated for that purpose, to not-for-profit housing counseling organizations serving homeowners at risk of losing their homes, and legal services organizations, to provide counseling services and legal representation of persons who reside in the state of New York who 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

United States department of housing and urban development for the ten-year period commencing at the start of the first lease agreement following a renovation or rehabilitation completed pursuant to this article. Over such ten-year period, each such rental unit shall be eligible to receive no more than ten thousand dollars for maintenance purposes in addition to the initial grant amount. Upon a finding by the commissioner of housing and community renewal that an owner who has received a grant to renovate a rental unit pursuant to this section has charged a tenant greater than the small area fair market rent amount, any grants received by such landlord shall be subject to recoupment in full. Rental restrictions shall not expire if the unit is transferred or sold to a new owner. The division of housing and community renewal shall promulgate rules and regulations to ensure compliance with this section.

2. The commissioner of housing and community renewal shall promulgate rules and regulations deemed necessary and appropriate to establish and administer the rental improvement fund pilot program pursuant to this article, including but not limited to the application process, eligibility requirements, disbursement of grants, determination of a reasonable lease rate, and any other rules, regulations, or definitions necessary to carry out the provisions of this article.

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

§ 99-rr. Rental improvement fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of housing and community renewal a fund to be known as the "rental improvement fund".

2. Such fund shall consist of all moneys collected therefor, or moneys credited, appropriated or transferred thereto from any other fund or source pursuant to law, or any other moneys made available for the purposes of the fund.

3. Moneys of the fund, following appropriation by the legislature and allocation by the director of the budget, shall be available only for purposes of the rental improvement fund pilot program, as set forth in article thirty-two of the private housing finance law.

§ 3. This act shall take effect on the sixtieth day 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 AAA

Section 1. The administrative code of the city of New York is amended by adding a new section 26-511.2 to read as follows:

§ 26-511.2 Vacant apartment and major tenancy repairs. a. Notwithstanding any other law to the contrary, within amounts appropriated or otherwise available therefor, the division of housing and community renewal shall establish a program in the form of payments for reasonable and necessary expenses for the repair of any vacant rent-stabilized, pursuant to the emergency tenant protection act of nineteen seventy-four, apartment units that are subject to this chapter which require repair prior to being rented again. Eligible units must have been continuously occupied for a period of fifteen years or greater immediately prior or have conditions that would prevent the unit from providing a warranty of habitability as promulgated in section two hundred thirty-five-b of the real property law. No owner shall be

awarded more than one hundred thousand dollars for repairs under this program.

b. (1) The division of housing and community renewal shall enter into a contract with the department of housing preservation and development to administer the program. The department of housing preservation and development shall establish eligibility guidelines and criteria and an application process.

The department of housing preservation and development may require that an owner with a unit eligible to recover individual apartment improvement costs utilize those funds recovered prior to or concurrently with the program created pursuant to this section.

(2) No application shall be approved under this section if the owner is found: (i) to have harassed a tenant to obtain the vacancy of such unit; or (ii) responsible for the repairs due to their own fault or neglect.

c. (1) The department of housing preservation and development shall establish a notification and documentation procedure for owners that requires an itemized list of work performed and a description or explanation of the reason or purpose of such work, inclusive of photographic evidence documenting the condition prior to and after the completion of the performed work. The department of housing preservation and development shall provide for the centralized electronic retention of such documentation and any other supporting documentation.

(2) Upon receipt of the required documentation under this subdivision and the approval of the work performed, the department of housing preservation and development shall award an owner up to one hundred thousand dollars for the cost of the work performed. The division of housing and community renewal shall fund half of such award and the department of housing preservation and development shall fund the remaining half.

d. An owner shall rent any repaired units at the legal regulated rent, plus any temporary individual apartment improvement rent increase, within thirty days of receipt of payment. An owner shall not be entitled to a temporary individual apartment improvement rent increase for costs approved and paid for by the program and shall not pass along the cost of repairs paid for by government funds to a tenant in the form of an increase in the monthly rent or any non-rental fees. In addition to any penalties provided for rent overcharges in section 26-516 of this chapter, any owner found to have collected rent increases or non-rental fees for costs approved and paid for by this program shall be liable to refund the amount collected to the department of housing preservation and development and the division of housing and community renewal.

e. Notwithstanding any law to the contrary, the benefits provided under this section shall be deemed "public funds" pursuant to subdivision two of section two hundred twenty-four-a of the labor law. Any eligible unit receiving such benefits that meets the definition of a "covered project" pursuant to section two hundred twenty-four-a of the labor law shall comply with all requirements of such law.

§ 2. Section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, is amended by adding a new section 10-c to read as follows:

§ 10-c. Vacant apartment and major tenancy repairs. 1. Notwithstanding any other law to the contrary, within amounts appropriated or otherwise available therefor, the division of housing and community renewal shall establish a program in the form of payments for reasonable and necessary expenses for the repair of any vacant rent-stabilized, pursuant to this act, apartment units in the city of New York and Nassau, Westchester,

and Rockland counties, that are subject to this act which require repair prior to being rented again. Eligible units must have been continuously occupied for a period of fifteen years or greater immediately prior or have conditions that would prevent the unit from providing a warranty of habitability as promulgated in section 235-b of the real property law. No owner shall be awarded more than one hundred thousand dollars for repairs under this program.

2. (a) The division of housing and community renewal shall administer the program outside of cities with a population over one million and shall establish eligibility guidelines and criteria and an application process.

The division of housing and community renewal may require that an owner with a unit eligible to recover individual apartment improvement costs utilize those funds recovered prior to or concurrently with the program created pursuant to this section.

(b) No application shall be approved under this section if the owner is found: (i) to have harassed a tenant to obtain the vacancy of such unit; or (ii) responsible for the repairs due to their own fault or neglect.

3. (a) The division of housing and community renewal shall establish a notification and documentation procedure for owners that requires an itemized list of work performed and a description or explanation of the reason or purpose of such work, inclusive of photographic evidence documenting the condition prior to and after the completion of the performed work. The division of housing and community renewal shall provide for the centralized electronic retention of such documentation and any other supporting documentation.

(b) Upon receipt of the required documentation under this subdivision and the approval of the work performed, the division of housing and community renewal shall award an owner up to one hundred thousand dollars for the cost of the work performed.

4. An owner shall rent any repaired units at the legal regulated rent, plus any temporary individual apartment improvement rent increase, within thirty days of receipt of payment. An owner shall not be entitled to a temporary individual apartment improvement rent increase for costs approved and paid for by the program and shall not pass along the cost of repairs paid for by government funds to a tenant in the form of an increase in the monthly rent or any non-rental fees. In addition to any penalties provided for rent overcharges in section twelve of this act, any owner found to have collected rent increases or non-rental fees for costs approved and paid for by this program shall be liable to refund the amount collected to the division of housing and community renewal.

5. Notwithstanding any law to the contrary, the benefits provided under this section shall be deemed "public funds" pursuant to subdivision 2 of section 224-a of the labor law. Any eligible unit receiving such benefits that meets the definition of a "covered project" pursuant to section 224-a of the labor law shall comply with all requirements of such law.

§ 3. This act shall take effect April 1, 2025; provided that the amendments to chapter 4 of title 26 of the administrative code of the city of New York made by section one of this act shall expire on the same date as such chapter expires and shall not affect the expiration of such chapter as provided under section 26-520 of such law.

