

# STATE OF NEW YORK

865

2023-2024 Regular Sessions

## IN ASSEMBLY

January 11, 2023

Introduced by M. of A. LUNSFORD -- read once and referred to the Committee on Education

AN ACT to amend the education law and the state finance law, in relation to establishing the community literacy fund

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

1 Section 1. The education law is amended by adding a new article 102 to  
2 read as follows:

### ARTICLE 102

#### COMMUNITY LITERACY PROGRAMS

##### Section 5050. Definitions.

###### 5051. Grants.

###### 5052. Report.

8 § 5050. Definitions. As used in this article, the following terms  
9 shall have the following meanings:

##### 1. "Eligible agency" means:

11 (a) an organization having tax exempt status under section 501(c) of  
12 the United States Internal Revenue Code which provides adult education  
13 and literacy services to residents of the state of New York and which  
14 utilizes volunteers to directly provide such services; or

15 (b) an organization having tax exempt status under section 501(c) of  
16 the United States Internal Revenue Code whose primary purpose is provid-  
17 ing adult education and literacy services which provides other adult  
18 literacy organizations with technical assistance, including training,  
19 data reporting, or operational assistance.

20 2. "Adult education and literacy services" means services which assist  
21 adults in acquiring the necessary basic skills needed to be productive  
22 workers, family members, and citizens, including but not limited to,  
23 reading, writing, math, English language proficiency, and problem-solv-  
24 ing skills.

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

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1 § 5051. Grants. 1. The commissioner shall be authorized to make grants  
2 to eligible agencies that conduct community literacy programs from funds  
3 held within the community literacy fund pursuant to section ninety-nine-  
4 qq of the state finance law in accordance with the procedures set forth  
5 by this section. No for-profit agency or institution may act as the  
6 fiscal agent of any grant receivable under the provisions of this  
7 section.

8 2. Eligible agencies shall submit proposals to the commissioner to  
9 fund authorized expenditures in support of community literacy programs.  
10 Such proposals shall be in a form and shall be submitted on a schedule  
11 prescribed by the commissioner.

12 3. The commissioner shall adopt rules and regulations to establish  
13 eligibility criteria and procedures for the award of such grants and to  
14 otherwise implement the provisions of this section. The commissioner  
15 shall award grants using the eligibility criteria established in regu-  
16 lation and shall determine the amount of each grant award.

17 4. Subject to the availability of funds for such purpose, upon  
18 approval of a proposal by the commissioner, the commissioner shall  
19 distribute the grant allocation according to a schedule prescribed by  
20 the commissioner.

21 5. The commissioner shall adopt rules and regulations to create a  
22 reporting schedule for the agencies who receive grants pursuant to this  
23 section. Data to be reported by agencies who are eligible pursuant to  
24 paragraph (a) of subdivision one of section five thousand fifty of this  
25 article shall allow recipients to show the impact of their work on indi-  
26 viduals, based upon their needs and goals, and may include educational  
27 gain, civic participation, digital literacy skills mastery, improved  
28 health literacy, improved financial literacy, and engagement in chil-  
29 dren's schooling. Agencies who are eligible pursuant to paragraph (a) of  
30 subdivision one of section five thousand fifty of this article shall  
31 report impact data.

32 § 5052. Report. On or before January first, two thousand twenty-four  
33 and by January first of each year thereafter, the commissioner shall  
34 submit to the governor, the temporary president of the senate, and the  
35 speaker of the assembly a report describing and evaluating the community  
36 literacy programs funded pursuant to this article.

37 § 2. The state finance law is amended by adding a new section 99-qq to  
38 read as follows:

39 § 99-qq. Community literacy fund. 1. Notwithstanding any other  
40 provision of law, rule, regulation or practice to the contrary, there is  
41 hereby established in the joint custody of the state comptroller and the  
42 commissioner of education a community literacy fund, which shall consist  
43 of all moneys appropriated to the fund by the department of education  
44 and all moneys collected from individuals for the implementation of  
45 community literacy programs as specified in article one hundred two of  
46 the education law.

47 2. Moneys within the community literacy fund shall be made available  
48 to the commissioner of education to provide grants to eligible agencies,  
49 as such term is defined pursuant to subdivision one of section five  
50 thousand fifty of the education law, in accordance with the regulations  
51 set forth in article one hundred two of the education law.

52 § 3. This act shall take effect immediately.