

# STATE OF NEW YORK

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3006--B

## IN ASSEMBLY

February 1, 2023

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A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, 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 actual valuation; to amend the education law, in relation to average daily attendance; to amend the education law, in relation to supplemental public excess cost aid; to amend the education law, in relation to building aid for metal detectors, and safety devices for electrically operated partitions, room dividers and doors; to amend the education law, in relation to the computation of building aid for reconstruction or modernizing of projects for Binghamton City School District; 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 the additional apportionment of building aid for certain projects; to amend the education law, in relation to prospective pre-kindergarten enrollment reporting; to amend the education law, in relation to transitional guidelines and rules; to amend the education law, in relation to universal prekindergarten expansions; to amend the education law, in relation to extending provisions of the statewide universal full-day pre-kindergarten program; to amend the education law, in relation to certain moneys apportioned; to amend the education law, in relation to allowable transportation expenses for transportation electrification studies; to amend the education law, in relation to transportation of students in Sullivan county; to amend the education law and the public authorities law, in relation to zero emission bus progress reporting; to amend the education law, in relation to building condition surveys; 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 aid

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

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payable for students over twenty-one years of age who are eligible to attend employment preparation education programs; to amend chapter 147 of the laws of 2001 amending the education law relating to conditional appointment of school district, charter school or BOCES employees, in relation to the effectiveness thereof; to amend part C of chapter 56 of the laws of 2020 directing the commissioner of education to appoint a monitor for the Rochester city school district, establishing the powers and duties of such monitor and certain other officers and relating to the apportionment of aid to such school district, in relation to the effectiveness thereof; part C of chapter 57 of the laws of 2004 relating to the support of education, in relation to the effectiveness thereof; 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 funding; providing for special apportionment for salary expenses; providing for special apportionment for public pension accruals; to amend chapter 121 of the laws of 1996, relating to authorizing the Roosevelt union free school district to finance deficits by the issuance of serial bonds, in relation to extending the school years to which apportionment for salary expenses apply; 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 chapter 498 of the laws of 2011 amending the education law relating to the public library construction grant program, in relation to the effectiveness thereof; to amend chapter 94 of the laws of 2002 relating to the financial stability of the Rochester city school district, in relation to the effectiveness thereof; and providing for the repeal of certain provisions upon expiration thereof (Part A); intentionally omitted (Part B); intentionally omitted (Part C); to amend the education law, in relation to removing the maximum award caps for the liberty partnerships program (Part D); intentionally omitted (Part E); to amend the general municipal law, in relation to enacting the new homes targets act; and providing for the repeal of such provisions upon expiration thereof (Part F); intentionally omitted (Part G); to amend the public housing law, in relation to requiring certain housing production information to be reported to the division of housing and community renewal; and providing for the repeal of such provisions upon expiration thereof (Part H); intentionally omitted (Part I); intentionally omitted (Part J); intentionally omitted (Part K); intentionally omitted (Part L); intentionally omitted (Part M); intentionally omitted (Part N); intentionally omitted (Part O); intentionally omitted (Part P); to utilize reserves in the mortgage insurance fund for various housing purposes (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); to amend the social services law, in relation to eligibility for child care assistance; to amend part Z of chapter 56 of the laws of 2021 amending the social services law relating to making child care more affordable for low-income families, in relation to the effectiveness of such provisions; and to repeal certain provisions of the social services law relating thereto (Part U); intentionally omitted (Part V); to amend subpart A of part G of chapter 57 of the laws of 2012 amending the social services law and the family court act relating to establishing a juvenile justice services close to home initiative, and to amend subpart B of part G of chapter 57 of the laws of 2012 amending the social services law, the family court act and the executive law relating to juvenile delin-

quents, in relation to extending the effectiveness of such provisions (Part W); to amend the social services law, in relation to eliminating the requirement for combined education and other work/activity assignments, directing approval of certain education and vocational training activities up to two-year post-secondary degree programs and providing for a disregard of earned income received by a recipient of public assistance derived from participating in a qualified work activity or training program, and further providing for a one-time disregard of earned income following job entry for up to six consecutive months under certain circumstances (Part X); to amend the social services law, in relation to the replacement of stolen public assistance (Part Y); 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 Z); to amend the social services law, in relation to increasing from \$300 a month to \$725 a month the rent subsidy payable to a foster child living independently (Part AA); in relation to requiring the state university of New York trustees and the city university of New York trustees to develop a long-term plan to address the impact fluctuations in student enrollment have on the academic and financial sustainability of state-operated institutions and community colleges (Part BB); to amend the education law, in relation to state appropriations to the state university of New York and the city university of New York (Part CC); 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 DD); to amend the public housing law, in relation to establishing the housing access voucher program (Part EE); to amend the private housing finance law, in relation to establishing the foundations for futures housing program (Part FF); to amend the education law, in relation to increasing the income eligibility threshold for the tuition assistance program (Part GG); to amend the education law, in relation to eligible recipients of part-time tuition assistance program awards (Part HH); to amend the public housing law and the public authorities law, in relation to establishing the homeownership opportunity connection program (Part II); to amend the education law, in relation to appropriating additional funds to the state university of New York and the city university of New York (Part JJ); and establishing the special joint legislative commission on affordable housing; and providing for the repeal of such provisions upon expiration thereof (Part KK)

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

1 Section 1. This act enacts into law major components of legislation  
2 necessary to implement the state education, labor, housing and family  
3 assistance budget for the 2023-2024 state fiscal year. Each component is  
4 wholly contained within a Part identified as Parts A through KK. The  
5 effective date for each particular provision contained within such Part  
6 is set forth in the last section of such Part. Any provision in any  
7 section contained within a Part, including the effective date of the  
8 Part, which makes a reference to a section "of this act", when used in  
9 connection with that particular component, shall be deemed to mean and  
10 refer to the corresponding section of the Part in which it is found.

1 Section three of this act sets forth the general effective date of this  
2 act.

3 PART A

4 Section 1. Paragraph e of subdivision 1 of section 211-d of the educa-  
5 tion law, as amended by chapter 556 of the laws of 2022, is amended to  
6 read as follows:

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

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

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

48 § 2. Subdivision 4 of section 3602 of the education law is amended by  
49 adding a new paragraph k to read as follows:

50 k. Foundation aid payable in the two thousand twenty-three--two thou-  
51 sand twenty-four school year. Notwithstanding any provision of law to  
52 the contrary, foundation aid payable in the two thousand twenty-three--  
53 two thousand twenty-four school year shall be equal to the sum of the  
54 total foundation aid base computed pursuant to paragraph j of subdivi-  
55 sion one of this section plus the greater of (a) the positive differ-  
56 ence, 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 c of subdivision 1 of section 3602 of the education law, as amended by section 11 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

c. "Actual valuation" shall mean the valuation of taxable real property in a school district obtained by taking the assessed valuation of taxable real property within such district as it appears upon the assessment roll of the town, city, village, or county in which such property is located, for the calendar year two years prior to the calendar year in which the base year commenced, after revision as provided by law, plus any assessed valuation that was exempted from taxation pursuant to the class one reassessment exemption authorized by section four hundred eighty-five-u of the real property tax law or the residential revaluation exemption authorized by section four hundred eighty-five-v of such law as added by chapter five hundred sixty of the laws of two thousand twenty-one, and dividing it by the state equalization rate as determined by the ~~[state board of equalization and assessment]~~ commissioner of taxation and finance, for the assessment roll of such town, city, village, or county completed during such preceding calendar year. The actual valuation of a central high school district shall be the sum of such valuations of its component districts. Such actual valuation shall include any actual valuation equivalent of payments in lieu of taxes determined pursuant to section four hundred eighty-five of the real property tax law. "Selected actual valuation" shall mean the lesser of actual valuation calculated for aid payable in the current year or the two-year average of the actual valuation calculated for aid payable in the current year and the actual valuation calculated for aid payable in the base year.

§ 6. Paragraph d of subdivision 1 of section 3602 of the education law, as amended by section 11 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

d. "Average daily attendance" shall mean the total number of attendance days of pupils in a public school of a school district in kindergarten through grade twelve, or equivalent ungraded programs, plus the total number of instruction days for such pupils receiving homebound instruction including pupils receiving ~~[instruction through a two-way telephone communication system]~~ remote instruction as defined in the regulations of the commissioner, divided by the number of days the district school was in session as provided in this section. The attendance of pupils with disabilities attending under the provisions of paragraph c of subdivision two of section forty-four hundred one of this chapter shall be added to average daily attendance.

§ 7. Paragraph 1 of subdivision 1 of section 3602 of the education law, as amended by section 11 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

1. "Average daily membership" shall mean the possible aggregate attendance of all pupils in attendance in a public school of the school district in kindergarten through grade twelve, or equivalent ungraded programs, including possible aggregate attendance for such pupils receiving homebound instruction, including pupils receiving ~~[instruction~~



1 ~~through a two-way telephone communication system]~~ remote instruction as  
2 defined in the regulations of the commissioner, with the possible aggregate attendance of such pupils in one-half day kindergartens multiplied  
3 by one-half, divided by the number of days the district school was in  
4 session as provided in this section. The full time equivalent enrollment  
5 of pupils with disabilities attending under the provisions of paragraph  
6 c of subdivision two of section forty-four hundred one of this chapter  
7 shall be added to average daily membership. Average daily membership  
8 shall include the equivalent attendance of the school district, as  
9 computed pursuant to paragraph d of this subdivision. In any instance  
10 where a pupil is a resident of another state or an Indian pupil is a  
11 resident of any portion of a reservation located wholly or partly within  
12 the borders of the state pursuant to subdivision four of section forty-  
13 one hundred one of this chapter or a pupil is living on federally owned  
14 land or property, such pupil's possible aggregate attendance shall be  
15 counted as part of the possible aggregate attendance of the school  
16 district in which such pupil is enrolled.

17  
18 § 7-a. Paragraph b of subdivision 5 of section 1950 of the education  
19 law, as amended by chapter 130 of the laws of 2022, is amended to read  
20 as follows:

21 b. The cost of services herein referred to shall be the amount allocated to each component school district by the board of cooperative  
22 educational services to defray expenses of such board, including  
23 approved expenses from the testing of potable water systems of occupied  
24 school buildings under the board's jurisdiction as required pursuant to  
25 section eleven hundred ten of the public health law, provided that such  
26 expenses for testing of potable water systems are not reimbursable from  
27 another state or federal source except that that part of the salary paid  
28 any teacher, supervisor or other employee of the board of cooperative  
29 educational services which is, (i) for the two thousand twenty-two--two  
30 thousand twenty-three and prior school years, in excess of thirty thousand dollars, (ii) for aid payable in the two thousand twenty-three--two  
31 thousand twenty-four school year in excess of forty thousand dollars,  
32 (iii) for aid payable in the two thousand twenty-four--two thousand  
33 twenty-five school year in excess of fifty thousand dollars, (iv) for  
34 aid payable in the two thousand twenty-five--two thousand twenty-six  
35 school year and thereafter, in excess of sixty thousand dollars, shall  
36 not be such an approved expense, and except also that administrative and  
37 clerical expenses shall not exceed ten percent of the total expenses for  
38 purposes of this computation. Any gifts, donations or interest earned by  
39 the board of cooperative educational services or on behalf of the board  
40 of cooperative educational services by the dormitory authority or any  
41 other source shall not be deducted in determining the cost of services  
42 allocated to each component school district. Any payments made to a  
43 component school district by the board of cooperative educational  
44 services pursuant to subdivision eleven of section six-p of the general  
45 municipal law attributable to an approved cost of service computed  
46 pursuant to this subdivision shall be deducted from the cost of services  
47 allocated to such component school district. The expense of transportation provided by the board of cooperative educational services pursuant  
48 to paragraph q of subdivision four of this section shall be eligible for  
49 aid apportioned pursuant to subdivision seven of section thirty-six  
50 hundred two of this chapter and no board of cooperative educational  
51 services transportation expense shall be an approved cost of services  
52 for the computation of aid under this subdivision. Transportation  
53 expense pursuant to paragraph q of subdivision four of this section



1 shall be included in the computation of the ten percent limitation on  
2 administrative and clerical expenses.

3 § 7-b. Paragraph b of subdivision 10 of section 3602 of the education  
4 law, as amended by section 16 of part B of chapter 57 of the laws of  
5 2007, is amended to read as follows:

6 b. Aid for career education. There shall be apportioned to such city  
7 school districts and other school districts which were not components of  
8 a board of cooperative educational services in the base year for pupils  
9 in grades ~~ten~~ nine through twelve in attendance in career education  
10 programs as such programs are defined by the commissioner, subject for  
11 the purposes of this paragraph to the approval of the director of the  
12 budget, an amount for each such pupil to be computed by multiplying the  
13 career education aid ratio by three thousand nine hundred dollars. Such  
14 aid will be payable for weighted pupils attending career education  
15 programs operated by the school district and for weighted pupils for  
16 whom such school district contracts with boards of cooperative educa-  
17 tional services to attend career education programs operated by a board  
18 of cooperative educational services. Weighted pupils for the purposes of  
19 this paragraph shall mean the sum of (i) the product of the attendance  
20 of students in grade nine multiplied by the special services phase-in  
21 factor plus (ii) the attendance of students in grades ten through twelve  
22 in career education sequences in trade, industrial, technical, agricul-  
23 tural or health programs plus the product of sixteen hundredths multi-  
24 plied by the sum of (i) the product of the attendance of students in  
25 grade nine multiplied by the special services phase-in factor plus (ii)  
26 the attendance of students in grades ten through twelve in career educa-  
27 tion sequences in business and marketing as defined by the commissioner  
28 in regulations; provided that the special services phase-in factor shall  
29 be: (i) for the two thousand twenty-three--two thousand twenty-four  
30 school year, thirty-three percent (0.33), (ii) for the two thousand  
31 twenty-four--two thousand twenty-five school year, sixty-six percent  
32 (0.66), (iii) for the two thousand twenty-five--two thousand twenty-six  
33 school year and thereafter, one hundred percent (1.0). The career educa-  
34 tion aid ratio shall be computed by subtracting from one the product  
35 obtained by multiplying fifty-nine percent by the combined wealth ratio.  
36 This aid ratio shall be expressed as a decimal carried to three places  
37 without rounding, but not less than thirty-six percent.

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

41 A board of education which spends less than its local funds as defined  
42 by regulations of the commissioner for career education in the base year  
43 during the current year shall have its apportionment under this subdivi-  
44 sion reduced in an amount equal to such deficiency in the current or a  
45 succeeding school year, provided however that the commissioner may waive  
46 such reduction upon determination that overall expenditures per pupil in  
47 support of career education programs were continued at a level equal to  
48 or greater than the level of such overall expenditures per pupil in the  
49 preceding school year.

50 § 8. The closing paragraph of subdivision 5-a of section 3602 of the  
51 education law, as amended by section 14 of part A of chapter 56 of the  
52 laws of 2022, is amended to read as follows:

53 For the two thousand eight--two thousand nine school year, each school  
54 district shall be entitled to an apportionment equal to the product of  
55 fifteen percent and the additional apportionment computed pursuant to  
56 this subdivision for the two thousand seven--two thousand eight school

1 year. For the two thousand nine--two thousand ten [~~through two thousand~~  
2 ~~twenty-two two thousand twenty-three~~] school [~~years~~] year and thereaft-  
3 er each school district shall be entitled to an apportionment equal to  
4 the amount set forth for such school district as "SUPPLEMENTAL PUB  
5 EXCESS COST" under the heading "2008-09 BASE YEAR AIDS" in the school  
6 aid computer listing produced by the commissioner in support of the  
7 budget for the two thousand nine--two thousand ten school year and enti-  
8 tled "SA0910".

9 § 9. Paragraph b of subdivision 6-c of section 3602 of the education  
10 law, as amended by section 11 of part CCC of chapter 59 of the laws of  
11 2018, is amended to read as follows:

12 b. For projects approved by the commissioner authorized to receive  
13 additional building aid pursuant to this subdivision for the purchase of  
14 stationary metal detectors, security cameras or other security devices  
15 approved by the commissioner that increase the safety of students and  
16 school personnel, provided that for purposes of this paragraph such  
17 other security devices shall be limited to electronic security systems  
18 and hardened doors, and provided that for projects approved by the  
19 commissioner on or after the first day of July two thousand thirteen  
20 [~~and before the first day of July two thousand twenty-three~~] such addi-  
21 tional aid shall equal the product of (i) the building aid ratio  
22 computed for use in the current year pursuant to paragraph c of subdivi-  
23 sion six of this section plus ten percentage points, except that in no  
24 case shall this amount exceed one hundred percent, and (ii) the actual  
25 approved expenditures incurred in the base year pursuant to this subdivi-  
26 sion, provided that the limitations on cost allowances prescribed by  
27 paragraph a of subdivision six of this section shall not apply, and  
28 provided further that any projects aided under this paragraph must be  
29 included in a district's school safety plan. The commissioner shall  
30 annually prescribe a special cost allowance for metal detectors, and  
31 security cameras, and the approved expenditures shall not exceed such  
32 cost allowance.

33 § 9-a. Subparagraph 9 of paragraph a of subdivision 6 of section 3602  
34 of the education law, as added by chapter 617 of the laws of 2021, is  
35 renumbered subparagraph 10 and a new subparagraph 11 is added to read as  
36 follows:

37 (11) Notwithstanding any other provision of law to the contrary, for  
38 the purpose of computation of building aid for construction or recon-  
39 struction or modernizing of no more than one project by the Binghamton  
40 city school district, multi-year cost allowances for the project shall  
41 be established and utilized two times in the first five-year period.  
42 Subsequent multi-year cost allowances shall be established no sooner  
43 than ten years after establishment of the first maximum cost allowance  
44 authorized pursuant to this subparagraph.

45 § 10. Paragraph i of subdivision 12 of section 3602 of the education  
46 law, as amended by section 15 of part A of chapter 56 of the laws of  
47 2022, is amended to read as follows:

48 i. For the two thousand twenty-one--two thousand twenty-two school  
49 year [~~and~~] through the two thousand [~~twenty-two~~] twenty-three--two thou-  
50 sand [~~twenty-three~~] twenty-four school year, each school district shall  
51 be entitled to an apportionment equal to the amount set forth for such  
52 school district as "ACADEMIC ENHANCEMENT" under the heading "2020-21  
53 ESTIMATED AIDS" in the school aid computer listing produced by the  
54 commissioner in support of the budget for the two thousand twenty--two  
55 thousand twenty-one school year and entitled "SA202-1", and such appor-  
56 tionment shall be deemed to satisfy the state obligation to provide an

1 apportionment pursuant to subdivision eight of section thirty-six  
2 hundred forty-one of this article.

3 § 11. The opening paragraph of subdivision 16 of section 3602 of the  
4 education law, as amended by section 16 of part A of chapter 56 of the  
5 laws of 2022, is amended to read as follows:

6 Each school district shall be eligible to receive a high tax aid  
7 apportionment in the two thousand eight--two thousand nine school year,  
8 which shall equal the greater of (i) the sum of the tier 1 high tax aid  
9 apportionment, the tier 2 high tax aid apportionment and the tier 3 high  
10 tax aid apportionment or (ii) the product of the apportionment received  
11 by the school district pursuant to this subdivision in the two thousand  
12 seven--two thousand eight school year, multiplied by the due-minimum  
13 factor, which shall equal, for districts with an alternate pupil wealth  
14 ratio computed pursuant to paragraph b of subdivision three of this  
15 section that is less than two, seventy percent (0.70), and for all other  
16 districts, fifty percent (0.50). Each school district shall be eligible  
17 to receive a high tax aid apportionment in the two thousand nine--two  
18 thousand ten through two thousand twelve--two thousand thirteen school  
19 years in the amount set forth for such school district as "HIGH TAX AID"  
20 under the heading "2008-09 BASE YEAR AIDS" in the school aid computer  
21 listing produced by the commissioner in support of the budget for the  
22 two thousand nine--two thousand ten school year and entitled "SA0910".  
23 Each school district shall be eligible to receive a high tax aid appor-  
24 tionment in the two thousand thirteen--two thousand fourteen through two  
25 thousand ~~twenty-two~~ twenty-three--two thousand ~~twenty-three~~ twenty-  
26 four school years equal to the greater of (1) the amount set forth for  
27 such school district as "HIGH TAX AID" under the heading "2008-09 BASE  
28 YEAR AIDS" in the school aid computer listing produced by the commis-  
29 sioner in support of the budget for the two thousand nine--two thousand  
30 ten school year and entitled "SA0910" or (2) the amount set forth for  
31 such school district as "HIGH TAX AID" under the heading "2013-14 ESTI-  
32 MATED AIDS" in the school aid computer listing produced by the commis-  
33 sioner in support of the executive budget for the 2013-14 fiscal year  
34 and entitled "BT131-4".

35 § 11-a. Subparagraph 1 of paragraph b of subdivision 6-f of section  
36 3602 of the education law, as added by section 19 of part H of chapter  
37 83 of the laws of 2002, is amended to read as follows:

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

42 § 12. Section 3602-e of the education law is amended by adding a new  
43 subdivision 3 to read as follows:

44 3. Beginning in the two thousand twenty-three--two thousand twenty-  
45 four school year, all school districts shall annually report to the  
46 commissioner: (i) the number of four-year-old prekindergarten students  
47 the district intends to serve in full-day and half-day slots in  
48 district-operated prekindergarten programs in the current school year;  
49 (ii) the number of four-year-old prekindergarten students the district  
50 intends to serve in full-day and half-day slots in prekindergarten  
51 programs operated by community-based organizations in the current school  
52 year; (iii) the number of four-year-old prekindergarten students in the  
53 current school year the district is unable to serve due to a lack of  
54 capacity; and (iv) any other information available to districts and  
55 determined by the commissioner to be necessary to accurately estimate  
56 the unmet demand for four-year-old prekindergarten programs within a

1 district. Such report shall be due on or before September first of each  
2 year and shall be collected as part of the application submitted pursu-  
3 ant to subdivision five of this section. Beginning November first, two  
4 thousand twenty-three, the commissioner shall annually submit a report  
5 to the governor, the temporary president of the senate, and the speaker  
6 of the assembly on the information reported by districts.