PART BBB

Section 1. This act shall be known and may be cited as the "mothers and infants lasting change ("MILC") allowance".

§ 2. Legislative findings and intent. The legislature hereby finds and declares that child poverty in New York city and cities across New York state is shamefully high and will likely worsen if current economic trends continue. Half of the top six cities in the United States with the highest child poverty rates are in New York state, disproportionately affecting communities and children of color. In New York city, nearly 1 in 4 children live in poverty. In Rochester and Buffalo, that number is even higher: 1 in 2 children live in poverty.

The legislature hereby finds and declares that New Yorkers are unable to cover their basic necessities and support their families, particularly in the face of rising interest rates and inflation. Most notably, the cost of childcare, which already consumes a massive portion of family income, rose 41% during the pandemic, and the total cost of raising a child through high school has risen to more than $300,000, which is a $26,000 increase from five years ago and is likely to present a heavier burden for low-income parents and families for whom expenses such as food, housing, and gas comprise an even larger portion of their income.

The legislature hereby finds and declares there is overwhelming evidence that the prenatal-to-three and early childhood development period are critical for a child's future prospects and affects their physical, mental, emotional and social outcomes over a lifetime. A program targeting infants in this formative phase would help break the intergenerational cycle of poverty rather than attempting to mitigate it later on, creating a positive impact on children's lives and saving government funds down the road.

The legislature hereby finds and declares it is proven that unrestricted cash is a direct and effective solution to alleviating poverty and meeting needs for families. This was shown on a national level with the overwhelming success of the expanded Child Tax Credit, which lifted millions of children out of poverty with its monthly payments and led to a 41% spike in child poverty the first month it expired. The unrestricted cash intervention further proved how an investment in the earliest days of life can have multiplying effects: studies have found that a permanent expansion of the expanded Child Tax Credit would have generated 10 times as much revenue as it cost. New York state has recently made a commitment through the Child Poverty Reduction Act in December 2021 to reduce child poverty by 50% over the course of ten years, with the support of the Child Poverty Reduction Advisory Council, and there is an opportunity for unrestricted cash to support this goal and help the state reach its target.

Therefore, the legislature hereby finds and declares that New York state has an opportunity and obligation to invest in its most vulnerable residents by leading the fight against childhood poverty, and toward an equitable economy for all, through a guaranteed income program for infants.

§ 3. Article 6 of the social services law is amended by adding a new title 4-C to read as follows:

TITLE 4-C

MOTHERS AND INFANTS LASTING CHANGE ("MILC") ALLOWANCE

Section 409-o. Mothers and infants lasting change allowance.

§ 409-o. Mothers and infants lasting change allowance. 1. Within one year of the effective date of this section, the office shall, subject to appropriation, establish a mothers and infants lasting change allowance pilot program to support low-income families for three months of preg-

nancy and nine months of a child's life. Such pilot program shall be in effect for twelve months.

2. For the purposes of this title, the following definitions shall apply:

(a) "local social services district" shall mean the local social services district in which the individual participating in the MILC allowance resides.

(b) "mother" shall mean an individual who carries a pregnancy and births a child and such mother and child are selected for participation in a program pursuant to this title.

(c) "office" shall mean the office of temporary and disability assistance.

(d) "survey" shall mean information sought or required, via writing or verbal communication, pursuant to regulations promulgated by the provisions of this title.

(e) "commissioner" shall mean the commissioner of the office of temporary and disability assistance.

3. (a) The office shall promulgate rules and regulations for the implementation and administration of this title.

(b) The office, in coordination with local social services districts, shall develop criteria that local social services districts shall use to select a total of one thousand eligible families for participation in the program.

(c) Eligible individuals chosen for participation in the program shall receive a subsidy of one thousand dollars per month for the last three months of pregnancy and the first nine months of a child's life.

(d) The office shall allocate the necessary funds to local social services districts for selected eligible selected participants.

(e) Monthly distributions shall be made by local social services districts on the first of each month for the duration of the program to the eligible selected participants.

4. Eligible participants shall:

(a) have an income which is below two hundred percent of the federal poverty level. Such income shall be proven by providing one of the following:

(i) a filed state or federal tax return from the previous year;

(ii) a letter from an employer documenting the dates of work of the applicant and the yearly pay from the employer;

(iii) a W-2 or 1099 form from the previous tax year; or

(iv) a wage notice provided pursuant to section one hundred ninety-five of the labor law that documents employment for a period of time within six months prior to the date the applicant certifies that such person's became eligible;

(b) participate in monthly surveys provided by the office or local districts pursuant to regulations issued by the office pursuant to this title;

(c) remain a resident of the state of New York while receiving subsidy payments; and

(d) meet any other criteria deemed necessary by the office.

5. All mothers selected to participate in the program pursuant to this title shall be provided, in writing and orally, the eligibility criteria and all ongoing requirements for program participation.

(a) Such notice shall be provided in the language identified by the participant mother as their language of preference.

(b) The office shall establish via regulations the criteria and circumstances under which eligible participants may be discharged from

the program established pursuant to this title. All participants shall be provided with such discharge criteria in their preferred language upon acceptance to the program.

6. For purposes of proving residence as required by this title eligible participants may utilize a driver's license, motor vehicle ID card, IDNYC, or other New York municipal or county identification card, a valid passport, a currently valid lease, a utility bill issued within the prior six months, or any other documentation authorized by the commissioner.

7. Of the one thousand eligible participants:

(a) Seven hundred participants shall reside in a city with a population of one hundred forty thousand or more; and

(b) Three hundred participants shall reside in a rural area as defined in section twenty-nine hundred fifty-one of the public health law.

8. The office, in coordination with local social services districts, shall assist eligible participants with access to resources, subsidy management, and anything else deemed necessary by the office.

9. The office and local social services districts shall conduct a monthly survey to determine the impact of the program. The office shall prepare an interim report regarding the first six months of the program which shall be completed by the twelfth month of the program and a final report shall be made no later than six months after the completion of the twelve month program.

10. The office shall submit the interim report and the final report to the governor, the speaker of the assembly, and the temporary president of the senate.

§ 4. Paragraph (a) of subdivision 8 of section 131-a of the social services law is amended by adding a new subparagraph (xiv) to read as follows:

(xiv) any financial assistance received by individuals from the mothers and infants lasting change ("MILC") allowance. Such exemption and disregard shall be applicable for the length of time the individual receives the allowance. The commissioner shall seek federal waiver authority to disregard the income from the mothers and infants lasting change ("MILC") allowance for the purpose of the supplemental nutrition assistance program.

§ 5. This act shall take effect immediately.

PART CCC

Section 1. The private housing finance law is amended by adding a new article 32 to read as follows:

ARTICLE 32

NEW YORK HOUSING OPPORTUNITY CORPORATION ACT OF 2024

Section 1283. Legislative findings.
1284. Definitions.
1285. New York housing opportunity corporation.
1286. Corporation powers.
1287. Identification of property.
1288. Lease of property.
1289. Public notification and engagement.
1290. Compliance with building codes and environmental review, and local ordinances.
1291. Rental and ownership project requirements.
1292. Supervision and regulation.

1293. Construction and operation.
1294. Annual reports.
1295. New York housing opportunity corporation new construction revolving fund.
1296. New York housing opportunity corporation maintenance and preservation revolving fund.
1297. Designation of and service of process on secretary of state and registered agent.
1298. Jurisdiction; courts; venue.

