

# STATE OF NEW YORK

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3008--B

## IN ASSEMBLY

February 1, 2023

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A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT intentionally omitted (Part A); intentionally omitted (Part B); to amend part PP of chapter 54 of the laws of 2016, amending the public authorities law relating to the New York transit authority and the metropolitan transportation authority, in relation to making permanent certain tax increment financing provisions; to amend the public authorities law, in relation to contracts entered into by the metropolitan commuter transportation district (Part C); intentionally omitted (Part D); intentionally omitted (Part E); intentionally omitted (Part F); to amend chapter 929 of the laws of 1986 amending the tax law and other laws relating to the metropolitan transportation authority, in relation to extending certain provisions thereof applicable to the resolution of labor disputes (Part G); intentionally omitted (Part H); intentionally omitted (Part I); to amend part FF of chapter 55 of the laws of 2017 relating to motor vehicles equipped with autonomous vehicle technology, in relation to the effectiveness thereof (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend the vehicle and traffic law, in relation to county clerk retention of fees (Part M); intentionally omitted (Part N); intentionally omitted (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); to amend the racing, pari-mutuel wagering and breeding law, the state finance law and the public authorities law, in relation to the disposition of money from certain gaming activity; and providing for the repeal of such provisions upon expiration thereof (Part R); intentionally omitted (Part S); intentionally omitted (Part T); to amend chapter 495 of the laws of 2004, amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, in relation to the effectiveness thereof (Part U); intentionally omitted (Part V); intentionally omitted (Part W); intentionally omitted (Part X); intentionally omitted (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); to amend

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

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chapter 97 of the laws of 2019 amending the public authorities law relating to the award of contracts to small businesses, minority-owned business enterprises and women-owned business enterprises, in relation to extending the effectiveness thereof (Part BB); intentionally omitted (Part CC); to amend the New York state urban development corporation act, in relation to establishing a matching grant program for certain small businesses receiving funding under the federal small business innovation research program or the small business technology transfer program (Part DD); intentionally omitted (Part EE); intentionally omitted (Part FF); to amend chapter 393 of the laws of 1994, amending the New York state urban development corporation act relating to the powers of the New York state urban development corporation to make loans, in relation to extending loan powers (Part GG); intentionally omitted (Part HH); intentionally omitted (Part II); to amend the New York state urban development corporation act, in relation to extending the authority of the New York state urban development corporation to administer the empire state economic development fund (Part JJ); intentionally omitted (Part KK); to amend part BB of chapter 58 of the laws of 2012, amending the public authorities law, relating to authorizing the dormitory authority to enter into certain design and construction management agreements, in relation to the effectiveness thereof (Part LL); to amend the vehicle and traffic law and the parks, recreation and historic preservation law, in relation to fees for the registration of snowmobiles and fees collected for the snowmobile trail and maintenance fund (Part MM); intentionally omitted (Part NN); to amend the general municipal law, in relation to purchase contracts for New York state grown, harvested, or produced food and food products (Part OO); intentionally omitted (Part PP); to amend the environmental conservation law, in relation to environmental restoration projects (Part QQ); to amend the environmental conservation law and chapter 55 of the laws of 2021 amending the environmental conservation law relating to establishing a deer hunting pilot program, in relation to extending the youth deer hunting program (Part RR); to amend the environmental conservation law, in relation to pesticide registration timetables and fees and to amend chapter 67 of the laws of 1992, amending the environmental conservation law relating to pesticide product registration timetables and fees, in relation to the effectiveness thereof (Part SS); intentionally omitted (Part TT); to amend the local finance law, in relation to providing a period of probable usefulness for lead service line replacement programs as a capital asset (Part UU); to authorize utility and cable television assessments that provide funds to the department of health from cable television assessment revenues and to the department of agriculture and markets, department of environmental conservation, department of state, and the office of parks, recreation and historic preservation from utility assessment revenues; and providing for the repeal of such provisions upon expiration thereof (Part VV); to amend the energy law, the public authorities law and the public buildings law, in relation to enacting the "all-electric building and state decarbonization act" (Part WW); intentionally omitted (Part XX); intentionally omitted (Part YY); in relation to authorizing the New York state energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY program, as well as climate change related expenses of the department of environmental conservation from an assessment on gas and electric corporations (Part ZZ); intentionally omitted (Part AAA); to

amend the economic development law, in relation to establishing the New York youth jobs connector program (Part BBB); to amend the general municipal law, in relation to providing Suffolk county certain fees for the services of the Suffolk county traffic and parking violations agency (Part CCC); to amend the New York state urban development corporation act, in relation to establishing a small business inflation assistance grant program (Part DDD); to amend the public authorities law, in relation to establishing the empower plus program (Part EEE); and to amend the public service law, in relation to the administration of the energy affordability program (Part FFF)

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

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

13 PART A

14 Intentionally Omitted

15 PART B

16 Intentionally Omitted

17 PART C

18 Section 1. Section 3 of part PP of chapter 54 of the laws of 2016,  
19 amending the public authorities law relating to the New York transit  
20 authority and the metropolitan transportation authority, as amended by  
21 section 1 of part J of chapter 58 of the laws of 2022, is amended to  
22 read as follows:

23 § 3. This act shall take effect immediately; provided that the amend-  
24 ments to subdivision 1 of section 119-r of the general municipal law  
25 made by section two of this act shall expire and be deemed repealed  
26 April 1, [~~2023~~ 2033], and provided further that such repeal shall not  
27 affect the validity or duration of any contract entered into before that  
28 date pursuant to paragraph f of such subdivision.

29 § 2. Subdivision 1 of section 1265-a of the public authorities law, as  
30 amended by section 1-a of subpart C of part ZZZ of chapter 59 of the  
31 laws of 2019, is amended to read as follows:

32 1. The provisions of this section shall only apply to procurements by  
33 the authority commenced during the period from April first, nineteen

1 hundred eighty-seven until December thirty-first, nineteen hundred nine-  
2 ty-one, and during the period from December sixteenth, nineteen hundred  
3 ninety-three until [~~June thirtieth~~ April first, two thousand [~~twenty-~~  
4 ~~three~~] twenty-four; provided, however, that the provisions of this  
5 section shall not apply to (i) the award of any contract of the authori-  
6 ty if the bid documents for such contract so provide and such bid docu-  
7 ments are issued within sixty days of the effective date of this section  
8 or within sixty days of December sixteenth, nineteen hundred ninety-  
9 three, or (ii) for a period of one hundred eighty days after the effec-  
10 tive date of this section or for a period of one hundred eighty days  
11 after December sixteenth, nineteen hundred ninety-three, the award of  
12 any contract for which an invitation to bid, solicitation, request for  
13 proposal, or any similar document has been issued by the authority prior  
14 to the effective date of this section or during the period from January  
15 first, nineteen hundred ninety-two until December sixteenth, nineteen  
16 hundred ninety-three.

17 § 3. This act shall take effect immediately.

18 PART D

19 Intentionally Omitted

20 PART E

21 Intentionally Omitted

22 PART F

23 Intentionally Omitted

24 PART G

25 Section 1. Section 45 of chapter 929 of the laws of 1986 amending the  
26 tax law and other laws relating to the metropolitan transportation  
27 authority, as amended by chapter 120 of the laws of 2021, is amended to  
28 read as follows:

29 § 45. This act shall take effect immediately; except that: (a) para-  
30 graph (d) of subdivision 3 of section 1263 of the public authorities  
31 law, as added by section twenty-six of this act, shall be deemed to have  
32 been in full force and effect on and after August 5, 1986; (b) sections  
33 thirty-three and thirty-four of this act shall not apply to a certified  
34 or recognized public employee organization which represents any public  
35 employees described in subdivision 16 of section 1204 of the public  
36 authorities law and such sections shall expire on July 1, [~~2023~~ 2025  
37 and nothing contained within these sections shall be construed to divest  
38 the public employment relations board or any court of competent juris-  
39 diction of the full power or authority to enforce any order made by the  
40 board or such court prior to the effective date of this act; (c) the  
41 provisions of section thirty-five of this act shall expire on March 31,  
42 1987; and (d) provided, however, the commissioner of taxation and  
43 finance shall have the power to enforce the provisions of sections two  
44 through nine of this act beyond December 31, 1990 to enable such commis-  
45 sioner to collect any liabilities incurred prior to January 1, 1991.

1 § 2. This act shall take effect immediately.

2 PART H

3 Intentionally Omitted

4 PART I

5 Intentionally Omitted

6 PART J

7 Section 1. Section 3 of part FF of chapter 55 of the laws of 2017,  
8 relating to motor vehicles equipped with autonomous vehicle technology,  
9 as amended by section 1 of part GG of chapter 58 of the laws of 2021, is  
10 amended to read as follows:

11 § 3. This act shall take effect April 1, 2017; provided, however, that  
12 section one of this act shall expire and be deemed repealed April 1,  
13 ~~[2023]~~ 2024.

14 § 2. This act shall take effect immediately.

15 PART K

16 Intentionally Omitted

17 PART L

18 Intentionally Omitted

19 PART M

20 Section 1. Subdivisions 3 and 3-a of section 205 of the vehicle and  
21 traffic law, subdivision 3 as amended by section 3 of part G of chapter  
22 59 of the laws of 2008, and subdivision 3-a as added by section 1 of  
23 part F of chapter 58 of the laws of 2012, are amended to read as  
24 follows:

25 3. Each such county clerk shall retain from fees collected for any  
26 motor vehicle related service described in subdivision one of this  
27 section processed by such county clerk an amount based on a percentage  
28 of gross receipts collected. For purposes of this section, the term  
29 "gross receipts" shall include all fines, fees and penalties collected  
30 pursuant to this chapter by a county clerk acting as agent of the  
31 commissioner, but shall not include any state or local sales or compen-  
32 sating use taxes imposed under or pursuant to the authority of articles  
33 twenty-eight and twenty-nine of the tax law and collected by such clerk  
34 on behalf of the commissioner of taxation and finance. The retention  
35 percentage shall be ~~[12.7]~~ 10.75 percent ~~[and shall take effect April~~  
36 ~~first, nineteen hundred ninety nine; provided, however, the retention~~  
37 ~~percentage shall be thirty percent of the thirty dollar fee established~~  
38 ~~in paragraph (e) of subdivision two of section four hundred ninety-one~~  
39 ~~and paragraph f one of subdivision two of section five hundred three of~~  
40 ~~this chapter]~~.

