

# STATE OF NEW YORK

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8806--B

## IN ASSEMBLY

January 17, 2024

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

AN ACT to amend the education law, in relation to contracts for excellence; to amend the education law, in relation to foundation aid; to amend the education law, in relation to allowable transportation expenses; to amend the education law, in relation to transportation aid and the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022; to amend the education law, in relation to academic enhancement aid; to amend the education law, in relation to high tax aid; to amend the education law, in relation to universal prekindergarten and the Statewide universal full-day pre-kindergarten program; to amend the education law, in relation to transportation after 4pm in certain school districts; to amend the education law, in relation to implementation of the smart schools bond act of 2014; to amend the education law, in relation to special apportionments and grants-in-aid to school districts; to amend the education law, in relation to aid for BOCES and special services; to amend the education law, in relation to the additional apportionment of building aid for certain projects; to amend the education law, in relation to aid for certain transportation; to amend the education law, in relation to aid for library materials; to amend the education law, in relation to the computation of building aid for the construction, reconstruction or modernizing of certain schools by the Binghamton City School District; to amend the education law, in relation to aid for universal pre-kindergarten; to amend the education law, in relation to extending certain provisions of the teachers of tomorrow teacher recruitment and retention program; to amend the education law, in relation to maximum class sizes for special classes for certain students with disabilities; to amend chapter 82 of the laws of 1995, amending the education law and other laws relating to state aid to school districts and the appropriation of funds for the support of government, in relation to the effectiveness thereof; to amend chapter 756 of the laws of 1992 relating to funding a program for work force education conducted by

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

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the consortium for worker education in New York city, in relation to reimbursement for the 2023-2024 school year withholding a portion of employment preparation education aid and in relation to the effectiveness thereof; to amend the education law, in relation to the financing of charter schools; to amend the education law, in relation to aid payable for certain persons twenty-one years of age or older; to amend the civil practice law and rules and the administrative code of the city of New York, in relation to updating the fee collected by county clerks for deposit into the cultural education account; to amend part A of chapter 56 of the laws of 2023 directing the education department to conduct a comprehensive study of alternative tuition rate-setting methodologies for approved providers operating school-age and preschool programs receiving state funding, in relation to extending the date for the submission of such recommendations; to amend chapter 169 of the laws of 1994, relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets, in relation to the effectiveness thereof; to amend subpart F of part C of chapter 97 of the laws of 2011, amending the education law relating to census reporting, in relation to the effectiveness thereof; providing for special apportionment for salary expenses; providing for special apportionment for public pension accruals; providing for set-asides from the state funds which certain districts are receiving from the total foundation aid; and providing for support of public libraries (Part A); to amend the education law, in relation to establishing evidence-based reading instructional best practices for students attending prekindergarten through grade three (Part B); to amend the education law, in relation to creating uniform resources on post-secondary financial aid programs (Part C); intentionally omitted (Part D); intentionally omitted (Part E); to amend chapter 260 of the laws of 2011 amending the education law and the New York state urban development corporation act relating to establishing components of the NY-SUNY 2020 challenge grant program, in relation to the effectiveness thereof (Part F); intentionally omitted (Part G); to amend the social services law, in relation to increasing the standards of monthly need for aged, blind and disabled persons living in the community (Part H); intentionally omitted (Part I); intentionally omitted (Part J); intentionally omitted (Part K); intentionally omitted (Part L); intentionally omitted (Part M); to utilize reserves in the mortgage insurance fund for various housing purposes (Part N); intentionally omitted (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); intentionally omitted (Part U); requiring the state university of New York trustees and city university of New York trustees to jointly develop recommendations regarding a new formula for financing the operating costs of community colleges (Part V); to amend the education law, in relation to permitting tuition assistance program awards to be made to part-time students enrolled in certain degree granting institutions chartered or authorized by the New York state board of regents (Part W); to amend the education law, in relation to increasing the income eligibility threshold for the tuition assistance program (Part X); to amend the social services law, in relation to monthly grants and allowances of public assistance (Part Y); to amend the social services law, in relation to child care assistance under the child care block grant (Part Z); to amend the public housing law, in relation to establishing the housing access voucher program (Part AA); to amend the

public housing law and the public authorities law, in relation to establishing the homeownership opportunity connection program (Part BB); to amend the social services law, in relation to establishing differential payment rates for child care services provided by licensed, registered or enrolled child care providers (Part CC); to amend the public housing law, in relation to establishing the housing access voucher program (Part DD); in relation to prohibiting the higher education services corporation from seeking recovery of awards made in error during certain academic years due to administrative error (Part EE); authorizing the creation of a state debt in the amount of two billion dollars, in relation to creating the smart schools bond act of 2024 for the purposes of funding capital projects to provide learning technology equipment or facilities, enhanced internet connectivity for schools and communities, educational facilities to accommodate pre-kindergarten programs and install or construct zero-emission school bus charging infrastructure; and providing for the submission to the people of a proposition or question therefor to be voted upon at the general election to be held in November, 2024 (Part FF); to amend the social services law, in relation to implementing a cost estimation model for child care (Part GG); to amend the education law and the state finance law, in relation to implementing the smart schools bond act of 2024 (Part HH); to amend the general municipal law, in relation to establishing and certifying pro-housing communities (Part II); to amend the social services law, in relation to establishing the Increasing Nutrition Support for Prenatal and Infant RESiliency ("INSPIRE") pilot program (Part JJ); to amend the education law, in relation to requiring the use of project labor agreements for large scale construction projects under the state university construction fund (Part KK); to amend the executive law, the real property actions and proceedings law and the real property law, in relation to establishing the New York state office of civil representation to provide a right to counsel in eviction proceedings (Part LL); to amend the education law, in relation to eligibility for the New York state get on your feet loan forgiveness program (Part MM); to amend the education law, in relation to extending the duration of tuition assistance program awards (Part NN); and to amend the education law, in relation to the New York state district attorney and indigent legal services attorney loan forgiveness program (Part OO)

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

1 Section 1. This act enacts into law major components of legislation  
2 necessary to implement the state education, labor, housing and family  
3 assistance budget for the 2024-2025 state fiscal year. Each component is  
4 wholly contained within a Part identified as Parts A through OO. The  
5 effective date for each particular provision contained within such Part  
6 is set forth in the last section of such Part. Any provision in any  
7 section contained within a Part, including the effective date of the  
8 Part, which makes a reference to a section "of this act", when used in  
9 connection with that particular component, shall be deemed to mean and  
10 refer to the corresponding section of the Part in which it is found.  
11 Section three of this act sets forth the general effective date of this  
12 act.