§ 1283. Legislative findings. The legislature hereby finds and declares that there exists in municipalities in this state a seriously inadequate supply of safe and affordable housing for families and individuals. There is also an inadequate supply of housing for persons of low, moderate, and middle incomes, resulting in increasing loss of population, as well as unsustainably high rents and purchase prices of quality housing stock. These conditions are due, in large measure, to lack of housing supply and the difficulty of the private market to create housing affordable to many low, moderate, and middle-income residents within this state. Such conditions constitute a housing crisis and create unconscionable scarcity of quality affordable housing for the citizens of this state, necessitating speedy relief. The current conditions of the housing and rental markets within this state demonstrate such relief cannot readily be provided by the ordinary unaided operation of private enterprise and require that provisions be made by which private free enterprise may be encouraged to invest in providing housing facilities and other facilities incidental thereto for families or persons of low, moderate, and middle incomes. It is necessary that provision be made for participation by the state, its municipalities and the New York state division of housing and community renewal in the financing of such housing, for the acquisition by such companies of real property required for such purposes and for public assistance to such companies in providing financing for construction. The cooperation of the state, its subdivisions and the division of housing and community renewal is necessary to accomplish such purposes; that the provision of such safe and affordable housing accommodations by such companies jointly or severally are public uses and purposes for which public money may be loaned and private property may be acquired by and for such companies; that such conditions require the creation of the companies hereinafter prescribed for the purpose of attaining the ends herein recited; and the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

§ 1284. Definitions. For the purposes of this article the following terms shall have the following meanings:

1. "Commissioner" shall mean the state commissioner of the division of housing and community renewal.

2. "Division" shall mean the division of housing and community renewal.

3. "Local legislative body" (a) In a city, such term shall mean the board of aldermen, common council, council, commission or other board or body now or hereafter vested by its charter or other law with jurisdiction to enact ordinances or local laws, except that in a city having a population of one million or more, as to such city, the term shall mean the officer or agency vested with power under the charter of such city, or by other law, to act pursuant to this chapter; (b) In a town such term shall mean the town board; (c) In a village such term shall mean the board of trustees.

4. "Previously disturbed land" shall mean a parcel or lot of land that was occupied or formerly occupied by a building or otherwise improved or utilized that is not located in a one hundred year floodplain, and was not being used for commercial agricultural purposes or forestry as of the effective date of this article.

5. "Disabled person" shall mean a person who has an impairment which results from anatomical, physiological or psychological conditions, other than addiction to alcohol, gambling, or any controlled substance, which is demonstrated by medically acceptable clinical and laboratory diagnostic techniques and which is expected to be permanent and to substantially limit one or more of such person's major life activities.

6. "Senior citizen" shall mean a person who is sixty-two years of age or older.

7. "Corporation" shall mean the New York housing opportunity corporation, as established in section twelve hundred eighty-five of this article.

8. "Lessee" shall mean the party which has entered into a contract with the corporation or the division for the purpose of developing housing on state-owned land pursuant to this article.

9. "Housing corporation" shall mean any housing cooperative created pursuant to this article for the purposes of developing and maintaining affordable housing on state-owned land.

10. "Rental project" shall mean a rental multiple dwelling created pursuant to this article.

11. "Ownership project" shall mean a cooperative housing development consisting of multiple dwellings created pursuant to this article.

12. "Managing agent" shall mean a person who exercises control over the assets of an ownership or rental project.

§ 1285. New York housing opportunity corporation. 1. There is hereby established a public benefit corporation known as the "New York housing opportunity corporation" as a subsidiary corporation of the division.

2. The division may transfer to such subsidiary corporation any real, personal or mixed property in order to carry out the purposes of section twelve hundred ninety-two of this article. Such subsidiary corporation shall have all the privileges, immunities, tax exemption and other exemptions of the corporation to the extent the same are not inconsistent with this section.

3. The board of directors of such subsidiary corporation shall consist of the commissioner of housing and community renewal, the director of the budget, the commissioner of taxation and finance, one member appointed by the temporary president of the senate, and one member appointed by the speaker of the assembly. In addition, there shall be four members to be appointed by the governor with the advice and consent of the senate. The powers of such subsidiary corporation shall be vested in and exercised by no less than six of its members thereof then in office. The subsidiary corporation may delegate to one or more of its members, or its officers, agents and employees, such powers and duties as it may deem proper. The commissioner of the division of housing and community renewal shall serve as the president and chairperson of the corporation.

3-a. The chairperson of the corporation may appoint an officer or employee of the corporation to represent the chairperson at all meetings of the corporation from which the chairperson may be absent. Any such representative so designated shall have the power to attend and to vote at any meeting of the corporation from which the chairperson of the corporation is absent with the same force and effect as if the chair-

person of the corporation were present and voting. Such designation shall be by written notice filed with the chairperson of the corporation. The designation of such person shall continue until revoked at any time by written notice to such chairperson. Such designation shall not be deemed to limit the power of the chairperson of the corporation to attend and vote at any meeting of the corporation.

4. No officer or member of the corporation shall receive any additional compensation, either direct or indirect, other than reimbursement for actual and necessary expenses incurred in the performance of their duties, by reason of serving as a member, director, or trustee of such subsidiary corporation.

5. Notwithstanding any inconsistent provisions of law, general, special or local, no officer or employee of the state, or of any civil division thereof, or any public benefit corporation, shall be deemed to have forfeited or shall forfeit their office or employment by reason of acceptance of membership on the corporation created by this section.

6. The fiscal year of such subsidiary corporation shall begin with the first day of April of each year and end with the next following thirty-first day of March.

7. The corporation shall have the power to:

(a) Sue and be sued;

(b) Have a seal and alter the same at pleasure;

(c) Make and alter by-laws for its organization and internal management and make rules and regulations governing the use of its property and facilities;

(d) Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this chapter;

(e) Acquire, hold and dispose of real or personal property for its corporate purposes;

(f) Engage the services of private consultants on a contract basis for rendering professional and technical assistance advice;

(g) Procure insurance against any loss in connection with its activities, properties and other assets, in such amount and from such insurers as it deems desirable; and

(h) Invest any funds of the corporation, or any other monies under its custody and control not required for immediate use or disbursement, at the discretion of the corporation, in obligations of the state or the United States government or obligations the principal and interest of which are guaranteed by the state or the United States government, or in any other obligations in which the comptroller of the state is authorized to invest pursuant to section ninety-eight of the state finance law.

8. The corporation will encourage the creation of local housing partnerships; such partnerships may include but not be limited to members of the business community, the financial community, housing developers, builders, not-for-profit organizations and community leaders who are committed to the development of low, moderate, and middle-income housing within such community.

9. The corporation will facilitate the coordination of local housing partnerships and existing state, federal and local programs which promote the development of low, moderate, and middle-income housing.

10. The corporation is a public housing agency as defined in the United States housing act of 1937, as amended, and may receive and administer funds including but not limited to subsidies, loans and fees made available through federal programs under such act.

(a) The corporation shall be the sole entity with authority in the state to undertake any statewide or regional multi-state contract for performance based annual contributions contract administration issued under authority granted in 42 U.S.C. section 1437f or any replacement or successor program or contract, whether called an annual contributions contract or other name, that requires substantially the same administration or support services offered nationally, regionally or statewide. The corporation may in its discretion subcontract such activities as it may require. The division shall be the entity responsible for such statewide or regional multi-state contract administration with all powers and responsibilities which would otherwise be available to the corporation in the event the corporation is unable or unwilling to act as such entity.