3-a. In addition to the fees retained pursuant to subdivision three of this section, each county clerk acting as the agent of the commissioner pursuant to subdivision one of this section shall retain [~~four percent~~] a percentage of "enhanced internet and electronic partner revenue" collected by the commissioner. For the purposes of this subdivision, "enhanced internet and electronic partner revenue" shall mean the amount of gross receipts attributable to all transactions conducted on the internet by residents of such county and by designated partners of the department on behalf of such residents for the current calendar year [~~that exceeds the amount of such revenue collected by the commissioner during calendar year two thousand eleven~~]. The commissioner shall certify the amounts to be retained by each county clerk pursuant to this subdivision. [~~Provided, however, that if the aggregate amount of fees retained by county clerks pursuant to this subdivision in calendar years two thousand twelve and two thousand thirteen combined exceeds eighty-eight million five hundred thousand dollars, then the percentage of fees to be retained thereafter shall be reduced to a percentage that, if applied to the fees collected during calendar years two thousand twelve and two thousand thirteen combined, would have resulted in an aggregate retention of eighty-eight million five hundred thousand dollars or 2.5 percent of enhanced internet and electronic partner revenue, whichever is higher. If the aggregate amount of fees retained by county clerks pursuant to this subdivision in calendar years two thousand twelve and two thousand thirteen combined is less than eighty-eight million five hundred thousand dollars, then the percentage of fees to be retained thereafter shall be increased to a percentage that, if applied to the fees collected during calendar years two thousand twelve and two thousand thirteen combined, would have resulted in an aggregate retention of eighty-eight million five hundred thousand dollars, or six percent of enhanced internet and electronic partner revenue, whichever is less. On and after April first, two thousand sixteen, the percent of enhanced internet and electronic partner revenue to be retained by county clerks shall be the average of the annual percentages that were in effect between April first, two thousand twelve and March thirty-first, two thousand sixteen.~~] The retention percentage shall be 10.75 percent.

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

PART N

Intentionally Omitted

PART O

Intentionally Omitted

PART P

Intentionally Omitted

PART Q

Intentionally Omitted

1

## PART R

2 Section 1. Subdivisions 1 and 2 of section 1352 of the racing, pari-  
3 mutuel wagering and breeding law, as added by chapter 174 of the laws of  
4 2013, is amended to read as follows:

5 1. (a) The commission shall pay into an account, to be known as the  
6 commercial gaming revenue fund as established pursuant to section nine-  
7 ty-seven-nnnn of the state finance law, under the joint custody of the  
8 comptroller and the commissioner of taxation and finance, all taxes and  
9 fees imposed by this article paid by a gaming facility licensed under  
10 title two of this article; any interest and penalties imposed by the  
11 commission relating to those taxes; the appropriate percentage of the  
12 value of expired gaming related obligations; all penalties levied and  
13 collected by the commission; and the appropriate funds, cash or prizes  
14 forfeited from gambling activity.

15 (b) For any gaming facility licensed under title two-A of this arti-  
16 cle, the commission shall pay, without appropriation, into the metropol-  
17 itan transportation authority finance fund established under section one  
18 thousand two hundred seventy-h of the public authorities law the follow-  
19 ing:

20 (i) for any gaming facility not located within the city of New York,  
21 eighty percent of the taxes and licensing fees imposed by this article,  
22 and any interest and penalties imposed by the commission relating to  
23 those taxes.

24 (ii) for any gaming facility located within the city of New York, one  
25 hundred percent of the taxes and licensing fees imposed by this article,  
26 and any interest and penalties imposed by the commission relating to  
27 those taxes.

28 (iii) (1) notwithstanding subparagraphs (i) and (ii) of this para-  
29 graph, if a gaming facility licensed under title two-A of this article  
30 was previously authorized to operate video lottery gaming pursuant to  
31 section one thousand six hundred seventeen-a of the tax law, an amount  
32 equal to the amount determined in clause two of this subparagraph shall  
33 be deposited into the state lottery fund. Any remaining funds shall be  
34 transferred in accordance with this subdivision.

35 (2) The amount to be deducted shall be equal to the greater of (A) the  
36 revenue received from the facility for education aid deposits into the  
37 state lottery fund for the twelve months immediately preceding the date  
38 on which such facility began operations as a commercial casino pursuant  
39 to title two-A of this article, or (B) the revenue received from the  
40 facility for education aid deposits into the state lottery fund for  
41 state fiscal year two thousand twenty-two.

42 (c) For any gaming facility licensed under title two-A of this arti-  
43 cle, the commission shall pay into the commercial gaming revenue fund  
44 established under section ninety-seven-nnnn of the state finance law the  
45 following:

46 (i) for any gaming facility not located within the city of New York,  
47 ten percent of the taxes and licensing fees imposed by this article, and  
48 any interest and penalties imposed by the commission relating to those  
49 taxes. Such funds shall be allocated in accordance with the provisions  
50 of paragraph b of subdivision three of section ninety-seven-nnnn of the  
51 state finance law.

52 (ii) for any gaming facility not located within the city of New York,  
53 ten percent of the taxes and licensing fees imposed by this article, and  
54 any interest and penalties imposed by the commission relating to those  
55 taxes among counties within the region, as defined by section one thou-



said three hundred ten of this article, hosting said facility for the purpose of real property tax relief and for education assistance. Such distribution shall be made among the counties on a per capita basis, subtracting the population of host municipality and county. Such funds shall be allocated in accordance with the provisions of paragraph c of subdivision three of section ninety-seven-nnnn of the state finance law.

2. The commission shall require at least monthly deposits by the licensee of any payments pursuant to section one thousand three hundred fifty-one of this article, at such times, under such conditions, and in such depositories as shall be prescribed by the state comptroller. The deposits shall be deposited to the credit of the commercial gaming revenue fund as established by section ninety-seven-nnnn of the state finance law or to the metropolitan transportation authority finance fund established under section one thousand two hundred seventy-h of the public authorities law, according to the requirements of subdivision one of this section. The commission may require a monthly report and reconciliation statement to be filed with it on or before the tenth day of each month, with respect to gross revenues and deposits received and made, respectively, during the preceding month.

§ 1-a. Subdivision 3 of section 1321-e of the racing, pari-mutuel wagering and breeding law, as added by section 7 of part RR of chapter 56 of the laws of 2022, is amended to read as follows:

3. The board shall determine a licensing fee to be paid by a licensee within thirty days after the ~~[award]~~ selection of the license which shall be deposited ~~[into the commercial gaming revenue fund]~~ in accordance with paragraph (b) of subdivision one of section 1352 of this article, provided however that no licensing fee shall be less than five hundred million dollars. The license shall set forth the conditions to be satisfied by the licensee before the gaming facility shall be opened to the public. The commission shall set any renewal fee for such license based on the cost of fees associated with the evaluation of a licensee under this article which shall be deposited into the commercial gaming fund. Such renewal fee shall be exclusive of any subsequent licensing fees under this section.

§ 2. Subdivision 2 of section 97-nnnn of the state finance law, as added by chapter 174 of the laws of 2013, is amended to read as follows:

2. Such account shall consist of all revenues ~~[from all taxes and fees imposed by article thirteen of the racing, pari-mutuel wagering and breeding law; any interest and penalties imposed by the New York state]~~ received from the gaming commission ~~[relating to those taxes; the percentage of the value of expired gaming related obligations; and all penalties levied and collected by the commission. Additionally, the state gaming commission shall pay into the account any appropriate funds, cash or prizes forfeited from gambling activity]~~ pursuant to paragraphs (a) and (c) of subdivision one of section thirteen hundred fifty-two of the racing, pari-mutuel wagering and breeding law.

§ 3. Subdivision 2 of section 1270-h of the public authorities law, as amended by section 13 of part UU of chapter 59 of the laws of 2018, is amended to read as follows:

2. The comptroller shall deposit into the metropolitan transportation authority finance fund (a) monthly, pursuant to appropriation, the moneys deposited in the mobility tax trust account of the metropolitan transportation authority financial assistance fund pursuant to any provision of law directing or permitting the deposit of moneys in such fund, ~~[and]~~ (b) without appropriation, the revenue including taxes, interest and penalties collected in accordance with article twenty-three



1 of the tax law, and (c) without appropriation, the revenue including  
2 taxes and licensing fees collected in accordance with the relevant  
3 provisions of paragraph (b) of subdivision one of section thirteen  
4 hundred fifty-two of the racing, pari-mutuel wagering and breeding law.

5 § 4. This act shall take effect immediately and shall expire and be  
6 deemed repealed 10 years after such date.

7 PART S

8 Intentionally Omitted

9 PART T

10 Intentionally Omitted

11 PART U

12 Section 1. Section 4 of chapter 495 of the laws of 2004, amending the  
13 insurance law and the public health law relating to the New York state  
14 health insurance continuation assistance demonstration project, as  
15 amended by section 4 of part T of chapter 58 of the laws of 2022, is  
16 amended to read as follows:

17 § 4. This act shall take effect on the sixtieth day after it shall  
18 have become a law; provided, however, that this act shall remain in  
19 effect until July 1, [~~2023~~ 2024 when upon such date the provisions of  
20 this act shall expire and be deemed repealed; provided, further, that a  
21 displaced worker shall be eligible for continuation assistance retroac-  
22 tive to July 1, 2004.

23 § 2. This act shall take effect immediately.

24 PART V

25 Intentionally Omitted

26 PART W

27 Intentionally Omitted

28 PART X

29 Intentionally Omitted

30 PART Y

31 Intentionally Omitted

32 PART Z

33 Intentionally Omitted

1 PART AA

2 Intentionally Omitted

3 PART BB

4 Section 1. Section 2 of chapter 97 of the laws of 2019 amending the  
5 public authorities law, is amended to read as follows:

6 § 2. This act shall take effect immediately and shall expire July 1,  
7 ~~[2023]~~ 2027 when upon such date the provisions of this act shall be  
8 deemed repealed.