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## PART A

2 Section 1. Paragraph e of subdivision 1 of section 211-d of the educa-  
3 tion law, as amended by section 1 of part A of chapter 56 of the laws of  
4 2023, is amended to read as follows:

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

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

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

54 § 2. Intentionally omitted.

§ 2-a. Paragraph k of subdivision 4 of section 3602 of the education law, as added by section 2 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

k. Foundation aid payable in the two thousand twenty-three--two thousand twenty-four and two thousand twenty-four--two thousand twenty-five school ~~[year]~~ years. Notwithstanding any provision of law to the contrary, foundation aid payable in the two thousand twenty-three--two thousand twenty-four and two thousand twenty-four--two thousand twenty-five school ~~[year]~~ years shall be equal to the sum of the total foundation aid base computed pursuant to paragraph j of subdivision one of this section plus the greater of (a) the positive difference, if any, of (i) total foundation aid computed pursuant to paragraph a of this subdivision less (ii) the total foundation aid base computed pursuant to paragraph j of subdivision one of this section, or (b) the product of three hundredths (0.03) multiplied by the total foundation aid base computed pursuant to paragraph j of subdivision one of this section.

§ 3. Intentionally omitted.

§ 4. Intentionally omitted.

§ 5. Paragraph d of subdivision 4 of section 3602 of the education law, as amended by section 6 of part YYY of chapter 59 of the laws of 2019, is amended to read as follows:

d. For the two thousand fourteen--two thousand fifteen through two thousand ~~[twenty-three]~~ twenty-eight--two thousand ~~[twenty-four]~~ twenty-nine school years a city school district of a city having a population of one million or more may use amounts apportioned pursuant to this subdivision for afterschool programs.

§ 6. Intentionally omitted.

§ 7. Intentionally omitted.

§ 8. The closing paragraph of subdivision 3 of section 3602 of the education law, as added by section 13 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

Such result shall be expressed as a decimal carried to three places without rounding, but shall not be greater than ninety hundredths nor less than zero, provided, however, that for the purpose of computing the state sharing ratio for total foundation aid in the two thousand twenty-four--two thousand twenty-five school year and thereafter, such result shall not be greater than ninety-one hundredths.

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

b. The cost of services herein referred to shall be the amount allocated to each component school district by the board of cooperative educational services to defray expenses of such board, including approved expenses from the testing of potable water systems of occupied school buildings under the board's jurisdiction as required pursuant to section eleven hundred ten of the public health law provided that such expenses for testing of potable water systems are not reimbursable from another state or federal source, except that that part of the salary paid any teacher, supervisor or other employee of the board of cooperative educational services which is, (i) for the two thousand twenty-three--two thousand twenty-four and prior school years, in excess of thirty thousand dollars, (ii) for aid payable in the two thousand twenty-four--two thousand twenty-five school year in excess of forty thousand dollars, (iii) for aid payable in the two thousand twenty-five--two thousand twenty-six school year, in excess of fifty thousand dollars, (iv) for aid payable in the two thousand twenty-six--two thou-

1 said twenty-seven school year and thereafter, in excess of sixty thou-  
2 sand dollars, shall not be such an approved expense, and except also  
3 that administrative and clerical expenses shall not exceed ten percent  
4 of the total expenses for purposes of this computation. Any gifts,  
5 donations or interest earned by the board of cooperative educational  
6 services or on behalf of the board of cooperative educational services  
7 by the dormitory authority or any other source shall not be deducted in  
8 determining the cost of services allocated to each component school  
9 district. Any payments made to a component school district by the board  
10 of cooperative educational services pursuant to subdivision eleven of  
11 section six-p of the general municipal law attributable to an approved  
12 cost of service computed pursuant to this subdivision shall be deducted  
13 from the cost of services allocated to such component school district.  
14 The expense of transportation provided by the board of cooperative  
15 educational services pursuant to paragraph q of subdivision four of this  
16 section shall be eligible for aid apportioned pursuant to subdivision  
17 seven of section thirty-six hundred two of this chapter and no board of  
18 cooperative educational services transportation expense shall be an  
19 approved cost of services for the computation of aid under this subdivi-  
20 sion. Transportation expense pursuant to paragraph q of subdivision  
21 four of this section shall be included in the computation of the ten  
22 percent limitation on administrative and clerical expenses.