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

9 b. Two thousand twenty-three--two thousand twenty-four school year.

10 (i) The universal prekindergarten expansion for the two thousand twen-  
11 ty-three--two thousand twenty-four school year shall be equal to twice  
12 the product of (1) expansion slots multiplied by (2) selected aid per  
13 prekindergarten pupil calculated pursuant to subparagraph (i) of para-  
14 graph b of subdivision ten of this section for the two thousand twenty-  
15 three--two thousand twenty-four school year.

16 (ii) For purposes of this paragraph, "expansion slots" shall be slots  
17 for new full-day four-year-old prekindergarten pupils for purposes of  
18 subparagraph (ii) of paragraph b of subdivision ten of this section.  
19 Expansion slots shall be equal to the positive difference, if any, of  
20 (1) the product of eight hundred ninety-seven thousandths (0.897) multi-  
21 plied by unserved four-year-old prekindergarten pupils as defined in  
22 subparagraph (iv) of paragraph b of subdivision ten of this section less  
23 (2) the sum of four-year-old students served plus the underserved count.  
24 If such expansion slots are greater than or equal to ten but less than  
25 twenty, the expansion slots shall be twenty; if such expansion slots are  
26 less than ten, the expansion slots shall be zero; and for a city school  
27 district in a city having a population of one million or more, the  
28 expansion slots shall be zero.

29 (iii) For purposes of this paragraph, "four-year-old students served"  
30 shall be equal to the sum of (1) the number of four-year-old students  
31 served in full-day and half-day settings in a state funded program which  
32 must meet the requirements of this section as reported to the department  
33 for the two thousand twenty-one--two thousand twenty-two school year,  
34 plus (2) the number of four-year-old students served in full-day  
35 settings in a state funded program which must meet the requirements of  
36 section thirty-six hundred two-ee of this part and for which grants were  
37 awarded prior to the two thousand twenty--two thousand twenty-one school  
38 year, plus (3) the number of expansion slots allocated pursuant to para-  
39 graph b of subdivision nineteen of this section, plus (4) the number of  
40 expansion slots allocated pursuant to paragraph a of this subdivision,  
41 plus (5) the maximum number of students that may be served in full-day  
42 prekindergarten programs funded by grants which must meet the require-  
43 ments of section thirty-six hundred two-ee of this part for grants  
44 awarded in the two thousand twenty-one--two thousand twenty-two or two  
45 thousand twenty-two--two thousand twenty-three school year.

46 (iv) For purposes of this paragraph, the underserved count shall be  
47 equal to the positive difference, if any, of (1) the sum of (a) eligible  
48 full-day four-year-old prekindergarten pupils as defined in subparagraph  
49 (ii) of paragraph b of subdivision ten of this section for the two thou-  
50 sand twenty-one--two thousand twenty-two school year, plus (b) the prod-  
51 uct of five-tenths (0.5) and the eligible half-day four-year-old prekin-  
52 dergarten pupils as defined in subparagraph (iii) of paragraph b of  
53 subdivision ten of this section for the two thousand twenty-one--two  
54 thousand twenty-two school year, less (2) the positive difference of (a)  
55 the number of four-year-old students served in full-day and half-day  
56 settings in a state-funded program which must meet the requirements of

this section as reported to the department for the two thousand twenty-one--two thousand twenty-two school year, with students served in half-day settings multiplied by five-tenths (0.5), less (b) the number of pupils served in a conversion slot pursuant to section thirty-six hundred two-ee of this part in the two thousand twenty-one--two thousand twenty-two school year multiplied by five-tenths (0.5).

§ 14. Paragraph d of subdivision 12 of section 3602-e of the education law, as amended by section 17-b of part A of chapter 56 of the laws of 2022, is amended to read as follows:

d. transitional guidelines and rules which allow a program to meet the required staff qualifications and any other requirements set forth pursuant to this section and regulations adopted by the board of regents and the commissioner; provided that such guidelines include an annual process by which a district may apply to the commissioner by [~~August~~ September] first of the current school year for a waiver that would allow personnel employed by an eligible agency that is collaborating with a school district to provide prekindergarten services and licensed by an agency other than the department, to meet the staff qualifications prescribed by the licensing or registering agency. Provided, further, that the commissioner shall annually submit a report by [~~September~~ November] first to the chairperson of the assembly ways and means committee, the chairperson of the senate finance committee and the director of the budget which shall include but not be limited to the following: (a) a listing of the school districts receiving a waiver pursuant to this paragraph from the commissioner for the current school year; (b) the number and proportion of students within each district receiving a waiver pursuant to this paragraph for the current school year that are receiving instruction from personnel employed by an eligible agency that is collaborating with a school district to provide prekindergarten services and licensed by an agency other than the department; and (c) the number and proportion of total prekindergarten personnel for each school district that are providing instructional services pursuant to this paragraph that are employed by an eligible agency that is collaborating with a school district to provide prekindergarten services and licensed by an agency other than the department, to meet the staff qualifications prescribed by the licensing or registering agency.

§ 15. Paragraph c of subdivision 8 of section 3602-ee of the education law, as amended by section 17-a of part A of chapter 56 of the laws of 2022, is amended to read as follows:

(c) for eligible agencies as defined in paragraph b of subdivision one of section thirty-six hundred two-e of this part that are not schools, a bachelor's degree in early childhood education. Provided however, beginning with the two thousand twenty-two--two thousand twenty-three school year, a school district may annually apply to the commissioner by [~~August~~ September] first of the current school year for a waiver that would allow personnel employed by an eligible agency that is collaborating with a school district to provide prekindergarten services and licensed by an agency other than the department, to meet the staff qualifications prescribed by the licensing or registering agency. Provided further that the commissioner shall annually submit a report by [~~September~~ November] first to the chairperson of the assembly ways and means committee, the chairperson of the senate finance committee and the director of the budget which shall include but not be limited to the following: (a) a listing of the school districts receiving a waiver pursuant to this paragraph from the commissioner for the current school year; (b) the number and proportion of students within each district



1 receiving a waiver pursuant to this paragraph for the current school  
2 year that are receiving instruction from personnel employed by an eligi-  
3 ble agency that is collaborating with a school district to provide prek-  
4 indergarten services and licensed by an agency other than the depart-  
5 ment; and (c) the number and proportion of total prekindergarten  
6 personnel for each school district that are providing instructional  
7 services pursuant to this paragraph that are employed by an eligible  
8 agency that is collaborating with a school district to provide prekin-  
9 dergarten services and licensed by an agency other than the department,  
10 to meet the staff qualifications prescribed by the licensing or regis-  
11 tering agency.

12 § 16. Subdivision 16 of section 3602-ee of the education law, as  
13 amended by section 17 of part A of chapter 56 of the laws of 2022, is  
14 amended to read as follows:

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

19 § 17. Intentionally omitted.

20 § 18. The opening paragraph of section 3609-a of the education law, as  
21 amended by section 19 of part A of chapter 56 of the laws of 2022, is  
22 amended to read as follows:

23 For aid payable in the two thousand seven--two thousand eight school  
24 year through the two thousand [~~twenty-two~~] twenty-three--two thousand  
25 [~~twenty-three~~] twenty-four school year, "moneys apportioned" shall mean  
26 the lesser of (i) the sum of one hundred percent of the respective  
27 amount set forth for each school district as payable pursuant to this  
28 section in the school aid computer listing for the current year produced  
29 by the commissioner in support of the budget which includes the appro-  
30 priation for the general support for public schools for the prescribed  
31 payments and individualized payments due prior to April first for the  
32 current year plus the apportionment payable during the current school  
33 year pursuant to subdivision six-a and subdivision fifteen of section  
34 thirty-six hundred two of this part minus any reductions to current year  
35 aids pursuant to subdivision seven of section thirty-six hundred four of  
36 this part or any deduction from apportionment payable pursuant to this  
37 chapter for collection of a school district basic contribution as  
38 defined in subdivision eight of section forty-four hundred one of this  
39 chapter, less any grants provided pursuant to subparagraph two-a of  
40 paragraph b of subdivision four of section ninety-two-c of the state  
41 finance law, less any grants provided pursuant to subdivision five of  
42 section ninety-seven-nnnn of the state finance law, less any grants  
43 provided pursuant to subdivision twelve of section thirty-six hundred  
44 forty-one of this article, or (ii) the apportionment calculated by the  
45 commissioner based on data on file at the time the payment is processed;  
46 provided however, that for the purposes of any payments made pursuant to  
47 this section prior to the first business day of June of the current  
48 year, moneys apportioned shall not include any aids payable pursuant to  
49 subdivisions six and fourteen, if applicable, of section thirty-six  
50 hundred two of this part as current year aid for debt service on bond  
51 anticipation notes and/or bonds first issued in the current year or any  
52 aids payable for full-day kindergarten for the current year pursuant to  
53 subdivision nine of section thirty-six hundred two of this part. The  
54 definitions of "base year" and "current year" as set forth in subdivi-  
55 sion one of section thirty-six hundred two of this part shall apply to  
56 this section. For aid payable in the two thousand [~~twenty-two~~] twenty-

1 ~~three~~--two thousand [~~twenty-three~~] ~~twenty-four~~ school year, reference to  
2 such "school aid computer listing for the current year" shall mean the  
3 printouts entitled [~~"SA222-3"~~] "SA232-4".

4 § 18-a. Paragraphs e and f of subdivision 2 of section 3623-a of the  
5 education law, paragraph e as amended and paragraph f as added by  
6 section 2 of subpart A of part B of chapter 56 of the laws of 2022, are  
7 amended and a new paragraph g is added to read as follows:

8 e. Any approved cost of construction, reconstruction, lease or  
9 purchase of a transportation storage facility or site in the amount of  
10 ten thousand dollars or more shall be aidable in accordance with subdivi-  
11 sion six of section thirty-six hundred two of this article and shall  
12 not be aidable as transportation expense; [~~and~~]

13 f. Approved costs relating to the lease, purchase, construction, or  
14 installation of zero-emission school bus electric charging or hydrogen  
15 fueling stations. For the purposes of this section, a zero-emission  
16 school bus electric charging station is a station that delivers elec-  
17 tricity from a source outside a zero-emission school bus into one or  
18 more zero-emission school buses. An electric school bus charging station  
19 may include several charge points simultaneously connecting several  
20 zero-emission school buses to the station and any related equipment  
21 needed to facilitate charging plug-in zero-emission school buses. Any  
22 work related to the construction or installation of zero-emission school  
23 bus electric charging or hydrogen fueling stations under this paragraph  
24 shall be considered public work and shall be subject to prevailing wage  
25 requirements in accordance with section two hundred twenty and two  
26 hundred twenty-b of the labor law[~~-~~]; and

27 g. Approved costs for transportation electrification studies to comply  
28 with section thirty-six hundred thirty-eight of this article.

29 § 18-b. Section 3627 of the education law, as amended by section 7 of  
30 part A of chapter 56 of the laws of 2014, subdivision 4 as amended by  
31 section 11-b of part A of chapter 56 of the laws of 2022, is amended to  
32 read as follows:

33 § 3627. Transportation after 4pm. 1. Transportation after 4pm for a  
34 city school district located in a city having a population of one  
35 million or more. a. Notwithstanding any other provisions of this  
36 [~~section~~] subdivision to the contrary, for the two thousand thirteen--  
37 two thousand fourteen and two thousand fourteen--two thousand fifteen  
38 school year and thereafter, a city school district located in a city  
39 having a population of one million or more providing transportation  
40 pursuant to this chapter shall be responsible for:

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

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



1 one-half mile from their school of attendance for grades kindergarten  
2 through two.

3 ~~[2-]~~ b. Nothing herein shall prohibit the school district from reim-  
4 bursing for costs incurred for contracts between the school district and  
5 any entity providing or contracting for such transportation service.

6 ~~[3-]~~ c. A district shall not be deemed to have satisfied its obli-  
7 gation under this ~~[section]~~ subdivision by providing public service  
8 transportation.

9 ~~[4-]~~ d. Notwithstanding any other provision of law to the contrary,  
10 any expenditures for transportation provided pursuant to this ~~[section]~~  
11 subdivision in the two thousand thirteen--two thousand fourteen school  
12 year and thereafter and otherwise eligible for transportation aid pursu-  
13 ant to subdivision seven of section thirty-six hundred two of this arti-  
14 cle shall be considered approved transportation expenses eligible for  
15 transportation aid, provided further that for the two thousand thir-  
16 teen--two thousand fourteen school year such aid shall be limited to  
17 eight million one hundred thousand dollars and for the two thousand  
18 fourteen--two thousand fifteen school year such aid shall be limited to  
19 the sum of twelve million six hundred thousand dollars plus the base  
20 amount and for the two thousand fifteen--two thousand sixteen school  
21 year through two thousand eighteen--two thousand nineteen school year  
22 such aid shall be limited to the sum of eighteen million eight hundred  
23 fifty thousand dollars plus the base amount and for the two thousand  
24 nineteen--two thousand twenty school year such aid shall be limited to  
25 the sum of nineteen million three hundred fifty thousand dollars plus  
26 the base amount and for the two thousand twenty--two thousand twenty-one  
27 school year such aid shall be limited to the sum of nineteen million  
28 eight hundred fifty thousand dollars plus the base amount and for the  
29 two thousand twenty-two--two thousand twenty-three school year ~~[and~~  
30 ~~thereafter]~~ such aid shall be limited to the sum of twenty-two million  
31 three hundred fifty thousand dollars plus the base amount and for the  
32 two thousand twenty-three--two thousand twenty-four school year and  
33 thereafter such aid shall be limited to the product of the base year aid  
34 limit multiplied by the personal income growth index as defined in para-  
35 graph bb of subdivision one of section thirty-six hundred two of this  
36 article plus the base amount. For purposes of this ~~[subdivision]~~ para-  
37 graph, "base amount" means the amount of transportation aid paid to the  
38 school district for expenditures incurred in the two thousand twelve--  
39 two thousand thirteen school year for transportation that would have  
40 been eligible for aid pursuant to this section had this section been in  
41 effect in such school year, except that ~~[subdivision six]~~ paragraph f of  
42 this ~~[section]~~ subdivision shall be deemed not to have been in effect.  
43 And provided further that the school district shall continue to annually  
44 expend for the transportation described in ~~[subdivision one]~~ paragraph a  
45 of this ~~[section]~~ subdivision at least the expenditures used for the  
46 base amount.

47 ~~[5-]~~ e. Notwithstanding any other provision of this ~~[section]~~ subdivi-  
48 sion to the contrary, in no event shall such city school district, in  
49 order to comply with the requirements of this ~~[section]~~ subdivision, be  
50 required to incur any costs in excess of the amount eligible for trans-  
51 portation aid pursuant to ~~[subdivision four]~~ paragraph d of this  
52 ~~[section]~~ subdivision. In the event such amount is insufficient, the  
53 city school district of New York shall provide transportation services  
54 within such amount on an equitable basis, until such apportionment is  
55 exhausted.

1     ~~[6-]~~ f. The chancellor of such school district, in consultation with  
2 the commissioner, shall prescribe the most cost effective system for  
3 implementing the requirements of this ~~[section]~~ subdivision, taking into  
4 consideration: ~~[(a)]~~ (1) the costs associated with ~~[paragraphs (a) and~~  
5 ~~(b)]~~ subparagraphs (i) and (ii) of paragraph a of this subdivision ~~[one~~  
6 ~~of this section]~~, and ~~[(b)]~~ (2) policies that attempt to maximize  
7 student safety for the student to be transported, which for purposes of  
8 this section shall include whether the pick up or drop off site of the  
9 transportation is:

10     (i) not further than 600 feet from the student's residence; and/or

11     (ii) at the same locations for any family that have children at the  
12 same residence who attend two or more different schools.

13     ~~[7-(a)]~~ g. (i) In the event the chancellor has not satisfied a  
14 district's obligation under this ~~[section]~~ subdivision, a parent or  
15 guardian or any representative authorized by such parent or guardian of  
16 a child eligible to receive transportation under this ~~[section]~~ subdivi-  
17 sion may request the commissioner to arrange for the provision of the  
18 transportation to so satisfy the requirements of this ~~[section]~~ subdivi-  
19 sion.

20     ~~[(b)]~~ (ii) If within sixty days of receiving a request from such a  
21 parent or guardian or any representative authorized by such parent or  
22 guardian, the commissioner determines that the chancellor has not satis-  
23 fied a district's obligation under this ~~[section]~~ subdivision, then the  
24 commissioner shall immediately direct the chancellor to contract with a  
25 licensed transportation carrier to provide the transportation required  
26 pursuant to this ~~[section]~~ subdivision.

27     ~~[(c)]~~ (iii) In the event the chancellor is directed by the commission-  
28 er to contract with a licensed transportation carrier to provide the  
29 transportation required pursuant to this ~~[section]~~ subdivision, the  
30 chancellor shall provide the commissioner with a copy of such proposed  
31 contract, before it becomes effective, and the commissioner shall have  
32 the power to approve, disapprove or require amendments to such contract  
33 before it shall become effective.

34     ~~[(d)]~~ (iv) A district, determined by the commissioner to not be in  
35 compliance with the requirements of this ~~[section]~~ subdivision, shall be  
36 responsible for the cost of any transportation contract awarded by the  
37 chancellor.

38     ~~[8-]~~ h. The parent or guardian, or any representative authorized by  
39 such parent or guardian, may submit a written request for transportation  
40 under this ~~[section]~~ subdivision, in the same manner and upon the same  
41 dates as are required for a request for transportation pursuant to  
42 subdivision two of section thirty-six hundred thirty-five of this arti-  
43 cle.

44     2. Transportation after 4pm for Sullivan county. a. Notwithstanding  
45 any other provisions of this article to the contrary, for the two thou-  
46 sand twenty-three--two thousand twenty-four school year and thereafter,  
47 in the county of Sullivan, a child who resides in an area containing at  
48 least fifty children within a five mile radius and who remains at the  
49 same school for which they are enrolled for regularly scheduled academic  
50 classes from half-past nine o'clock in the morning or earlier until four  
51 o'clock in the afternoon or later, on weekdays, shall be provided with  
52 transportation pursuant to this subdivision.

53     (i) Such transportation shall be provided to all children attending  
54 grades kindergarten through eight who live more than two miles from the  
55 school which they legally attend and for all children attending grades  
56 nine through twelve who live more than three miles from the school which

1 they legally attend, and shall be provided for each such pupil up to a  
2 distance of fifteen miles, the distances in each case being measured by  
3 the nearest available route from home to school.

4 (ii) Such transportation shall be provided by (1) school districts  
5 pursuant to section thirty-six hundred thirty-five of this article, (2)  
6 licensed transportation carriers pursuant to contracts with such school  
7 districts, or (3) licensed transportation carriers pursuant to contracts  
8 with another entity, provided further that school districts shall reim-  
9 burse such entities at a cost equal to or less than the average cost to  
10 transport a public school student in such district.

11 (iii) Nothing herein shall prohibit a school district from reimbursing  
12 for costs incurred for contracts between the school district and any  
13 entity providing or contracting for such transportation services.

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

19 (c) The board of education shall prescribe the most cost-effective  
20 system for implementing the requirements of this subdivision, taking  
21 into consideration policies that maximize student safety for the student  
22 to be transported.

23 § 19. Section 3638 of the education law is amended by adding a new  
24 subdivision 7 to read as follows:

25 7. Beginning in the two thousand twenty-four--two thousand twenty-five  
26 school year, every school district shall annually submit to the commis-  
27 sioner a progress report on the implementation of zero-emission school  
28 buses as required under this section in a format prescribed by the  
29 commissioner and approved by the director of the budget. The report  
30 shall include, but not be limited to, (i) sufficiency of the school  
31 district's electric infrastructure to support anticipated electrical  
32 needs, (ii) the availability and installation of charging or fueling  
33 stations and other components and capital infrastructure required to  
34 support the transition to and full implementation of zero-emission  
35 school buses, (iii) whether the workforce development report pursuant to  
36 paragraph (c) of subdivision five of this section has been created and  
37 implemented, (iv) the number and proportion of zero-emission school  
38 buses the school district or any contractor providing transportation  
39 services is utilizing in the current school year, and (v) the number and  
40 proportion of zero-emission school buses purchased or leased by the  
41 school district or any contractor providing transportation services in  
42 the current school year and the total anticipated number for the next  
43 two years. The progress report shall be due on or before August first of  
44 each year. Beginning October first, two thousand twenty-four, the  
45 commissioner shall annually submit a report to the governor, the tempo-  
46 rary president of the senate and the speaker of the assembly on the  
47 progress of implementation of zero-emission school buses as reported by  
48 the school districts.