(b) The powers vested in the corporation and the division pursuant to paragraph (a) of this subdivision are coincident to the powers of any municipal or other local public housing agency or public housing authority operating within the state on the effective date of this paragraph.

11. The division and all other state officers, departments, boards, divisions, commissions, public authorities and public benefit corporations may render such services to the corporation within their respective functions as may be requested by the corporation.

12. Notwithstanding the provisions of article one-A of the public authorities law, contracts entered into by the corporation pursuant to articles eighteen and eighteen-A of this chapter shall not be subject to the provisions of article one-A of the public authorities law.

§ 1286. Corporation powers. 1. Subject to the limitations of this article, the corporation shall have the powers and be subject to the limitations contained in the business corporation law or the not-for-profit corporation law, as the case may be, and shall have the following additional specific powers:

(a) To make and execute contracts and other instruments necessary or convenient in the exercise of its powers;

(b) To acquire or contract to acquire from any person, firm, corporation, municipality, federal or state agency, by grant, purchase, condemnation or otherwise, leaseholds, real, personal or mixed property or any interest therein, and to sell, assign, exchange, transfer, mortgage or encumber the same;

(c) To own, hold, clear and improve, leasehold, real, personal or mixed property or any interest therein;

(d) To construct, reconstruct, rehabilitate, improve, alter or repair or provide for the construction, reconstruction, improvement, alteration or repair of any project;

(e) To lease or rent any of the housing or other accommodations or any of the lands, buildings, structures or facilities embraced in any project and establish and revise the rents or charges therefor; or to purchase or lease a project or a part thereof from an authority.

(f) To arrange or contract with a municipality for the planning, replanning, opening, grading or closing of streets, roads, roadways, alleys or other places or for the furnishing of facilities or for the acquisition by a municipality of property or property rights or for the furnishing of property or services in connection with a project;

(g) To insure or provide for the insurance of its property or operations as required by law and also against such other risks as it may deem advisable;

(h) To limit by contract the exercise of any of its powers;

(i) To invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control;

(j) To sue and be sued;

(k) To have a seal and alter the same at pleasure;

(l) To make and from time to time amend and repeal by-laws, rules and regulations not inconsistent with the provisions of this article;

(m) To sell, lease, or otherwise convey all or any part of a project to an authority upon such terms and conditions as shall have the prior approval of the commissioner, as the case may be;

(n) To lease to any authority, or to a municipality in connection with any federally-aided program to provide dwelling accommodations for income eligible applicants, one or more dwelling units in a project upon such terms and conditions as shall have the prior written approval of the commissioner, as the case may be;

(o) To lease, with or without an option to purchase, all or any part of a project to any person, firm, partnership, trust or corporation, subject to the prior written consent of the commissioner, as the case may be. Any property so leased shall remain subject to the provisions of this article and to the rules and regulations of the commissioner, as the case may be. Such lease may provide for the assumption by the lessee of the management and control of the project, as well as the right of the lessee to collect all revenues accruing thereto;

(p) To issue payments in lieu of taxes;

(q) To do all other things necessary or convenient to carry out its powers.

2. The corporation shall file with the commissioner, as the case may be, a copy of any by-laws, rules, regulations and amendments thereto adopted by it from time to time, which shall become effective upon approval by the commissioner; provided, however, that if the commissioner shall fail to approve or disapprove such proposed by-laws within three months after such filing, such by-laws shall become effective upon the expiration of such three month period. These by-laws, rules, regulations and amendments shall contain such provisions relating to the management of its business, the regulation of its affairs, the calling of meetings, the manner of selection of officers and trustees and such other provisions as may be reasonable and necessary.

3. Notwithstanding the provisions of any law, general or special, lessee may, with the approval of the commissioner, as the case may be, require a standard form and procedure for the casting of proxies or absentee ballots in any matter requiring a shareholder vote.

4. Notwithstanding the provisions of any law, general or special, the corporation created pursuant to the provisions of this article shall:

(a) Hold at least four meetings of the board of directors annually. Such meetings shall be open to the public, except that they may include executive sessions open only to directors for the sole purpose of discussing confidential personnel issues, legal advice and counsel from an attorney to whom the corporation is a client, or confidential issues affecting individual shareholders or residents, or contract negotiation. Any such board of directors meetings held in addition to the minimum number of four as required by this section shall be open to the public, and subject to the aforementioned exception regarding executive sessions.

(b) Maintain a record of any vote on a resolution of such board, including specification of how each director voted. Such record shall be

a matter of public record which will be made available as a paper copy at the request of a shareholder and will also be posted on a website that is publicly accessible maintained by the board of directors, provided however, that there may be redactions to the extent minutes would reflect the discussions held in executive session.

§ 1287. Identification of property. 1. For a period of six months after the effective date of this article, the commissioner of the office of general services, in consultation with each executive agency and public benefit corporation or authority established pursuant to state law shall, for the purpose of locating sites to further the goal of creating housing within the state for low, moderate, and middle-income persons, survey its jurisdiction to determine the existence and location of unused or underutilized parcels of real property containing previously disturbed land, as well as buildings and structures currently not in use and in the control and possession of the state of New York and any public benefit corporations and public authorities established pursuant to state law.

2. No later than December thirty-first, two thousand twenty-four, the commissioner of the office of general services, in consultation with the executive agencies shall submit a report to the temporary president of the senate, the speaker of the assembly, and the commissioner cataloging the sites identified pursuant to subdivision one of this section. The report shall include, but need not be limited to, the location, condition, and status of all identified real property, including buildings. In consultation with the division and the department of environmental conservation, the report shall contain an assessment of whether a parcel can be developed for the purposes of housing. The commissioner of general services may, from time to time, update this report to reflect changes in the parcels included and furnish a copy of the report to the temporary president of the senate, the speaker of the assembly, and the commissioner.

3. The corporation, in consultation with the division, shall make available for lease sites identified pursuant to subdivision two of this section through a request for proposal for the construction of affordable housing and other mixed uses including community amenities. In evaluating the proposals, the corporation shall evaluate whether the applicant affirmatively furthers fair housing, is engaging in a sound and efficient use of state resources, provides housing for a range of incomes-- low, moderate, and middle, and serves the interests of the surrounding community. The request for proposal shall be posted on the division's website for a period of no less than ninety days. The corporation shall notify all applicants in writing of its decision within thirty days of selecting a proposal.

4. Notwithstanding any other provision of this article, the corporation shall not be empowered to undertake the acquisition, construction, reconstruction, rehabilitation or improvement of a project unless the corporation finds:

(a) That there exists, in the area in which the project is to be located, or in an area reasonably accessible to such area, a need for safe and sanitary housing accommodations for persons or families of low, moderate, or middle income, which the operations of private enterprise cannot provide;

(b) The project affirmatively furthers fair housing;

(c) The project engages in a sound and efficient use of state resources;

(d) The project provides housing for persons and families of a range of incomes-- low, moderate, and middle; and

(e) The project will not cause harm to the health and safety of the surrounding community.