23 § 8-b. Paragraph b of subdivision 10 of section 3602 of the education  
24 law, as amended by section 16 of part B of chapter 57 of the laws of  
25 2007, is amended to read as follows:

26 b. Aid for career education. There shall be apportioned to such city  
27 school districts and other school districts which were not components of  
28 a board of cooperative educational services in the base year for pupils  
29 in grades ~~ten~~ nine through twelve in attendance in career education  
30 programs as such programs are defined by the commissioner, subject for  
31 the purposes of this paragraph to the approval of the director of the  
32 budget, an amount for each such pupil to be computed by multiplying the  
33 career education aid ratio by three thousand nine hundred dollars. Such  
34 aid will be payable for weighted pupils attending career education  
35 programs operated by the school district and for weighted pupils for  
36 whom such school district contracts with boards of cooperative educa-  
37 tional services to attend career education programs operated by a board  
38 of cooperative educational services. Weighted pupils for the purposes of  
39 this paragraph shall mean the sum of the product of the attendance of  
40 students in grade nine multiplied by the special services phase-in  
41 factor, plus the attendance of students in grades ten through twelve in  
42 career education sequences in trade, industrial, technical, agricultural  
43 or health programs, plus the product of sixteen hundredths multiplied by  
44 the sum of the product of the attendance of students in grade nine  
45 multiplied by the special services phase-in factor, plus the attendance  
46 of students in grades ten through twelve in career education sequences  
47 in business and marketing as defined by the commissioner in regulations;  
48 provided that the special services phase-in factor shall be (i) for  
49 the two thousand twenty-four--two thousand twenty-five school year,  
50 thirty-three percent (0.33), (ii) for the two thousand twenty-five--two  
51 thousand twenty-six school year, sixty-six percent (0.66), (iii)  
52 for the two thousand twenty-six--two thousand twenty-seven school year  
53 and thereafter, one hundred percent (1.0). The career education aid  
54 ratio shall be computed by subtracting from one the product obtained by  
55 multiplying fifty-nine percent by the combined wealth ratio. This aid

ratio shall be expressed as a decimal carried to three places without rounding, but not less than thirty-six percent.

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

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

§ 9. Intentionally omitted.

§ 10. Intentionally omitted.

§ 11. Subparagraphs 2 and 3 of paragraph b of subdivision 6-f of section 3602 of the education law, as added by section 19 of part H of chapter 83 of the laws of 2002, are amended to read as follows:

(2) is a construction emergency project to remediate emergency situations which arise in public school buildings and threaten the health and/or safety of building occupants, as a result of the unanticipated discovery of asbestos or other hazardous substances during construction work on a school or significant damage caused by a fire, snow storm, ice storm, excessive rain, high winds, flood or a similar catastrophic event which results in the necessity for immediate repair[; and/or

~~(3) if bonded pursuant to paragraph j of subdivision six of this section, would cause a city school district in a city having a population of less than one hundred twenty-five thousand inhabitants to exceed ninety-five percent of its constitutional debt limit provided, however, that any debt issued pursuant to paragraph c of section 104.00 of the local finance law shall not be included in such calculation].~~

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

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

§ 12. The opening paragraph of subdivision 2 of section 3623-a of the education law, as added by chapter 474 of the laws of 1996, is amended to read as follows:

Allowable transportation capital, debt service and lease expense shall include base year expenditures [~~for:~~] as described in this subdivision, net of revenue received with the express purpose of funding such expenditures as prescribed by the commissioner, except as provided in paragraph d of subdivision three of this section.

§ 13. Subdivision 3 of section 3623-a of the education law is amended by adding added a new paragraph d to read as follows:

d. (1) For aid payable in the two thousand twenty-four--two thousand twenty-five school year and thereafter, notwithstanding any provision of law to the contrary, approved transportation capital, debt service, and lease expenses for apportionments to school districts under subdivision seven of section thirty-six hundred two of this article shall include the final value of any vouchers paid on behalf of a school district, payments, and grants authorized pursuant to section 58-0701 of the envi-

ronmental conservation law for costs associated with the purchase of or conversion to zero-emission school buses and supporting infrastructure.

(2) In the case of allowable expenses for transportation capital, debt service, or leases which are related to costs associated with the purchase of or conversion to zero-emission school buses and supporting infrastructure and which are supported in whole or in part by vouchers, payments, or grants authorized under section 58-0701 of the environmental conservation law, such allowable expenses at the time in which the expense is claimed for aid shall not exceed the sum of (i) the product of the transportation aid ratio calculated pursuant to subdivision seven of section thirty-six hundred two of this article multiplied by allowable expenses, plus (ii) the final value of any such vouchers paid on behalf of a school district, payments, and grants authorized under section 58-0701 of the environmental conservation law.

(3) The entity authorized to provide state assistance payments or grants pursuant to subdivision two of section 58-0703 of the environmental conservation law shall provide to the commissioner a list of grants awarded and payments to each school district or vouchers paid on behalf of a school district for the purchase of or conversion to zero-emission school buses and supporting infrastructure no later than one month prior to the end of each calendar year and each school year. This list shall include the type and number of zero-emission school buses to be funded by these payments or grants, the supporting infrastructure to be funded by these payments or grants, the award amounts of each payment or grant, the direct recipient of each payment or grant, the district receiving such payment or grant or that benefitted from such voucher, the date on which the payment or grant was received, and any other information necessary for the calculation of aid pursuant to subdivision seven of section thirty-six hundred two of this article.

§ 14. Paragraph i of subdivision 12 of section 3602 of the education law, as amended by section 10 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

i. For the two thousand twenty-one--two thousand twenty-two school year through the two thousand [~~twenty-three~~] ~~twenty-four~~--two thousand [~~twenty-four~~] ~~twenty-five~~ school year, each school district shall be entitled to an apportionment equal to the amount set forth for such school district as "ACADEMIC ENHANCEMENT" under the heading "2020-21 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand twenty--two thousand twenty-one school year and entitled "SA202-1", and such apportionment shall be deemed to satisfy the state obligation to provide an apportionment pursuant to subdivision eight of section thirty-six hundred forty-one of this article.