49 § 19-a. Subdivision 23 of section 1854 of the public authorities law,  
50 as added by section 1 of subpart B of part B of chapter 56 of the laws  
51 of 2022, is amended to read as follows:

52 23. No later than December thirty-first, two thousand [~~twenty-six~~]  
53 twenty-four, and annually thereafter, the authority shall issue a report  
54 on the availability of zero-emission school buses and charging or fuel-  
55 ing infrastructure that meet the criteria established in subdivision two  
56 of section thirty-six hundred thirty-eight of the education law. The

1 authority shall provide technical assistance to school districts, upon  
2 request, in pursuing state and federal grants and other funding opportu-  
3 nities to support the purchase and contracting requirements set forth in  
4 subdivision two of section thirty-six hundred thirty-eight of the educa-  
5 tion law.

6 § 19-b. Subparagraph 1-a of paragraph c of subdivision 4 of section  
7 3641 of the education law, as added by section 52-b of part YY of chap-  
8 ter 59 of the laws of 2019, is amended to read as follows:

9 (1-a) Commencing no sooner than the first day in January, two thousand  
10 [~~twenty~~] twenty-four, the commissioner shall require all school  
11 districts, state-operated schools subject to the provisions of article  
12 eighty-seven or eighty-eight of this chapter, and state-owned schools  
13 subject to the provisions of article eighty-three of this chapter to  
14 conduct building condition surveys every five years in accordance with  
15 regulations of the commissioner. Such regulations shall prescribe the  
16 date or dates by which such surveys must be completed and submitted to  
17 the department and shall provide for staggered implementation so that  
18 such surveys are distributed as evenly as possible throughout the five-  
19 year period based on the number of public school buildings, provided  
20 that such implementation schedule shall ensure that no region of the  
21 state is overrepresented in a given scheduled year and shall to the  
22 extent practicable prioritize assigning to the first two years of such  
23 schedule those school districts with the greatest proportions of build-  
24 ings which previously received relatively low overall condition ratings.

25 § 20. Subdivision b of section 2 of chapter 756 of the laws of 1992,  
26 relating to funding a program for work force education conducted by the  
27 consortium for worker education in New York city, as amended by section  
28 20 of part A of chapter 56 of the laws of 2022, is amended to read as  
29 follows:

30 b. Reimbursement for programs approved in accordance with subdivision  
31 a of this section for the reimbursement for the 2018--2019 school year  
32 shall not exceed 59.4 percent of the lesser of such approvable costs per  
33 contact hour or fourteen dollars and ninety-five cents per contact hour,  
34 reimbursement for the 2019--2020 school year shall not exceed 57.7  
35 percent of the lesser of such approvable costs per contact hour or  
36 fifteen dollars sixty cents per contact hour, reimbursement for the  
37 2020--2021 school year shall not exceed 56.9 percent of the lesser of  
38 such approvable costs per contact hour or sixteen dollars and twenty-  
39 five cents per contact hour, reimbursement for the 2021--2022 school  
40 year shall not exceed 56.0 percent of the lesser of such approvable  
41 costs per contact hour or sixteen dollars and forty cents per contact  
42 hour, [~~and~~] reimbursement for the 2022--2023 school year shall not  
43 exceed 55.7 percent of the lesser of such approvable costs per contact  
44 hour or sixteen dollars and sixty cents per contact hour, and reimburse-  
45 ment for the 2023--2024 school year shall not exceed 54.7 percent of the  
46 lesser of such approvable costs per contact hour or seventeen dollars  
47 and seventy cents per contact hour, and where a contact hour represents  
48 sixty minutes of instruction services provided to an eligible adult.  
49 Notwithstanding any other provision of law to the contrary, for the  
50 2018--2019 school year such contact hours shall not exceed one million  
51 four hundred sixty-three thousand nine hundred sixty-three (1,463,963);  
52 for the 2019--2020 school year such contact hours shall not exceed one  
53 million four hundred forty-four thousand four hundred forty-four  
54 (1,444,444); for the 2020--2021 school year such contact hours shall not  
55 exceed one million four hundred six thousand nine hundred twenty-six  
56 (1,406,926); for the 2021--2022 school year such contact hours shall not

1 exceed one million four hundred sixteen thousand one hundred twenty-two  
2 (1,416,122); ~~and~~ for the 2022--2023 school year such contact hours  
3 shall not exceed one million four hundred six thousand nine hundred  
4 twenty-six (1,406,926); and for the 2023--2024 school year such contact  
5 hours shall not exceed one million three hundred forty-two thousand nine  
6 hundred seventy-five (1,342,975). Notwithstanding any other provision of  
7 law to the contrary, the apportionment calculated for the city school  
8 district of the city of New York pursuant to subdivision 11 of section  
9 3602 of the education law shall be computed as if such contact hours  
10 provided by the consortium for worker education, not to exceed the  
11 contact hours set forth herein, were eligible for aid in accordance with  
12 the provisions of such subdivision 11 of section 3602 of the education  
13 law.

14 § 21. Section 4 of chapter 756 of the laws of 1992, relating to fund-  
15 ing a program for work force education conducted by the consortium for  
16 worker education in New York city, is amended by adding a new subdivi-  
17 sion bb to read as follows:

18 bb. The provisions of this subdivision shall not apply after the  
19 completion of payments for the 2023--24 school year. Notwithstanding any  
20 inconsistent provisions of law, the commissioner of education shall  
21 withhold a portion of employment preparation education aid due to the  
22 city school district of the city of New York to support a portion of the  
23 costs of the work force education program. Such moneys shall be credited  
24 to the elementary and secondary education fund-local assistance account  
25 and shall not exceed thirteen million dollars (\$13,000,000).

26 § 22. Section 6 of chapter 756 of the laws of 1992, relating to fund-  
27 ing a program for work force education conducted by the consortium for  
28 worker education in New York city, as amended by section 22 of part A of  
29 chapter 56 of the laws of 2022, is amended to read as follows:

30 § 6. This act shall take effect July 1, 1992, and shall be deemed  
31 repealed ~~on~~ June 30, ~~2023~~ 2024.

32 § 22-a. Paragraph a-1 of subdivision 11 of section 3602 of the educa-  
33 tion law, as amended by section 22-a of part A of chapter 56 of the laws  
34 of 2022, is amended to read as follows:

35 a-1. Notwithstanding the provisions of paragraph a of this subdivi-  
36 sion, for aid payable in the school years two thousand--two thousand one  
37 through two thousand nine--two thousand ten, and two thousand eleven--  
38 two thousand twelve ~~[through two thousand twenty-two--two thousand twen-~~  
39 ~~ty-three]~~ and thereafter, the commissioner may set aside an amount not  
40 to exceed two million five hundred thousand dollars from the funds  
41 appropriated for purposes of this subdivision for the purpose of serving  
42 persons twenty-one years of age or older who have not been enrolled in  
43 any school for the preceding school year, including persons who have  
44 received a high school diploma or high school equivalency diploma but  
45 fail to demonstrate basic educational competencies as defined in regu-  
46 lation by the commissioner, when measured by accepted standardized  
47 tests, and who shall be eligible to attend employment preparation educa-  
48 tion programs operated pursuant to this subdivision.

49 § 23. Intentionally omitted.

50 § 24. Section 12 of chapter 147 of the laws of 2001 amending the  
51 education law relating to conditional appointment of school district,  
52 charter school or BOCES employees, as amended by section 24 of part A of  
53 chapter 56 of the laws of 2022, is amended to read as follows:

54 § 12. This act shall take effect on the same date as chapter 180 of  
55 the laws of 2000 takes effect~~[, and shall expire July 1, 2023 when upon~~  
56 ~~such date the provisions of this act shall be deemed repealed]~~.



§ 25. Section 12 of part C of chapter 56 of the laws of 2020 directing the commissioner of education to appoint a monitor for the Rochester city school district, establishing the powers and duties of such monitor and certain other officers and relating to the apportionment of aid to such school district, is amended to read as follows:

§ 12. This act shall take effect immediately, provided, however, that sections two, three, four, five, six, seven, eight, nine and ten of this act shall expire and be deemed repealed June 30, ~~2023~~ 2025; and provided further, however that sections one and eleven of this act shall expire and be deemed repealed June 30, 2049.

§ 26. Subdivision 11 of section 94 of part C of chapter 57 of the laws of 2004 relating to the support of education, as amended by section 37 of part A of chapter 56 of the laws of 2020, is amended to read as follows:

11. section seventy-one of this act shall expire and be deemed repealed June 30, ~~2023~~ 2028;

§ 27. 1. The state education department shall conduct a comprehensive study of alternative tuition rate-setting methodologies for approved providers operating school-age programs receiving funding under article 81 and article 89 of the education law and providers operating approved preschool special education programs under section 4410 of the education law. The state education department shall ensure that such study consider stakeholder feedback and include, but not be limited to, a comparative analysis of rate-setting methodologies utilized by other agencies of the state of New York, including the rate-setting methodology utilized by the office of children and family services for private residential school programs; options and recommendations for an alternative rate-setting methodology or methodologies; cost estimates for such alternative methodologies; an analysis of current provider tuition rates compared to tuition rates that would be established under such alternative methodologies; and the review and consideration of standardized parameters and criteria, including, but not limited to, defined program and staffing models, regional costs, and minimum required enrollment levels as a percentage of program operating capacities.

2. At a minimum, any recommended alternative rate-setting methodology or methodologies proposed for such preschool and school-age providers shall strive to: (a) ensure the fiscal stability of such programs for the provision of a free, appropriate public education in accordance with applicable program standards pursuant to federal and state law and regulation; (b) substantially restrict or eliminate tuition rate appeals; (c) include a schedule to phase in new tuition rates in accordance with the recommended methodology or methodologies; (d) ensure tuition rates for all programs can be calculated no later than the beginning of each school year; and (e) provide predictability in annual funding levels for such programs.

3. The state education department shall present the findings of such study and recommendations and analysis to the governor, 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. Adoption of any alternative rate-setting methodologies shall be subject to the approval of the director of the division of the budget.

§ 28. Intentionally omitted.

§ 29. Special apportionment for salary expenses. 1. Notwithstanding any other provision of law, upon application to the commissioner of

1 education, not sooner than the first day of the second full business  
2 week of June 2024 and not later than the last day of the third full  
3 business week of June 2024, a school district eligible for an apportion-  
4 ment pursuant to section 3602 of the education law shall be eligible to  
5 receive an apportionment pursuant to this section, for the school year  
6 ending June 30, 2024, for salary expenses incurred between April 1 and  
7 June 30, 2023 and such apportionment shall not exceed the sum of (a) the  
8 deficit reduction assessment of 1990--1991 as determined by the commis-  
9 sioner of education, pursuant to paragraph f of subdivision 1 of section  
10 3602 of the education law, as in effect through June 30, 1993, plus (b)  
11 186 percent of such amount for a city school district in a city with a  
12 population in excess of 1,000,000 inhabitants, plus (c) 209 percent of  
13 such amount for a city school district in a city with a population of  
14 more than 195,000 inhabitants and less than 219,000 inhabitants accord-  
15 ing to the latest federal census, plus (d) the net gap elimination  
16 adjustment for 2010--2011, as determined by the commissioner of educa-  
17 tion pursuant to chapter 53 of the laws of 2010, plus (e) the gap elimi-  
18 nation adjustment for 2011-- 2012 as determined by the commissioner of  
19 education pursuant to subdivision 17 of section 3602 of the education  
20 law, and provided further that such apportionment shall not exceed such  
21 salary expenses. Such application shall be made by a school district,  
22 after the board of education or trustees have adopted a resolution to do  
23 so and in the case of a city school district in a city with a population  
24 in excess of 125,000 inhabitants, with the approval of the mayor of such  
25 city.

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

42 3. Notwithstanding the provisions of section 3609-a of the education  
43 law, an amount equal to the amount paid to a school district pursuant to  
44 subdivisions 1 and 2 of this section shall first be deducted from the  
45 following payments due the school district during the school year  
46 following the year in which application was made pursuant to subpara-  
47 graphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section  
48 3609-a of the education law in the following order: the lottery appor-  
49 tionment payable pursuant to subparagraph 2 of such paragraph followed  
50 by the fixed fall payments payable pursuant to subparagraph 4 of such  
51 paragraph and then followed by the district's payments to the teachers'  
52 retirement system pursuant to subparagraph 1 of such paragraph, and any  
53 remainder to be deducted from the individualized payments due the  
54 district pursuant to paragraph b of such subdivision shall be deducted  
55 on a chronological basis starting with the earliest payment due the  
56 district.



§ 30. 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, 2024, 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, 2024 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 1 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 1 and 2 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.

§ 30-a. Subdivision a of section 5 of chapter 121 of the laws of 1996, relating to authorizing the Roosevelt union free school district to finance deficits by the issuance of serial bonds, as amended by section 30-a of part A of chapter 56 of the laws of 2022, is amended to read as follows:

a. Notwithstanding any other provisions of law, upon application to the commissioner of education submitted not sooner than April first and not later than June thirtieth of the applicable school year, the Roose-

1 velt union free school district shall be eligible to receive an appor-  
2 tionment pursuant to this chapter for salary expenses, including related  
3 benefits, incurred between April first and June thirtieth of such school  
4 year. Such apportionment shall not exceed: for the 1996-97 school year  
5 [~~through the 2022-23 school year~~] and thereafter, four million dollars  
6 (\$4,000,000) [~~, for the 2023-24 school year, three million dollars~~  
7 ~~(\$3,000,000); for the 2024-25 school year, two million dollars~~  
8 ~~(\$2,000,000); for the 2025-26 school year, one million dollars~~  
9 ~~(\$1,000,000); and for the 2026-27 school year, zero dollars]~~. Such  
10 annual application shall be made after the board of education has  
11 adopted a resolution to do so with the approval of the commissioner of  
12 education.

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

16 1. for the development, maintenance or expansion of magnet schools or  
17 magnet school programs for the 2023--2024 school year. For the city  
18 school district of the city of New York there shall be a set-aside of  
19 foundation aid equal to forty-eight million one hundred seventy-five  
20 thousand dollars (\$48,175,000) including five hundred thousand dollars  
21 (\$500,000) for the Andrew Jackson High School; for the Buffalo city  
22 school district, twenty-one million twenty-five thousand dollars  
23 (\$21,025,000); for the Rochester city school district, fifteen million  
24 dollars (\$15,000,000); for the Syracuse city school district, thirteen  
25 million dollars (\$13,000,000); for the Yonkers city school district,  
26 forty-nine million five hundred thousand dollars (\$49,500,000); for the  
27 Newburgh city school district, four million six hundred forty-five thou-  
28 sand dollars (\$4,645,000); for the Poughkeepsie city school district,  
29 two million four hundred seventy-five thousand dollars (\$2,475,000); for  
30 the Mount Vernon city school district, two million dollars (\$2,000,000);  
31 for the New Rochelle city school district, one million four hundred ten  
32 thousand dollars (\$1,410,000); for the Schenectady city school district,  
33 one million eight hundred thousand dollars (\$1,800,000); for the Port  
34 Chester city school district, one million one hundred fifty thousand  
35 dollars (\$1,150,000); for the White Plains city school district, nine  
36 hundred thousand dollars (\$900,000); for the Niagara Falls city school  
37 district, six hundred thousand dollars (\$600,000); for the Albany city  
38 school district, three million five hundred fifty thousand dollars  
39 (\$3,550,000); for the Utica city school district, two million dollars  
40 (\$2,000,000); for the Beacon city school district, five hundred sixty-  
41 six thousand dollars (\$566,000); for the Middletown city school  
42 district, four hundred thousand dollars (\$400,000); for the Freeport  
43 union free school district, four hundred thousand dollars (\$400,000);  
44 for the Greenburgh central school district, three hundred thousand  
45 dollars (\$300,000); for the Amsterdam city school district, eight  
46 hundred thousand dollars (\$800,000); for the Peekskill city school  
47 district, two hundred thousand dollars (\$200,000); and for the Hudson  
48 city school district, four hundred thousand dollars (\$400,000).

49 2. Notwithstanding any inconsistent provision of law to the contrary,  
50 a school district setting aside such foundation aid pursuant to this  
51 section may use such set-aside funds for: (a) any instructional or  
52 instructional support costs associated with the operation of a magnet  
53 school; or (b) any instructional or instructional support costs associ-  
54 ated with implementation of an alternative approach to promote diversity  
55 and/or enhancement of the instructional program and raising of standards

1 in elementary and secondary schools of school districts having substan-  
2 tial concentrations of minority students.

3 3. The commissioner of education shall not be authorized to withhold  
4 foundation aid from a school district that used such funds in accordance  
5 with this subdivision, notwithstanding any inconsistency with a request  
6 for proposals issued by such commissioner for the purpose of attendance  
7 improvement and dropout prevention for the 2023--2024 school year, and  
8 for any city school district in a city having a population of more than  
9 one million, the set-aside for attendance improvement and dropout  
10 prevention shall equal the amount set aside in the base year. For the  
11 2023--2024 school year, it is further provided that any city school  
12 district in a city having a population of more than one million shall  
13 allocate at least one-third of any increase from base year levels in  
14 funds set aside pursuant to the requirements of this section to communi-  
15 ty-based organizations. Any increase required pursuant to this section  
16 to community-based organizations must be in addition to allocations  
17 provided to community-based organizations in the base year.

18 4. For the purpose of teacher support for the 2023--2024 school year:  
19 for the city school district of the city of New York, sixty-two million  
20 seven hundred seven thousand dollars (\$62,707,000); for the Buffalo city  
21 school district, one million seven hundred forty-one thousand dollars  
22 (\$1,741,000); for the Rochester city school district, one million seven-  
23 ty-six thousand dollars (\$1,076,000); for the Yonkers city school  
24 district, one million one hundred forty-seven thousand dollars  
25 (\$1,147,000); and for the Syracuse city school district, eight hundred  
26 nine thousand dollars (\$809,000). All funds made available to a school  
27 district pursuant to this section shall be distributed among teachers  
28 including prekindergarten teachers and teachers of adult vocational and  
29 academic subjects in accordance with this section and shall be in addi-  
30 tion to salaries heretofore or hereafter negotiated or made available;  
31 provided, however, that all funds distributed pursuant to this section  
32 for the current year shall be deemed to incorporate all funds distrib-  
33 uted pursuant to former subdivision 27 of section 3602 of the education  
34 law for prior years. In school districts where the teachers are repres-  
35 ented by certified or recognized employee organizations, all salary  
36 increases funded pursuant to this section shall be determined by sepa-  
37 rate collective negotiations conducted pursuant to the provisions and  
38 procedures of article 14 of the civil service law, notwithstanding the  
39 existence of a negotiated agreement between a school district and a  
40 certified or recognized employee organization.

41 § 32. Support of public libraries. The moneys appropriated for the  
42 support of public libraries by a chapter of the laws of 2023 enacting  
43 the aid to localities budget shall be apportioned for the 2023-2024  
44 state fiscal year in accordance with the provisions of sections 271,  
45 272, 273, 282, 284, and 285 of the education law as amended by the  
46 provisions of such chapter and the provisions of this section, provided  
47 that library construction aid pursuant to section 273-a of the education  
48 law shall not be payable from the appropriations for the support of  
49 public libraries and provided further that no library, library system or  
50 program, as defined by the commissioner of education, shall receive less  
51 total system or program aid than it received for the year 2001-2002  
52 except as a result of a reduction adjustment necessary to conform to the  
53 appropriations for support of public libraries.

54 Notwithstanding any other provision of law to the contrary the moneys  
55 appropriated for the support of public libraries for the year 2023-2024  
56 by a chapter of the laws of 2023 enacting the aid to localities budget

1 shall fulfill the state's obligation to provide such aid and, pursuant  
2 to a plan developed by the commissioner of education and approved by the  
3 director of the budget, the aid payable to libraries and library systems  
4 pursuant to such appropriations shall be reduced proportionately to  
5 ensure that the total amount of aid payable does not exceed the total  
6 appropriations for such purpose.

7 § 32-a. Section 2 of chapter 498 of the laws of 2011 amending the  
8 education law relating to the public library construction grant program,  
9 as amended by chapter 192 of the laws of 2019, is amended to read as  
10 follows:

11 § 2. This act shall take effect on the first of April next succeeding  
12 the date on which it shall have become a law and shall expire and be  
13 deemed repealed March 31, [~~2023~~] 2026.

14 § 33. Subparagraph 2 of paragraph a of section 1 of chapter 94 of the  
15 laws of 2002 relating to the financial stability of the Rochester city  
16 school district, is amended to read as follows:

17 (2) Notwithstanding any other provisions of law, for aid payable in  
18 the 2002-03 through [~~2022-23~~] 2027-28 school years, an amount equal to  
19 twenty million dollars (\$20,000,000) of general support for public  
20 schools otherwise due and payable to the Rochester city school district  
21 on or before September first of the applicable school year shall be for  
22 an entitlement period ending the immediately preceding June thirtieth.

23 § 34. Severability. The provisions of this act shall be severable, and  
24 if the application of any clause, sentence, paragraph, subdivision,  
25 section or part of this act to any person or circumstance shall be  
26 adjudged by any court of competent jurisdiction to be invalid, such  
27 judgment shall not necessarily affect, impair or invalidate the applica-  
28 tion of any such clause, sentence, paragraph, subdivision, section, part  
29 of this act or remainder thereof, as the case may be, to any other  
30 person or circumstance, but shall be confined in its operation to the  
31 clause, sentence, paragraph, subdivision, section or part thereof  
32 directly involved in the controversy in which such judgment shall have  
33 been rendered.