9 § 2. This act shall take effect immediately.

10 PART CC

11 Intentionally Omitted

12 PART DD

13 Section 1. Section 1 of chapter 174 of the laws of 1968, constituting  
14 the New York state urban development corporation act, is amended by  
15 adding a new section 52-a to read as follows:

16 § 52-a. Small business innovation research and small business technol-  
17 ogy transfer matching grant program. 1. The corporation, in consultation  
18 with the department of economic development's division for small-busi-  
19 ness, shall establish a matching grant program to provide funds to small  
20 businesses who have been awarded phase one or phase two grants under the  
21 federal small business innovation research program or the small business  
22 technology transfer program within the last four years. Such grants  
23 shall be awarded based on a company's potential for commercialization  
24 and job growth. As used in this section, "small business" shall have the  
25 same meaning as provided for in section one hundred thirty-one of the  
26 economic development law.

27 2. The matching grant program established pursuant to this section  
28 shall be staged over a period of three years. The funding amounts for  
29 such grant program shall be as follows:

30 (a) For small businesses that have been awarded phase one funding  
31 under the federal small business innovation research program or the  
32 small business technology transfer program, the amount shall be one  
33 hundred thousand dollars in year one, two hundred thousand dollars in  
34 year two, and five hundred thousand dollars in year three.

35 (b) For small businesses that have been awarded phase two funding  
36 under the federal small business innovation research program or the  
37 small business technology transfer program, the amount shall be one  
38 hundred thousand dollars in year one, two hundred thousand dollars in  
39 year two, and five hundred thousand dollars in year three.

40 3. (a) In the first year of the program, twenty small businesses shall  
41 be awarded grants of one hundred thousand dollars.

42 (b) In the second year of the program, ten small businesses shall be  
43 chosen from the companies that were awarded a grant in the first year,  
44 to receive grants in the amount of two hundred thousand dollars.

45 (c) In the third year of the program, four small businesses shall be  
46 chosen from the companies that were awarded a grant in the second year,

1 to receive grants or equity, depending on the situation, in the amount  
2 of five hundred thousand dollars.

3 4. (a) Such funds awarded pursuant to this section shall be used to  
4 expedite commercialization and generally used to cover expenses not  
5 allowed under the federal small business innovation research program or  
6 the small business technology transfer program, including but not limit-  
7 ed to business planning, commercialization, patents and marketing  
8 studies in sales efforts.

9 (b) Companies applying to the federal programs named herein shall  
10 receive a commitment letter from the corporation that may be included  
11 in their applications to the small business innovation research program  
12 or the small business technology transfer program or to be used to  
13 secure grants from other funding sources. Such commitment letter shall  
14 demonstrate contingent state support, and therefore increasing their  
15 likelihood of receiving federal funding. State matching grants shall  
16 only be provided to small businesses that are selected for an award  
17 through the federal small business innovation research program or the  
18 small business technology transfer program.

19 5. Such funds shall be awarded on condition that the small business  
20 recipient remains headquartered and operates or manufactures in the  
21 state for at least five years following the successful commercialization  
22 of the business's product or products. Any small business that has  
23 received funding under this program that is not headquartered and oper-  
24 ates or manufactures in the state for at least five years following the  
25 successful commercialization of the business's product or products shall  
26 return all grant awards to the state. If the small business ceases oper-  
27 ations before five years after the commercialization of its product or  
28 products, such business shall be eligible for a waiver of this clawback  
29 provision, as determined by the corporation, in consultation with the  
30 department of economic development's division of small business.

31 6. The corporation, in consultation with the department of economic  
32 development's division for small business, shall establish the form and  
33 manner in which applications for grant awards shall be submitted and  
34 shall establish guidelines for the grant program. Preference for grant  
35 awards shall be for applicants that can demonstrate to the satisfaction  
36 of the corporation that: (a) green and sustainable development is a  
37 priority in their business planning, operations or manufacturing. For  
38 the purposes of this section, "green and sustainable development" shall  
39 mean a business model that promotes the use of products or product  
40 components, manufactures, develops technologies or processes that are  
41 primarily targeted at reducing greenhouse gas emissions or supporting  
42 the use of clean energy in a socially equitable manner;

43 (b) such grant awardees' business headquarters and operations or manu-  
44 facturing shall be located in New York state; and

45 (c) grant awardees shall certify to the corporation that future  
46 research and development shall be performed principally in this state.

47 The corporation shall review each application for compliance with the  
48 eligibility criteria and other requirements set forth in the program  
49 guidelines established by the commissioner. The corporation may approve  
50 or reject each application or may return an application for modifica-  
51 tions, if necessary.

52 7. The corporation, beginning on June first, two thousand twenty-four,  
53 and annually thereafter, provided program funds remain, shall submit a  
54 report to the governor, the temporary president of the senate, and the  
55 speaker of the assembly. Such annual report shall include, but need not  
56 be limited to: the number of applicants by stage; the number of appli-

cants approved to receive grants; the total amount of grants awarded and the average amount of such grants awarded; and such other information as the corporation determines necessary and appropriate. Such report shall be included on the corporation's website and any other publicly accessible state databases that list economic development programs, as determined by the corporation.

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

## PART EE

Intentionally Omitted

## PART FF

Intentionally Omitted

## PART GG

Section 1. Section 2 of chapter 393 of the laws of 1994, amending the New York state urban development corporation act, relating to the powers of the New York state urban development corporation to make loans, as amended by section 1 of part Y of chapter 58 of the laws of 2022, is amended to read as follows:

§ 2. This act shall take effect immediately provided, however, that section one of this act shall expire on July 1, [~~2023~~] 2024, at which time the provisions of subdivision 26 of section 5 of the New York state urban development corporation act shall be deemed repealed; provided, however, that neither the expiration nor the repeal of such subdivision as provided for herein shall be deemed to affect or impair in any manner any loan made pursuant to the authority of such subdivision prior to such expiration and repeal.

§ 2. This act shall take effect immediately.

## PART HH

Intentionally Omitted

## PART II

Intentionally Omitted

## PART JJ

Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, as amended by section 1 of part Z of chapter 58 of the laws of 2022, is amended to read as follows:

3. The provisions of this section shall expire, notwithstanding any inconsistent provision of subdivision 4 of section 469 of chapter 309 of the laws of 1996 or of any other law, on July 1, ~~2023~~ 2024.

§ 2. This act shall take effect immediately.

PART KK

Intentionally Omitted

PART LL

Section 1. Section 2 of part BB of chapter 58 of the laws of 2012 amending the public authorities law, relating to authorizing the dormitory authority to enter into certain design and construction management agreements, as amended by section 1 of part II of chapter 58 of the laws of 2021, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, ~~2023~~ 2025.

§ 2. The dormitory authority of the state of New York shall provide a report providing information regarding any project undertaken pursuant to a design and construction management agreement, as authorized by part BB of chapter 58 of the laws of 2012, between the dormitory authority of the state of New York and the department of environmental conservation and/or the office of parks, recreation and historic preservation to the governor, the temporary president of the senate and speaker of the assembly. Such report shall include but not be limited to a description of each such project, the project identification number of each such project, if applicable, the projected date of completion, the status of the project, the total cost or projected cost of each such project, and the location, including the names of any county, town, village or city, where each such project is located or proposed. In addition, such a report shall be provided to the aforementioned parties by the first day of March of each year that the authority to enter into such agreements pursuant to part BB of chapter 58 of the laws of 2012 is in effect.

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2023.

PART MM

Section 1. Subdivision 4-a of section 2222 of the vehicle and traffic law, as amended by chapter 609 of the laws of 2005, is amended to read as follows:

4-a. Additional fee. In addition to the other fees provided for in paragraphs (a), (b) and (c) of subdivision four of this section the commissioner shall, upon application in such cases for the registration of a snowmobile or the renewal thereof, collect the annual ~~ninety~~ one hundred twenty-five dollar fee for residents and ~~ninety~~ one hundred twenty-five dollar fee for nonresidents ~~and~~ or a ~~thirty-five~~ fifty-five dollar fee for residents and ~~thirty-five~~ fifty-five dollar fee for nonresidents who provide proof, at the time of registration, that such individual is a member of an organized New York state snowmobile club that is a member of the New York state snowmobile association or is a member of an organized New York state snowmobile club that is a trail maintenance entity and a member of the New York state snowmobile association which are imposed by section 21.07 of the parks, recreation and

1 historic preservation law. In the event that an individual seeking snow-  
2 mobile club membership is unable, for any reason, to secure such club  
3 membership, he or she may contact the New York state snowmobile associ-  
4 ation, who shall secure such membership for such person. This fee shall  
5 also be collected from dealers at the time of original registration and  
6 at the time of each renewal. The commissioner shall effectuate regu-  
7 lations regarding what is required as proof of membership in an organ-  
8 ized New York state snowmobile club that is a trail maintenance entity  
9 and a member of the New York state snowmobile association for the  
10 purposes of this subdivision.

11 § 2. Section 21.07 of the parks, recreation and historic preservation  
12 law, as amended by chapter 609 of the laws of 2005, is amended to read  
13 as follows:

14 § 21.07 Fee for snowmobile trail development and maintenance. 1. A fee  
15 of [~~ninety~~] one hundred twenty-five dollars is hereby imposed upon the  
16 resident, and [~~ninety~~] one hundred twenty-five dollars upon the nonresi-  
17 dent, owner of a snowmobile for the snowmobile trail development and  
18 maintenance fund to be paid to the commissioner of motor vehicles upon  
19 the registration thereof in addition to the registration fee required by  
20 the vehicle and traffic law, the payment of which fee hereby imposed  
21 shall be a condition precedent to such individual resident, individual  
22 nonresident or dealer registration.