§ 15. The opening paragraph of subdivision 16 of section 3602 of the education law, as amended by section 11 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

Each school district shall be eligible to receive a high tax aid apportionment in the two thousand eight--two thousand nine school year, which shall equal the greater of (i) the sum of the tier 1 high tax aid apportionment, the tier 2 high tax aid apportionment and the tier 3 high tax aid apportionment or (ii) the product of the apportionment received by the school district pursuant to this subdivision in the two thousand seven--two thousand eight school year, multiplied by the due-minimum factor, which shall equal, for districts with an alternate pupil wealth ratio computed pursuant to paragraph b of subdivision three of this section that is less than two, seventy percent (0.70), and for all other

districts, fifty percent (0.50). Each school district shall be eligible to receive a high tax aid apportionment in the two thousand nine--two thousand ten through two thousand twelve--two thousand thirteen school years in the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910". Each school district shall be eligible to receive a high tax aid apportionment in the two thousand thirteen--two thousand fourteen through two thousand [twenty-three] twenty-four--two thousand [twenty-four] twenty-five school year equal to the greater of (1) the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910" or (2) the amount set forth for such school district as "HIGH TAX AID" under the heading "2013-14 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the executive budget for the 2013-14 fiscal year and entitled "BT131-4".

§ 15-a. Subparagraph 9 of paragraph a of subdivision 6 of section 3602 of the education law, as added by chapter 617 of the laws of 2021, is renumbered subparagraph 11 and a new subparagraph 12 is added to read as follows:

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

§ 16. Paragraph d of subdivision 10 of section 3602-e of the education law, as amended by section 23-c of part A of chapter 56 of the laws of 2021, is amended to read as follows:

d. Notwithstanding any other provision of this section, apportionments under this section greater than the amounts provided in the two thousand sixteen--two thousand seventeen school year shall only be used to supplement and not supplant current local expenditures of [state-or] local funds on prekindergarten programs and the number of eligible full-day four-year-old prekindergarten pupils and eligible full-day three-year-old prekindergarten pupils in such programs from such sources. Current local expenditures shall include any local expenditures of [state-or] local funds used to supplement or extend services provided directly or via contract to eligible children enrolled in a universal prekindergarten program pursuant to this section.

§ 17. Subdivision 13 of section 3602-ee of the education law, as added by section 1 of part CC of chapter 56 of the laws of 2014, is amended to read as follows:

13. Apportionments under this section shall only be used to supplement and not supplant current local expenditures of federal[, state] or local funds on pre-kindergarten programs and the number of slots in such programs from such sources. Current local expenditures shall include any local expenditures of federal[, state] or local funds used to supplement or extend services provided directly or via contract to eligible children enrolled in a universal pre-kindergarten program pursuant to section thirty-six hundred two-e of this part.

§ 17-a. Section 3627 of the education law, as amended by section 7 of part A of chapter 56 of the laws of 2014 and subdivision 4 as amended by section 18-a of part A of chapter 56 of the laws of 2023, is amended to read as follows:

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

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

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

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

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

~~[4-]~~ d. Notwithstanding any other provision of law to the contrary, any expenditures for transportation provided pursuant to this ~~[section]~~ subdivision in the two thousand thirteen--two thousand fourteen school year and thereafter and otherwise eligible for transportation aid pursuant to subdivision seven of section thirty-six hundred two of this article shall be considered approved transportation expenses eligible for transportation aid, provided further that for the two thousand thirteen--two thousand fourteen school year such aid shall be limited to eight million one hundred thousand dollars and for the two thousand fourteen--two thousand fifteen school year such aid shall be limited to the sum of twelve million six hundred thousand dollars plus the base amount and for the two thousand fifteen--two thousand sixteen school year through two thousand eighteen--two thousand nineteen school year such aid shall be limited to the sum of eighteen million eight hundred fifty thousand dollars plus the base amount and for the two thousand nineteen--two thousand twenty school year such aid shall be limited to the sum of nineteen million three hundred fifty thousand dollars plus the base amount and for the two thousand twenty--two thousand twenty-one school year such aid shall be limited to the sum of nineteen million eight hundred fifty thousand dollars plus the base amount and for the

1 two thousand twenty-two--two thousand twenty-three school year such aid  
2 shall be limited to the sum of twenty-two million three hundred fifty  
3 thousand dollars plus the base amount and for the two thousand twenty-  
4 three--two thousand twenty-four school year [~~and thereafter~~] such aid  
5 shall be limited to the sum of twenty-four million eight hundred fifty  
6 thousand dollars plus the base amount and for the two thousand twenty-  
7 four--two thousand twenty-five school year such aid shall be limited to  
8 the sum of twenty-nine million eight hundred fifty thousand dollars plus  
9 the base amount and for the two thousand twenty-five--two thousand twen-  
10 ty-six school year and thereafter such aid shall be limited to the maxi-  
11 mum amount of aid from the base year plus the product of (i) the maximum  
12 amount of aid under this subdivision from the base year, multiplied by  
13 (ii) the product of two and one-half, further multiplied by (ii) the  
14 positive difference of the personal income growth index as defined in  
15 paragraph bb of subdivision one of section thirty-six hundred two of  
16 this article less one. For purposes of this [~~subdivision~~] paragraph,  
17 "base amount" means the amount of transportation aid paid to the school  
18 district for expenditures incurred in the two thousand twelve--two thou-  
19 sand thirteen school year for transportation that would have been eligi-  
20 ble for aid pursuant to this section had this section been in effect in  
21 such school year, except that [~~subdivision six~~] paragraph f of this  
22 [~~section~~] subdivision shall be deemed not to have been in effect. And  
23 provided further that the school district shall continue to annually  
24 expend for the transportation described in [~~subdivision one~~] paragraph a  
25 of this [~~section~~] subdivision at least the expenditures used for the  
26 base amount.

27 [~~5-~~] e. Notwithstanding any other provision of this [~~section~~] subdivi-  
28 sion to the contrary, in no event shall such city school district, in  
29 order to comply with the requirements of this [~~section~~] subdivision, be  
30 required to incur any costs in excess of the amount eligible for trans-  
31 portation aid pursuant to [~~subdivision four~~] paragraph d of this  
32 [~~section~~] subdivision. In the event such amount is insufficient, the  
33 city school district of New York shall provide transportation services  
34 within such amount on an equitable basis, until such apportionment is  
35 exhausted.

