

STATE OF NEW YORK

3006--B

IN ASSEMBLY

February 1, 2023

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, notwithstanding
49 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 palties 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

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

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

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

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

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

PART Y

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

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

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

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

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

5. Any replacement assistance provided under this section shall be exempt from recoupment and recovery provisions under title six of article 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

shall not exceed the sum of [~~three~~ seven hundred 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 subdivision 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.

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

PART BB

Section 1. 1. The state university of New York trustees shall 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. Such plan shall include, but not be limited to, projected student enrollments, an assessment of degree and credential offerings, initiatives to attract and retain students and faculty from diverse demographics, and any research benchmarks. The plan shall also include how the state university of New York trustees plan to stabilize the finances of all campuses and leverage each campus's strengths to improve its long-term success. The state university of New York trustees shall submit such plan to the governor, the temporary president of the senate, and the speaker of the assembly on or before January 1, 2024.

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

§ 2. This act shall take effect immediately.

PART CC

Section 1. Clause (vi) of subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law, as amended by section 1 of part JJJ of chapter 59 of the laws of 2017, is amended 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 state university and the state university health science centers 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 state university and the state university health science centers, 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 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.

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

829. Definitions.

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

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

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

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

1. establish a program to provide legal representation and legal consultation including entering into contracts and agreements as may be necessary, in accordance with section eight hundred thirty of this article;

2. prepare and submit to the governor, the temporary president of the senate, and the speaker of the assembly an annual report regarding the program created under section eight hundred thirty of this article. Such report shall include but not be limited to the following information, disaggregated by county, provided, however, that the information shall not be required for every case where the individual refuses to provide the information or the information is not reasonably ascertainable:

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

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

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

(d) postal code of residence;

(e) household size;

(f) estimated length of tenancy;

(g) approximate household income;

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

(i) tenancy in rent-regulated housing;

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

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

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

(m) outcomes immediately following the provision of full legal representation, as applicable and available, including, but not limited to, the number of:

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

(ii) judgments requiring individuals to be displaced from their residence; and

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

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

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

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

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.

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

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

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

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

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

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

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

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

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

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

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 eighty <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 ten <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 forty 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

1 (c) has a population in excess of ten thousand residents but not in
2 excess of twenty thousand residents, and is not contained within a stan-
3 dard metropolitan statistical area.

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

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

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

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

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

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

33 11. "Very low income household" means a household income of more than
34 thirty percent of the area median income but no more than fifty percent
35 of the area median income, adjusted for the size of the household, as
36 determined by the United States department of housing and urban develop-
37 ment.

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

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

49 2. The commission shall:

50 (a) evaluate and measure access to affordable housing for extremely
51 low income, very low income, low income, moderate income, and median
52 income households in urban, rural and suburban areas across the state,
53 including, but not limited to, single family homes with four units or
54 less, multiple residences, multiple dwellings, public housing accommo-
55 dations, 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.