§ 1288. Lease of property. 1. Notwithstanding any provision of law to the contrary, the commissioner of the office of general services is hereby authorized, without any public bidding, to lease and otherwise contract to make available to a lessee, as defined in this article, real property and existing structures for the purpose of developing, constructing, maintaining and operating affordable housing. Such lease or contract shall be for a period not exceeding ninety-nine years without any fee simple conveyance and otherwise upon terms and conditions determined by the commissioner of general services in consultation with the division, subject to the approval of the director of the division of the budget, the attorney general and the state comptroller. In the event that the real property that is the subject of such lease or contract shall cease to be used for the purpose described in this article, such lease or contract shall immediately and automatically terminate and the real property and any improvements thereon shall revert to the corporation. Any lease or contract entered into pursuant to this article shall provide that the real property that is the subject of such lease or contract and any improvements thereon shall revert to the corporation on the expiration of such contract or lease.

2. Any contract or lease entered into pursuant to this act shall be deemed to be a state contract for purposes of article fifteen-A of the executive law, and any contractor, subcontractor, lessee or sublessee entering into such contract or lease for the construction, demolition, reconstruction, excavation, rehabilitation, repair, renovation, alteration or improvement authorized pursuant to this act shall be deemed a state agency for the purposes of article fifteen-A of the executive law and subject to the provisions of such article.

3. Without limiting the determination of the terms and conditions of such contracts or leases, such terms and conditions may provide for leasing, subleasing, construction, reconstruction, rehabilitation, improvement, operation and management of and provision of services and assistance and the granting of licenses, easements and other arrangements with regard to such grounds and facilities by the ground lessee, and parties contracting with the ground lessee, and in connection with such activities, the obtaining of funding or financing.

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

§ 1289. Public notification and engagement. 1. In effectuating the purposes of this article, the corporation shall work closely, consult and cooperate with local elected officials and community leaders at the earliest practicable time. The corporation shall give primary consideration to local needs and desires and shall foster local initiative and participation in connection with the planning and development of its projects. Consideration shall also be given to local and regional goals and policies for the creation of low, moderate, and middle-income housing.

(a) There shall be written notification to all state and local officials whose jurisdictions include the project site within thirty days of a proposal being selected.

(b) The commissioner shall make themselves available for a period of no fewer than thirty days after the dispatch of written notification in order to brief state and local officials about the proposed site and to collect feedback about the site.

2. Before commencing the acquisition, construction, reconstruction, rehabilitation, alteration or improvement of any project:

(a) The corporation must file a copy of the project plan in its corporate offices and in the office of the clerk of any municipality in which the project is to be located.

(b) Upon request, any other person shall be furnished with a digest of such plan;

(c) The corporation shall: (i) publish in one newspaper of general circulation within the municipality, (ii) provide to the chief executive officer of the municipality within which the project is located, and (iii) in any city having a population of one million or more, provide to any community board in which the project will be located, a notice that such plan will be filed upon its adoption by the corporation and that digests thereof will be available, which notice shall also state that a public hearing will be held to consider the plan at a specified time and place on a date not less than ten days after such publication.

(d) The corporation shall conduct a public hearing pursuant to such notice, provided that such public hearing shall not take place before the adoption or the filing of such plan by the corporation.

(e) Upon a written finding of the corporation that no substantive negative testimony or comment has been received at such public hearing, such plan shall be effective at the conclusion of such hearing; provided, however, that if any substantive negative testimony or comment is received at such public hearing, the corporation may, after due consideration of such testimony and comment, affirm, modify or withdraw the plan in the manner provided for the initial filing of such plan in paragraph (a) of this subdivision.

3. After consultation with local officials, as provided in subdivision one of this section, the corporation and any subsidiary thereof shall, in constructing, reconstructing, rehabilitating, altering or improving any project, comply with the requirements of local laws, ordinances, codes, charters or regulations applicable to such construction, reconstruction, rehabilitation, alteration or improvement, provided however, that when, in the discretion of the corporation, such compliance is not feasible or practicable, the corporation and any subsidiary thereof shall comply with the requirements of the state building construction code, formulated by the state building code council pursuant to article eighteen of the executive law, applicable to such construction, reconstruction, rehabilitation, alteration or improvement. In those circumstances where, in the discretion of the corporation, such compliance with local laws, ordinances, codes, charters or regulations is not feasible or practicable the requirements of subdivision two of this section shall be complied with; provided, however, that (a) the corporation shall provide a copy of the plan to the chief executive officer of any municipality within which the project is to be located, the chairperson of the planning board or commission of any such municipality, or if there is no planning board or commission, to the presiding officer of the local governing body and in any city having a population of one million or more, to any community board in which the project is

located, and the public hearing to consider the plan required pursuant thereto shall be held on thirty days notice following adoption of the plan by the corporation; (b) any person shall have the opportunity to present written comments on the plan within thirty days after the public hearing; (c) any municipality within which the project is to be located, by majority vote of its planning board or commission, or in the event there is no planning board or commission, by majority vote of its local governing body, may recommend approval, disapproval or modification of the plan, which recommendation shall be submitted in writing to the corporation within thirty days after such hearing; and (d) after due consideration of such testimony and comments and municipal recommendations, if any, the corporation may affirm, modify or withdraw the plan in the manner provided for the initial filing of such plan in paragraph (a) of subdivision two of this section, provided, however that in the event any such municipality has recommended disapproval or modification of the plan, as provided herein, the corporation may affirm the plan only by a vote of two-thirds of the directors thereof then in office. No municipality shall have power to modify or change the drawings, plans or specifications for the construction, reconstruction, rehabilitation, alteration or improvement of any project of the corporation or of any subsidiary thereof, or the construction, plumbing, heating, lighting or other mechanical branch of work necessary to complete the work in question, nor to require that any person, firm or corporation employed on any such work shall perform any such work in any other or different manner than that provided by such plans and specifications, nor to require that any such person, firm or corporation obtain any other or additional authority, approval, permit or certificate from such municipality in relation to the work being done, and the doing of any such work by any person, firm or corporation in accordance with the terms of such drawings, plans, specifications or contracts shall not subject said person, firm or corporation to any liability or penalty, civil or criminal, other than as may be stated in such contracts or incidental to the proper enforcement thereof; nor shall any municipality have power to require the corporation or any subsidiary thereof, or lessee therefrom or successor in interest thereto, to obtain any other or additional authority, approval, permit, certificate or certificate of occupancy from such municipality as a condition of owning, using, maintaining, operating or occupying any project acquired, constructed, reconstructed, rehabilitated, altered or improved by the corporation or by any subsidiary thereof. The foregoing provisions shall not preclude any municipality from exercising the right of inspection for the purpose of requiring compliance by any such project with local requirements for operation and maintenance, affecting the health, safety and welfare of the occupants thereof, provided, however, that such compliance does not require changes, modifications or additions to the original construction of such project.

§ 1290. Compliance with building codes and environmental review, and local ordinances. 1. Projects completed pursuant to this act shall conform to the state uniform fire prevention and building code and energy conservation code pursuant to article eighteen of the executive law, unless such compliance conflicts with the municipal code in which the project is located.

2. In a city, town, or village with a population of under one million, no project shall exceed fifty-five feet in height except as otherwise permitted by local law.

