STATE OF NEW YORK

704

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

Introduced by M. of A. CARROLL, JACOBSON, REYES, SIMON, SAYEGH, DeSTEFANO -- Multi-Sponsored by -- M. of A. COOK -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring the metropolitan transportation authority to create ten-year capital program plans

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

Section 1. Paragraphs (a), (b) and (c) of subdivision 1 of section 1269-b of the public authorities law, paragraph (a) as amended and paragraphs (b) and (c) as added by chapter 637 of the laws of 1996, are amended and two new paragraphs (d) and (e) are added to read as follows:

(a) On or before October first, nineteen hundred eighty-one, and on or before October first of every fifth year thereafter, through and including October first, nineteen hundred ninety-one, the authority shall submit to the metropolitan transportation authority capital program review board two capital program plans for the five year period commencing January first of the following year;

(b) [~~not~~] **Not** later than ten days after the effective date of this paragraph the authority shall submit to the metropolitan transportation authority capital program review board two capital program plans for the five-year period commencing January first, nineteen hundred ninety-five; [~~and~~]

(c) [~~on~~] **On** or before October first, nineteen hundred ninety-nine and every fifth year thereafter **through and including October first, two thousand sixteen**, the authority shall submit to the metropolitan transportation authority capital program review board two capital program plans for the five-year period commencing January first of the following year[~~.~~]**;**

(d) On or before October first, two thousand twenty-three, the authority shall submit to the metropolitan transportation capital program

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

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review board two capital program plans for the ten-year period commencing January first of the following year; and

(e) On or before January thirty-first, two thousand thirty-three, and every tenth year thereafter, the authority shall submit to the metropolitan transportation capital program review board two capital program plans for the ten-year period commencing January first of the following year.

§ 2. Paragraph (a) of subdivision 7 of section 1269-b of the public authorities law, as amended by chapter 929 of the laws of 1986, is amended to read as follows:

(a) The authority may from time to time submit to the metropolitan transportation authority capital program review board amendments or modifications to any [~~five year~~] ten-year plan theretofore submitted, and shall submit such an amendment or modification (i) if the estimated cost of any capital element for which a specified dollar amount was proposed to be expended exceeds the amount set forth in the approved plan for such element by more than ten percent, (ii) if with respect to a particularly described capital element for which only an estimate of projected cost has been provided in the plan there is a material change in the description of such element from that contained in the approved plan, (iii) if a capital element not previously included in the approved plan is proposed to be undertaken and its cost, together with the cost of other elements included in category (l) of the plan, exceeds by ten percent the amount provided for such category (l) elements, (iv) if the authority shall propose to change by more than one year the time when any capital element is proposed to be initiated or the effect of such change will be to increase the estimated amount of capital funding required in any year covered by the plan by more than twenty percent, or (v) if the availability of funding sources changes to the degree to which the authority or the Triborough bridge and tunnel authority are precluded from exercising the authorization provided in subdivision six of this section and the authority wishes to do so.

§ 3. This act shall take effect immediately.