34 § 35. This act shall take effect immediately, and shall be deemed to  
35 have been in full force and effect on and after April 1, 2023, provided,  
36 however, that:

37 1. Sections one, two, five, seven-b, eight, nine, ten, eleven,  
38 eleven-a, fourteen, fifteen, sixteen, eighteen, eighteen-a, eighteen-b,  
39 twenty-two, twenty-two-a, thirty-a, thirty-one, and thirty-three of this  
40 act shall take effect July 1, 2023;

41 2. Intentionally omitted;

42 3. Section nineteen of this act shall expire and be deemed repealed  
43 June 30, 2036;

44 4. The amendments to chapter 756 of the laws of 1992 relating to fund-  
45 ing a program for work force education conducted by a consortium for  
46 worker education in New York city made by sections twenty and twenty-one  
47 of this act shall not affect the repeal of such chapter and shall be  
48 deemed repealed therewith;

49 5. Section twelve of this act shall expire and be deemed repealed June  
50 30, 2026; and

51 6. Section seven-a of this act shall apply to the calculation of BOCES  
52 aid and aid for career education payable in the 2023-2024 school year  
53 and thereafter.

Intentionally Omitted

PART C

Intentionally Omitted

PART D

Section 1. Paragraphs b and c of subdivision 4 of section 612 of the education law, as added by chapter 425 of the laws of 1988, are amended to read as follows:

~~[b. A grant to a recipient of an award under this section shall not exceed the amount of three hundred thousand dollars for any grant year, provided that a recipient may receive a grant in excess of such amount at the rate of twelve hundred fifty dollars for each student, in excess of two hundred forty students, who is provided compensatory and support services by the recipient during such grant year.~~

~~e.]~~ b. The grant recipients shall provide students at public and nonpublic schools the opportunity to receive compensatory and support services in an equitable manner consistent with the number and need of the children in such schools.

§ 2. This act shall take effect immediately.

PART E

Intentionally Omitted

PART F

Section 1. Short title. This article shall be known and cited as the "new homes targets act".

§ 2. Article 20 of the general municipal law, as renumbered by chapter 84 of the laws of 1981, is renumbered article 21, sections 1000 and 1001 are renumbered sections 1020 and 1021 and a new article 20 is added to read as follows:

ARTICLE 20

NEW HOMES TARGETS

Section 1001. Definitions.

1002. Applicability.

1003. Development of housing action plan.

1004. Housing growth targets.

1005. Payments to municipalities.

1006. Housing target and payments to municipalities with a population of one million or more.

§ 1001. Definitions. The following definitions apply for the purposes of this article:

1. "Accessory dwelling unit" shall mean an attached or a detached residential dwelling unit that provides housing for one or more persons which is located on a lot with a proposed or existing primary residential dwelling unit and shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot as the primary single-family or multi-family dwelling, provided however that in the

1 case of a multi-family dwelling an accessory dwelling unit shall be a  
2 detached residential dwelling unit.

3 2. "Affordable housing" shall mean any income restricted housing,  
4 whether intended for rental or homeownership, that is subject to a regu-  
5 latory agreement with a local, state or federal governmental entity.

6 3. "Division" shall mean the division of housing and community  
7 renewal.

8 4. "Metropolitan transportation commuter district" shall refer to the  
9 counties of Westchester, Orange, Putnam, Dutchess, Rockland, Nassau, and  
10 Suffolk.

11 5. "Municipality" shall mean any city, other than a city with a popu-  
12 lation of one million or more, town, or village.

13 6. "Previously undisturbed land" shall mean a parcel or lot of land  
14 that is not occupied or formerly occupied by a building or otherwise  
15 improved or utilized that is not located in a 100-year floodplain or was  
16 being used for commercial agricultural purposes as of the effective date  
17 of this article.

18 7. "Residential dwelling unit" shall mean any building or structure or  
19 portion thereof which is legally occupied in whole or in part as the  
20 home, residence or sleeping place of one or more human beings, however  
21 the term does not include any class B multiple dwellings as defined in  
22 section four of the multiple dwelling law or housing that is intended to  
23 be used on a seasonal basis.

24 8. "Supportive housing" shall mean residential dwelling units with  
25 supportive services for tenants.

26 9. "Transit-oriented development zone" shall refer to any land located  
27 within a one-half mile radius of any publicly accessible areas of a  
28 qualifying transit station.

29 10. "Permitting period" shall mean a term of three calendar years  
30 beginning on January first, two thousand twenty-four, and ending Decem-  
31 ber thirty-first, two thousand twenty-six.

32 11. "Qualifying transit station" shall mean any rail station, includ-  
33 ing subway stations, within the state of New York that is not operated  
34 on an exclusively seasonal basis and that is owned, operated or other-  
35 wise served by metro-north railroad, the Long Island Rail Road, the port  
36 authority of New York and New Jersey, the New Jersey transit  
37 corporation, the New York city transit authority, or the metropolitan  
38 transportation authority.

39 § 1002. Applicability. Unless specifically provided otherwise in this  
40 article, this article shall apply to all municipalities as defined in  
41 section one thousand one of this article.

42 § 1003. Development of housing action plan. 1. A municipality may  
43 prepare or cause to be prepared a housing action plan that shall detail  
44 how the municipality intends to meet or exceed the applicable growth  
45 target described in section one thousand four of this article. Such  
46 housing action plan shall at a minimum:

47 a. describe what steps will be taken to facilitate the development of  
48 new residential dwelling units, with a focus on siting such units in  
49 areas where transportation, water, and sewage infrastructure are avail-  
50 able or practical;

51 b. specify how the municipality intends to increase the number of  
52 affordable housing units in its jurisdiction;

53 c. identify existing barriers to the development of affordable housing  
54 and what actions the municipality will take to overcome them;

1 d. specify, if applicable, what additional resources or assistance  
2 would be necessary to overcome existing barriers to the development of  
3 affordable housing in the municipality; and

4 e. describe any innovative approaches the municipality has taken in  
5 the past to facilitate the development of affordable housing, for inclu-  
6 sion in a best practices document that the division will prepare and  
7 make available to municipalities.

8 2. No later than April first, two thousand twenty-four, all munici-  
9 palities seeking to receive a payment pursuant to section one thousand  
10 five of this article shall submit a housing action plan to the division,  
11 in a manner to be directed by the division. Upon receipt of such plan by  
12 the division, a municipality shall be subject to the housing production  
13 reporting provisions of section twenty-a of the public housing law.

14 § 1004. Housing growth targets. 1. Growth targets. a. A municipality  
15 located outside of the metropolitan transportation commuter district and  
16 having submitted a housing action plan to the division pursuant to  
17 section one thousand three of this article shall during the permitting  
18 period permit the construction of new eligible residential dwelling  
19 units in an amount equal to one percent of the amount of residential  
20 housing units existing in the municipality as reported in the most  
21 recently published United States decennial census.

22 b. A municipality located inside of the metropolitan transportation  
23 commuter district and having submitted a housing action plan to the  
24 division pursuant to section one thousand three of this article shall  
25 during the permitting period permit the construction of new eligible  
26 residential dwelling units in an amount equal to three percent of the  
27 amount of residential housing units existing in the municipality as  
28 reported in the most recently published United States decennial census.

29 2. Completion report. Upon achievement of its growth target but no  
30 later than April first, two thousand twenty-seven, a municipality shall  
31 submit a completion report to the division, in the manner and format to  
32 be directed by the division. Such report shall at a minimum include:

33 a. the total number of permits for new residential dwelling units  
34 issued during the permitting period;

35 b. the number of new residential dwelling units permitted during the  
36 permitting periods that have received a certificate of occupancy as of  
37 the date of the report;

38 c. the number of residential dwelling units permitted during the  
39 permitting period that:

40 (i) are "affordable housing" units that meet the income restrictions  
41 specified in subdivision three of this section;

42 (ii) are supportive housing units;

43 (iii) became suitable for occupancy and that previously had been  
44 deemed abandoned pursuant to article nineteen-A of the real property  
45 actions and proceedings law; and

46 d. the number of new residential dwelling units during the permitting  
47 period that have been:

48 (i) permitted in a transit-oriented development zone;

49 (ii) permitted as the result of a zoning change enacted after January  
50 first, two thousand twenty-four, to facilitate accessory dwelling unit  
51 siting, to allow for ministerial lot splits, or to allow for residential  
52 housing formerly zoned as commercial. The municipality shall include a  
53 copy of any such local law or resolution that authorized the creation of  
54 such residential dwelling units as well as a map of its jurisdiction  
55 indicating the relevant zoning changes with the submission of its  
56 completion report.



1 3. Review of completion report. a. Upon receipt of a completion report  
2 described in subdivision two of this section, the division shall review  
3 such report to determine whether the municipality has permitted a suffi-  
4 cient number of new residential dwelling units to satisfy the applicable  
5 growth target. In making such determination the division shall calculate  
6 the number of eligible residential dwelling units using the following  
7 formula:

8 (i) a permitted new residential dwelling unit shall be counted as one  
9 eligible residential dwelling unit,

10 (ii) a permitted new affordable housing residential dwelling unit  
11 restricted to households at or below eighty percent of area median  
12 income shall be counted as two eligible residential dwelling units,

13 (iii) a permitted new affordable housing residential dwelling unit  
14 restricted to households at or below fifty percent of area median income  
15 shall be counted as three eligible residential dwelling units,

16 (iv) a permitted new supportive housing unit shall be counted as two  
17 eligible residential dwelling units,

18 (v) every permitted residential dwelling unit that became suitable for  
19 occupancy and that previously had been deemed abandoned pursuant to  
20 article nineteen-A of the real property actions and proceedings law  
21 shall be counted as one and one-half eligible residential dwelling  
22 units.

23 b. For the purposes of this subdivision, a residential dwelling unit  
24 or a project containing multiple residential dwelling units shall be  
25 considered to be permitted if it, has received all necessary local  
26 authorizations required to create a new residential dwelling unit or  
27 units or make a previously abandoned residential dwelling unit or units  
28 suitable for occupancy.

29 c. A permitted residential dwelling unit shall not be counted as an  
30 eligible residential dwelling unit if it is permitted on previously  
31 undisturbed land.

32 d. In making the determination as to whether a municipality has satis-  
33 fied its growth target, the division shall also count each eligible  
34 residential dwelling unit as having an additional residential dwelling  
35 unit if any of the following conditions apply:

36 (i) it is permitted in a transit-oriented development zone;

37 (ii) it is an accessory dwelling unit permitted pursuant to a local  
38 law or resolution adopted on or after January first, two thousand twen-  
39 ty-four, providing for the creation of residential dwelling units;

40 (iii) it is permitted on a lot that was ministerially approved to be  
41 split by the municipality pursuant to a local law or resolution adopted  
42 on or after January first, two thousand twenty-four, providing for  
43 ministerial approval of lot splits; or

44 (iv) it is located on a lot previously zoned only for commercial use  
45 and permitted as of right pursuant to a local law or resolution adopted  
46 on or after January first, two thousand twenty-four.

47 § 1005. Payments to municipalities. 1. Upon receipt of a munici-  
48 pality's housing action plan submitted pursuant to section one thousand  
49 three of this article, the division shall authorize an initial payment  
50 to such municipality according to the following schedule:

51 a. Cities with populations:

52 (i) under ten thousand shall be entitled to receive six hundred thou-  
53 sand dollars;

54 (ii) between ten thousand and thirty-five thousand shall be entitled  
55 to receive one million two hundred thousand dollars;

(iii) between thirty-five thousand and ninety-five thousand shall be entitled to receive three million seven hundred fifty thousand dollars; and

(iv) over ninety-five thousand shall be entitled to receive seven million five hundred thousand dollars.

b. Towns with populations:

(i) under ten thousand shall be entitled to receive fifteen thousand dollars;

(ii) between ten thousand and thirty-five thousand shall be entitled to receive forty-five thousand dollars;

(iii) between thirty-five thousand and ninety-five thousand shall be entitled to receive ninety thousand dollars; and

(iv) over ninety-five thousand shall be entitled to receive two hundred twenty-five thousand dollars.

c. Villages with populations:

(i) under ten thousand shall be entitled to receive fifteen thousand dollars;

(ii) between ten thousand and thirty-five thousand shall be entitled to receive forty-five thousand dollars; and

(iii) over thirty-five thousand shall be entitled to receive ninety thousand dollars;

2. If the division shall determine that a municipality has met its applicable growth target after reviewing the completion report submitted pursuant to section one thousand four of this article, but less than twenty percent of the number of eligible residential dwelling units are affordable housing units that meet the income restrictions specified in subdivision three of section one thousand four of this article, the division shall authorize a secondary payment to such municipality according to the following schedule, provided however that no municipality shall be entitled to receive a secondary payment pursuant to this subdivision, unless and until every permitted residential dwelling unit reported by such municipality has been issued a certificate of occupancy:

a. Cities with populations:

(i) under ten thousand shall be entitled to receive eight hundred thousand dollars;

(ii) between ten thousand and thirty-five thousand shall be entitled to receive one million six hundred thousand dollars;

(iii) between thirty-five thousand and ninety-five thousand shall be entitled to receive five million dollars; and

(iv) over ninety-five thousand shall be entitled to receive ten million dollars.

b. Towns with populations:

(i) under ten thousand shall be entitled to receive twenty thousand dollars;

(ii) between ten thousand and thirty-five thousand shall be entitled to receive sixty thousand dollars;

(iii) between thirty-five thousand and ninety-five thousand shall be entitled to receive one hundred twenty thousand dollars; and

(iv) over ninety-five thousand shall be entitled to receive three hundred thousand dollars.

c. Villages with populations:

(i) under ten thousand shall be entitled to receive twenty thousand dollars;

(ii) between ten thousand and thirty-five thousand shall be entitled to receive sixty thousand dollars; and

1 (iii) over thirty-five thousand shall be entitled to receive one  
2 hundred twenty thousand dollars.

3 3. If the division shall determine that a municipality has met its  
4 applicable growth target after reviewing the completion report submitted  
5 pursuant to section one thousand four of this article, and at least  
6 twenty percent of the number of eligible residential dwelling units are  
7 affordable housing units that meet the income restrictions specified in  
8 subdivision three of section one thousand four of this article, the  
9 division shall authorize a secondary payment to such municipality  
10 according to the following schedule, provided however that no munici-  
11 pality shall be entitled to receive a secondary payment pursuant to this  
12 subdivision, unless and until every permitted residential dwelling unit  
13 reported by such municipality has been issued a certificate of occupan-  
14 cy:

15 a. Cities with populations:

16 (i) under ten thousand shall be entitled to receive one million four  
17 hundred thousand dollars;

18 (ii) between ten thousand and thirty-five thousand shall be entitled  
19 to receive two million eight hundred thousand dollars;

20 (iii) between thirty-five thousand and ninety-five thousand shall be  
21 entitled to receive eight million seven hundred fifty thousand dollars;  
22 and

23 (iv) over ninety-five thousand shall be entitled to receive seventeen  
24 million five hundred thousand dollars.

25 b. Towns with populations:

26 (i) under ten thousand would receive thirty-five thousand dollars;

27 (ii) between ten thousand and thirty-five thousand shall be entitled  
28 to receive one hundred five thousand dollars;

29 (iii) between thirty-five thousand and ninety-five thousand shall be  
30 entitled to receive two hundred ten thousand dollars; and

31 (iv) over ninety-five thousand shall be entitled to receive five  
32 hundred twenty-five thousand dollars.

33 c. Villages with populations:

34 (i) under ten thousand shall be entitled to receive thirty-five thou-  
35 sand dollars;

36 (ii) between ten thousand and thirty-five thousand shall be entitled  
37 to receive one hundred five thousand dollars; and

38 (iii) over thirty-five thousand shall be entitled to receive two  
39 hundred ten thousand dollars.

40 4. a. Notwithstanding any law to the contrary, any payment provided to  
41 a municipality pursuant to this section, which is then paid in whole or  
42 in part to a contractor, subcontractor, developer, or owner for the  
43 construction of new eligible residential dwelling units pursuant to the  
44 provisions of this article, shall be deemed "public funds" pursuant to  
45 subdivision two of section two hundred twenty-four-a of the labor law.  
46 Provided, further, that any such project that meets the definition of a  
47 "covered project" pursuant to subdivisions one and four of section two  
48 hundred twenty-four-a of the labor law shall comply with all require-  
49 ments of such law.

50 b. Any contractor, subcontractor, developer, or owner receiving such  
51 public funds shall report all relevant project information to the fiscal  
52 officer, including construction project cost, total value of public  
53 funds, total residential dwelling units, and total residential dwelling  
54 units that will be subject to a regulatory agreement as referenced in  
55 subparagraph (i) of paragraph c of subdivision four of section two  
56 hundred twenty-four-a of the labor law. For the purposes of this para-

graph, "fiscal officer" shall have the same meaning as subdivision seven of section two hundred twenty-four-a of the labor law.

c. Final approval for such project shall not be provided by the municipality until a determination has been made as to whether such project is subject to section two hundred twenty-four-a of the labor law.

5. If after a reviewing a completion report submitted pursuant to section one thousand four of this article, the division shall determine that a municipality has met its applicable growth target but has not issued a sufficient number of certificates of occupancy corresponding to the number of residential dwelling units permitted within the permitting period, such municipality shall be entitled to a twenty-four month grace period in which to issue certificates of occupancy to those residential dwelling units. Such grace period shall be effective from January first, two thousand twenty-seven and end on January first, two thousand twenty-nine. After issuing the requisite number of certificates of occupancy, but no later than February first, two thousand twenty-nine, a municipality described in this subdivision may submit an addendum to its completion report indicating the number of certificates of occupancy issued by such municipality during the grace period. If after reviewing such addendum the division determines that the municipality has issued certificates of occupancy that sufficiently correspond to the number of permitted residential dwelling units in the municipality, the division shall authorize such municipality to receive a secondary payment according to the applicable schedule provided in subdivision two or three of this section.

6. If the division shall determine that a municipality has failed to achieve its growth target or failed to issue a sufficient number of certificates of occupancy during a grace period, such municipality shall forfeit from its next state aid payment pursuant to section fifty-four of the state finance law, an amount equal to the amount of the initial payment received pursuant to subdivision one of this section minus an amount proportional to the amount of eligible residential dwelling units credited toward the satisfaction of its growth target or the amount of certificates of occupancy credited toward its entitlement to receive a payment pursuant to subdivision two or three of this section.

§ 1006. Housing target and payments to municipalities with a population of one million or more. 1. Definition. For purposes of this section, the term "municipality" shall mean a city with a population of one million or more.

2. Housing action plan. A municipality seeking to receive a payment described in this section shall submit a housing action plan pursuant to section one thousand three of this article.

3. Growth target. A municipality that has submitted a housing action plan pursuant to section one thousand three of this article shall, during the permitting period, permit the construction of new eligible dwelling units in an amount equal to three percent of the amount of residential housing units existing in the municipality as reported in the most recently published United States decennial census.

4. Completion report. Upon achievement of its growth target, but not later than April first, two thousand twenty-seven, a municipality shall submit a completion report to the division that conforms with the requirements of subdivision two of section one thousand four of this article.

5. Review of completion report. a. Upon receipt of a completion report submitted pursuant to subdivision four of this section, the division shall review such report to determine whether the municipality has

1 permitted a sufficient number of new residential dwelling units to  
2 satisfy the applicable growth target. In making such determination the  
3 division shall calculate the number of eligible residential dwelling  
4 units using the following formula:

5 (i) a permitted new residential dwelling unit shall be counted as one  
6 eligible residential dwelling unit;

7 (ii) a permitted new affordable housing residential dwelling unit  
8 restricted to households at or below eighty percent of area median  
9 income shall be counted as two eligible residential dwelling units;

10 (iii) a permitted new affordable housing residential dwelling unit  
11 restricted to households at or below fifty percent of area median income  
12 shall be counted as three eligible residential dwelling units;

13 (iv) a permitted new supportive housing unit shall be counted as two  
14 eligible residential dwelling units; and

15 (v) every permitted residential dwelling unit that became suitable for  
16 occupancy and that previously had been deemed abandoned pursuant to  
17 article nineteen-A of the real property actions and proceedings law  
18 shall be counted as one and one-half eligible residential dwelling  
19 units.

20 b. For the purposes of this subdivision, a residential dwelling unit  
21 or a project containing multiple residential dwelling units shall be  
22 considered to be permitted if it has received all necessary local  
23 authorizations required to create a new residential dwelling unit or  
24 units or make a previously abandoned residential dwelling unit or units  
25 suitable for occupancy.

26 c. A permitted residential dwelling unit shall not be counted as an  
27 eligible residential dwelling unit if it is permitted on previously  
28 undisturbed land.

29 d. In making the determination as to whether a municipality has satis-  
30 fied its growth target, the division shall also count each eligible  
31 residential dwelling unit as having an additional residential dwelling  
32 unit if it is permitted in a transit-oriented development zone.

33 6. Payments to a municipality. a. Upon receipt of a municipality's  
34 housing action plan submitted pursuant to subdivision two of this  
35 section, the division shall authorize an initial payment to such munici-  
36 pality in an amount equal to thirty-seven million five hundred thousand  
37 dollars.

38 b. If the division shall determine that a municipality has met its  
39 growth target after reviewing the completion report submitted pursuant  
40 to subdivision four of this section, but less than twenty percent of the  
41 number of eligible residential dwelling units are affordable housing  
42 residential dwelling units that meet the income restrictions specified  
43 in subdivision five of this section, the division shall authorize a  
44 secondary payment to such municipality in an amount equal to fifty  
45 million dollars, provided however that no municipality shall be entitled  
46 to receive a secondary payment pursuant to this paragraph, unless and  
47 until every permitted residential dwelling unit reported by such munici-  
48 pality has been issued a certificate of occupancy.