23 2. Notwithstanding the fee as established in subdivision one of this  
24 section, an individual resident or nonresident registering a snowmobile  
25 who provides proof at the time of registration, that such individual is  
26 a member of an organized New York state snowmobile club that is a member  
27 of the New York state snowmobile association or is a member of an organ-  
28 ized New York state snowmobile club that is a trail maintenance entity  
29 and a member of the New York state snowmobile association, shall pay  
30 [~~thirty-five~~] fifty-five dollars for each snowmobile for the snowmobile  
31 trail development and maintenance fund in addition to the registration  
32 required by the vehicle and traffic law. In the event that an individual  
33 seeking snowmobile club membership is unable, for any reason, to secure  
34 such club membership, he or she may contact the New York state snowmo-  
35 bile association, who shall secure such membership for such person.

36 § 3. This act shall take effect one year after it shall have become a  
37 law.

38 PART NN

39 Intentionally Omitted

40 PART OO

41 Section 1. Subdivision 9 of section 103 of the general municipal law,  
42 as amended by chapter 90 of the laws of 2017, subparagraph (ii) of para-  
43 graph (a) as amended by section 1 of part JJ of chapter 58 of the laws  
44 of 2020, is amended to read as follows:

45 9. (a) Notwithstanding the foregoing provisions of this section to the  
46 contrary, a board of education, on behalf of its school district, or a  
47 board of cooperative educational services, may separately purchase eggs,  
48 livestock, fish, dairy products (excluding milk), juice, grains, and  
49 species of fresh fruit and vegetables directly from New York State  
50 producers or growers, or associations of producers and growers, provided  
51 that[+]

~~(a) (i) such association of producers or growers is comprised of ten or fewer owners of farms who also operate such farms and who have combined to fill the order of a school district or board of cooperative educational services as herein authorized, provided however, that a school district or board of cooperative educational services may apply to the commissioner of education for permission to purchase from an association of more than ten owners of such farms when no other producers or growers have offered to sell to such school or board of cooperative educational services; or~~

~~(ii) such association of producers or growers is comprised of owners of farms who also operate such farms and have combined to fill the order of a school district or board of cooperative educational services, and where]~~ such order is for one hundred thousand dollars or less as herein authorized, provided however, that a school district or board of cooperative educational services may apply to the commissioner of education for permission to purchase orders of more than one hundred thousand dollars from an association of owners of such farms when no other producers or growers have offered to sell to such school[~~+~~

~~(b) the amount that may be expended by a school district in any fiscal year for such purchases shall not exceed an amount equal to twenty cents multiplied by the total number of days in the school year multiplied by the total enrollment of such school district;~~

~~(b-1) the amount that may be expended by a board of cooperative educational services in any fiscal year for such purchases shall not exceed an amount equal to twenty cents multiplied by the total number of days in the school year multiplied by the number of students receiving services by such board of cooperative educational services at facilities operated by a board of cooperative educational services;~~

~~(c) all].~~

(b) All such purchases shall be administered pursuant to regulations promulgated by the commissioner of education. Such regulations shall: be developed in consultation with the commissioner of agriculture and markets to accommodate and promote the provisions of the farm-to-school program established pursuant to subdivision five-b of section sixteen of the agriculture and markets law and subdivision thirty-one of section three hundred five of the education law as added by chapter two of the laws of two thousand two; ensure that the prices paid by a district or board of cooperative educational services for any items so purchased do not exceed the prices of comparable local farm products that are available to districts through their usual purchases of such items; ensure that all producers and growers who desire to sell to school districts or boards of cooperative educational services can readily access information in accordance with the farm-to-school law; include provisions for situations when more than one producer or grower seeks to sell the same product to a district or board of cooperative educational services to ensure that all such producers or growers have an equitable opportunity to do so in a manner similar to the usual purchasing practices of such districts or boards of cooperative educational services; ~~[develop guidelines for approval of purchases of items from associations of more than ten growers and producers;]~~ and, to the maximum extent practicable, minimize additional paperwork, recordkeeping and other similar requirements on both growers and producers and school districts.

§ 2. Subdivision 10 of section 103 of the general municipal law, as added by chapter 848 of the laws of 1983, is amended to read as follows:

10. Notwithstanding the foregoing provisions of this section to the contrary, a board of education may, on behalf of its school district,



1 separately purchase milk produced in New York state, directly from  
2 licensed milk processors [~~employing less than forty people~~] pursuant to  
3 the provisions of this subdivision. [~~The amount that may be expended by~~  
4 ~~a school district in any fiscal year pursuant to this section shall not~~  
5 ~~exceed an amount equal to twenty-five cents multiplied by the total~~  
6 ~~number of days in the school year multiplied by the total enrollment of~~  
7 ~~such school district.~~] All purchases made pursuant to this subdivision  
8 shall be administered pursuant to regulations promulgated by the commis-  
9 sioner of education. The regulations promulgated by the commissioner of  
10 education shall ensure that the prices paid by a school district for  
11 items purchased pursuant to this subdivision do not exceed the market  
12 value of such items and that all licensed processors who desire to sell  
13 to a school district pursuant to this subdivision have equal opportu-  
14 nities to do so.

15 § 3. Intentionally omitted.

16 § 4. Section 103 of the general municipal law is amended by adding a  
17 new subdivision 10-a to read as follows:

18 10-a. Each board or agency of a political subdivision or any district  
19 therein, board of education, on behalf of a school district, or board of  
20 cooperative educational services shall report to the office of general  
21 services and department of agriculture and markets on an annual basis  
22 the total dollar value procured of food, including milk and milk  
23 products and food products, grown, produced, or harvested in New York  
24 pursuant to subdivisions 9 and 10 of this section, no later than March  
25 thirty-first for the previous calendar year.

26 § 5. This act shall take effect immediately.

27 PART PP

28 Intentionally Omitted

29 PART QQ

30 Section 1. Intentionally omitted.

31 § 2. Intentionally omitted.

32 § 3. Intentionally omitted.

33 § 4. Intentionally omitted.

34 § 5. Paragraphs (a) and (d) of subdivision 1 of section 56-0505 of the  
35 environmental conservation law, as amended by section 5 of part D of  
36 chapter 1 of the laws of 2003, are amended to read as follows:

37 (a) the benefit to the environment and public health realized by the  
38 expeditious remediation of the property proposed to be subject to such  
39 project;

40 (d) real property in a designated brownfield opportunity area pursuant  
41 to section nine hundred seventy-r of the general municipal law or real  
42 property in a disadvantaged community pursuant to subdivision five of  
43 section 75-0101 of this chapter; and

44 § 6. Intentionally omitted.

45 § 7. Intentionally omitted.

46 § 8. Intentionally omitted.

47 § 9. Intentionally omitted.

48 § 10. This act shall take effect immediately.

49 PART RR

Section 1. The section heading of section 11-0935 of the environmental conservation law, as added by section 1 of part ZZ of chapter 55 of the laws of 2021, is amended to read as follows:

Deer hunting [~~pilot~~] program.

§ 2. Section 2 of part ZZ of chapter 55 of the laws of 2021 amending the environmental conservation law relating to establishing a deer hunting pilot program is amended to read as follows:

§ 2. This act shall take effect June 1, 2021 and shall expire and be deemed repealed December 31, [~~2023~~] 2025.

§ 3. This act shall take effect immediately.

#### PART SS

Section 1. Section 33-0705 of the environmental conservation law, as amended by section 1 of item NN of subpart B of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

§ 33-0705. Fee for registration.

The applicant for registration shall pay a fee as follows:

a. [~~On or before July 1, 2023, six~~] Six hundred dollars for each pesticide proposed to be registered, provided that the applicant has submitted to the department proof in the form of a federal income tax return for the previous year showing gross annual sales, for federal income tax purposes, of three million five hundred thousand dollars or less; and

b. [~~On or before July 1, 2023, for~~] For all others, six hundred twenty dollars for each pesticide proposed to be registered[~~;~~

~~c. After July 1, 2023, fifty dollars for each pesticide proposed to be registered].~~

§ 2. Section 9 of chapter 67 of the laws of 1992, amending the environmental conservation law relating to pesticide product registration timetables and fees, as amended by section 2 of item NN of subpart B of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

§ 9. This act shall take effect April 1, 1992 provided, however, that section three of this act shall take effect July 1, 1993 [~~and shall expire and be deemed repealed on July 1, 2023~~].

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

#### PART TT

Intentionally Omitted

#### PART UU

Section 1. Paragraph (a) of section 11.00 of the local finance law is amended by adding a new subdivision 109 to read as follows:

109. Lead service line replacement programs established by a municipality, school district or district corporation, including, but not limited to programs that inventory, design and replace publicly owned and privately owned lead service lines within an established water system, thirty years. As used in this subdivision, "lead service line" means a service line made in whole or in part of lead, which connects a water main to a building inlet. A lead service line may be owned by the water system, a property owner, or both. A lead gooseneck, pigtail, or connector shall be eligible for replacement regardless of the service

line material to which a lead gooseneck, pigtail, or connector is attached. Gooseneck, pigtail, or connector means a short section of piping, typically not exceeding two feet, which can be bent and used for connections between rigid service piping. A galvanized iron or steel service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material.

§ 2. This act shall take effect immediately.

#### PART VV

Section 1. Expenditures of moneys appropriated in a chapter of the laws of 2023 to the department of agriculture and markets from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of agriculture and markets' participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2024, the commissioner of the department of agriculture and markets shall submit an accounting of such expenses, including, but not limited to, expenses in the 2023--2024 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 2. Expenditures of moneys appropriated in a chapter of the laws of 2023 to the department of state from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the activities of the department of state's utility intervention unit pursuant to subdivision 4 of section 94-a of the executive law, including, but not limited to participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, and expenses related to the activities of the major renewable energy development program established by section 94-c of the executive law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2024, the secretary of state shall submit an accounting of such expenses, including, but not limited to, expenses in the 2023--2024 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 3. Expenditures of moneys appropriated in a chapter of the laws of 2023 to the office of parks, recreation and historic preservation from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the office of parks, recreation and historic preservation's participation in general ratemaking proceedings pursuant to section 65 of the public service law

or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2024, the commissioner of the office of parks, recreation and historic preservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2023--2024 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 4. Expenditures of moneys appropriated in a chapter of the laws of 2023 to the department of environmental conservation from the special revenue funds-other/state operations, environmental conservation special revenue fund-301, utility environmental regulation account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of environmental conservation's participation in state energy policy proceedings, or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2024, the commissioner of the department of environmental conservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2023--2024 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 5. Notwithstanding any other law, rule or regulation to the contrary, expenses of the department of health public service education program incurred pursuant to appropriations from the cable television account of the state miscellaneous special revenue funds shall be deemed expenses of the department of public service. No later than August 15, 2024, the commissioner of the department of health shall submit an accounting of expenses in the 2023--2024 state fiscal year to the chair of the public service commission for the chair's review pursuant to the provisions of section 217 of the public service law.