3. Any proposed development on previously disturbed land shall be exempt from any environmental review requirements pursuant to article eight of the environmental conservation law and any rules and regulations promulgated pursuant thereto, and any substantially equivalent local law, regulation or rule to article eight of the environmental conservation law, including, but not limited to, in a city with a population greater than one million people, city environmental quality review, but must meet the following criteria:

(a) be located in a census tract defined as an urbanized area or an urban cluster by the federal census bureau; and

(i) have fewer than ten total residential units or ten thousand square feet of floor area, whichever is greater, a maximum of twenty percent of which may consist of commercial or community facility uses, in municipalities that have not adopted zoning or subdivision regulations;

(ii) have fewer than fifty total residential units or fifty thousand square feet of floor area, whichever is greater, a maximum of twenty percent of which may consist of commercial or community facility uses, not to be connected at the commencement of habitation to existing community or public water and sewerage systems including sewage treatment works;

(iii) in a city, town, or village having a population of ninety thousand persons or less, fewer than two hundred total residential units or two hundred thousand square feet of floor area, whichever is greater, a maximum of twenty percent of which may consist of commercial or community facility uses, to be connected at the commencement of habitation to existing community or public water and sewerage systems including sewage treatment works;

(iv) in a city, town, or village having a population of greater than ninety thousand but less than one million, fewer than five hundred total residential units, or five hundred thousand square feet of floor area, whichever is greater, a maximum of twenty percent of which may consist of commercial or community facility uses, to be connected at the commencement of habitation to existing community or public water and sewerage systems including sewage treatment works; or

(v) in a city having a population of one million or more persons, fewer than one thousand total residential units, or one million square feet of floor area, whichever is greater, to be connected at the commencement of habitation to existing community or public water and sewerage systems including sewage treatment works; and

(b) complete a Phase I Environmental Site Assessment (ESA) pursuant to the federal Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Chapter 103), and complete testing for lead water and paint, asbestos, and radon, the results of which shall be submitted by the proposed developer of such action to the local agency responsible for approving or denying the application for such action; and

(c) receive certification from a qualified environmental professional, as such term is defined by the commissioner pursuant to regulation, that such action, as proposed, will not violate any state wetland laws or drinking water laws under article eleven of the public health law, or any rules or regulations promulgated thereto; or

(d) have been subject to a general environmental impact analysis through an environmental impact statement.

4. A court shall not intervene with an environmental review conducted pursuant to this article or rules or regulations promulgated thereto

unless there is substantial information missing that is necessary and material to the decision makers' review.

5. Unless specifically set forth by this section, nothing set forth in this subdivision shall be interpreted to override or otherwise waive any permitting required pursuant to state or federal laws or regulations.

§ 1291. Rental and ownership project requirements. 1. (a) A lessee may, with the approval of the commissioner, as applicable, establish maximum rental rates per unit size that can be charged to tenants of the dwellings. The average rental rates for all dwellings in any project shall not exceed the maximum average rental rates determined by the commissioner, as applicable, prior to the lessee making any commitments for the construction of the project.

(b) The commissioner, upon the commissioner's own motion, or upon application by the lessee, may vary such rental rate from time to time so as to secure, together with all other income of the lessee, sufficient income for it to meet within reasonable limits all necessary payments to be made or projected to be made during the term of a lease by the said lessee, of all expenses including fixed charges, sinking funds, reserves and dividends on outstanding stock as authorized by the commissioner, as the case may be. Letting, subletting or assignment of leases of apartments at greater rentals than those approved by the commissioner shall be unlawful. Where the mortgage loan of a lessee is insured or held by the federal government or where a project is owned by the federal government, rental rates shall be varied without regard to the provisions of any general, special or local law which would otherwise limit or control such rental rates or the determination or variation thereof for so long as such mortgage loan remains outstanding or the project financed by such a mortgage loan is owned by the federal government. No variation of a rental rate in a project financed by a mortgage loan insured or held by or owned by the federal government shall be effective unless approved by the federal government.

(c) Unless any applicable regulation of or regulatory agreement with the federal government shall otherwise provide, (i) the rental rates to be charged under any such lease shall be established after consideration of the term of such lease and may differ from the rental rates to be charged under any other lease of a different term and (ii) the commissioner, as the case may be, shall in establishing such rental rates consider the obligations of the lessee under any instruments evidencing or securing any residual indebtedness. Such leases shall contain a provision authorizing the variation of the rental rates during the term of such leases.

(d) The commissioner or administrator, as the case may be, shall make available for inspection and copying by the residents in any affected development, all items and data and recommendations utilized as the various basis for the decision on increases in rental or carrying charges upon request of the residents.

2. The dwelling in a project created pursuant to this article shall be affordable to and restricted to occupancy by individuals or families whose household income does not exceed one hundred sixty-five percent of the area median income, adjusted for family size, at the time that such household initially occupies such dwelling unit.

3. (a) Preference in admission to a project with an open waiting list, as determined by the commissioner, shall be given to persons in the following manner:

(i) First priority shall be to veterans or surviving spouses of 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.

Such electronic automated system shall also include general information about each rental or ownership development, including, but not limited to: the name and address of the development; the management office and address; the number and size of all units in each building; and information on the status of each waiting list, including whether the rental or ownership development is currently accepting applications and how long applicants may have to wait.

§ 1292. Supervision and regulation. The commissioner may:

1. Examine a lessee and keep informed as to its general condition, its capitalization and the manner in which a rental or ownership project is constructed, acquired, rehabilitated, leased, operated or managed, and to its compliance with all provisions of law and orders of the commissioner.

2. Require every lessee to file with the appropriate agency as determined by the commissioner, an annual report setting forth such information as the commissioner may require, verified by the oath of any officer, general manager or other person in control of the lessee. Such report shall be in a form, cover a period, and be filed at a time as prescribed by the commissioner.

3. From time to time make, amend and repeal supplementary rules and regulations for carrying into effect the provisions of this article provided, however, that such supplementary rules and regulations shall be strictly limited in their application to the means and methods of compliance with the provisions of this article to which such power relates.

4. Make such agreements with bondholders, mortgagees or creditors of a lessee to do or refrain from doing any unlawful act to protect the investment rights of the state of New York, the division, or of the municipality.

5. (a) Administer oaths, take affidavits, hear testimony and take proof under oath at public or private hearings; (b) subpoena and require the attendance of witnesses and the production of books and papers pertaining to any investigations and inquiries authorized by this article and examine them in relation to any matter concerning which the power to investigate is granted; (c) issue commissions for the examination of witnesses who are out of the state or unable to attend or are excused from attendance; (d) investigate into the affairs of a lessee and into the dealings, transactions or relationships of such lessee with third persons and into the affairs of any person, firm, corporation or other entity having a financial interest, whether direct or indirect, in the design, construction, acquisition, reconstruction, rehabilitation, improvement, financing or operation of any project undertaken by a lessee; (e) intervene, as a matter of right, in any action or proceeding of which notice shall be given affecting the project of a lessee; and (f) take such steps in such action or proceeding as may be necessary to protect the public interest.

6. With regard to duties and liabilities arising out of this article the state, the commissioner may be sued in the same manner as a private person. No costs shall be awarded against the commissioner or the state, as the case may be, in any such litigation.