36 [~~6-~~] f. The chancellor of such school district, in consultation with  
37 the commissioner, shall prescribe the most cost effective system for  
38 implementing the requirements of this [~~section~~] subdivision, taking into  
39 consideration: [~~(a)~~] (i) the costs associated with [~~paragraphs (a) and~~  
40 ~~(b) of~~] subparagraphs (i) and (ii) of paragraph a of this subdivision  
41 [~~one of this section~~], and [~~(b)~~] (ii) policies that attempt to maximize  
42 student safety for the student to be transported, which for purposes of  
43 this section shall include whether the pick up or drop off site of the  
44 transportation is:

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

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

48 [~~7--(a)~~] g. (i) In the event the chancellor has not satisfied a  
49 district's obligation under this [~~section~~] subdivision, a parent or  
50 guardian or any representative authorized by such parent or guardian of  
51 a child eligible to receive transportation under this [~~section~~] subdivi-  
52 sion may request the commissioner to arrange for the provision of the  
53 transportation to so satisfy the requirements of this [~~section~~] subdivi-  
54 sion.

55 [~~(b)~~] (ii) If within sixty days of receiving a request from such a  
56 parent or guardian or any representative authorized by such parent or

guardian, the commissioner determines that the chancellor has not satisfied a district's obligation under this ~~[section]~~ subdivision, then the commissioner shall immediately direct the chancellor to contract with a licensed transportation carrier to provide the transportation required pursuant to this ~~[section]~~ subdivision.

~~[(e)]~~ (iii) In the event the chancellor is directed by the commissioner to contract with a licensed transportation carrier to provide the transportation required pursuant to this ~~[section]~~ subdivision, the chancellor shall provide the commissioner with a copy of such proposed contract, before it becomes effective, and the commissioner shall have the power to approve, disapprove or require amendments to such contract before it shall become effective.

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

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

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

(i) Such transportation shall be provided to all children attending grades kindergarten through eight who live more than two miles from the school which they legally attend and for all children attending grades nine through twelve who live more than three miles from the school which they legally attend, and shall be provided for each such pupil up to a distance of fifteen miles, the distances in each case being measured by the nearest available route from home to school.

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

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

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

c. The board of education shall prescribe the most cost-effective system for implementing the requirements of this subdivision, taking

into consideration policies that maximize student safety for the student to be transported.

§ 18. Subdivision 16 of section 3602-ee of the education law, as amended by section 16 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

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

§ 18-a. Subparagraph (ix) of the opening paragraph of subdivision 10 of section 3602-e of the education law, as added by section 17-c of part A of chapter 56 of the laws of 2022, is amended and a new paragraph (x) is added to read as follows:

(ix) for the two thousand twenty-two--two thousand twenty-three through the two thousand twenty-three--two thousand twenty-four school year ~~[and thereafter]~~, each school district shall be eligible to receive a grant amount equal to the sum of (A) the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN ALLOCATION" on the computer file produced by the commissioner in support of the enacted budget for the prior year excluding amounts subject to section thirty-six hundred two-ee of this part and further excluding amounts paid pursuant to subdivision nineteen of this section plus (B) the Full-day 4-Year-Old Universal Prekindergarten Expansion added pursuant to paragraph e of subdivision nineteen of this section, provided that such school district has met all requirements pursuant to this section and such grants shall be added into a four-year-old grant amount based on the amount each district was eligible to receive in the base year to serve four-year-old prekindergarten pupils, plus (C) funds allocated pursuant to a universal prekindergarten expansion under subdivision twenty of this section as of the school aid computer listing produced by the commissioner in support of the enacted budget for the current year, provided that such grant amounts shall be divided into a four-year-old grant amount based on the amount each district was eligible to receive in the base year to serve four-year-old prekindergarten pupils, if any, and a three-year-old grant amount based on the amount each district was eligible to receive in the base year to serve three-year-old pupils, if any, and provided further that the maximum grant shall not exceed the total actual grant expenditures incurred by the school district in the current school year as approved by the commissioner~~[-]~~, and

(x) for the two thousand twenty-four--two thousand twenty-five school year and thereafter, each school district shall be eligible to receive a grant amount equal to the greater of the amount provided under subparagraph (ix) of this paragraph or the product of (A) the sum of (1) eligible half-day three-year-old prekindergarten pupils weighted at 0.5 as defined in clause two of subparagraph (iii) of paragraph b of this subdivision, plus (2) eligible full-day three-year-old prekindergarten pupils as defined in clause two of subparagraph (ii) of paragraph b of this subdivision, plus (3) eligible half-day four-year-old prekindergarten pupils weighted at 0.5 as defined in clause one of subparagraph (iii) of paragraph b of this subdivision, plus (4) eligible full-day four-year-old prekindergarten pupils as defined in clause one of subparagraph (ii) of paragraph b of this subdivision, multiplied by (B) seven thousand dollars (\$7,000), provided that, the maximum grant shall not exceed the total actual grant expenditures incurred by the school district in the current school year as approved by the commissioner.

§ 18-b. Subparagraph (i) of paragraph b of subdivision 10 of section 3602-e of the education law, as amended by section 23-c of part A of chapter 56 of the laws of 2021, is amended to read as follows:

(i) "Selected aid per prekindergarten pupil" shall equal the greater of (A) the product of five-tenths and the school district's selected foundation aid for the current year, or (B) three thousand five hundred dollars (\$3,500), or (C) the aid per prekindergarten pupil calculated pursuant to this subdivision for the two thousand six-two thousand seven school year, based on data on file for the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand six--two thousand seven school year and entitled "SA060-7"~~;~~ ~~provided, however, that in the two thousand eight two thousand nine school year, a city school district in a city having a population of one million inhabitants or more shall not be eligible to select aid per prekindergarten pupil pursuant to clause (A) of this subparagraph~~];

§ 19. Intentionally omitted.

§ 20. Intentionally omitted.

§ 21. Intentionally omitted.

§ 22. Intentionally omitted.