§ 6. Any expense deemed to be expenses of the department of public service pursuant to sections one through four of this act shall not be recovered through assessments imposed upon telephone corporations as defined in subdivision 17 of section 2 of the public service law.

§ 7. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2023 and shall expire and be deemed repealed August 15, 2024.

#### PART WW

Section 1. Short title. This act shall be known and may be cited as the "all-electric building and state decarbonization act".

§ 2. Section 11-104 of the energy law is amended by adding two new subdivisions 7 and 8 to read as follows:

7. Support the goal of zero on-site greenhouse gas emissions and help achieve the state's clean energy and climate agenda, including but not limited to greenhouse gas reduction requirements set forth within chapter one hundred six of the laws of two thousand nineteen, also known as the New York state climate leadership and community protection act. Notwithstanding the provisions of paragraph (b) of subdivision one of

1 section 11-103 of this article, the code shall prohibit building systems  
2 or equipment used for the combustion of fossil fuels in new building  
3 construction statewide:

4 (a) no later than December thirty-first, two thousand twenty-five if  
5 the new building is less than seven stories;

6 (b) no later than December thirty-first, two thousand twenty-eight if  
7 the new building is seven stories or more; and

8 (c) provided that the department of public service, in consultation  
9 with the independent system operator, determines that the electric power  
10 grid infrastructure is sufficient to support the new electrical load in  
11 a particular region, area, or project. The department of public service  
12 shall make such information available to assist municipalities in making  
13 such determinations when approving the siting of new buildings.

14 8. Notwithstanding the provisions of subdivision seven of this  
15 section, the state fire prevention and building code council shall  
16 exempt systems for generation of emergency backup power, or a new build-  
17 ing or part of a new building designated for occupancy by a commercial  
18 food establishment, laboratory, laundromat, hospital or other medical  
19 facility, critical infrastructure such as backup power for wastewater  
20 treatment facilities, agricultural buildings, a manufactured home as  
21 defined in subdivision seven of section six hundred one of the executive  
22 law, or a crematorium, but in doing so shall seek to minimize emissions  
23 and maximize health, safety, and fire protection. In such cases, the  
24 code shall, to the fullest extent feasible, limit the building systems  
25 or equipment used for the combustion of fossil fuels to the system and  
26 area of a new building for which a prohibition on building systems or  
27 equipment used for the combustion of fossil fuels is infeasible. To the  
28 fullest extent feasible, the code shall require that the area or service  
29 within a new building where building systems or equipment used for the  
30 combustion of fossil fuels are installed shall be all-electric ready;  
31 and minimize emissions from the fossil fuel equipment and building  
32 systems that are allowed to be used, provided that the provisions set  
33 forth in this subdivision do not adversely affect health, safety,  
34 security, or fire protection, and financial considerations shall not be  
35 a sufficient basis to determine physical or technical infeasibility.  
36 Exemptions or waivers provided under this subdivision shall be reviewed  
37 during each major code update cycle to determine whether they should  
38 still be authorized for new construction.

39 For the purposes of this subdivision, "all-electric ready" shall mean  
40 electrical systems and designs that provide sufficient capacity for  
41 future electrification, including sufficient space, drainage, elec-  
42 trical conductors or raceways, bus bar capacity, and overcurrent  
43 protective devices for future electric-powered equipment.

44 § 3. Section 1005 of the public authorities law is amended by adding a  
45 new subdivision 30 to read as follows:

46 30. To establish, administer, implement, and finance any programs  
47 established pursuant to article four-D of the public buildings law and  
48 to create processes for application review and allocation of funds for  
49 such programs, and to consult, cooperate and coordinate with any state  
50 entity as required or authorized in article four-D of the public build-  
51 ings law.

52 § 4. The public buildings law is amended by adding a new article 4-D  
53 to read as follows:

#### ARTICLE 4-D

#### DECARBONIZATION OF STATE-OWNED FACILITIES

54 Section 90. Definitions.



91. Decarbonization mandates.

92. Tracking and reporting.

93. Public buildings decarbonization program.

§ 90. Definitions. As used in this article:

1. "State-owned facilities" includes "building" as defined by section eighty-one of the public buildings law, "dormitory" as defined by section three hundred seventy of the education law, and "facility" as defined by section three hundred seventy of the education law.

2. "Disadvantaged communities" has the same meaning as in section 75-0101 of the environmental conservation law.

3. "Highest-emitting facilities" means fifteen state-owned facilities that produce the most emissions and collectively account for at least thirty percent of the greenhouse gas emissions as recorded by the authority's Build Smart NY program established pursuant to Executive Order 88 of 2012.

4. "Decarbonization" and "decarbonize" means eliminating all on-site combustion of fossil fuels and associated co-pollutants with the exception of back-up emergency generators.

5. "Program" means the public buildings decarbonization program established pursuant to section ninety-three of this article.

6. As used in this article:

(a) "Authority" shall mean the power authority of the state of New York, as established by section one thousand two of the public authorities law.

(b) "Thermal energy network" shall have the same meaning as defined in subdivision twenty-nine of section two of the public service law.

(c) "State energy research and development authority" shall have the same meaning as defined in subdivision two of section eighteen hundred fifty-one of the public authorities law.

§ 91. Decarbonization mandates. 1. No later than December thirty-first, two thousand thirty, all state-owned facilities shall reduce total on-site greenhouse gas emissions to be at least fifty percent lower compared to a January first, two thousand twenty-four baseline. No later than December thirty-first, two thousand thirty-five, all state-owned facilities shall reduce total on-site greenhouse gas emissions to be at least seventy-five percent lower compared to a January first, two thousand twenty-four baseline. No later than December thirty-first, two thousand forty, all state-owned facilities shall have zero total on-site greenhouse gas emissions.

2. Operators of state-owned facilities may apply to the authority for a temporary exemption from the requirements of this section. Any exemptions may be for up to two years from the date of approval, and any extension of exemption period shall need to be resubmitted and reevaluated upon expiration, provided no such period of a single extension may be longer than two years. The authority shall only approve applications for exemptions for maintaining system reliability or if all reasonable attempts to cover the costs of decarbonization, including application for federal funds and receiving support from the authority, have been exhausted.

§ 92. Tracking and reporting. 1. The authority, in cooperation with the state energy research and development authority, shall keep track of on-site greenhouse gas emissions of state-owned facilities and their progress in complying with the requirements of section ninety-one of this article. All state-owned facilities shall furnish such information and assistance as the authority determines is necessary for implementation of the provisions of this article.

2. The authority shall issue a report to the governor, speaker of the assembly, and president of the senate on March thirty-first, two thousand twenty-five, and annually thereafter, on the progress made to meet the greenhouse gas emission reduction requirements set forth in section ninety-one of this article, the number and type of projects completed, status of current or incomplete projects, the number of jobs created pursuant to such projects, the number of local hires, including the percentage from disadvantaged communities. Such report shall also be made available to the public on the authority's website.

§ 93. Public buildings decarbonization program. 1. (a) The authority is hereby directed to establish and administer the public buildings decarbonization program, as prescribed in this section, to provide funding, technical assistance and other resources as necessary to plan and implement decarbonization projects at the highest-emitting facilities, including construction of thermal energy networks and installation of other complementary measures such as building weatherization, electrical upgrades, installation of heat pumps, and on-site renewable energy generation.

(b) No later than April first, two thousand twenty-four, the authority shall provide awards of at least five million dollars each to the highest-emitting facilities for fifteen state-owned facilities to develop shovel-ready decarbonization plans. The recipients of the award may study and choose the best option for decarbonization, including consideration of the thermal energy networks and complementary methods, based on the scale and technical requirements for their site. The decarbonization plans shall include any feasibility studies, engineering reports, and other preparatory work necessary to determine a project budget, estimated project length for the installation and operation of thermal energy networks or other measures to decarbonize the facility. Such plans shall be required to be completed no later than April first, two thousand twenty-five, and shall be published publicly on the website of the authority. Any funding received pursuant to this paragraph shall be used exclusively to conduct the studies and reports required by this subdivision, and complete decarbonization projects at the highest-emitting facilities. Any state-owned facility receiving awards pursuant to this article shall consider in its feasibility studies and engineering reports the possibility of including nearby buildings that are not state-owned in such network.

(c) No later than April first, two thousand twenty-four, the authority shall make available a total of at least thirty million dollars in competitive grants to fund work on decarbonization projects that are already shovel ready, at state-owned facilities across the state.

(d) No later than April first, two thousand twenty-four, the authority shall make available a total of at least ten million dollars in competitive grants to fund preparation and implementation of electrification and weatherization at state-owned facilities across the state.

(e) To effectuate the purposes of this section, the authority shall consult and coordinate with, and provide any technical assistance necessary for compliance with the provisions of this section to, the office of general services, the state university of New York, the dormitory authority of the state of New York, or any other state-owned facilities. The authority may ask and shall receive from the state energy research and development authority, the office of general services, the state university of New York, the dormitory authority, and any owners of state-owned facilities, any information or assistance necessary to carry out its powers and duties under this section.



1 (f) Any work conducted pursuant to, or using funds provided pursuant  
2 to, this section shall comply with the labor and community provisions  
3 required in subdivisions three and four of this section.

4 2. No later than April first, two thousand twenty-seven, the authority  
5 in coordination with the state energy research and development authority  
6 shall identify all state-owned facilities that are located in disadvan-  
7 tagged communities, and shall provide funding, technical assistance and  
8 other resources as necessary to plan and implement decarbonization  
9 projects at state-owned facilities located in disadvantaged communities  
10 that are not the highest-emitting facilities.