7. Whenever the commissioner, in the case of a lessee undertaking or otherwise operating a state-aided project, shall be of the opinion that such lessee is failing or omitting, or is about to fail or omit to do anything required of it by law or by order of the commissioner or is doing or is about to do anything, or permitting anything, or is about to permit anything to be done, contrary to and in violation of law or of

any order, regulation or directive of the commissioner, as the case may be, or which is improvident or prejudicial to the interest of the public, the lienholders, the stockholders, or the tenants, the commissioner, as the case may be, may, in addition to such other remedies as may be available, commence an action or proceeding in the supreme court of the state of New York in the name of the commissioner, as the case may be, for the purpose of having such violations or threatened violations stopped and prevented, and in such action or proceeding the court may appoint a temporary or permanent receiver or both. Such action or proceeding shall be commenced by a petition to the supreme court, alleging the violation complained of and praying for appropriate relief. It shall thereupon be the duty of the court to specify the time, not exceeding twenty days after service of a copy of the petition, within which the lessee complained of must answer the petition. In case of any default or after answer the court shall immediately inquire into the facts and circumstances in such manner as the court shall direct without other or formal pleadings, and without respect to any technical requirements. Such other persons or corporations as it shall seem to the court necessary or proper to join as parties in order to make its order or judgment effective, may be joined as parties. The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that an order or an injunction, or both, issue, or provide for the appointment of a receiver as prayed for in the petition, and grant such other relief as the court may deem appropriate.

8. The commissioner may modify supervision of a lessee or housing corporation upon finding that duplicative supervisory functions may impose an undue regulatory burden or unnecessary expenditure of agency resources, by taking such actions as are deemed appropriate, including consolidating supervisory functions associated with different programs, and entering into memoranda of understanding with other agencies for the allocation of supervisory functions.

9. Promulgate regulations providing for recognition of duly constituted tenants' associations and cooperators' advisory councils by the commissioner and providing that a lessee or housing corporation shall meet on a regular basis with representatives of such an association or council at the specific project involved to discuss matters relating to the project. A duly constituted cooperators' advisory council shall only be such a council in a housing corporation project prior to the election of a board of directors by the tenant-cooperators.

10. Require every managing agent to file with the appropriate agency as determined by the commissioner, an annual operating budget for each individual project in the manner prescribed by the commissioner.

11. Require every lessee, housing corporation, or the managing agent thereof to file with the appropriate agency as determined by the commissioner, semi-annual or quarterly financial statements and an annual financial statement. Each annual financial statement shall be accompanied by a certificate of the managing agent's independent certified public accountant. Such financial statements shall be filed at the times and in the manner prescribed by the commissioner.

12. Afford tenants and shareholders access to and an opportunity to acquire copies of all operating budgets or financial statements respecting the project in which such tenants and shareholders reside, to the extent that such budgets and statements are required by law to be kept by the commissioner.

13. Permit any tenant, duly constituted tenants' association, duly constituted cooperators' advisory council or a duly authorized represen-

tative of any such entity to audit the books of the managing agent and to have access during normal business hours to the financial records upon which the managing agent's financial statements are based.

14. Promulgate regulations relating to managing agents, including criteria for the eligibility for selection and the compensation of managing agents by companies organized pursuant to this article. Such regulations shall provide, among other things, that any contract with a managing agent entered into shall be terminable for cause and shall be terminable, with or without cause, at least every twelve months after commencement of the term thereof, and that promptly upon termination the managing agent shall turn over to the housing corporation or lessee all project records, rent rolls, bills, canceled checks, bank statements and other papers owned by such lessee or housing corporation.

15. Every tenant or resident, or a person acting on behalf of a shareholder, tenant, or resident, shall be permitted to copy, by photographic means, any document within the scope of this section pertaining to the project in which such shareholder, tenant, or resident resides. A reasonable fee, subject to a maximum therefor prescribed in regulations, may be charged for such copies.

16. Require that within ten days of the filing of any reports or financial statements with the commissioner, the managing agent shall transmit a copy of said report or financial statement to a duly constituted resident board of directors, and if there be none, to a cooperator's advisory council or a duly constituted tenants association representing the project concerned. Where no such council or association exists in a project, a notice shall be posted informing the residents of the location on the premises of the project where a copy of said report or financial statement is available for inspection. The notice shall be posted within ten days of filing, in a prominent place on the premises of the project concerned.

17. Promulgate regulations to require each tenant or shareholder to use their dwelling unit as their primary residence to maintain their right of continued occupancy or be subject to eviction in a court of competent jurisdiction by a lessee.

18. Require every voting member of a board of directors of a housing corporation subject to the provisions of this article, elected or appointed for a term beginning on or after the effective date of this subdivision, to complete, within the first year of their term and at least once every three years thereafter, a minimum of two hours of training, in person or virtually, as the commissioner may deem appropriate, on the financial oversight, accountability and fiduciary responsibilities of a board member; and to require every voting member of a board of directors of a housing corporation subject to the provisions of this article, elected or appointed for a term beginning before the effective date of this subdivision, to complete such training within one year of the effective date of this subdivision and at least once every three years thereafter.

19. Require every voting member of a board of directors of a housing corporation subject to the provisions of this article, elected or appointed for a term beginning on or after the effective date of this subdivision, to complete, within the first year of his or her term and at least once every three years thereafter, in addition to the training required by subdivision ten of this section, a training course, in person or virtually, as the commissioner, as the case be, may deem appropriate, to acquaint them with the powers, functions and duties of a board of directors of a housing corporation subject to the provisions of

this article, as well as the powers and duties of other governing and administrative authorities affecting such companies; and to require every voting member of a board of directors of a housing corporation subject to the provisions of this article, elected or appointed for a term beginning before the effective date of this subdivision, to complete such training within one year of the effective date of this subdivision and at least once every three years thereafter.

20. Require each member of a board of directors of a housing corporation subject to the provisions of this article to demonstrate compliance with the requirements set forth in subdivisions eighteen and nineteen of this section by filing a certificate of completion of such course or courses on a form to be promulgated by the commissioner. Such form shall be filed with the secretary of the housing corporation and maintained by the secretary as a corporate record and distributed annually to the shareholders and upon the filing of any director with the housing corporation of the intention to seek re-election to the position. Sixty days prior to any scheduled election of members of the board of directors, the secretary of the housing corporation shall furnish the commissioner with a list of all incumbent directors indicating which individuals have submitted certificates required in this subdivision. Such course or courses shall be provided by the commissioner, as the case may be, at no cost to the trainee or the board to which the trainee has been elected.

21. Develop the curricula used for training required by subdivisions eighteen and nineteen of this section for which the commissioner may request and shall receive the cooperation and assistance from any departments, divisions, boards, bureaus, commissions or agencies of the state and political subdivisions thereof in developing such curricula. These curricula may be offered together as a single course or separately. The training required by this section may be offered by providers approved by the commissioner, as the case may be. In approving other providers for these trainings, the commissioner shall consider a potential provider's understanding of cooperative homeownership and tenancy laws; laws, rules and regulations affecting rent and ownership projects subject to the provisions of this article; and the fiduciary responsibilities of the board of a residential cooperative, as well as the experience of the provider in delivering such training.

22. Hold such meeting or meetings, in person or virtually as the commissioner shall deem appropriate, with the board of a housing corporation on the financial oversight, accountability and fiduciary responsibilities of such board; the powers, functions and duties of such board; and the powers and duties of other governing and administrative authorities affecting such corporation.

§ 1293. Construction and operation. 1. The provisions of section two hundred twenty-four-a of the labor law shall apply to construction projects under this article.

2. Every lessee, contractor, or other third party that has entered into an agreement with the corporation shall pay a service employee, as defined in section two hundred thirty-one of the labor law, a wage of not less than the prevailing wage in the locality for the craft, trade, or occupation of the service employee. Employment of building service workers pursuant to this article shall be subject to requirements in article nine of the labor law.