§ 23. The opening paragraph of section 3609-a of the education law, as amended by section 18 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

For aid payable in the two thousand seven--two thousand eight school year through the ~~[two thousand twenty-three two thousand twenty-four]~~ two thousand twenty-four--two thousand twenty-five school year, "moneys apportioned" shall mean the lesser of (i) the sum of one hundred percent of the respective amount set forth for each school district as payable pursuant to this section in the school aid computer listing for the current year produced by the commissioner in support of the budget which includes the appropriation for the general support for public schools for the prescribed payments and individualized payments due prior to April first for the current year plus the apportionment payable during the current school year pursuant to subdivision six-a and subdivision fifteen of section thirty-six hundred two of this part minus any reductions to current year aids pursuant to subdivision seven of section thirty-six hundred four of this part or any deduction from apportionment payable pursuant to this chapter for collection of a school district basic contribution as defined in subdivision eight of section forty-four hundred one of this chapter, less any grants provided pursuant to subparagraph two-a of paragraph b of subdivision four of section ninety-two-c of the state finance law, less any grants provided pursuant to subdivision five of section ninety-seven-nnnn of the state finance law, less any grants provided pursuant to subdivision twelve of section thirty-six hundred forty-one of this article, or (ii) the apportionment calculated by the commissioner based on data on file at the time the payment is processed; provided however, that for the purposes of any payments made pursuant to this section prior to the first business day of June of the current year, moneys apportioned shall not include any aids payable pursuant to subdivisions six and fourteen, if applicable, of section thirty-six hundred two of this part as current year aid for debt service on bond anticipation notes and/or bonds first issued in the current year or any aids payable for full-day kindergarten for the current year pursuant to subdivision nine of section thirty-six hundred two of this part. The definitions of "base year" and "current year" as set forth in subdivision one of section thirty-six hundred two of this

1 part shall apply to this section. [~~For aid payable in the two thousand~~  
2 ~~twenty-three two thousand twenty-four school year, reference to such~~  
3 ~~"school aid computer listing for the current year" shall mean the print-~~  
4 ~~outs entitled "SA232-4".~~] For aid payable in the two thousand twenty-  
5 four--two thousand twenty-five school year and thereafter, reference to  
6 such "school aid computer listing for the current year" shall mean the  
7 printouts entitled "SA242-5".

8 § 24. Paragraph b of subdivision 2 of section 3612 of the education  
9 law, as amended by section 22 of part YYY of chapter 59 of the laws of  
10 2019, is amended to read as follows:

11 b. Such grants shall be awarded to school districts, within the limits  
12 of funds appropriated therefor, through a competitive process that takes  
13 into consideration the magnitude of any shortage of teachers in the  
14 school district, the number of teachers employed in the school district  
15 who hold temporary licenses to teach in the public schools of the state,  
16 the number of provisionally certified teachers, the fiscal capacity and  
17 geographic sparsity of the district, the number of new teachers the  
18 school district intends to hire in the coming school year and the number  
19 of summer in the city student internships proposed by an eligible school  
20 district, if applicable. Grants provided pursuant to this section shall  
21 be used only for the purposes enumerated in this section. Notwithstand-  
22 ing any other provision of law to the contrary, a city school district  
23 in a city having a population of one million or more inhabitants receiv-  
24 ing a grant pursuant to this section may use no more than eighty percent  
25 of such grant funds for any recruitment, retention and certification  
26 costs associated with transitional certification of teacher candidates  
27 for the school years two thousand one--two thousand two through two  
28 thousand [~~twenty-three~~] twenty-eight--two thousand [~~twenty-four~~] twen-  
29 ty-nine.

30 § 25. Subdivision 6 of section 4402 of the education law, as amended  
31 by section 23 of part YYY of chapter 59 of the laws of 2019, is amended  
32 to read as follows:

33 6. Notwithstanding any other law, rule or regulation to the contrary,  
34 the board of education of a city school district with a population of  
35 one hundred twenty-five thousand or more inhabitants shall be permitted  
36 to establish maximum class sizes for special classes for certain  
37 students with disabilities in accordance with the provisions of this  
38 subdivision. For the purpose of obtaining relief from any adverse fiscal  
39 impact from under-utilization of special education resources due to low  
40 student attendance in special education classes at the middle and  
41 secondary level as determined by the commissioner, such boards of educa-  
42 tion shall, during the school years nineteen hundred ninety-five--nine-  
43 ty-six through June thirtieth, two thousand [~~twenty-four~~] twenty-nine,  
44 be authorized to increase class sizes in special classes containing  
45 students with disabilities whose age ranges are equivalent to those of  
46 students in middle and secondary schools as defined by the commissioner  
47 for purposes of this section by up to but not to exceed one and two  
48 tenths times the applicable maximum class size specified in regulations  
49 of the commissioner rounded up to the nearest whole number, provided  
50 that in a city school district having a population of one million or  
51 more, classes that have a maximum class size of fifteen may be increased  
52 by no more than one student and provided that the projected average  
53 class size shall not exceed the maximum specified in the applicable  
54 regulation, provided that such authorization shall terminate on June  
55 thirtieth, two thousand. Such authorization shall be granted upon filing  
56 of a notice by such a board of education with the commissioner stating

1 the board's intention to increase such class sizes and a certification  
2 that the board will conduct a study of attendance problems at the  
3 secondary level and will implement a corrective action plan to increase  
4 the rate of attendance of students in such classes to at least the rate  
5 for students attending regular education classes in secondary schools of  
6 the district. Such corrective action plan shall be submitted for  
7 approval by the commissioner by a date during the school year in which  
8 such board increases class sizes as provided pursuant to this subdivi-  
9 sion to be prescribed by the commissioner. Upon at least thirty days  
10 notice to the board of education, after conclusion of the school year in  
11 which such board increases class sizes as provided pursuant to this  
12 subdivision, the commissioner shall be authorized to terminate such  
13 authorization upon a finding that the board has failed to develop or  
14 implement an approved corrective action plan.

