STATE OF NEW YORK

10290

IN ASSEMBLY

May 17, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Solages) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the state finance law, in relation to removing the tax cap limitation from the calculation of local share of expenditures for the implementation of raise the age programs and to establish the youth justice innovation fund

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

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. 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 state budget director shall be authorized to waive any local share of expenditures associated with a chapter 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~~

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

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~~personal income, business and other taxes, prepayment of debt service and other expenses, or such other factors that the director may determine~~].

§ 2. The state finance law is amended by adding a new section 89-gg to read as follows:

§ 89-gg. Youth justice innovation fund. 1. A fund to be known as the "youth justice innovation fund" is hereby established in the custody of the state comptroller and the commissioner of taxation and finance.

2. The fund shall consist of fifty million dollars transferred to the account by the comptroller pursuant to a plan developed by the director of the budget from funds made available for the purposes of funding raise the age requirements, and any interest earnings which may accrue from the investment of monies in the fund. Nothing contained herein 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. Monies of the fund shall be available to the division of criminal justice services and shall be provided to community-based organizations to be expended for services and programs with the purpose of youth development and preventing youth arrest and incarceration, including, but not limited to, those providing violence-prevention services for youth, alternatives to detention, placement and incarceration programs for youth, and reentry, education, and employment training and placement programs for youth. Such funding shall supplement and not supplant existing state supports for local probation services under the "raise the age" law.

4. On or before the first day of March of each year, the director of the division of criminal justice services shall provide a written report to the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, the minority leader 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 codes, the chair of the assembly committee on codes, the state comptroller, and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

(a) the amount of money disbursed from the fund and the award process used for such disbursements;

(b) recipients of awards from the fund;

(c) the amount awarded to each recipient;

(d) the purposes for which such awards were granted; and

(e) a summary financial plan for such monies which shall include estimates of all receipts and all disbursements for the current and succeeding fiscal years, along with the actual results from the prior fiscal year.

5. Monies shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the director of the division of criminal justice services.

§ 3. This act shall take effect immediately and shall apply to expenditures made on and after April 1, 2023.