§ 1294. Annual reports. The commissioner shall, on or before the first day of December thirty-first of each year, submit a report to the legislature, the state comptroller, and the attorney general on the implemen-

tation of section twelve hundred ninety-two of this article by the commissioner and the policy included therein. Such report shall include and not be limited to rent and carrying charge levels, changes therein, operation of the New York housing opportunity corporation new construction revolving fund and New York housing opportunity corporation maintenance and preservation revolving fund, tax credit, abatement, or exemption levels, total capital outlay, amortization, mortgage interest rates, income levels served by the housing, surcharge billings and collections and use of surcharge revenues, and vacancy rates. For the purpose of preparing such report, the commissioner may request, and shall receive, from any municipality such data as he deems necessary or desirable and such municipality or shall furnish the requested data within sixty days of such request.

§ 1295. New York housing opportunity corporation new construction revolving fund. 1. (a) There is hereby created and established in the division a revolving fund to be known as the "New York housing opportunity corporation new construction revolving fund".

(b) Moneys in the New York housing opportunity corporation new construction revolving fund shall only be used in accordance with the provisions of this article. The moneys in such fund shall be applied to or paid out for authorized purposes related to new construction of dwelling units being built in accordance with the provisions of this article.

2. There shall be paid into such New York housing opportunity corporation new construction revolving fund (a) any moneys appropriated and made available by the state for the purposes of such fund, (b) notwithstanding the provisions of the state finance law or any other provision of law, any moneys which the division shall receive in repayment of advances made from such fund, and (c) any other moneys which may be made available to the division for the purpose of such fund from any other source or sources.

3. All moneys paid into the fund from repayments of loans authorized by this article shall continue to be made available for the purpose of providing loans pursuant to such section, and shall be repaid as follows:

(a) Each such advance shall be repaid in full by borrower to the fund; and

(b) Such repayment shall be made concurrent with receipt by the borrower or its successor in interest of the proceeds of its mortgage or construction loan. The commissioner may, at his or her discretion, extend the period for the repayment of such advances. In no event shall the time of repayment be extended later than the date of final advance of funds pursuant to such mortgage financing.

4. Moneys in the New York housing opportunity corporation new construction revolving fund shall be segregated from all other funds of or in the custody of the corporation subject to any rights of holders of corporation bonds or notes issued for the purposes of this section.

5. Any moneys held in such New York housing opportunity corporation new construction revolving fund not required for immediate disbursement may be invested, at the discretion of the commissioner, in obligations of the state or the United States government or obligations the principal and interest of which are guaranteed by the state or the United States government. Any income or interest earned by, or increment to, such housing development fund shall be added to the moneys held in such fund for the purposes herein provided.

§ 1296. New York housing opportunity corporation maintenance and preservation revolving fund. 1. (a) There is hereby created and established in the division a revolving fund to be known as the "New York housing opportunity corporation maintenance and preservation revolving fund".

(b) Moneys in the New York housing opportunity corporation maintenance and preservation revolving fund shall only be used in accordance with the provisions of this article. The moneys in such fund shall be applied to or paid out for authorized purposes related to maintenance or preservation of dwelling units, as deemed appropriate by the commissioner, which were constructed in accordance with the provisions of this article.

2. There shall be paid into such New York housing opportunity corporation maintenance and preservation revolving fund (a) any moneys appropriated and made available by the state for the purposes of such fund, (b) notwithstanding the provisions of the state finance law or any other provision of law, any moneys which the division shall receive in repayment of advances made from such fund, and (c) any other moneys which may be made available to the division for the purpose of such fund from any other source or sources.

3. All moneys paid into the fund from repayments of loans authorized by this article shall continue to be made available for the purpose of providing loans pursuant to such section, and shall be repaid as follows:

(a) Each such advance shall be repaid in full by the borrower to the fund; and

(b) Such repayment shall be made concurrent with receipt by the borrower or its successor in interest of the proceeds of its mortgage or construction loan. The commissioner may, at such commissioner's discretion, extend the period for the repayment of such advances. In no event shall the time of repayment be extended later than the date of final advance of funds pursuant to such mortgage financing.

4. Moneys in the New York housing opportunity corporation maintenance and preservation revolving fund shall be segregated from all other funds of or in the custody of the corporation subject to any rights of holders of corporation bonds or notes issued for the purposes of this section.

5. Any moneys held in such New York housing opportunity corporation maintenance and preservation revolving fund not required for immediate disbursement may be invested, at the discretion of the commissioner, in obligations of the state or the United States government or obligations the principal and interest of which are guaranteed by the state or the United States government. Any income or interest earned by, or increment to, such housing development fund shall be added to the moneys held in such fund for the purposes herein provided.

§ 1297. Designation of and service of process on secretary of state and registered agent. The provisions of sections three hundred four, three hundred five and three hundred six of the business corporation law shall apply to companies heretofore or hereafter organized pursuant to the provisions of this article.

§ 1298. Jurisdiction; courts; venue. The place of trial disputes arising from this article shall be within the jurisdictional area of the court in which the real property or a portion thereof is situated; except that where the property is located in an incorporated village which includes parts of two or more towns the proceeding may be tried by a justice of the peace of any such town who keeps an office in the 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

sixty-six-p of the public service law, with a capacity of one or more megawatts alternating current and which involves the procurement of renewable energy credits by a public entity, or a third party acting on behalf and for the benefit of a public entity; [~~or~~] (b) any "thermal energy network" as defined by subdivision twenty-nine of section two of the public service law**; (c) any energy storage project associated or paired with a covered renewable energy system; or (d) any major utility transmission facility as such term is defined in section one hundred twenty of the public service law, transmission project that receives approval by the office of renewable energy siting or project that supports the offshore wind supply chain, where such facility or 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. For purposes of this section, a covered renewable energy system shall exclude construction work performed under a pre-hire collective bargaining agreement between an owner or contractor and a bona fide building and construction trade labor organization which has established itself, and/or its affiliates, as the collective bargaining representative for all persons who will perform work on such a project, and which provides that only contractors and subcontractors who sign a pre-negotiated agreement with the labor organization can perform work on such a project[~~, or construction work performed under a labor peace agreement, project labor agreement, or any other construction work performed under an enforceable agreement between an owner or contractor and a bona fide building and construction trade labor organization~~].

8. Any [~~thermal energy network~~] **renewable energy system** covered by this section shall require all contractors and subcontractors performing construction work to use apprenticeship agreements, as defined by article twenty-three of this chapter, with pre-apprenticeship direct entry providers registered with the department.

9. 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 this article.

§ 2. Subdivisions 1 and 3 and paragraph (a) of subdivision 4 of section 66-r of the public service law, as added by section 2-a of part AA of chapter 56 of the laws of 2021, are amended and a new subdivision 6 is added to read as follows:

1. For the purposes of this section, a "covered renewable energy system" means **(a)** a renewable energy system, as such term is defined in section sixty-six-p of this article, with a capacity of greater than five megawatts alternating current and which involves the procurement of renewable energy credits by a public entity, or a third party acting on behalf and for the benefit of a public entity**; (b) any energy storage project associated or paired with a covered renewable energy system; or (c) any major utility transmission facility as such term is defined in section one hundred twenty of this chapter, transmission project that receives approval by the office of renewable energy siting or project that supports the offshore wind supply chain, where such facility or 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.