49 c. If the division shall determine that a municipality has met its  
50 growth target after reviewing the completion report submitted pursuant  
51 to subdivision four of this section, and at least twenty percent of the  
52 number of eligible residential dwelling units are affordable housing  
53 residential dwelling units that meet the income restrictions specified  
54 in subdivision five of this section, the division shall authorize a  
55 secondary payment to such municipality in an amount equal to eighty-  
56 seven million five hundred thousand dollars, provided however that no



1 municipality shall be entitled to receive a secondary payment pursuant  
2 to this paragraph, unless and until every permitted residential dwell-  
3 ing unit reported by such municipality has been issued a certificate of  
4 occupancy.

5 d. (i) Notwithstanding any law to the contrary, any payment provided  
6 to a municipality pursuant to this section, which is then paid in whole  
7 or in part to a contractor, subcontractor, developer, or owner for the  
8 construction of new eligible residential dwelling units pursuant to the  
9 provisions of this section, shall be deemed "public funds" pursuant to  
10 subdivision two of section two hundred twenty-four-a of the labor law.  
11 Provided, further, that any such project that meets the definition of a  
12 "covered project" pursuant to subdivisions one and four of section two  
13 hundred twenty-four-a of the labor law shall comply with all require-  
14 ments of such law.

15 (ii) Any contractor, subcontractor, developer, or owner receiving such  
16 public funds shall report all relevant project information to the fiscal  
17 officer, including construction project cost, total value of public  
18 funds, total residential dwelling units, and total residential dwelling  
19 units that will be subject to a regulatory agreement as referenced in  
20 subparagraph (i) of paragraph c of subdivision four of section two  
21 hundred twenty-four-a of the labor law. For the purposes of this para-  
22 graph, "fiscal officer" shall have the same meaning as subdivision seven  
23 of section two hundred twenty-four-a of the labor law.

24 (iii) Final approval for such project shall not be provided by the  
25 municipality until a determination has been made as to whether such  
26 project is subject to section two hundred twenty-four-a of the labor  
27 law.

28 e. If after a reviewing a completion report submitted pursuant to  
29 subdivision four of this section, the division shall determine that a  
30 municipality has met its applicable growth target but has not issued a  
31 sufficient number of certificates of occupancy corresponding to the  
32 number of residential dwelling units permitted within the permitting  
33 period, such municipality shall be entitled to a twenty-four month grace  
34 period in which to issue certificates of occupancy to those residential  
35 dwelling units. Such grace period shall be effective from January first,  
36 two thousand twenty-seven and end on January first, two thousand twen-  
37 ty-nine. After issuing the requisite number of certificates of occupan-  
38 cy, but no later than February first, two thousand twenty-nine, a muni-  
39 cipality described in this paragraph may submit an addendum to its  
40 completion report indicating the number of certificates of occupancy  
41 issued by such municipality during the grace period. If after reviewing  
42 such addendum the division determines that the municipality has issued  
43 certificates of occupancy that sufficiently correspond to the number of  
44 permitted residential dwelling units in the municipality, the division  
45 shall authorize such municipality to receive a secondary payment equal  
46 to the applicable amount provided in paragraph b or c of this subdivi-  
47 sion.

48 f. If the division shall determine that a municipality has failed to  
49 achieve its growth target or failed to issue a sufficient number of  
50 certificates of occupancy during a grace period, such municipality shall  
51 forfeit in state aid an amount equal to the amount of the initial  
52 payment received pursuant to paragraph one of this subdivision minus an  
53 amount proportional to the amount of eligible residential dwelling units  
54 credited toward the satisfaction of its growth target or the amount of  
55 certificates of occupancy credited toward its entitlement to receive a  
56 payment pursuant to paragraphs b and c of this subdivision.

§ 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall expire March 31, 2029 when upon such date the provisions of this act shall be deemed repealed. 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 G

Intentionally Omitted

## PART H

Section 1. The public housing law is amended by adding a new section 20-a to read as follows:

§ 20-a. Housing production reporting. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Municipality" means any city, town, or village.

(b) "Residential dwelling unit" shall have the same meaning as such term is defined in section one thousand one of the general municipal law.

2. Each municipality that has elected to submit a housing action plan pursuant to article twenty of the general municipal law shall also submit to the division of housing and community renewal annually, in the manner and format to be directed by the division of housing and community renewal, a report containing the following information regarding residential dwelling units within the boundaries of such municipality:

(a) the number of permits issued in the twelve months preceding the date of the report for the construction of new residential dwelling units or projects involving conversion, alteration, or consolidation to create new residential dwelling units;

(b) the address of each such residential dwelling unit or project comprising multiple residential dwelling units, if practical;

(c) the block and/or lot number of such residential dwelling unit or project comprising multiple residential dwelling units;

(d) the building types of such residential dwelling units or project comprising multiple residential dwelling units;

(e) the dates of approval, permitting, and completions of such residential dwelling units or project comprising multiple residential dwelling units;

(f) the number of certificates of occupancy for new residential dwelling units or projects comprising multiple residential dwelling units issued in the twelve months preceding the date of the report;

(g) any associated governmental subsidies or program funds being allocated to such residential dwelling units such municipality is aware of;

(h) any outstanding requests for permits to build residential dwelling units received by the municipality, and the status of such requests as of the date of the report; and

(i) the total number of residential dwelling units within the jurisdiction of the municipality as of the date of the report.

3. The commissioner shall make the information submitted pursuant to subdivision two of this section publicly available on the division of housing and community renewal's website, and update such information at least annually.



1     § 2. This act shall take effect on the first of January next succeed-  
2 ing the date upon which it shall have become a law and shall expire  
3 March 31, 2029 when upon such date the provisions of this act shall be  
4 deemed repealed. Effective immediately, the addition, amendment and/or  
5 repeal of any rule or regulation necessary for the implementation of  
6 this act on its effective date are authorized to be made and completed  
7 on or before such effective date.

8                                   PART I

9                                   Intentionally Omitted

10                                  PART J

11                                  Intentionally Omitted

12                                  PART K

13                                  Intentionally Omitted

14                                  PART L

15                                  Intentionally Omitted

16                                  PART M

17                                  Intentionally Omitted

18                                  PART N

19                                  Intentionally Omitted

20                                  PART O

21                                  Intentionally Omitted

22                                  PART P

23                                  Intentionally Omitted

24                                  PART Q

25     Section 1. Notwithstanding any other provision of law, the housing  
26 trust fund corporation may provide, for purposes of the neighborhood  
27 preservation program, a sum not to exceed \$16,330,000 for the fiscal  
28 year ending March 31, 2024. Within this total amount, \$250,000 shall be  
29 used for the purpose of entering into a contract with the neighborhood  
30 preservation coalition to provide technical assistance and services to

1 companies funded pursuant to article 16 of the private housing finance  
2 law. Notwithstanding any other provision of law, and subject to the  
3 approval of the New York state director of the budget, the board of  
4 directors of the state of New York mortgage agency shall authorize the  
5 transfer to the housing trust fund corporation, for the purposes of  
6 reimbursing any costs associated with neighborhood preservation program  
7 contracts authorized by this section, a total sum not to exceed  
8 \$16,330,000, such transfer to be made from (i) the special account of  
9 the mortgage insurance fund created pursuant to section 2429-b of the  
10 public authorities law, in an amount not to exceed the actual excess  
11 balance in the special account of the mortgage insurance fund, as deter-  
12 mined and certified by the state of New York mortgage agency for the  
13 fiscal year 2022-2023 in accordance with section 2429-b of the public  
14 authorities law, if any, and/or (ii) provided that the reserves in the  
15 project pool insurance account of the mortgage insurance fund created  
16 pursuant to section 2429-b of the public authorities law are sufficient  
17 to attain and maintain the credit rating (as determined by the state of  
18 New York mortgage agency) required to accomplish the purposes of such  
19 account, the project pool insurance account of the mortgage insurance  
20 fund, such transfer to be made as soon as practicable but no later than  
21 June 30, 2023.

22 § 2. Notwithstanding any other provision of law, the housing trust  
23 fund corporation may provide, for purposes of the rural preservation  
24 program, a sum not to exceed \$7,610,000 for the fiscal year ending March  
25 31, 2024. Within this total amount, \$250,000 shall be used for the  
26 purpose of entering into a contract with the rural housing coalition to  
27 provide technical assistance and services to companies funded pursuant  
28 to article 17 of the private housing finance law. Notwithstanding any  
29 other provision of law, and subject to the approval of the New York  
30 state director of the budget, the board of directors of the state of New  
31 York mortgage agency shall authorize the transfer to the housing trust  
32 fund corporation, for the purposes of reimbursing any costs associated  
33 with rural preservation program contracts authorized by this section, a  
34 total sum not to exceed \$7,610,000, such transfer to be made from (i)  
35 the special account of the mortgage insurance fund created pursuant to  
36 section 2429-b of the public authorities law, in an amount not to exceed  
37 the actual excess balance in the special account of the mortgage insur-  
38 ance fund, as determined and certified by the state of New York mortgage  
39 agency for the fiscal year 2022-2023 in accordance with section 2429-b  
40 of the public authorities law, if any, and/or (ii) provided that the  
41 reserves in the project pool insurance account of the mortgage insurance  
42 fund created pursuant to section 2429-b of the public authorities law  
43 are sufficient to attain and maintain the credit rating (as determined  
44 by the state of New York mortgage agency) required to accomplish the  
45 purposes of such account, the project pool insurance account of the  
46 mortgage insurance fund, such transfer to be made as soon as practicable  
47 but no later than June 30, 2023.

48 § 3. Notwithstanding any other provision of law, the housing trust  
49 fund corporation may provide, for purposes of the rural rental assist-  
50 ance program pursuant to article 17-A of the private housing finance  
51 law, a sum not to exceed \$21,710,000 for the fiscal year ending March  
52 31, 2024. Notwithstanding any other provision of law, and subject to  
53 the approval of the New York state director of the budget, the board of  
54 directors of the state of New York mortgage agency shall authorize the  
55 transfer to the housing trust fund corporation, for the purposes of  
56 reimbursing any costs associated with rural rental assistance program

1 contracts authorized by this section, a total sum not to exceed  
2 \$21,710,000, such transfer to be made from (i) the special account of  
3 the mortgage insurance fund created pursuant to section 2429-b of the  
4 public authorities law, in an amount not to exceed the actual excess  
5 balance in the special account of the mortgage insurance fund, as deter-  
6 mined and certified by the state of New York mortgage agency for the  
7 fiscal year 2022-2023 in accordance with section 2429-b of the public  
8 authorities law, if any, and/or (ii) provided that the reserves in the  
9 project pool insurance account of the mortgage insurance fund created  
10 pursuant to section 2429-b of the public authorities law are sufficient  
11 to attain and maintain the credit rating, as determined by the state of  
12 New York mortgage agency, required to accomplish the purposes of such  
13 account, the project pool insurance account of the mortgage insurance  
14 fund, such transfer shall be made as soon as practicable but no later  
15 than June 30, 2023.

16 § 4. Notwithstanding any other provision of law, the homeless housing  
17 and assistance corporation may provide, for purposes of the New York  
18 state supportive housing program, the solutions to end homelessness  
19 program or the operational support for AIDS housing program, or to qual-  
20 ified grantees under such programs, in accordance with the requirements  
21 of such programs, a sum not to exceed \$50,781,000 for the fiscal year  
22 ending March 31, 2024. The homeless housing and assistance corporation  
23 may enter into an agreement with the office of temporary and disability  
24 assistance to administer such sum in accordance with the requirements of  
25 such programs. Notwithstanding any other provision of law, and subject  
26 to the approval of the New York state director of the budget, the board  
27 of directors of the state of New York mortgage agency shall authorize  
28 the transfer to the homeless housing and assistance corporation, a total  
29 sum not to exceed \$50,781,000, such transfer to be made from (i) the  
30 special account of the mortgage insurance fund created pursuant to  
31 section 2429-b of the public authorities law, in an amount not to exceed  
32 the actual excess balance in the special account of the mortgage insur-  
33 ance fund, as determined and certified by the state of New York mortgage  
34 agency for the fiscal year 2022-2023 in accordance with section 2429-b  
35 of the public authorities law, if any, and/or (ii) provided that the  
36 reserves in the project pool insurance account of the mortgage insurance  
37 fund created pursuant to section 2429-b of the public authorities law  
38 are sufficient to attain and maintain the credit rating as determined by  
39 the state of New York mortgage agency, required to accomplish the  
40 purposes of such account, the project pool insurance account of the  
41 mortgage insurance fund, such transfer shall be made as soon as practi-  
42 cable but no later than March 31, 2024.

43 § 5. This act shall take effect immediately.

44 PART R

45 Intentionally Omitted

46 PART S

47 Intentionally Omitted

48 PART T

Intentionally Omitted

PART U

Section 1. Subdivision 2 of section 410-u of the social services law, as amended by section 1 of part L of chapter 56 of the laws of 2022, is amended to read as follows:

2. The state block grant for child care shall be divided into two parts pursuant to a plan developed by the department and approved by the director of the budget. One part shall be retained by the state to provide child care on a statewide basis to special groups and for activities to increase the availability and/or quality of child care programs, including, but not limited to, the start-up of child care programs, the operation of child care resource and referral programs, training activities, the regulation and monitoring of child care programs, the development of computerized data systems, and consumer education, provided however, that child care resource and referral programs funded under title five-B of article six of this chapter shall meet additional performance standards developed by the department of social services including but not limited to: increasing the number of child care placements for persons who are at or below ~~[two hundred percent of the state income standard, or three hundred percent of the state income standard effective August first, two thousand twenty-two, provided such persons are at or below]~~ eighty-five percent of the state median income, with emphasis on placements supporting local efforts in meeting federal and state work participation requirements, increasing technical assistance to all modalities of legal child care to persons who are at or below ~~[two hundred percent of the state income standard, or three hundred percent of the state income standard effective August first, two thousand twenty-two, provided such persons are at or below]~~ eighty-five percent of the state median income, including the provision of training to assist providers in meeting child care standards or regulatory requirements, and creating new child care opportunities, and assisting social services districts in assessing and responding to child care needs for persons at or below ~~[two hundred percent of the state income standard, or three hundred percent of the state income standard effective August first, two thousand twenty-two, provided such persons are at or below]~~ eighty-five percent of the state median income. The department shall have the authority to withhold funds from those agencies which do not meet performance standards. Agencies whose funds are withheld may have funds restored upon achieving performance standards. The other part shall be allocated to social services districts to provide child care assistance to families receiving family assistance and to other low income families.

§ 2. Subdivisions 1 and 3 of section 410-w of the social services law, subdivision 1 as amended by section 2 of part L of chapter 56 of the laws of 2022, and subdivision 3 as amended by chapter 70 of the laws of 2023, are amended to read as follows:

1. A social services district may use the funds allocated to it from the block grant to provide child care assistance to:

(a) families receiving public assistance when such child care assistance is necessary: to enable a parent or caretaker relative to engage in work, participate in work activities or perform a community service pursuant to title nine-B of article five of this chapter; to enable a teenage parent to attend high school or other equivalent training

1 program; because the parent or caretaker relative is physically or  
2 mentally incapacitated; or because family duties away from home necessi-  
3 tate the parent or caretaker relative's absence; child day care shall be  
4 provided during breaks in activities, for a period of up to two weeks.  
5 Such child day care may be authorized for a period of up to one month if  
6 child care arrangements shall be lost if not continued, and the program  
7 or employment is scheduled to begin within such period;

8 (b) families with incomes up to [~~two hundred percent of the state~~  
9 ~~income standard, or three hundred percent of the state income standard~~  
10 ~~effective August first, two thousand twenty-two~~] eighty-five percent of  
11 the state median income who are attempting through work activities to  
12 transition off of public assistance when such child care is necessary in  
13 order to enable a parent or caretaker relative to engage in work  
14 provided such families' public assistance has been terminated as a  
15 result of increased hours of or income from employment or increased  
16 income from child support payments or the family voluntarily ended  
17 assistance; provided that the family received public assistance at least  
18 three of the six months preceding the month in which eligibility for  
19 such assistance terminated or ended or provided that such family has  
20 received child care assistance under subdivision four of this section[  
21 ~~and provided, the family income does not exceed eighty-five percent of~~  
22 ~~the state median income~~];

23 (c) families with incomes up to [~~two hundred percent of the state~~  
24 ~~income standard, or three hundred percent of the state income standard~~  
25 ~~effective August first, two thousand twenty-two~~] eighty-five percent of  
26 the state median income, which are determined in accordance with the  
27 regulations of the department to be at risk of becoming dependent on  
28 family assistance[~~, provided, the family income does not exceed eighty-~~  
29 ~~five percent of the state median income~~];

30 (d) families with incomes up to [~~two hundred percent of the state~~  
31 ~~income standard, or three hundred percent of the state income standard~~  
32 ~~effective August first, two thousand twenty-two~~] eighty-five percent of  
33 the state median income, who are attending a post secondary educational  
34 program[~~, provided, the family income does not exceed eighty-five~~  
35 ~~percent of the state median income~~]; and

36 (e) other families with incomes up to [~~two hundred percent of the~~  
37 ~~state income standard, or three hundred percent of the state income~~  
38 ~~standard effective August first, two thousand twenty-two, which the~~  
39 ~~social services district designates in its consolidated services plan as~~  
40 ~~eligible for child care assistance~~] eighty-five percent of the state  
41 median income in accordance with criteria established by the depart-  
42 ment[~~, provided, the family income does not exceed eighty-five percent~~  
43 ~~of the state median income~~].

44 3. A social services district shall guarantee child care assistance to  
45 families in receipt of public assistance with children under thirteen  
46 years of age when such child care assistance is necessary for a parent  
47 or caretaker relative to engage in work or participate in work activ-  
48 ities pursuant to the provisions of title nine-B of article five of this  
49 chapter. Child care assistance shall continue to be guaranteed for such  
50 a family for a period of twelve months or, upon approval by the office,  
51 may be provided by a social services district for a period up to twenty-  
52 four months, after the month in which the family's eligibility for  
53 public assistance has terminated or ended when such child care is neces-  
54 sary in order to enable the parent or caretaker relative to engage in  
55 work, provided that the family's public assistance has been terminated  
56 as a result of an increase in the hours of or income from employment or

1 increased income from child support payments or because the family  
2 voluntarily ended assistance; that the family received public assistance  
3 in at least three of the six months preceding the month in which eligi-  
4 bility for such assistance terminated or ended or provided that such  
5 family has received child care assistance under subdivision four of this  
6 section; and that the family's income does not exceed [~~two hundred~~  
7 ~~percent of the state income standard, or three hundred percent of the~~  
8 ~~state income standard effective August first, two thousand twenty-two,~~  
9 ~~and that the family income does not exceed~~] eighty-five percent of the  
10 state median income. Such child day care shall recognize the need for  
11 continuity of care for the child and a district shall not move a child  
12 from an existing provider unless the participant consents to such move.

13 § 3. Paragraph (a) of subdivision 2 of section 410-x of the social  
14 services law, as amended by chapter 416 of the laws of 2000, is amended  
15 to read as follows:

16 (a) [~~A social services district~~] The office of children and family  
17 services may establish priorities for the families which will be eligi-  
18 ble to receive funding; provided that the priorities provide that eligi-  
19 ble families will receive equitable access to child care assistance  
20 funds to the extent that these funds are available. The office shall  
21 ensure families currently in receipt of child care assistance who have  
22 been selected as a priority population by a local social services  
23 district set forth in the district's consolidated services plan, shall  
24 continue to receive such assistance provided they meet the eligibility  
25 requirements for assistance.

26 § 4. Paragraphs (b) and (c) of subdivision 2 of section 410-x of the  
27 social services law are REPEALED.

28 § 5. Section 410-x of the social services law is amended by adding a  
29 new subdivision 9 to read as follows:

30 9. Reimbursement for payment on behalf of children who are temporarily  
31 absent from child care shall be paid for up to eighty days per year.  
32 Reimbursement for additional absences may be allowable in the case of  
33 extenuating circumstances, as determined by the office of children and  
34 family services.

35 § 6. Subdivision 8 of section 410-w of the social services law, as  
36 amended by section 1 of part Z of chapter 56 of the laws of 2021, is  
37 amended to read as follows:

38 8. Notwithstanding any other provision of law, rule or regulations to  
39 the contrary, a social services district that implements a plan amend-  
40 ment to the child care portion of its child and family services plan,  
41 either as part of an annual plan update, or through a separate plan  
42 amendment process, where such amendment reduces eligibility for, or  
43 increases the family share percentage of, families receiving child care  
44 services, or that implements the process for closing child care cases as  
45 set forth in the district's approved child and family services plan, due  
46 to the district determining that it cannot maintain its current caseload  
47 because all of the available funds are projected to be needed for open  
48 cases, shall provide all families whose eligibility for child care  
49 assistance or family share percentage will be impacted by such action  
50 with at least thirty days prior written notice of the action. Provided,  
51 however, that a family receiving assistance pursuant to this title shall  
52 not be required to contribute more than [~~ten~~] one percent of their  
53 income exceeding the federal poverty level.

54 § 7. Subdivision 6 of section 410-x of the social services law, as  
55 amended by section 2 of part Z of chapter 56 of the laws of 2021, is  
56 amended to read as follows:



6. Pursuant to department regulations, child care assistance shall be provided on a sliding fee basis based upon the family's ability to pay; provided, however, that a family receiving assistance pursuant to this title shall not be required to contribute more than ~~[ten]~~ one percent of their income exceeding the federal poverty level.