11 3. Any project funded or created pursuant to this section shall be  
12 deemed public work projects subject to articles eight and nine of the  
13 labor law and include the following requirements:

14 (a) for all construction work, the public owner, or a third party  
15 acting on behalf of such public owner, shall enter into a project labor  
16 agreement, as defined by section two hundred twenty-two of the labor  
17 law, with a bona fide building and construction trades labor organiza-  
18 tion establishing the labor organization as the collective bargaining  
19 representative for all persons who will perform work;

20 (b) for any building services work associated with the project or  
21 permanent installation of decarbonization components, payment and  
22 enforcement of prevailing wage consistent with article nine of the labor  
23 law;

24 (c) for any operations and maintenance work associated with the perma-  
25 nent installation of decarbonization components, such as thermal energy  
26 networks, the public entity shall require a labor peace agreement with  
27 at least one bona fide labor organization that is actively representing  
28 employees in such job-type or, upon notice, by a bona fide labor organ-  
29 ization that is attempting to represent employees in such job-type.  
30 Individuals eligible for these employment positions shall first be  
31 selected from and offered to a pool of transitioning utility workers who  
32 have lost, or are at risk of losing, their employment with a utility  
33 downsizing its gas transmission and distribution system. Such list of  
34 potential employees shall be provided by affected unions and provided to  
35 the commissioner of labor, who shall update and provide such list to the  
36 New York power authority, or the relevant state-owned facility, ninety  
37 days prior to the purchase, acquisition, and/or construction of any  
38 decarbonization project created under this section.

39 (d) (i) the inclusion of contract language with a provision that the  
40 iron and structural steel used or supplied on the "public work" for  
41 purposes of this paragraph, in the performance of the contract or any  
42 subcontract thereto and that is permanently incorporated into the public  
43 work, shall be produced or made in whole or substantial part in the  
44 United States, its territories or possessions. In the case of a struc-  
45 tural iron or structural steel product all manufacturing must take place  
46 in the United States, from the initial melting stage through the appli-  
47 cation of coatings, except metallurgical processes involving the refine-  
48 ment of steel additives. For the purposes of this subdivision, "perma-  
49 mently incorporated" shall mean an iron or steel product that is  
50 required to remain in place at the end of the project contract, in a  
51 fixed location, affixed to the public work to which it was incorporated.  
52 Iron and steel products that are capable of being moved from one  
53 location to another are not permanently incorporated into a public work.

54 (ii) The provisions of subparagraph (i) of this paragraph shall not  
55 apply if the head of the public entity constructing the public works, in  
56 his or her sole discretion, determines that the provisions would not be

1 in the public interest, would result in unreasonable costs, or that  
2 obtaining such steel or iron in the United States would increase the  
3 cost of the contract by an unreasonable amount, or such iron or steel,  
4 including without limitation structural iron and structural steel cannot  
5 be produced or made in the United States in sufficient and reasonably  
6 available quantities and of satisfactory quality. The head of the public  
7 entity constructing the public works shall include this determination in  
8 an advertisement or solicitation of a request for proposal, invitation  
9 for bid, or solicitation of proposal, or any other method provided for  
10 by law or regulation for soliciting a response from offerors intending  
11 to result in a contract pursuant to this paragraph. The provisions of  
12 subparagraph (i) of this paragraph shall not apply for equipment  
13 purchased prior to the effective date of this article.

14 (e) apprenticeship and workforce development utilization: (i) wherever  
15 possible, contractors and subcontractors should be required to partic-  
16 ipate in apprenticeship programs, registered in accordance with article  
17 twenty-three of the labor law, in the trades in which they are perform-  
18 ing work; (ii) for industries without apprenticeship programs, the use  
19 of workforce training, preferably in conjunction with a bona fide labor  
20 organization, shall be required; (iii) encouragement of registered pre-  
21 apprenticeship direct entry programs for the recruitment of local and/or  
22 disadvantaged workers;

23 (f) at least forty of the workforce development programs, pre-appren-  
24 ticeship programs, and necessary wraparound services utilized for the  
25 program established pursuant to this section shall benefit residents of  
26 disadvantaged communities.

27 4. (a) Nothing in this article shall alter the rights or benefits, and  
28 privileges, including but not limited to terms and conditions of employ-  
29 ment, civil service status, and collective bargaining unit membership,  
30 of any current employees of the state or any agency, public authority or  
31 the state university of New York.

32 (b) Nothing in this article shall result in: (i) the discharge,  
33 displacement, or loss of position, including partial displacement such  
34 as a reduction in the hours of non-overtime work, wages, or employment  
35 benefits; (ii) the impairment of existing collective bargaining agree-  
36 ments; (iii) the transfer of existing duties and functions; or (iv) the  
37 transfer of future duties and functions, of any currently employed work-  
38 er of the state or any agency, public authority or the state university  
39 of New York.

40 (c) Prior to the beginning of the procurement process for decarboniza-  
41 tion projects, the agency, public authority or the state university of  
42 New York shall create and implement a workforce development report that:  
43 (i) estimates the number of current positions that would be eliminated  
44 or substantially changed as a result of the proposed building decarboni-  
45 zation project, and the number of positions expected to be created by  
46 the building decarbonization project; (ii) identifies gaps in skills of  
47 its current workforce that are needed to operate and maintain thermal  
48 energy networks; (iii) includes a comprehensive plan to transition,  
49 train, or retrain employees that are impacted by the decarbonization  
50 projects; and (iv) contains an estimated budget to transition, train, or  
51 retrain employees that are impacted by the proposed decarbonization  
52 projects.

53 (d) Nothing in this article shall: (i) limit the rights of employees  
54 pursuant to a collective bargaining agreement, or (ii) alter the exist-  
55 ing representational relationships among collective bargaining represen-  
56 tatives or the bargaining relationships between the employer and any

1 collective bargaining representative. Employees of public entities serv-  
2 ing in positions in newly created titles shall be assigned to the appro-  
3 priate bargaining unit.

4 (e) Prior to beginning the procurement process for decarbonization  
5 projects, the state agency, public authority or the state university of  
6 New York shall inform its employees' collective bargaining represen-  
7 tative of any potential impact on its members or unit, including posi-  
8 tions that may be affected, altered, or eliminated as a result of such  
9 projects.

10 5. The authority shall complete and submit a report, on or before  
11 April first, two thousand twenty-five, on the implementation of the  
12 program established pursuant to this section, and those activities  
13 undertaken pursuant to this section, to the governor, the speaker of the  
14 assembly, the temporary president of the senate, the chair of the senate  
15 corporations, authorities, and commissions committee, the chair of the  
16 assembly corporations, authorities, and commissions committee, the chair  
17 of the assembly energy committee and the chair of the senate energy and  
18 telecommunications committee.

19 § 5. This act shall take effect immediately.

20 PART XX

21 Intentionally Omitted

22 PART YY

23 Intentionally Omitted

24 PART ZZ

25 Section 1. Expenditures of moneys by the New York state energy  
26 research and development authority for services and expenses of the  
27 energy research, development and demonstration program, including  
28 grants, the energy policy and planning program, and the Fuel NY program  
29 shall be subject to the provisions of this section. Notwithstanding the  
30 provisions of subdivision 4-a of section 18-a of the public service law,  
31 all moneys committed or expended in an amount not to exceed \$28,725,000  
32 shall be reimbursed by assessment against gas corporations, as defined  
33 in subdivision 11 of section 2 of the public service law and electric  
34 corporations as defined in subdivision 13 of section 2 of the public  
35 service law, where such gas corporations and electric corporations have  
36 gross revenues from intrastate utility operations in excess of \$500,000  
37 in the preceding calendar year, and the total amount assessed shall be  
38 allocated to each electric corporation and gas corporation in proportion  
39 to its intrastate electricity and gas revenues in the calendar year  
40 2021. Such amounts shall be excluded from the general assessment  
41 provisions of subdivision 2 of section 18-a of the public service law.  
42 The chair of the public service commission shall bill such gas and/or  
43 electric corporations for such amounts on or before August 10, 2023 and  
44 such amounts shall be paid to the New York state energy research and  
45 development authority on or before September 10, 2023. Upon receipt,  
46 the New York state energy research and development authority shall  
47 deposit such funds in the energy research and development operating fund  
48 established pursuant to section 1859 of the public authorities law. The

1 New York state energy research and development authority is authorized  
2 and directed to: (1) transfer up to \$4 million to the state general fund  
3 for climate change related services and expenses of the department of  
4 environmental conservation from the funds received; and (2) commencing  
5 in 2016, provide to the chair of the public service commission and the  
6 director of the budget and the chairs and secretaries of the legislative  
7 fiscal committees, on or before August first of each year, an itemized  
8 record, certified by the president and chief executive officer of the  
9 authority, or his or her designee, detailing any and all expenditures  
10 and commitments ascribable to moneys received as a result of this  
11 assessment by the chair of the department of public service pursuant to  
12 section 18-a of the public service law. This itemized record shall  
13 include an itemized breakdown of the programs being funded by this  
14 section and the amount committed to each program. The authority shall  
15 not commit for any expenditure, any moneys derived from the assessment  
16 provided for in this section, until the chair of such authority shall  
17 have submitted, and the director of the budget shall have approved, a  
18 comprehensive financial plan encompassing all moneys available to and  
19 all anticipated commitments and expenditures by such authority from any  
20 source for the operations of such authority. Copies of the approved  
21 comprehensive financial plan shall be immediately submitted by the chair  
22 to the chairs and secretaries of the legislative fiscal committees. Any  
23 such amount not committed by such authority to contracts or contracts to  
24 be awarded or otherwise expended by the authority during the fiscal year  
25 shall be refunded by such authority on a pro-rata basis to such gas  
26 and/or electric corporations, in a manner to be determined by the  
27 department of public service, and any refund amounts must be explicitly  
28 lined out in the itemized record described above.

29 § 2. This act shall take effect immediately and shall be deemed to  
30 have been in full force and effect on and after April 1, 2023.

31 PART AAA

32 Intentionally Omitted

33 PART BBB

34 Section 1. The economic development law is amended by adding a new  
35 article 8-A to read as follows:

36 ARTICLE 8-A

37 NEW YORK YOUTH JOBS CONNECTOR PROGRAM

38 Section 205. Administration and services.

39 206. Funding.