15 § 26. Subdivisions 22 and 24 of section 140 of chapter 82 of the laws  
16 of 1995, amending the education law and other laws relating to state aid  
17 to school districts and the appropriation of funds for the support of  
18 government, as amended by section 38 of part YYY of chapter 59 of the  
19 laws of 2019, are amended to read as follows:

20 (22) sections one hundred twelve, one hundred thirteen, one hundred  
21 fourteen, one hundred fifteen and one hundred sixteen of this act shall  
22 take effect on July 1, 1995; provided, however, that section one hundred  
23 thirteen of this act shall remain in full force and effect until July 1,  
24 [2024] 2029 at which time it shall be deemed repealed;

25 (24) sections one hundred eighteen through one hundred thirty of this  
26 act shall be deemed to have been in full force and effect on and after  
27 July 1, 1995; provided further, however, that the amendments made pursu-  
28 ant to section one hundred twenty-four of this act shall be deemed to be  
29 repealed on and after July 1, [2024] 2029;

30 § 27. Subdivision b of section 2 of chapter 756 of the laws of 1992,  
31 relating to funding a program for work force education conducted by the  
32 consortium for worker education in New York city, as amended by section  
33 20 of part A of chapter 56 of the laws of 2023, is amended to read as  
34 follows:

35 b. Reimbursement for programs approved in accordance with subdivision  
36 a of this section for the reimbursement for the 2018--2019 school year  
37 shall not exceed 59.4 percent of the lesser of such approvable costs per  
38 contact hour or fourteen dollars and ninety-five cents per contact hour,  
39 reimbursement for the 2019--2020 school year shall not exceed 57.7  
40 percent of the lesser of such approvable costs per contact hour or  
41 fifteen dollars sixty cents per contact hour, reimbursement for the  
42 2020--2021 school year shall not exceed 56.9 percent of the lesser of  
43 such approvable costs per contact hour or sixteen dollars and twenty-  
44 five cents per contact hour, reimbursement for the 2021--2022 school  
45 year shall not exceed 56.0 percent of the lesser of such approvable  
46 costs per contact hour or sixteen dollars and forty cents per contact  
47 hour, reimbursement for the 2022--2023 school year shall not exceed 55.7  
48 percent of the lesser of such approvable costs per contact hour or  
49 sixteen dollars and sixty cents per contact hour, [and] reimbursement  
50 for the 2023--2024 school year shall not exceed 54.7 percent of the  
51 lesser of such approvable costs per contact hour or seventeen dollars  
52 and seventy cents per contact hour, and reimbursement for the 2024--2025  
53 school year shall not exceed 56.6 percent of the lesser of such approva-  
54 ble costs per contact hour or eighteen dollars and seventy cents per  
55 contact hour, and where a contact hour represents sixty minutes of  
56 instruction services provided to an eligible adult. Notwithstanding any

1 other provision of law to the contrary, for the 2018--2019 school year  
2 such contact hours shall not exceed one million four hundred sixty-three  
3 thousand nine hundred sixty-three (1,463,963); for the 2019--2020 school  
4 year such contact hours shall not exceed one million four hundred  
5 forty-four thousand four hundred forty-four (1,444,444); for the  
6 2020--2021 school year such contact hours shall not exceed one million  
7 four hundred six thousand nine hundred twenty-six (1,406,926); for the  
8 2021--2022 school year such contact hours shall not exceed one million  
9 four hundred sixteen thousand one hundred twenty-two (1,416,122); for  
10 the 2022--2023 school year such contact hours shall not exceed one  
11 million four hundred six thousand nine hundred twenty-six (1,406,926);  
12 ~~[and]~~ for the 2023--2024 school year such contact hours shall not exceed  
13 one million three hundred forty-two thousand nine hundred seventy-five  
14 (1,342,975); and for the 2024--2025 school year such contact hours shall  
15 not exceed one million two hundred twenty-eight thousand seven hundred  
16 thirty-three (1,228,733). Notwithstanding any other provision of law to  
17 the contrary, the apportionment calculated for the city school district  
18 of the city of New York pursuant to subdivision 11 of section 3602 of  
19 the education law shall be computed as if such contact hours provided by  
20 the consortium for worker education, not to exceed the contact hours set  
21 forth herein, were eligible for aid in accordance with the provisions of  
22 such subdivision 11 of section 3602 of the education law.

23 § 28. Section 4 of chapter 756 of the laws of 1992, relating to fund-  
24 ing a program for work force education conducted by the consortium for  
25 worker education in New York city, is amended by adding a new subdivi-  
26 sion cc to read as follows:

27 cc. The provisions of this subdivision shall not apply after the  
28 completion of payments for the 2024-25 school year. Notwithstanding any  
29 inconsistent provisions of law, the commissioner of education shall  
30 withhold a portion of employment preparation education aid due to the  
31 city school district of the city of New York to support a portion of the  
32 costs of the work force education program. Such moneys shall be credited  
33 to the elementary and secondary education fund-local assistance account  
34 and shall not exceed thirteen million dollars (\$13,000,000).

35 § 29. Section 6 of chapter 756 of the laws of 1992, relating to fund-  
36 ing a program for work force education conducted by the consortium for  
37 worker education in New York city, as amended by section 22 of part A of  
38 chapter 56 of the laws of 2023, is amended to read as follows:

39 § 6. This act shall take effect July 1, 1992, and shall be deemed  
40 repealed June 30, ~~[2024]~~ 2025.