§ 8. Subdivision 10 of section 410-w of the social services law, as added by section 2 of part L of chapter 56 of the laws of 2022, is amended to read as follows:

10. For the purposes of this ~~[section]~~ title, the term "state median income" means the most recent state median income data published by the bureau of the census, for a family of the same size, updated by the department for a family size of four and adjusted by the department for family size.

§ 9. Section 3 of part Z of chapter 56 of the laws of 2021 amending the social services law relating to making child care more affordable for low-income families, is amended to read as follows:

§ 3. This act shall take effect immediately ~~[and shall expire and be deemed repealed three years after such date]~~.

§ 10. This act shall take effect October 1, 2023. The office of children and family services is hereby authorized to promulgate such rules and regulations as may be necessary, including on an emergency basis, to implement the provisions of this act.

#### PART V

Intentionally Omitted

#### PART W

Section 1. Section 11 of subpart A of part G of chapter 57 of the laws of 2012, amending the social services law and the family court act relating to establishing a juvenile justice services close to home initiative, as amended by section 2 of part G of chapter 56 of the laws of 2018, is amended to read as follows:

§ 11. This act shall take effect April 1, 2012 and shall expire on March 31, ~~[2023]~~ 2028 when upon such date the provisions of this act shall be deemed repealed; provided, however, that 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 and directed to be made and completed on or before such effective date; provided, however, upon the repeal of this act, a social services district that has custody of a juvenile delinquent pursuant to an approved juvenile justice services close to home initiative shall retain custody of such juvenile delinquent until custody may be legally transferred in an orderly fashion to the office of children and family services.

§ 2. Section 7 of subpart B of part G of chapter 57 of the laws of 2012, amending the social services law, the family court act and the executive law relating to juvenile delinquents, as amended by section 3 of part G of chapter 56 of the laws of 2018, is amended to read as follows:

§ 7. This act shall take effect April 1, 2012 and shall expire on March 31, ~~[2023]~~ 2028 when upon such date the provisions of this act shall be deemed repealed; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation neces-

sary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2023.

PART X

Section 1. Subdivision 1 of section 336-a of the social services law, as amended by chapter 275 of the laws of 2017, is amended to read as follows:

1. Social services districts shall make available vocational educational training and educational activities. Such activities may include but need not be limited to, high school education or education designed to prepare a participant for a high school equivalency certificate, basic and remedial education, education in English proficiency, education or a course of instruction in financial literacy and personal finance that includes instruction on household cash management techniques, career advice to obtain a well paying and secure job, using checking and savings accounts, obtaining and utilizing short and long term credit, securing a loan or other long term financing arrangement for high cost items, participation in a higher education course of instruction or trade school, and no more than a total of four years of post-secondary education (or the part-time equivalent). Educational activities pursuant to this section may be offered with any of the following providers which meet the performance or assessment standards established in regulations by the commissioner for such providers: a community college, licensed trade school, registered business school, or a two-year or four-year college; provided, however, that such post-secondary education must be necessary to the attainment of the participant's individual employment goal as set forth in the employability plan and such goal must relate directly to obtaining useful employment ~~[in a recognized occupation]~~. When making ~~[any]~~ an assignment to any educational activity pursuant to this subdivision, such assignment shall be permitted only to the extent that such assignment is consistent with the individual's assessment and employment plan goals in accordance with sections three hundred thirty-five and three hundred thirty-five-a of this title and shall require that the individual maintains satisfactory academic progress and hourly participation is documented consistent with federal and state requirements. For purposes of this provision "satisfactory academic progress" shall mean having a cumulative C average, or its equivalent, as determined by the academic institution. The requirement to maintain satisfactory academic progress may be waived if done so by the academic institution and the social services district based on undue hardship caused by an event such as a personal injury or illness of the student, the death of a relative of the student or other extenuating circumstances. ~~[Any enrollment in post-secondary education beyond a twelve month period must be combined with no less than twenty hours of participation averaged weekly in paid employment or work activities or community service when paid employment is not available.]~~ Participation in an educational and/or vocational training program, that shall include, but not be limited to, a two-year post-secondary degree program, which is necessary for the participant to attain their individual employment goal and is likely to lead to a degree or certification and sustained employment, shall be approved consistent with such individual's assessment and employability plan to the extent that such

1 approval does not jeopardize the state's ability to comply with federal  
2 work participation rates, as determined by the office of temporary and  
3 disability assistance.

4 § 2. Paragraph (a) of subdivision 8 of section 131-a of the social  
5 services law is amended by adding two new subparagraphs (xi) and (xii)  
6 to read as follows:

7 (xi) all of the earned income of a recipient of public assistance that  
8 is derived from participation in a qualified work activity or training  
9 program as determined by the office of temporary and disability assist-  
10 ance, to the extent that such earned income has not already been disre-  
11 garded pursuant to subparagraph (vii) of this paragraph, provided that  
12 the recipient's total income shall not be more than two hundred percent  
13 of the federal poverty level.

14 (xii) once during the lifetime of a recipient of public assistance,  
15 all of the earned income of such recipient will be disregarded following  
16 job entry, provided that such exemption of income for purposes of public  
17 assistance eligibility shall be for no more than six consecutive months  
18 from the initial date of obtaining such employment and that the recipi-  
19 ent's total income shall not be more than two hundred percent of the  
20 federal poverty level. In the event a recipient removes from one to  
21 another social services district, the disregard shall follow the recipi-  
22 ent in accordance with the provisions in paragraph (a) of subdivision  
23 five of section sixty-two of this chapter.

24 § 3. This act shall take effect on the two hundred fortieth day after  
25 it shall have become a law.

26 PART Y

27 Section 1. The social services law is amended by adding a new section  
28 152-d to read as follows:

29 § 152-d. Replacement of stolen public assistance. 1. Notwithstanding  
30 section three hundred fifty-j of this article and subdivision eleven of  
31 section one hundred thirty-one of this title, and in accordance with  
32 this section, public assistance recipients shall receive replacement  
33 assistance for the loss of public assistance, as defined in subdivision  
34 nineteen of section two of this chapter, in instances when such public  
35 assistance has been stolen as a result of card skimming, cloning, third  
36 party misrepresentation or other similar fraudulent activities, consist-  
37 ent with guidance issued by the office of temporary and disability  
38 assistance.

39 2. The office of temporary and disability assistance shall establish a  
40 protocol for recipients to report incidents of stolen public assistance.

41 3. Social services districts shall promptly replace stolen public  
42 assistance, however, such replacement shall occur no later than five  
43 business days after the social services district has verified the public  
44 assistance was stolen in accordance with guidance established by the  
45 office of temporary and disability assistance. Provided however, that  
46 verification of stolen public assistance shall not require a police  
47 report or any other interaction with law enforcement.

48 4. For public assistance that is verified as stolen, replacement  
49 assistance shall be provided by the social services district for the  
50 full amount of public assistance that was stolen on or after January  
51 first, two thousand twenty-two.

52 5. Any replacement assistance provided under this section shall be  
53 exempt from recoupment and recovery provisions under title six of arti-  
54 cle three of this chapter; provided, however, that assistance shall not

be exempt from recoupment and recovery if it is later determined that the public assistance that was replaced pursuant to this section was not stolen as a result of card skimming, cloning, third party misrepresentation or other similar fraudulent activities.

§ 2. This act shall take effect immediately.

PART Z

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 S of chapter 56 of the laws of 2022, are amended to read as follows:

(a) in the case of each individual receiving family care, an amount equal to at least [~~\$161.00~~] \$175.00 for each month beginning on or after January first, two thousand [~~twenty-two~~] twenty-three.

(b) in the case of each individual receiving residential care, an amount equal to at least [~~\$186.00~~] \$202.00 for each month beginning on or after January first, two thousand [~~twenty-two~~] twenty-three.

(c) in the case of each individual receiving enhanced residential care, an amount equal to at least [~~\$222.00~~] \$241.00 for each month beginning on or after January first, two thousand [~~twenty-two~~] twenty-three.

(d) for the period commencing January first, two thousand [~~twenty-three~~] twenty-four, 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-three~~] twenty-four, but prior to June thirtieth, two thousand [~~twenty-three~~] twenty-four, 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 S of chapter 56 of the laws of 2022, are amended to read as follows:

(a) On and after January first, two thousand [~~twenty-two~~] twenty-three, for an eligible individual living alone, [~~\$928.00~~] \$1,001.00; and for an eligible couple living alone, [~~\$1,365.00~~] \$1,475.00.

(b) On and after January first, two thousand [~~twenty-two~~] twenty-three, for an eligible individual living with others with or without in-kind income, [~~\$864.00~~] \$937.00; and for an eligible couple living with others with or without in-kind income, [~~\$1,307.00~~] \$1,417.00.

(c) On and after January first, two thousand [~~twenty-two~~] twenty-three, (i) for an eligible individual receiving family care, [~~\$1,107.48~~] \$1,180.48 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, [~~\$1,069.48~~] \$1,142.48; 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-two~~ twenty-three, (i) for an eligible individual receiving residential care, ~~[\$1,276.00]~~ \$1,349.00 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, ~~[\$1,246.00]~~ \$1,319.00; 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-two~~ twenty-three, (i) for an eligible individual receiving enhanced residential care, ~~[\$1,535.00]~~ \$1,608.00; 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-three~~ twenty-four but prior to June thirtieth, two thousand ~~twenty-three~~ twenty-four.

§ 3. This act shall take effect December 31, 2023.

#### PART AA

Section 1. Paragraph (c) of subdivision 5 of section 409-a of the social services law, as amended by chapter 624 of the laws of 2019, is amended to read as follows:

(c) Notwithstanding any other provision of this section, where a social services official determines that a lack of adequate housing is the primary factor preventing the discharge of a child or children from foster care including, but not limited to, children with the goal of discharge to independent living, preventive services shall include, in addition to any other payments or benefits received by the family, special cash grants in the form of rent subsidies, including rent arrears, or any other assistance, sufficient to obtain adequate housing. Such rent subsidies or assistance shall not exceed the sum of ~~three~~ seven hundred ~~twenty-five~~ twenty-five dollars per month, shall not be provided for a period of more than three years, may be provided up to age twenty-four for youth discharged from foster care, and shall be considered a special grant. Nothing in this paragraph shall be construed to limit the ability of those using such rent subsidy to live with roommates. The provisions of this paragraph shall not be construed to limit such official's authority to provide other preventive services.

§ 2. Subdivision 7 of section 409-a of the social services law, as amended by chapter 624 of the laws of 2019, is amended to read as follows:

7. Notwithstanding any other provision of this section, if a social services official determines that a lack of adequate housing is a factor that may cause the entry of a child or children into foster care and the family has at least one service need other than lack of adequate housing, preventive services may include, in addition to any other payments or benefits received by the family, special cash grants in the form of rent subsidies, including rent arrears, or any other assistance, sufficient to obtain adequate housing. Such rent subsidies or assistance



1 shall not exceed the sum of [~~three~~] seven hundred twenty-five dollars  
2 per month, shall not be provided for a period of more than three years,  
3 may be provided up to age twenty-four for youth discharged from foster  
4 care, and shall be considered a special grant. Nothing in this subdivi-  
5 sion shall be construed to limit the ability of those using such rent  
6 subsidy to live with roommates. The provisions of this paragraph shall  
7 not be construed to limit such official's authority to provide other  
8 preventive services.

9 § 3. This act shall take effect January 1, 2024.

10

## PART BB

11 Section 1. 1. The state university of New York trustees shall develop  
12 a long-term plan to address the impact fluctuations in student enroll-  
13 ment have on the academic and financial sustainability of state-operated  
14 institutions and community colleges. Such plan shall include, but not be  
15 limited to, projected student enrollments, an assessment of degree and  
16 credential offerings, initiatives to attract and retain students and  
17 faculty from diverse demographics, and any research benchmarks. The  
18 plan shall also include how the state university of New York trustees  
19 plan to stabilize the finances of all campuses and leverage each  
20 campus's strengths to improve its long-term success. The state universi-  
21 ty of New York trustees shall submit such plan to the governor, the  
22 temporary president of the senate, and the speaker of the assembly on or  
23 before January 1, 2024.

24 2. The city university of New York trustees shall develop a long-term  
25 plan to address the impact fluctuations in student enrollment have on  
26 the academic and financial sustainability of senior colleges and commu-  
27 nity colleges. Such plan shall include, but not be limited to, projected  
28 student enrollments, an assessment of degree and credential offerings,  
29 initiatives to attract and retain students and faculty from diverse  
30 demographics, and any research benchmarks. The plan shall also include  
31 how the city university of New York trustees plan to stabilize the  
32 finances of all campuses and leverage each campus's strengths to improve  
33 its long-term success. The city university of New York trustees shall  
34 submit such plan to the governor, the temporary president of the senate,  
35 and the speaker of the assembly on or before January 1, 2024.

36 § 2. This act shall take effect immediately.

37

## PART CC

38 Section 1. Clause (vi) of subparagraph 4 of paragraph h of subdivision  
39 2 of section 355 of the education law, as amended by section 1 of part  
40 JJJ of chapter 59 of the laws of 2017, is amended to read as follows:

41 (vi) Beginning in state fiscal year two thousand twenty-four--two  
42 thousand twenty-five and thereafter, the state shall appropriate and  
43 make available general fund operating support and fringe benefits, for  
44 the state university and the state university health science centers in  
45 an amount not less than the amounts separately appropriated and made  
46 available in the prior state fiscal year; provided, further, the state  
47 shall appropriate and make available general fund operating support to  
48 cover all mandatory costs of the state university and the state univer-  
49 sity health science centers, which shall include, but not be limited to,  
50 collective bargaining costs including salary increments, fringe bene-  
51 fits, and other non-personal service costs such as utility costs, build-  
52 ing rentals and other inflationary expenses incurred by the state



university and the state university health science centers; provided, however, that if the governor declares a fiscal emergency, and communicates such emergency to the temporary president of the senate and the speaker of the assembly, state support for operating expenses at the state university and city university may be reduced in a manner proportionate to one another, and the aforementioned provisions shall not apply.

(vii) For the state university fiscal years commencing two thousand eleven--two thousand twelve and ending two thousand fifteen--two thousand sixteen, each university center may set aside a portion of its tuition revenues derived from tuition increases to provide increased financial aid for New York state resident undergraduate students whose net taxable income is eighty thousand dollars or more subject to the approval of a NY-SUNY 2020 proposal by the governor and the chancellor of the state university of New York. Nothing in this paragraph shall be construed as to authorize that students whose net taxable income is eighty thousand dollars or more are eligible for tuition assistance program awards pursuant to section six hundred sixty-seven of this [chapter] title.

§ 2. Paragraph (a) of subdivision 7 of section 6206 of the education law is amended by adding a new subparagraph (vi) to read as follows:

(vi) Beginning in state fiscal year two thousand twenty-four--two thousand twenty-five and thereafter, the state shall appropriate and make available general fund operating support and fringe benefits, for the city university in an amount not less than the amounts separately appropriated and made available in the prior state fiscal year; provided, further, the state shall appropriate and make available general fund operating support to cover all mandatory costs of the city university, which shall include, but not be limited to, collective bargaining costs including salary increments, fringe benefits, and other non-personal service costs such as utility costs, building rentals and other inflationary expenses incurred by the city university; provided, however, that if the governor declares a fiscal emergency, and communicates such emergency to the temporary president of the senate and the speaker of the assembly, state support for operating expenses at the state university and city university may be reduced in a manner proportionate to one another, and the aforementioned provisions shall not apply.

§ 3. This act shall take effect immediately provided that:

(a) the amendments to subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law made by section one of this act shall not affect the expiration and reversion of such subparagraph pursuant to chapter 260 of the laws of 2011, as amended, and shall expire therewith; and

(b) the amendments to paragraph (a) of subdivision 7 of section 6206 of the education law made by section two of this act shall not affect the expiration and reversion of such paragraph pursuant to chapter 260 of the laws of 2011, as amended, and shall expire therewith.

#### PART DD

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.

1 828. Powers and duties of the office of civil representation.

2 829. Definitions.

3 830. Provision of legal representation, legal consultation, and  
4 community education.

5 § 827. Office of civil representation. 1. There is hereby established  
6 in the executive department an office of civil representation to create  
7 and implement a program to provide access to legal services pursuant to  
8 section eight hundred twenty-eight of this article.

9 2. The office shall be headed by an executive director who shall be  
10 appointed by the governor with the advice and consent of the senate.

11 § 828. Powers and duties of the office of civil representation. The  
12 executive director shall have the power and duty to:

13 1. establish a program to provide legal representation and legal  
14 consultation including entering into contracts and agreements as may be  
15 necessary, in accordance with section eight hundred thirty of this arti-  
16 cle;

17 2. prepare and submit to the governor, the temporary president of the  
18 senate, and the speaker of the assembly an annual report regarding the  
19 program created under section eight hundred thirty of this article.  
20 Such report shall include but not be limited to the following informa-  
21 tion, disaggregated by county, provided, however, that the information  
22 shall not be required for every case where the individual refuses to  
23 provide the information or the information is not reasonably ascertain-  
24 able:

25 (a) the total number of people provided legal representation and legal  
26 consultation;

27 (b) the outcomes of the cases provided legal representation and, to  
28 the extent known, the outcomes of the cases provided legal consultation;

29 (c) gender, race, ethnicity, and age;

30 (d) postal code of residence;

31 (e) household size;

32 (f) estimated length of tenancy;

33 (g) approximate household income;

34 (h) receipt of ongoing public assistance at the time such legal  
35 services were initiated;

36 (i) tenancy in rent-regulated housing;

37 (j) tenancy in housing operated by or subsidized through a federal,  
38 state or local rental subsidy program;

39 (k) legal services provided by type of legal issue;

40 (l) a list of designated legal organizations, the geographic region in  
41 which such organizations provide services, and the amount of funding  
42 provided to each;

43 (m) outcomes immediately following the provision of full legal repre-  
44 sentation, as applicable and available, including, but not limited to,  
45 the number of:

46 (i) judgments allowing individuals to remain in their residence;

47 (ii) judgments requiring individuals to be displaced from their resi-  
48 dence; and

49 (iii) instances where an attorney representing an income-eligible  
50 individual was discharged or withdrew;

51 (n) a list of landlords involved in eviction proceedings;

52 (o) residential evictions conducted by sheriffs or city marshals,  
53 disaggregated by county;

54 (p) a list of designated community organizations, the geographic  
55 region in which such organizations provide services, and the amount of  
56 funding provided to each;

1 (q) the number of buildings in which outreach was conducted, the  
2 number of workshops offered, the number of attendees at such workshops,  
3 the number of people referred to non-profits having status under section  
4 501 (C) (3) of the United States internal revenue code, and the number  
5 of trainings offered; and

6 (r) an evaluation of implementation challenges and recommendations for  
7 any future programmatic improvements.

8 3. provide an annual estimate for the funding necessary for the opera-  
9 tion of the program under section eight hundred thirty of this article;

10 4. coordinate with other programs providing legal representation in  
11 covered proceedings to ensure efficiency of functions and to prevent  
12 duplication of work;

13 5. subject to available funding, create a program providing outreach  
14 and education through designated legal organizations, or other community  
15 organizations, to spread awareness of the availability of legal repre-  
16 sentation and legal consultation by such designated legal organizations;

17 6. create and make available resources for individuals with regard to  
18 their rights in civil legal matters regarding housing accommodations in  
19 the languages required by law and such additional languages as may be  
20 necessary; and

21 7. promulgates any rules, regulations, and guidance necessary for the  
22 implementation of the provisions of this article.

23 § 829. Definitions. For the purposes of this article, the following  
24 terms shall have the following meanings:

25 1. "executive director" means the executive director of the New York  
26 state office of civil representation.

27 2. "office" means the New York state office of civil representation.

28 3. "eligible individual" means an individual who is at risk of losing  
29 their housing accommodation in a covered proceeding and who has an  
30 income at or below eighty percent of the area median income and, where  
31 applicable, does not otherwise qualify for legal representation under  
32 any other program providing individuals legal representation operated or  
33 funded by a municipality, as well as any other individual meeting crite-  
34 ria developed by the office, which may include but not be limited to  
35 individuals eligible for a stay on the issuance of a warrant of eviction  
36 under section seven hundred fifty-three of the real property actions and  
37 proceedings law.

38 4. "covered proceeding" means any proceeding to evict an individual or  
39 otherwise terminate a tenancy, any other proceeding that is likely to  
40 result in an individual losing such individual's housing accommodation,  
41 as determined by the office, or a proceeding brought by an eligible  
42 individual to enforce the warranty of habitability or in response to the  
43 unlawful actions of a landlord, as well as any appeals from any such  
44 proceedings.

45 5. "designated legal organization" means a not-for-profit organization  
46 or association having non-profit status under section 501(C)(3) of the  
47 United States internal revenue code that has the capacity to provide  
48 comprehensive and effective legal services for the program established  
49 under section eight hundred thirty of this article. To the extent prac-  
50 ticable, such designated legal organizations shall be organizations that  
51 maintain a practice of furnishing free or reduced cost legal services to  
52 individuals; possess expertise in the areas of law for covered  
53 proceedings; have a demonstrated history or practice with regard to the  
54 legal issues facing low-income residents of the state of New York;  
55 possess adequate infrastructure to provide consistent legal represen-  
56 tation and/or legal consultation.

1 6. "designated community organization" means a not-for-profit organ-  
2 ization or association having non-profit status under section 501(C)(3)  
3 of the United States internal revenue code that has the capacity to  
4 provide education in a program established under section eight hundred  
5 thirty of this article. To the extent practicable, such designated  
6 community organization shall maintain a practice of furnishing free  
7 services; possess expertise and experience in community education and  
8 organizing, and ties to the communities they serve; demonstrate exper-  
9 tise in recognizing and responding to the housing issues facing low-in-  
10 come residents of the state of New York; possess adequate expertise to  
11 provide consistent, high quality supervision, oversight, training, eval-  
12 uation, and strategic response to emerging or changing needs in the  
13 communities served; and maintain reasonable workloads and working condi-  
14 tions for their staff.