40 207. Public outreach.

41 208. Annual report.

42 § 205. Administration and services. 1. There is hereby established  
43 within the department a New York youth jobs connector program to connect  
44 unemployed and underemployed individuals between the ages of sixteen and  
45 twenty-four years with targeted educational, occupational, and training  
46 services to help prepare such individuals for employment and improve  
47 opportunities for such individuals to become employed. The New York  
48 youth jobs connector program shall be responsible for facilitating the  
49 coordination and delivery of existing programs and resources throughout

1 the state which are designed to assist individuals identified in this  
2 article with opportunities for employment, skills development, job  
3 training, and the other related services described in subdivision two of  
4 this section. Such program may be administered by the office of strate-  
5 gic workforce development within the department.

6 2. The department shall coordinate with the department of labor, the  
7 department of education, the state university of New York, the city  
8 university of New York, the office of temporary and disability assist-  
9 ance, the office of children and family services, the urban development  
10 corporation and its subsidiaries, and any other relevant agency or enti-  
11 ty, to carry out the purposes of this article and leverage existing  
12 funds and programs for unemployed and underemployed youth consistent  
13 with the purposes described herein. Services provided by such programs  
14 may include, but are not limited to, high school equivalency, basic  
15 education, job skills training, English-as-a-second language, job read-  
16 iness training, job placement services, case management, career coun-  
17 seling and assessment, pre-apprenticeships and apprenticeships, pre-vo-  
18 cational skills training, employability planning, supportive services,  
19 proactive outreach to unemployed and underemployed youths, skills and  
20 vocational programs leading to career pathways and gainful employment,  
21 and the development or promulgation of other resources and programs to  
22 assist youths between the ages of sixteen and twenty-four years, partic-  
23 ularly at-risk youths in such category.

24 § 206. Funding. The department shall identify and leverage any avail-  
25 able funds as necessary, including any private funds provided for the  
26 purpose of supporting this article, which may be used to subsidize the  
27 New York youth jobs connector program. The department shall further  
28 identify any private or not-for-profit entities which currently provide  
29 job placement or training services, or other services described in  
30 section two hundred five of this article, whether as the entity's prima-  
31 ry purpose or coincidental to such entities' operations. Such entities  
32 shall include, but not be limited to, boys and girls clubs, local or  
33 state-wide affiliated young persons' organizations, and employer associ-  
34 ations. The department may, to the extent practicable, contract with  
35 such entities for the explicit purpose of using their membership or  
36 staff to directly seek out and notify unemployed youths between the ages  
37 of sixteen and twenty-four years about the New York youth jobs connector  
38 program and the services offered thereunder.

39 § 207. Public outreach. 1. The department shall engage in outreach  
40 efforts to raise awareness about the New York youth jobs connector  
41 program and the services offered thereunder. Such outreach may include,  
42 but not be limited to:

43 (a) brochures and posters to be distributed to school districts,  
44 boards of cooperative educational services, public libraries, community  
45 colleges, trade schools, agricultural and technical colleges, and other  
46 public institutions of higher education;

47 (b) use of social media, internet, radio, newspapers, and print adver-  
48 tising;

49 (c) participation in, or organization of program and job fairs;

50 (d) posting easily accessible hyperlinks to such information on the  
51 department's and the department of labor's websites;

52 (e) collaboration with employment agencies or unions; and

53 (f) recruitment of individuals to serve as visible public ambassadors  
54 to promote the program.

55 2. The department, in consultation with the office of information  
56 technology services, shall create publicly accessible online surveys to



1 assess the goals, eligibility, and job readiness of individuals served  
2 by the program to match such individuals with a subset of relevant  
3 programs and services for consideration. Such surveys shall be made  
4 available on the department's website. The department shall also publish  
5 an informational webpage to provide details on the program and outreach  
6 events as well as information on and a hyperlink to the online surveys.

7 § 208. Annual report. Not later than one year after the effective date  
8 of this act and annually thereafter, the commissioner, in consultation  
9 with the commissioner of labor, shall prepare and submit a report to the  
10 governor, the temporary president of the senate, and the speaker of the  
11 assembly on the efficacy and progress made by the New York youth jobs  
12 connector program. In preparing the report, the commissioner may seek  
13 and include input from relevant stakeholders, including participating  
14 youths, schools, programs, and employers. The report shall also include  
15 recommendations on further improvements concerning outreach efforts to  
16 spread awareness of the program.

17 § 2. The economic development law is amended by adding a new section  
18 100-b to read as follows:

19 § 100-b. Comprehensive report on the activities of the office of stra-  
20 tegic workforce development. Beginning on January first, two thousand  
21 twenty-four, and every January first thereafter, the department shall  
22 prepare a comprehensive annual report on the activities and efficacy of  
23 the office of strategic workforce development. In preparing the report,  
24 the department shall coordinate with the department of labor, the  
25 department of education, the state university of New York, the city  
26 university of New York, the office of temporary and disability assist-  
27 ance, the office of children and family services, the urban development  
28 corporation and its subsidiaries, and any other relevant agency or enti-  
29 ty, to examine the office's interagency coordination. Such comprehensive  
30 report shall include aggregate totals for each economic development  
31 program administered by the office of strategic workforce development,  
32 including but not limited to program progress, program participation  
33 rates, economic impact, regional distribution, industry trends, and any  
34 other information deemed necessary by the commissioner. The department  
35 shall prominently post the comprehensive economic development report on  
36 its website no later than January first of each year.

37 § 3. The opening paragraph of subdivision 15 of section 21 of the  
38 labor law, as amended by chapter 40 of the laws of 2018, is amended and  
39 a new subdivision 16 is added to read as follows:

40 Shall establish and maintain an online database to catalogue and make  
41 available information on workforce development funding programs [~~and may~~  
42 ~~publish~~], which shall include all such programs administered, managed,  
43 or monitored by the New York state urban development corporation as  
44 created by section one of chapter one hundred seventy-four of the laws  
45 of nineteen hundred sixty-eight, constituting the New York State urban  
46 development corporation act and any [~~analysis conducted by the depart-~~  
47 ~~ment on such data~~] of its subsidiaries. For purposes of this subdivi-  
48 sion, the term "workforce development funding program" shall mean a  
49 program that funds or provides targeted educational, occupational or  
50 training services for the purpose of effecting the employability of the  
51 participant, provides training or employment services, supports an  
52 economic development activity by enhancing the skills of the state's  
53 workforce, prepares individuals for employment, improves opportunities  
54 for individuals to become employed, or promotes understanding of the  
55 state labor force market through statistical studies, including but not  
56 limited to programs that fund or provide English as a second language

1 and adult literacy. For each workforce development funding program, the  
2 online database shall include, but not be limited to, the following  
3 information for each funding program:

4 16. Not less than annually, the department shall prepare a report of  
5 the catalogue of workforce development funding programs established  
6 pursuant to subdivision fifteen of this section to conduct an analysis  
7 on the outcomes and effectiveness of such funding programs and the  
8 number of persons served by such funding. Such report shall be submitted  
9 to the governor, the temporary president of the senate, the speaker of  
10 the assembly, the minority leader of the senate and the minority leader  
11 of the assembly and shall be made publicly available on the department's  
12 website.

13 § 4. This act shall take effect immediately; provided, however, that  
14 section one of this act shall take effect on the sixtieth day after it  
15 shall have become a law. Effective immediately, the addition, amendment,  
16 and/or repeal of any rule or regulation necessary for the implementation  
17 of this act on its effective date are authorized to be made and  
18 completed on or before such effective date.

19 PART CCC

20 Section 1. Subdivision 2 of section 99-1 of the general municipal law,  
21 as amended by chapter 179 of the laws of 2000, is amended to read as  
22 follows:

23 2. The county of Nassau shall be entitled to receive the amounts set  
24 forth in subdivision one of this section for the services of the Nassau  
25 county traffic and parking violations agency and for all services in  
26 each case of a parking violation, instituted and triable in such agency,  
27 wherein a fine is imposed, a surcharge of ten dollars. In addition, the  
28 county of Suffolk shall be entitled to receive the amounts set forth in  
29 subdivision one of this section for the services of the Suffolk county  
30 traffic and parking violations agency.

31 § 2. This act shall take effect immediately; provided, however, that  
32 the amendments to subdivision 2 of section 99-1 of the general municipal  
33 law made by section one of this act shall not affect the expiration of  
34 such subdivision and shall expire and be deemed repealed therewith.

35 PART DDD

36 Section 1. Section 1 of chapter 174 of the laws of 1968, constituting  
37 the New York state urban development corporation act, is amended by  
38 adding a new section 16-hh to read as follows:

39 § 16-hh. Small business inflation assistance grant program. 1. Defi-  
40 nitions. As used in this section, the following terms shall have the  
41 following meanings:

42 (a) "Small business" or "businesses" shall mean a business which is  
43 resident in this state, independently owned and operated, not dominant  
44 in its field, and employs one hundred or less persons.

45 (b) "Micro business" or "businesses" shall mean a business which is a  
46 resident in this state, independently owned and operated, not dominant  
47 in its field, and employs ten or less persons.

48 (c) "The program" shall mean the small business inflation assistance  
49 grant program established pursuant to subdivision 2 of this section.

50 (d) "Applicant" shall mean a small business or micro business submit-  
51 ting an application for a grant award to the program.



2. Small business inflation assistance grant program established. The small business inflation grant program is hereby created to provide assistance to small businesses who have experienced economic hardship associated with inflationary pressure and other economic hardships.

3. Authorization. The corporation is hereby authorized, using available funds, to issue grants and provide technical assistance and outreach to small and micro businesses and technical assistance partners for the purpose of aiding the recovery and growth of the New York state economy, and may promulgate guidelines or regulations to effectuate the purposes herein.

4. Selection criteria and application process. (a) In order to be eligible for a grant or additional form of support under the program, eligible small and micro businesses shall:

(i) be incorporated in New York state or licensed or registered to do business in New York state;

(ii) be a currently viable micro business or small business that has been operational for at least six months before an application is submitted;

(iii) be able to demonstrate lost revenue or other hardship due to inflationary or other economic hardships to the satisfaction of the corporation;

(iv) have between five thousand and one million dollars in gross receipts or be able to demonstrate five thousand dollars in business expenses;

(v) be in substantial compliance with applicable federal, state and local laws, regulations, codes and requirements; and

(vi) not owe any federal, state or local taxes prior to July 15, 2022, or have an approved repayment, deferral plan, or agreement with appropriate federal, state and local taxing authorities.

(b) Grants awarded from this program shall be available to all eligible micro businesses and small businesses; however, priority shall be given to:

(i) socially and economically disadvantaged small business or micro business owners including, but not limited to, minority and women-owned business enterprises, service-disabled veteran-owned businesses, and veteran-owned businesses, or small business or micro business located in communities that were economically distressed prior to March 1, 2020, as determined by the most recent census data;

(ii) new small businesses or micro businesses who have begun operations since January 1, 2022; and

(iii) small businesses or micro businesses that can demonstrate to the satisfaction of the corporation their commitment to using green and sustainable business practices in their operations.

5. Eligible costs. (a) Eligible costs shall be considered for micro businesses and small businesses, impacted by inflationary hardships which have negatively impacted business operations. Such eligible costs shall have been incurred after January 1, 2022;

(b) The following costs incurred by a micro business and small business, shall be considered eligible under the program at a minimum: payroll costs; costs of rent or mortgage as provided for in subparagraph (i) of this paragraph; costs of repayment of local property or school taxes associated with such small business's location as provided for in subparagraph (ii) of this paragraph; insurance costs; utility costs; costs associated with supply chain disruptions; machinery or equipment costs necessary to increase efficiency or modernize;

(i) Mortgage payments or commercial rent shall be considered eligible costs; and

(ii) Payment of local property taxes and school taxes shall be considered eligible costs.

(c) Grants awarded under the program shall not be used to re-pay or pay down any portion of a loan obtained through a federal coronavirus relief package for business assistance or any New York state business assistance programs.

6. Application and approval process. (a) An eligible micro business or small business shall submit a complete application in a form and manner prescribed by the corporation.

(b) The corporation shall establish the procedures and time period for micro businesses and small businesses to submit applications to the program. As part of the application each micro business and small business shall provide sufficient documentation in a manner prescribed by the corporation to demonstrate hardship, and prevent fraud, waste, and abuse.

7. Reporting. The corporation, on a quarterly basis beginning September 30, 2023, and ending when all program funds are expended, shall submit a separate and distinct report to the governor, the temporary president of the senate, and the speaker of the assembly setting forth the activities undertaken by the program. Such quarterly report shall include, but need not be limited to: the number of applicants and their county locations; the number of applicants approved by the program and their county location; the total amount of grants awarded, and the average amount of such grants awarded; and such other information as the corporation determines necessary and appropriate. Such report shall be included on the corporation's website and any other publicly accessible state database that lists economic development programs, as determined by the commissioner.

8. Technical assistance and outreach. The corporation may offer or make available to all applicants, regardless of approval status, direct or indirect access to financial and business planning, legal consultation, language assistance services, mentoring services for planning, and other assistance and support as determined by the corporation. Assistance, support, outreach and other services may be provided by or through partner organizations, including but not limited to chambers of commerce, local business development corporations, trade associations and other community organizations that have expertise and background in providing technical assistance, at the discretion of the corporation.

§ 2. This act shall take effect immediately.

#### PART EEE

Section 1. The public authorities law is amended by adding a new section 1885 to read as follows:

§ 1885. Empower plus program. 1. The authority shall develop and administer the empower plus program, funded pursuant to an appropriation from a chapter of the laws of two thousand twenty-three, to provide eligible low-income residential households with energy efficiency, heating and cooling, health and safety and other related improvements to existing homes.

2. The authority is authorized to enter into contracts with engineers or other relevant professions to conduct assessments, provide technical assistance, and perform or complete improvements of eligible low-income residential households, pursuant to subdivision three of this section.

1 3. The following improvements may be available for eligible house-  
2 holds:

3 (a) installation of high-efficiency lighting;  
4 (b) attic and wall insulation;  
5 (c) residential household decarbonization, including building electri-  
6 fication;  
7 (d) refrigerator and freezer replacement;  
8 (e) water efficient showerheads; or  
9 (f) an electric bill credit from a renewable energy system, pursuant  
10 to section sixty-six-p of the public service law, that shall not exceed  
11 fifteen dollars per month.

12 4. The authority, in consultation with the energy affordability  
13 program working group established pursuant to section sixty-six-v of the  
14 public service law, shall determine and establish program eligibility  
15 criteria; provided, however, that individuals currently enrolled in a  
16 low-income home energy assistance program, pursuant to section ninety-  
17 seven of the social services law, shall be automatically eligible for  
18 the empower plus program.

19 5. Both renters and homeowners shall be eligible to participate.

20 6. The authority shall prepare and submit an annual progress report by  
21 December thirty-first, to the governor, the temporary president of the  
22 senate and the speaker of the assembly, and post each progress report on  
23 the authority's website. The progress report shall at a minimum include  
24 the following information:

25 (a) the number of households that were electrified in the current  
26 reporting year;

27 (b) the category and type of improvements to households made in the  
28 current reporting year;

29 (c) the number of households that received improvements in the current  
30 reporting year;

31 (d) the average cost of improvements per household, the overall  
32 expenses incurred by the authority in completing improvements, and other  
33 information deemed relevant by the authority; and

34 (e) cumulative information regarding expenditures, number of homes  
35 electrified, and amount of energy and/or water savings.

36 § 2. This act shall take effect immediately.

37 PART FFF

38 Section 1. Legislative intent. (a) The legislature finds that access  
39 to affordable and reliable energy is essential for maintaining the  
40 health, safety, and welfare of New Yorkers.

41 (b) The legislature further finds that low-, fixed-, and moderate-in-  
42 come households are disproportionately burdened by high energy costs,  
43 and that such costs can have significant adverse impacts.

44 (c) The legislature recognizes the need to provide additional finan-  
45 cial support to ensure such households have access to affordable energy.

46 (d) The legislature recognizes the energy burden standard established  
47 through an Order Adopting Low Income Program Modifications and Directing  
48 Utility Filings issued and effective May 20, 2016, in Case No 14-M-0565,  
49 that requires low-income residential customers not spend more than six  
50 percent of their income on energy bills.

51 (e) The legislature further finds that it is necessary to codify this  
52 energy burden standard into law to ensure that it is enforced and that  
53 benefits are applied consistently, accurately, and appropriately across

1 all electric corporations, combination gas and electric corporations,  
2 and the Long Island Power Authority.

3 § 2. The public service law is amended by adding a new section 66-v to  
4 read as follows:

5 § 66-v. Energy affordability program. 1. For the purposes of this  
6 section:

7 (a) "energy burden" shall mean the percentage of household income  
8 spent on energy bills;

9 (b) "electric corporation" shall have the same meaning as defined in  
10 subdivision thirteen of section two of this chapter;

11 (c) "combination gas and electric corporation" shall have the same  
12 meaning as defined in subdivision fourteen of section two of this chap-  
13 ter;

14 (d) "Long Island Power Authority" shall mean the Long Island Power  
15 Authority established pursuant to section one thousand twenty-c of the  
16 public authorities law;

17 (e) "home energy assistance program" shall mean the low-income home  
18 energy assistance program described in section ninety-seven of the  
19 social services law; and

20 (f) "eligible low-income and moderate-income residential customers"  
21 shall mean residential customers of electric corporations and combina-  
22 tion gas and electric corporations regulated by the public service  
23 commission, and the Long Island Power Authority, who do not currently  
24 qualify for the energy affordability policy program, but whose household  
25 income is found to be below the area medium income based on household  
26 size.

27 2. The department, in consultation with the energy affordability  
28 program working group, shall establish and administer the energy afford-  
29 ability program within funding appropriated by a chapter of the laws of  
30 two thousand twenty-three, to reduce the residential household energy  
31 burden of eligible low-income and moderate-income residential customers.  
32 Each electric corporation and combination gas and electric corporations  
33 regulated by the public service commission, and the Long Island Power  
34 Authority, shall ensure that eligible low-income and moderate-income  
35 residential customers are provided with a benefit that ensures their  
36 energy burden does not exceed six percent.

37 3. Electric corporations and combination gas and electric corporations  
38 regulated by the public service commission, and the Long Island Power  
39 Authority, shall ensure that residential customers who participate in  
40 the empower plus program administered by the New York state energy  
41 research and development authority, pursuant to section eighteen hundred  
42 eighty-five of the public authorities law, and electrify their residen-  
43 tial home in accordance with program standards, do not exceed an energy  
44 burden of six percent. The department is authorized to establish a cap  
45 on residential customer energy usage, which shall be evaluated annually.

46 4. Energy affordability program working group. The energy affordabili-  
47 ty program working group shall include representatives from the depart-  
48 ment, New York state energy research and development authority, Long  
49 Island Power Authority, office of temporary and disability assistance,  
50 utility intervention unit, as defined in subdivision four of section  
51 ninety-four-a of the executive law, and department of environmental  
52 conservation. Meetings conducted by the energy affordability program  
53 working group shall be open to the public. The energy affordability  
54 program working group shall develop objectives and priorities, including  
55 strategies to increase energy affordability program enrollment, and  
56 shall provide opportunities for public comment, to improve energy

affordability for low-income and moderate-income households. The energy affordability program working group shall prepare and submit a report, that shall include, at a minimum, objectives and priorities, including strategies to increase energy affordability program enrollment, and to improve energy affordability for low-income and moderate-income households, to the public service commission, governor, temporary president of the senate and speaker of the assembly by December thirty-first, annually, and shall be posted on the department's website.

§ 3. The public service law is amended by adding a new section 66-w to read as follows:

§ 66-w. Energy burden cap. The public service commission shall ensure that residential ratepayers are entitled to a benefit that ensures their energy burden shall not exceed six percent. Energy burden shall have the same meaning as defined in paragraph (a) of subdivision one of section sixty-six-v of this article.

§ 4. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through FFF of this act shall be as specifically set forth in the last section of such Parts.