15 7. "legal representation" means ongoing legal representation provided  
16 by a designated legal organization to eligible individuals and the  
17 provision of legal advice, advocacy, and assistance, including but not  
18 be limited to: filing a notice of appearance, filing and preparation of  
19 pleadings and motions on behalf of eligible individuals, court appear-  
20 ances on behalf of eligible individuals, pre- and post-trial settlement  
21 conferences, and any other activities needed to provide legal represen-  
22 tation in a covered proceeding.

23 8. "legal consultation" means the provision of legal advice, including  
24 advising an individual, who is not otherwise an eligible individual  
25 under this section, of the applicable laws and remedies pertaining to  
26 the covered proceeding in which they are involved, provided by a desig-  
27 nated legal organization to an individual who is not otherwise an eligi-  
28 ble individual.

29 9. "housing accommodation" means that part of any building or struc-  
30 ture or any part thereof, permanent or temporary, occupied or intended,  
31 arranged or designed to be used or occupied, by one or more individuals  
32 as a residence, home, dwelling unit or apartment, sleeping place, board-  
33 ing house, lodging house or hotel, and all essential services, privi-  
34 leges, furnishings, furniture and facilities supplied in connection with  
35 the occupation thereof.

36 § 830. Provision of legal representation, legal consultation, and  
37 community education. 1. Subject to available funding and in accordance  
38 with this article, the office shall develop programs to provide:

39 (a) legal representation through one or more designated legal organ-  
40 izations to eligible individuals in covered proceedings throughout the  
41 state;

42 (b) legal consultation through one or more designated legal organiza-  
43 tions to individuals not eligible for legal representation under this  
44 article and not otherwise eligible for legal consultation under any  
45 program operated or funded by a municipality; and

46 (c) community outreach and education through one or more designated  
47 legal organizations and/or designated community organizations regarding  
48 the programs created herein.

49 2. In creating the programs under subdivision one of this section, the  
50 executive director shall consult with the following:

51 (a) tenants and/or representatives of tenants, and community groups  
52 representing low-income or other at-risk members of the community;

53 (b) legal and community-based organizations;

54 (c) representatives of the judiciary;

55 (d) representatives of a municipality operating or funding a program  
56 providing legal representation, legal consultation, or community educa-

tion 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 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 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 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 predecessor in interest if he 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.



1     § 4. Section 713 of the real property actions and proceedings law is  
2 amended by adding a new subdivision 12 to read as follows:

3     12. No proceeding shall be maintained, unless the court has provided  
4 the respondent with written notice of the ability of the respondent to  
5 obtain legal representation or legal consultation, as applicable, pursu-  
6 ant to section eight hundred thirty of the executive law.

7     § 5. Section 745 of the real property actions and proceedings law is  
8 amended by adding a new subdivision 3 to read as follows:

9     3. Where a respondent who is an eligible individual, as defined in  
10 subdivision three of section eight hundred twenty-nine of the executive  
11 law, appears in court without counsel, the court shall notify such  
12 respondent orally of the ability to obtain legal representation pursuant  
13 to section eight hundred thirty of the executive law, and if such  
14 respondent would like counsel, the court shall adjourn the trial and  
15 provide sufficient time, not less than fourteen days, for such respond-  
16 ent to retain and consult counsel and shall grant such further adjourn-  
17 ments as the court deems necessary for such covered individual to obtain  
18 counsel.

19     § 6. Subdivisions 1 and 3 of section 749 of the real property actions  
20 and proceedings law, as amended by section 19 of part M of chapter 36 of  
21 the laws of 2019, are amended to read as follows:

22     1. Upon rendering a final judgment for petitioner, the court shall  
23 issue a warrant directed to the sheriff of the county or to any constable  
24 or marshal of the city in which the property, or a portion thereof,  
25 is situated, or, if it is not situated in a city, to any constable of  
26 any town in the county, describing the property, stating the earliest  
27 date upon which execution may occur pursuant to the order of the court,  
28 and commanding the officer to remove all persons named in the proceeding,  
29 provided upon a showing of good cause, the court may issue a stay  
30 of re-letting or renovation of the premises for a reasonable period of  
31 time. However, no court shall issue a judgment authorizing the issuance  
32 of a warrant of eviction against a respondent who has defaulted, or  
33 authorize the execution of an eviction pursuant to a default judgment,  
34 unless the court has provided the respondent with written notice of the  
35 respondent's ability to obtain legal representation or legal consulta-  
36 tion, as applicable, pursuant to section eight hundred thirty of the  
37 executive law in eviction proceedings in the notice required by sections  
38 seven hundred eleven, seven hundred forty-one and seven hundred forty-  
39 five of this article.

40     3. Nothing contained herein shall deprive the court of the power to  
41 stay or vacate such warrant for good cause shown prior to the execution  
42 thereof, or to restore the tenant to possession subsequent to execution  
43 of the warrant. The failure of the court to advise an individual of  
44 their ability to obtain legal representation or legal consultation, as  
45 applicable, pursuant to section eight hundred thirty of the executive  
46 law in an eviction proceeding shall constitute good cause to stay or  
47 vacate such warrant. In a judgment for non-payment of rent, the court  
48 shall vacate a warrant upon tender or deposit with the court of the full  
49 rent due at any time prior to its execution, unless the petitioner  
50 establishes that the tenant withheld the rent due in bad faith. Peti-  
51 tioner may recover by action any sum of money which was payable at the  
52 time when the special proceeding was commenced and the reasonable value  
53 of the use and occupation to the time when the warrant was issued, for  
54 any period of time with respect to which the agreement does not make any  
55 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, 2024; provided, however, that sections two through seven of this act shall take effect one year after such date.

#### PART EE

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 build-

ing, 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

1 New York city department of housing preservation and development, or the  
2 New York city housing authority, or both.

3 6. "Family" means a group of persons residing together. Such group  
4 includes, but is not limited to a family with or without children (a  
5 child who is temporarily away from the home because of placement in  
6 foster care is considered a member of the family) or any remaining  
7 members of a tenant family. The commissioner shall have the discretion  
8 to determine if any other group of persons qualifies as a family.

9 7. "Owner" means any private person or any entity, including a cooper-  
10 ative, an agency of the federal government, or a public housing agency,  
11 having the legal right to lease or sublease dwelling units.

12 8. "Dwelling unit" means a single-family dwelling, including attached  
13 structures such as porches and stoops; or a single-family dwelling unit  
14 in a structure that contains more than one separate residential dwelling  
15 unit, and in which each such unit is used or occupied, or intended to be  
16 used or occupied, in whole or in part, as the residence of one or more  
17 persons.

18 9. "Income" shall mean the same as it is defined by 24 CFR § 5.609 and  
19 any amendments thereto.

20 10. "Adjusted income" shall mean the same as it is defined by 24 CFR §  
21 5.611 and any amendments thereto.

22 11. "Reasonable rent" means rent not more than the rent charged on  
23 comparable units in the private unassisted market and rent charged for  
24 comparable unassisted units in the premises.

25 12. "Fair market rent" means the fair market rent for each rental area  
26 as promulgated annually by the United States department of housing and  
27 urban development pursuant to 42 U.S.C. 1437f.

28 13. "Voucher" means a document issued by the housing trust fund corpo-  
29 ration pursuant to this article to an individual or family selected for  
30 admission to the housing access voucher program, which describes such  
31 program and the procedures for approval of a unit selected by the family  
32 and states the obligations of the individual or family under the  
33 program.

34 14. "Lease" means a written agreement between an owner and a tenant  
35 for the leasing of a dwelling unit to the tenant. The lease establishes  
36 the conditions for occupancy of the dwelling unit by an individual or  
37 family with housing assistance payments under a contract between the  
38 owner and the housing access voucher local administrator.

39 15. "Dependent" means any member of the family who is neither the head  
40 of household, nor the head of the household's spouse, and who is:

41 (a) under the age of eighteen;

42 (b) a person with a disability; or

43 (c) a full-time student.

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

45 17. "Child care expenses" means expenses relating to the care of chil-  
46 dren under the age of thirteen.

47 18. "Severely rent burdened" means those individuals and families who  
48 pay more than fifty percent of their income in rent as defined by the  
49 United States census bureau.

50 19. "Disability" means:

51 (a) the inability to engage in any substantial gainful activity by  
52 reason of any medically determinable physical or mental impairment which  
53 can be expected to result in death or which has lasted or can be  
54 expected to last for a continuous period of not less than twelve months;  
55 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.

1 2. An individual or family in receipt of rental assistance pursuant to  
2 this program shall be no longer financially eligible for such assistance  
3 under this program when thirty percent of the individual's or family's  
4 adjusted income is greater than or equal to the total rent for the  
5 dwelling unit.

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

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

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

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

23 § 609. Funding allocation and distribution. 1. Subject to appropri-  
24 ation, funding shall be allocated by the commissioner in each county  
25 except for those counties located within the city of New York, the  
26 initial allocation shall be in proportion to the number of households in  
27 each county or the city of New York who are severely rent burdened based  
28 on data published by the United States census bureau. Funding for coun-  
29 ties located within the city of New York shall be allocated directly to  
30 the New York city department of housing preservation and development  
31 and/or the New York city housing authority, as appropriate, in propor-  
32 tion to the number of households in New York city as compared to the  
33 rest of the state of New York who are severely rent burdened based on  
34 data published by the United States census bureau.

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

39 3. Priority shall be given to applicants who are homeless. The commis-  
40 sioner shall have the discretion to establish further priorities as  
41 appropriate.

42 4. Up to ten percent of the funds allocated may be used by the commis-  
43 sioner and the housing access voucher local administrator for adminis-  
44 trative expenses attributable to administering the housing access vouch-  
45 er program.

46 § 610. Payment of housing vouchers. The housing voucher shall be paid  
47 directly to any owner under a contract between the owner of the dwelling  
48 unit to be occupied by the voucher recipient and the appropriate housing  
49 access voucher local administrator. The commissioner shall determine the  
50 form of the housing assistance payment contract and the method of  
51 payment. A housing assistance payment contract entered into pursuant to  
52 this section shall establish the payment standard (including utilities  
53 and all maintenance and management charges) which the owner is entitled  
54 to receive for each dwelling unit with respect to which such assistance  
55 payments are to be made. The payment standard shall not exceed one  
56 hundred twenty percent nor be less than ninety percent of the fair



1 market rent for the rental area in which it is located. Fair market  
2 rent shall be determined pursuant to the procedures and standards as set  
3 forth in the Federal Housing Choice voucher program, as set forth in the  
4 applicable sections of Part 888 of Title 24 of the Code of Federal Regu-  
5 lations. Fair market rent for a rental area shall be published not less  
6 than annually by the commissioner and shall be made available on the  
7 website of New York state homes and community renewal.

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

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

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

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

22 (b) contain terms and conditions that:

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

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

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

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

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

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

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

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

52 § 612. Rental obligation. The monthly rental obligation for an indi-  
53 vidual or family receiving housing assistance pursuant to the housing  
54 access voucher program shall be the greater of:

55 1. thirty percent of the monthly adjusted income of the family or  
56 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.

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

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

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

21     2. For purposes of this section, the term "owned by a housing access  
22 voucher local administrator" means, with respect to a dwelling unit,  
23 that the dwelling unit is in a project that is owned by such administra-  
24 tor, by an entity wholly controlled by such administrator, or by a  
25 limited liability company or limited partnership in which such adminis-  
26 trator (or an entity wholly controlled by such administrator) holds a  
27 controlling interest in the managing member or general partner. A dwell-  
28 ing unit shall not be deemed to be owned by a housing access voucher  
29 local administrator for purposes of this section because such adminis-  
30 trator holds a fee interest as ground lessor in the property on which  
31 the unit is situated, holds a security interest under a mortgage or deed  
32 of trust on the unit, or holds a non-controlling interest in an entity  
33 which owns the unit or in the managing member or general partner of an  
34 entity which owns the unit.

35     § 618. Verification of income. The commissioner shall establish proce-  
36 dures which are appropriate and necessary to assure that income data  
37 provided to the housing access voucher local administrator and owners by  
38 individuals and families applying for or receiving assistance under this  
39 article is complete and accurate. In establishing such procedures, the  
40 commissioner shall randomly, regularly, and periodically select a sample  
41 of families to authorize the commissioner to obtain information on these  
42 families for the purpose of income verification, or to allow those fami-  
43 lies to provide such information themselves. Such information may  
44 include, but is not limited to, data concerning unemployment compen-  
45 sation and federal income taxation and data relating to benefits made  
46 available under the social security act, 42 U.S.C. 301 et seq., the food  
47 and nutrition act of 2008, 7 U.S.C. 2011 et seq., or title 38 of the  
48 United States Code. Any such information received pursuant to this  
49 section shall remain confidential and shall be used only for the purpose  
50 of verifying incomes in order to determine eligibility of individuals  
51 and families for benefits (and the amount of such benefits, if any)  
52 under this article.

53     § 619. Division of an assisted family. 1. In those instances where a  
54 family assisted under this article becomes divided into two otherwise  
55 eligible individuals or families due to divorce, legal separation or the  
56 division of the family, where such individuals or families cannot agree

1 as to which such individual or family should continue to receive the  
2 assistance, and where there is no determination by a court, the housing  
3 access voucher local administrator shall consider the following factors  
4 to determine which of the individuals or families will continue to be  
5 assisted:

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

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

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

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

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

15 (f) recommendations of social services professionals.

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

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

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

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

47 § 623. Housing choice. 1. The commissioner shall administer the hous-  
48 ing access voucher program under this article to promote housing choice  
49 for voucher holders. The commissioner shall affirmatively promote fair  
50 housing to the extent possible under this program.

51 2. Nothing in this article shall lessen or abridge any fair housing  
52 obligations promulgated by municipalities, localities, or any other  
53 applicable jurisdiction.

54 § 2. This act shall take effect on the ninetieth day after it shall  
55 have become a law. Effective immediately, the addition, amendment and/or  
56 repeal of any rule, regulation, plan or guidance document necessary for

1 the implementation of this act on its effective date are authorized to  
2 be made and completed on or before such effective date; provided further  
3 that any rule, regulation, plan or guidance document shall apply only to  
4 those counties located outside of the city of New York. The New York  
5 city department of housing preservation and development and the New York  
6 city housing authority, as applicable, shall promulgate or release  
7 rules, regulations, plans or guidance documents as necessary for the  
8 implementation of this act within the city of New York.

## PART FF

10 Section 1. The private housing finance law is amended by adding a new  
11 article 32 to read as follows:

ARTICLE 32FOUNDATIONS FOR FUTURES HOUSING PROGRAMSection 1290. Foundations for futures housing program.

15 § 1290. Foundations for futures housing program. 1. Program establish-  
16 ment. Within amounts appropriated or otherwise available therefor, the  
17 division of housing and community renewal shall develop and administer a  
18 program which shall provide assistance in the form of payments, grants  
19 and loans for the formation of limited equity cooperative housing  
20 utilizing funding appropriated for such a purpose as well as any other  
21 funding source or sources which the commissioner may determine is suit-  
22 able to support such a program. Such program may utilize state owned  
23 sites, municipally owned sites, or sites owned by a not-for-profit  
24 corporation or community land trust exclusively for the purpose of  
25 providing housing pursuant to this section. Real property may be  
26 acquired for the purpose of such program as authorized pursuant to  
27 section five hundred seventy-six-a of this chapter. Such program shall  
28 provide (a) housing for households up to one hundred and thirty percent  
29 of area median income, (b) a process in which households shall have the  
30 ability to accrue equity over time, and (c) that housing units created  
31 pursuant to this section remain affordable in perpetuity. The commis-  
32 sioner shall also assist prospective homebuyers to identify funding  
33 sources that provide low interest loans to develop properties and  
34 provide loans to prospective homebuyers.

35 2. Additional responsibilities. The division of housing and community  
36 renewal shall have the power and duty to issue regulations to implement  
37 such program and the process for:

38 (a) homebuyers obtaining a new unit which shall include both confirm-  
39 ing income qualifications as well as a restriction on the maximum amount  
40 of assets any qualified homebuyer may have;

41 (b) selling shares in the cooperative in such a way as the affordabil-  
42 ity of the cooperative is maintained while allowing households to gain  
43 equity over time;

44 (c) prohibiting the use of a fixed percentage appreciation cap for the  
45 purposes of determining an allowable sales price for shares in the coop-  
46 erative;

47 (d) selecting new households eligible to purchase housing which have  
48 been vacated by a previous owner; and

49 (e) the creation of boards of directors for such limited profit hous-  
50 ing companies established by this chapter, provided however that such  
51 boards shall have the powers and be subject to the limitations contained  
52 in the not-for-profit corporation law.

53 3. Supervision. All such housing projects shall be managed independ-  
54 ently of the residents of the project by a corporation or not-for-profit

corporation determined qualified by the division of housing and community renewal. Any regulatory agreement that is executed for such program shall include a requirement that resident maintenance fees increase by a minimum percentage annually to ensure that such housing continues to be in good repair.

4. Tax exemptions. Housing for such program shall be eligible for tax exemptions in the same manner as projects under article eleven of this chapter.

§ 2. This act shall take effect immediately.

#### PART GG

Section 1. Subparagraphs (ii) and (iii) of paragraph a of subdivision 3 of section 667 of the education law, subparagraph (ii) as amended by section 1 of part B of chapter 60 of the laws of 2000, subparagraph (iii) as amended by section 3 of part H of chapter 58 of the laws of 2011, are amended to read as follows:

(ii) Except for students as noted in subparagraph (iii) of this paragraph, 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 <del>eighty</del> <u>one hundred</u> thousand dollars	Nine hundred eighty dollars plus twelve per centum of excess over eighteen thousand dollars

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

Amount of income	Schedule of reduction of base amount
(1) Less than three thousand dollars	None
(2) Three thousand dollars or more, but not more than <del>ten</del> <u>thirty</u> 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 <del>forty</del> sixty thousand dollars	Nine hundred eighty dollars plus twelve per centum of excess over eighteen thousand dollars

§ 2. This act shall take effect July 1, 2023.

#### PART HH

Section 1. Paragraph b of subdivision 1 and subparagraph (ii) of paragraph b of subdivision 2 of section 667-c of the education law, paragraph b of subdivision 1 as amended and subparagraph (ii) of paragraph b of subdivision 2 as added by section 1 of part E of chapter 56 of the laws of 2022, are amended to read as follows:

b. part-time students enrolled at a community college or a college of technology in a non-degree workforce credential program directly leading to the employment or advancement of a student in a "significant industry" as identified by the department of labor in its three most recent statewide significant industries reports published preceding the student's enrollment in such non-degree workforce credential program. The state university of New York and the city university of New York shall publish and maintain a master list of all eligible non-degree workforce credential program courses and update such list every semester. Eligible non-degree workforce credential programs shall include those programs less than twelve semester hours, or the equivalent, per semester. A student who successfully completes a non-degree workforce credential program and receives part-time tuition assistance program awards pursuant to this paragraph shall be awarded academic credit by the state university of New York or city university of New York upon matriculation into a degree program at such institution, provided that such credit shall be equal to the corresponding credit hours earned in the non-degree workforce credential program.

(ii) is enrolled in an approved non-degree workforce credential program at a community college or a college of technology pursuant to paragraph b of subdivision one of this section.

§ 2. This act shall take effect immediately.

#### PART II

Section 1. The public housing law is amended by adding a new section 20-a to read as follows:



1     § 20-a. Homeownership opportunity connection program. 1. The commis-  
2 sioner shall establish a program to connect residents of communities  
3 with below average homeownership rates and not-for-profit housing organ-  
4 izations with homeownership and development opportunities. Such program  
5 shall be referred to as the "homeownership opportunity connection"  
6 program. Such program shall utilize all currently existing homeownership  
7 assistance programs and funding provided within the state's multi-year  
8 housing program. The division of housing and community renewal and the  
9 state of New York mortgage agency shall work with any other state agen-  
10 cies that provide such services to the targeted populations to promote  
11 the availability of such programs and to identify additional not-for-  
12 profit organizations to expand the areas where such programs are avail-  
13 able.

14     (a) For potential homebuyers, the state of New York mortgage agency  
15 shall take such actions including, but not limited to, making publicly  
16 available on its website a singular and concise list containing:

17         (i) all available state and federal programs to assist with purchasing  
18 a home;

19         (ii) organizations who provide homeownership counseling which shall be  
20 updated annually; and

21         (iii) all participating lenders.

22     (b) For existing homeowners, the division of housing and community  
23 renewal shall take such actions including, but not limited to, making  
24 publicly available on its website a singular concise list containing:

25         (i) every program available to assist homeowners with making repairs;  
26 and

27         (ii) contact and application information for such programs which shall  
28 be updated annually.

29     (c) For existing owners of multi-family properties, the division of  
30 housing and community renewal shall take such actions including, but not  
31 limited to, making publicly available on its website a singular and  
32 concise list containing:

33         (i) every program available to assist owners with making repairs; and

34         (ii) contact and application information for such programs which shall  
35 be updated annually.

36     (d) For potential developers of multi-family properties, the division  
37 of housing and community renewal shall take such actions including, but  
38 not limited to, making publicly available on its website a singular and  
39 concise list containing:

40         (i) every program where funding is currently available to assist with  
41 development, including the term sheets and how to apply to such  
42 programs, which shall be updated when the availability of funding chang-  
43 es; and

44         (ii) contact and application information for such programs which shall  
45 be updated annually.

46     (e) The division of housing and community renewal, in consultation  
47 with the office of temporary and disability assistance, shall take such  
48 actions including, but not limited to, making publicly available on its  
49 website a singular and concise list containing:

50         (i) every program available to assist individuals currently experienc-  
51 ing homelessness or individuals at risk of homelessness, including but  
52 not limited to, the New York state rental subsidy program, and any other  
53 rental supplement program as authorized by a local social services  
54 district; and

55         (ii) contact and application information for such programs which shall  
56 be updated annually.

2. The commissioner shall identify such funds as necessary which may be used to subsidize the homeownership opportunity connection program. The commissioner shall further identify any not-for-profit housing organizations to provide services to communities with below average homeownership rates. The commissioner may, to the extent practicable, allocate funds to such organizations for the explicit purpose of using their membership or staff to directly seek out and notify residents about the homeownership opportunity connection program and the programs offered thereunder.

3. The commissioner's outreach efforts shall be made available to the public by any means deemed appropriate by the division of housing and community renewal including, but not limited to:

- (a) social media, internet, radio, newspapers, and print advertising;
- (b) brochures, billboards and posters;
- (c) collaboration with schools of higher education;
- (d) participation in, or organizing of, housing fairs;
- (e) collaboration with community organizations or not-for-profit organizations;
- (f) collaboration with the department of state to train realtors on available programs; and
- (g) recruitment of individual volunteers to serve as visible, public ambassadors to promote this message.

§ 2. Subdivision 1 of section 20 of the public housing law, as amended by section 2 of part L of chapter 36 of the laws of 2019, is amended to read as follows:

1. The commissioner shall, on or before October first in each year, beginning in nineteen hundred ninety, submit and make publicly available on its website one or more reports to the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and minority leader of the assembly on the activity and implementation of the state housing assistance programs for the previous fiscal year. In addition, the commissioner shall, on or before February first in each year, beginning in nineteen hundred ninety-one, submit an interim report which contains, in tabular format only, the non-narrative data compiled through November thirtieth of each year. The commissioner shall submit on or before February first, nineteen hundred ninety a report for the fiscal year commencing April first, nineteen hundred eighty-eight and the most up to date non-narrative data, in tabular format only, but in no event less than the data compiled through September thirtieth, nineteen hundred eighty-nine. All such reports shall include, but not be limited to the low income housing trust fund program, the affordable home ownership development program, the urban initiatives program, the rural area revitalization program, the rural rental assistance program, the homeless housing and assistance program, the housing opportunities program for the elderly, the state of New York mortgage agency forward commitment and mortgage insurance programs, the housing finance agency secured loan rental program, the turnkey/enhanced housing trust fund program, the special needs housing program, the permanent housing for the homeless program, the infrastructure development demonstration program ~~[and]~~, the mobile home cooperative fund program, the New York access to home program, the New York main street program, the rural and urban community investment program, the New York access to homes for heroes program, and the housing our neighbors with dignity program. For the purpose of producing such report or reports, the commissioner shall be authorized to rely on information provided by each administering agency or authority. Such report or reports shall, to

1 the extent applicable to a specific program, include but not be limited  
2 to: (i) a narrative for each program reported describing the program  
3 purpose, eligible applicants, eligible areas, income population to be  
4 served, and limitations on funding; (ii) for each eligible applicant  
5 receiving funding under the Housing Trust Fund or the Affordable Home  
6 Ownership Development programs during the year specified herein, such  
7 applicant's name and address, a description of the applicant's contract  
8 amount, a narrative description of the specific activities performed by  
9 such applicant, and the income levels of the occupants to be served by  
10 the units all as proposed by the applicant at the time the contract is  
11 awarded; (iii) a description of the distribution of funds for each cate-  
12 gory of project funded under each program; (iv) the number of units or  
13 beds under award, under contract, under construction and completed based  
14 on a change in project status during the year for each program; (v) the  
15 number of units or beds assisted during the year under each program;  
16 (vi) the amount and type of assistance provided for such units or beds  
17 placed under contract; (vii) based on total project costs, the number of  
18 units or beds under contract and assisted through new construction,  
19 substantial rehabilitation, moderate rehabilitation, improvements to  
20 existing units or beds, and through acquisition only for each program;  
21 (viii) for the number of units or beds under contract assisted through  
22 new construction, substantial rehabilitation, moderate rehabilitation,  
23 improvements to existing units or beds, and through acquisition only,  
24 the level of state assistance expressed as a percentage of total project  
25 cost; (ix) for those units and beds under contract a calculation of the  
26 amount of non-state funds provided expressed as a percentage of total  
27 project cost; (x) the number of units or beds completed and under award,  
28 under contract and under construction for each program based on the  
29 current program pipeline; (xi) for units or beds for which mortgage  
30 assistance was provided by the state of New York mortgage agency, the  
31 number of existing and newly constructed units; and (xii) a list, by  
32 program, of units or beds assisted within each county. To the extent  
33 that any law establishing or appropriating funds for any of the afore-  
34 mentioned programs requires the commissioner to produce a report  
35 containing data substantially similar to that required herein, this  
36 report shall be deemed to satisfy such other requirements.

37 § 3. Section 2419 of the public authorities law, as amended by chapter  
38 555 of the laws of 1989, is amended to read as follows:

39 § 2419. Annual report. The agency shall submit to the governor, the  
40 chairman of the senate finance committee, the chairman of the assembly  
41 ways and means committee, the comptroller ~~[and]~~, the director of the  
42 budget, and make publicly available on its website within six months  
43 after the end of its fiscal year, a complete and detailed report setting  
44 forth: (1) its operations and accomplishments; (2) its receipts and  
45 expenditures during such fiscal year in accordance with the categories  
46 or classifications established by the agency for its operating and capi-  
47 tal outlay purposes, including a listing of all private consultants  
48 engaged by the agency on a contract basis and a statement of the total  
49 amount paid to each such private consultant; (3) its assets and liabil-  
50 ities at the end of its fiscal year, including a schedule of its mort-  
51 gages and the status of reserve, special or other funds; (4) a schedule  
52 of its bonds and notes outstanding at the end of its fiscal year,  
53 together with a statement of the amounts redeemed and incurred during  
54 such fiscal year; (5) a schedule of mortgages which have been insured  
55 during such year and mortgages for which there exists an outstanding  
56 commitment to insure and the status of the mortgage insurance fund and

1 other funds established by the corporation; and with respect to the  
2 agency's fiscal years ending after nineteen hundred eighty-five; (6) a  
3 breakdown by region (as defined in subdivision nine of section two thou-  
4 sand four hundred twenty-six of this title) of the average income of  
5 recipients of SONYMA mortgage loans for such fiscal year, stated sepa-  
6 rately for SONYMA's tax exempt and blended program and SONYMA's taxable  
7 program; (7) a breakdown by region of the income distribution of recipi-  
8 ents of SONYMA mortgage loans for such fiscal year, stated separately  
9 for SONYMA's tax exempt and blended program and SONYMA's taxable  
10 program; ~~and~~ (8) a breakdown by region of the average purchase price  
11 of structures acquired with SONYMA mortgage loans for such fiscal year,  
12 stated separately for SONYMA's tax exempt and blended program and  
13 SONYMA's taxable program; and (9) activities undertaken to promote the  
14 operations of the agency including where it's promoted and any organiza-  
15 tions the agency partners with for such activities. With respect to the  
16 schedule mentioned in item five hereof, such schedule shall be submitted  
17 within ninety days after the end of its fiscal year and shall be submit-  
18 ted to the temporary president of the senate and speaker of the assembly  
19 in addition to the aforementioned officers.

20 § 4. This act shall take effect on the thirtieth day after it shall  
21 have become a law. Effective immediately, the addition, amendment and/or  
22 repeal of any rule or regulation necessary for the implementation of  
23 this act on its effective date are authorized to be made and completed  
24 on or before such effective date.

25 PART JJ

26 Section 1. Paragraph h of subdivision 2 of section 355 of the educa-  
27 tion law is amended by adding a new subparagraph 4-c to read as follows:

28 (4-c) Beginning in state fiscal year two thousand twenty-three--two  
29 thousand twenty-four, the state shall appropriate and make available  
30 general fund operating support for the state university in an amount not  
31 less than the following over the amount appropriated and made available  
32 in state fiscal year two thousand twenty-two--two thousand twenty-three,  
33 provided that such general fund operating support shall be in addition  
34 to any support for fringe benefits:

35 (i) For state fiscal year two thousand twenty-three--two thousand  
36 twenty-four, not less than one hundred million dollars.

37 (ii) For state fiscal year two thousand twenty-four--two thousand  
38 twenty-five, not less than two hundred million dollars.

39 (iii) For state fiscal year two thousand twenty-five--two thousand  
40 twenty-six and thereafter, not less than three hundred million dollars.

41 § 2. Section 6206 of the education law is amended by adding a new  
42 subdivision 22 to read as follows:

43 22. Beginning in state fiscal year two thousand twenty-three--two  
44 thousand twenty-four, the state shall appropriate and make available  
45 general fund operating support for the city university in an amount not  
46 less than the following over the amount appropriated and made available  
47 in state fiscal year two thousand twenty-two--two thousand twenty-three,  
48 provided that such general fund operating support shall be in addition  
49 to any support for fringe benefits:

50 a. For state fiscal year two thousand twenty-three--two thousand twen-  
51 ty-four, not less than sixty million dollars.

52 b. For state fiscal year two thousand twenty-four--two thousand twen-  
53 ty-five, not less than one hundred and twenty million dollars.

1 c. For state fiscal year two thousand twenty-five--two thousand twen-  
2 ty-six and thereafter, not less than one hundred eighty million dollars.  
3 § 3. This act shall take effect immediately.

## PART KK

5 Section 1. Short title. This act shall be known and may be cited as  
6 the "special joint legislative commission on affordable housing act".

7 § 2. Legislative findings and intent. The legislature hereby finds and  
8 declares that New York State and its localities have made significant  
9 investments in the development and preservation of affordable housing in  
10 recent years, including the implementation of landmark, statewide spend-  
11 ing plans targeting various types of housing and those populations most  
12 in need of affordable and supportive options. While the state has made  
13 progress toward achieving housing goals, additional initiatives are  
14 needed to address affordable housing shortages. The purpose of this  
15 commission is to examine the overall effectiveness of existing programs  
16 that prioritize housing stability and the preservation and development  
17 of affordable housing. This commission will also allow the legislature  
18 to hear from a broad array of housing stakeholders in order to identify  
19 methods to improve existing programs as well as implement new strategies  
20 to increase the supply and production of affordable housing units across  
21 the state.

22 § 3. Special joint legislative commission on affordable housing. 1.  
23 There is hereby created in the division of housing and community renewal  
24 a special joint legislative commission on affordable housing. The  
25 commission shall consist of twenty-five members: (a) the chief housing  
26 officer of the city of New York, or their designee; (b) eight members to  
27 be appointed by the governor including (i) the commissioner of the divi-  
28 sion of housing and community renewal, or their designee, (ii) the  
29 commissioner of the office of temporary and disability assistance, or  
30 their designee, (iii) the superintendent of the department of financial  
31 services, or their designee, and (iv) five members with experience work-  
32 ing with issues related to affordable housing; (c) eight members to be  
33 appointed by the temporary president of the senate including (i) a  
34 tenants' rights advocate with experience in providing legal services to  
35 tenants, (ii) a representative of building service or construction  
36 trades, (iii) a real estate trade association representative, (iv) one  
37 member of the New York state senate, and (v) four members with experi-  
38 ence working with issues related to affordable housing; (d) eight  
39 members to be appointed by the speaker of the assembly including (i) a  
40 tenants' rights advocate with experience in providing legal services to  
41 tenants, (ii) a representative of building service or construction  
42 trades, (iii) a real estate trade association representative, (iv) one  
43 member of the New York state assembly, and (v) four members with experi-  
44 ence working with issues related to affordable housing.

45 2. The commissioner of the division of housing and community renewal  
46 shall serve, ex officio, as the chair of the commission. A member of  
47 the senate appointed to the commission by the temporary president of the  
48 senate and a member of the assembly appointed to the commission by the  
49 speaker of the assembly shall be designated by each to serve as the  
50 co-chairs of the commission. In appointing members to the commission,  
51 appointing authorities shall ensure that such members, as a group,  
52 represent diverse perspectives relevant to the duties of the commission  
53 and shall represent the geographic diversity of the state.

1     3. The members of the commission shall serve at the pleasure of their  
2 appointing authority. Any vacancy that occurs in the commission shall be  
3 filled in the same manner in which the original appointment was made. No  
4 member of the commission shall be disqualified from holding any other  
5 public office or employment, nor shall he or she forfeit any such office  
6 or employment by reason of his or her appointment hereunder, notwith-  
7 standing the provisions of any general, special, or local law, ordi-  
8 nance, or city charter.

9     4. The members of the commission, except those who serve ex officio,  
10 shall be allowed their actual and necessary expenses incurred in the  
11 performance of their duties under this act but shall receive no addi-  
12 tional compensation for services rendered pursuant to this act.

13     5. The commission, on call of the chair, shall meet in-person or via  
14 electronic means at least monthly and at such other times as may be  
15 necessary. The commission may establish rules and procedures regarding  
16 conduct of its meetings and other affairs. A quorum shall be necessary  
17 for the conduct of official business by the commission or any committee  
18 or subcommittee thereof. Unless otherwise provided by law, fifty percent  
19 or more of the appointed members of the commission or any committee,  
20 when applicable, shall constitute a quorum. The commission may estab-  
21 lish committees and subcommittees.

22     6. The division of housing and community renewal shall provide tech-  
23 nical assistance and data to the commission as may be necessary for the  
24 commission to carry out its responsibilities pursuant to this section.  
25 To the maximum extent feasible, the commission shall be entitled to  
26 request and receive and shall utilize and be provided with such facili-  
27 ties, resources and data of any department, division, board, bureau,  
28 committee, agency or public authority of the state or any political  
29 subdivision thereof as it may reasonably request to properly carry out  
30 its powers and duties pursuant to this act.

31     7. Appointments to the commission shall be made no later than thirty  
32 days after the effective date of this act.

33     8. Any vacancy in the commission shall not affect the powers of the  
34 commission, and shall be filled in the same manner as the original  
35 appointment.

36     9. The commission shall meet not later than thirty days after the date  
37 on which a majority of the members of the commission have been  
38 appointed.

39     § 4. Definitions. As used in this act, the following terms shall have  
40 the following meanings:

41     1. "Affordable housing" means a dwelling unit that does not cost-bur-  
42 den an extremely low income household, a very low income household, a  
43 low income household, a moderate income household, or a middle income  
44 household, as the case may be.

45     2. "Low income housing" and "public housing" shall have the same mean-  
46 ings given to those terms in 42 U.S.C. 1437a (b).

47     3. "Commissioner" means the commissioner of the division of housing  
48 and community renewal.

49     4. "Rural" or "rural area" means any open county, or any place, town,  
50 village, or city which is not part of or associated with an urban area  
51 and which:

52     (a) has a population not in excess of twenty-five hundred residents;

53     (b) has a population in excess of twenty-five hundred residents but  
54 not in excess of ten thousand residents if such area is rural in nature;  
55 or



(c) has a population in excess of ten thousand residents but not in excess of twenty thousand residents, and is not contained within a standard metropolitan statistical area.

5. "Urban" or "urban area" means an area as designated by the United States census bureau having a population of five thousand or more and not within any urbanized area, within boundaries to be fixed by state and local officials in cooperation with each other. Such boundaries shall encompass, at a minimum, the entire urban area as designated by the United States census bureau.

6. "Urbanized area" means an area with a population of fifty thousand or more designated by the United States census bureau, within boundaries to be fixed by state and local officials in cooperation with each other. Such boundaries shall encompass, at a minimum, the entire urbanized area as designated by the United States census bureau.

7. "Suburb" or "suburban area" means a mixed-use or residential area, existing either as part of a city or urban area, or as a separate residential community that is not an urban area within commuting distance of a city.

8. "Middle income household" means a household that has an income of more than one hundred twenty percent of the area median income but no more than one hundred sixty percent of the area median income, adjusted for the size of the household, as determined by the United States department of housing and urban development.

9. "Moderate income household" means a household income of more than eighty percent of the area median income but no more than one hundred twenty percent of the area median income, adjusted for the size of the household, as determined by the United States department of housing and urban development.

10. "Low income household" means a household income of more than fifty percent of the area median income but no more than eighty percent of the area median income, adjusted for the size of the household, as determined by the United States department of housing and urban development.

11. "Very low income household" means a household income of more than thirty percent of the area median income but no more than fifty percent of the area median income, adjusted for the size of the household, as determined by the United States department of housing and urban development.

12. "Extremely low income household" means income not in excess of thirty percent of the area median income, adjusted for the size of the household, as determined by the United States department of housing and urban development.

§ 5. Duties and responsibilities of the commission. 1. The mission of the commission is to make specific recommendations to the legislature on how to preserve and maintain existing affordable housing, to support the development of new affordable housing in the state of New York, to strengthen and grow diverse and stable communities, and to maximize the impact of private, state, local and federal resources by ensuring long term affordability.

2. The commission shall:

(a) evaluate and measure access to affordable housing for extremely low income, very low income, low income, moderate income, and median income households in urban, rural and suburban areas across the state, including, but not limited to, single family homes with four units or less, multiple residences, multiple dwellings, public housing accommodations, and mobile and manufactured homes;

1 (b) evaluate and quantify the costs incurred by other state, and local  
2 programs due to a lack of affordable housing;

3 (c) evaluate and make recommendations to the legislature on how to  
4 address affordable housing access for higher need populations, including  
5 but not limited to people of color, veterans, persons with disabilities,  
6 independent seniors, workforce and public servants, single parents and  
7 kinship care, and extremely low income households;

8 (d) evaluate and make recommendations to the legislature on how to  
9 address affordable housing access across the state, by geography,  
10 region, size of localities, and proximity to public transportation;

11 (e) evaluate and make recommendations to the legislature on how to use  
12 affordable housing to improve the effectiveness of state, and local  
13 programs and improve life outcomes including, but not limited to, great-  
14 er income stability, better education and physical and mental health  
15 outcomes for adults and children;

16 (f) evaluate and make recommendations to the legislature on how to  
17 support the development of more affordable housing, preserve existing  
18 affordable housing and how to use affordable housing to improve the  
19 effectiveness of state and local programs and improve life outcomes for  
20 individuals living in New York;

21 (g) evaluate and make recommendations to the legislature on real prop-  
22 erty tax assessments, abatement and exemption incentives to support the  
23 development of more affordable housing and preserve existing affordable  
24 housing, and homeowner assistance;

25 (h) evaluate and make recommendations to the legislature on eviction  
26 protections, stabilizing rents, and the impact short term rentals have  
27 on housing vacancy rates;

28 (i) evaluate and make recommendations to the legislature on labor and  
29 worker concerns during the construction and post-construction phases of  
30 affordable housing development, including wages, work-site safety, and  
31 employment protections;

32 (j) evaluate and make recommendations to the legislature on zoning  
33 laws and rules and land use restrictions, housing density and accessory  
34 dwelling units, vacant property conversions, and transit oriented  
35 affordable housing development;

36 (k) evaluate and make recommendations to the legislature on Federal  
37 housing and urban development section 8 and section 9 public housing  
38 programs, housing assistance vouchers and supplemental payments;

39 (l) evaluate and make recommendations to the legislature on affordable  
40 homeownership opportunities, foreclosure prevention, rehabilitation and  
41 restoration options, demolition and reconstruction, new construction,  
42 and down payment assistance;

43 (m) evaluate and make recommendations to the legislature on fair hous-  
44 ing, housing equity and inclusion, and reversing the residual effects of  
45 redlining; and

46 (n) evaluate and make recommendations to the legislature on the  
47 conversion of existing vacant or blighted property into affordable or  
48 supportive housing.

49 3. The commission shall utilize any available survey and statistical  
50 data related to the purpose of the commission to complete comprehensive  
51 reports that evaluate and quantify the impact that a lack of affordable  
52 housing has on current conditions and future life outcomes for individ-  
53 uals living in New York, including:

54 (a) education;

55 (b) employment;

56 (c) income level;

(d) disability, and physical and mental health;  
(e) nutrition;  
(f) access to transportation;  
(g) the poverty level of the neighborhood in which individuals live;  
(h) geographical location and access to public transportation;  
(i) regional economic growth;  
(j) home ownership;  
(k) neighborhood and rural community stability and revitalization; and  
(l) other areas of life and future life outcomes related to the purpose of the commission necessary to complete a comprehensive report.

4. The commission may request and shall receive any and all information from any other state or local agency the commission considers necessary to carry out this act.

5. The commission may hold such hearings, take such testimony and receive such evidence as the commission considers advisable to carry out this act. The commission shall also hold at least one public hearing in the city of New York and two public hearings outside of the city of New York in different regions of the state.

6. Reports and recommendations to the legislature by the commission shall be submitted to the legislature annually, the first report shall be due no later than December 31, 2023.

§ 6. This act shall take effect immediately and shall expire and be deemed repealed one year after the date on which all members of the commission are first appointed pursuant to section three of this act; provided that the co-chairs of the commission shall jointly notify the legislative bill drafting commission upon the occurrence of such appointments 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.

§ 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 KK of this act shall be as specifically set forth in the last section of such Parts.