41 § 29-a. Paragraph a-1 of subdivision 11 of section 3602 of the educa-  
42 tion law, as amended by section 22-a of part A of chapter 56 of the laws  
43 of 2023, is amended to read as follows:

44 a-1. Notwithstanding the provisions of paragraph a of this subdivi-  
45 sion, for aid payable in the school years two thousand--two thousand one  
46 through two thousand nine--two thousand ten, and two thousand eleven--  
47 two thousand twelve ~~[through two thousand twenty-three two thousand~~  
48 ~~twenty-four]~~ and thereafter, the commissioner may set aside an amount  
49 not to exceed two million five hundred thousand dollars from the funds  
50 appropriated for purposes of this subdivision for the purpose of serving  
51 persons twenty-one years of age or older who have not been enrolled in  
52 any school for the preceding school year, including persons who have  
53 received a high school diploma or high school equivalency diploma but  
54 fail to demonstrate basic educational competencies as defined in regu-  
55 lation by the commissioner, when measured by accepted standardized

1 tests, and who shall be eligible to attend employment preparation educa-  
2 tion programs operated pursuant to this subdivision.

3 § 30. Paragraph (d) of subdivision 1 of section 2856 of the education  
4 law, as amended by section 36-c of part A of chapter 56 of the laws of  
5 2021, is amended to read as follows:

6 (d) School districts shall be eligible for an annual apportionment  
7 equal to the amount of the supplemental basic tuition for the charter  
8 school in the base year for the expenses incurred in the two thousand  
9 fourteen--two thousand fifteen, two thousand fifteen--two thousand  
10 sixteen, two thousand sixteen--two thousand seventeen school years and  
11 thereafter. Provided that for expenses incurred in the two thousand  
12 twenty--two thousand twenty-one school year, for a city school district  
13 in a city having a population of one million or more, the annual appor-  
14 tionment shall be reduced by thirty-five million dollars (\$35,000,000)  
15 upon certification by the director of the budget of the availability of  
16 a grant in the same amount from the elementary and secondary school  
17 emergency relief funds provided through the American rescue plan act of  
18 2021 (P.L. 117-2). Provided further that for expenses incurred in the  
19 two thousand twenty-three--two thousand twenty-four school year, for a  
20 city school district in a city having a population of one million or  
21 more, the annual apportionment shall be reduced by thirty-five million  
22 dollars (\$35,000,000) upon certification by the director of the budget  
23 of the availability of a grant in the same amount from the elementary  
24 and secondary school emergency relief funds provided through the Ameri-  
25 can rescue plan act of 2021 (P.L. 117-2).

26 § 31. Paragraph (c) of subdivision 1 of section 2856 of the education  
27 law, as amended by section 36-d of part A of chapter 56 of the laws of  
28 2021, is amended to read as follows:

29 (c) School districts shall be eligible for an annual apportionment  
30 equal to the amount of the supplemental basic tuition for the charter  
31 school in the base year for the expenses incurred in the two thousand  
32 fourteen--two thousand fifteen, two thousand fifteen--two thousand  
33 sixteen, two thousand sixteen--two thousand seventeen school years and  
34 thereafter. Provided that for expenses incurred in the two thousand  
35 twenty--two thousand twenty-one school year, for a city school district  
36 in a city having a population of one million or more, the annual appor-  
37 tionment shall be reduced by thirty-five million dollars (\$35,000,000)  
38 upon certification by the director of the budget of the availability of  
39 a grant in the same amount from the elementary and secondary school  
40 emergency relief funds provided through the American rescue plan act of  
41 2021 (P.L. 117-2). Provided further that for expenses incurred in the  
42 two thousand twenty-three--two thousand twenty-four school year, for a  
43 city school district in a city having a population of one million or  
44 more, the annual apportionment shall be reduced by thirty-five million  
45 dollars (\$35,000,000) upon certification by the director of the budget  
46 of the availability of a grant in the same amount from the elementary  
47 and secondary school emergency relief funds provided through the Ameri-  
48 can rescue plan act of 2021 (P.L. 117-2).

49 § 31-a. Subparagraph b of paragraph 4 of subdivision (a) and subpara-  
50 graph b of paragraph 11 of subdivision (b) of section 8021 of the civil  
51 practice law and rules, subparagraph b of paragraph 4 of subdivision (a)  
52 as amended by section 2 and subparagraph b of paragraph 11 of subdivi-  
53 sion (b) as amended by section 3 of part B of chapter 83 of the laws of  
54 2002, are amended to read as follows:

55 b. For recording, entering, indexing and endorsing a certificate on  
56 any instrument, an additional fee of five dollars to be paid monthly by

1 county clerks to the commissioner of education, after deducting twenty-  
2 five cents, for deposit into the New York state local government records  
3 management improvement fund and an additional [~~fifteen~~] twenty-five  
4 dollars, after deducting [~~seventy-five cents~~] one dollar, for deposit to  
5 the cultural education account.

6 b. For recording any instrument required by statute to be recorded, an  
7 additional fee of five dollars to be paid monthly by county clerks to  
8 the commissioner of education, after deducting twenty-five cents, for  
9 deposit into the New York state local government records management  
10 improvement fund and an additional [~~fifteen~~] twenty-five dollars, after  
11 deducting [~~seventy-five cents~~] one dollar, for deposit to the cultural  
12 education account.

13 § 31-b. Subdivision a of section 7-604 of the administrative code of  
14 the city of New York, as amended by section 4 of part B of chapter 83 of  
15 the laws of 2002, is amended to read as follows:

16 a. The register shall be paid a salary to be fixed by the mayor. All  
17 fees shall be the property of the city. All sums so received shall be  
18 paid to the commissioner of finance monthly without deduction. The  
19 following additional [~~fee of twenty dollars~~] fees for recording any  
20 instrument required by New York state statute to be recorded pursuant to  
21 subdivision one of section 7-614 of this code shall be [~~used as follows~~]  
22 collected: five dollars paid monthly by the commissioner of finance to  
23 the New York state commissioner of education, after deducting twenty-  
24 five cents, for deposit into the New York state local government records  
25 management improvement fund and [~~fifteen~~] twenty-five dollars, after  
26 deducting [~~seventy-five cents~~] one dollar, for deposit to the cultural  
27 education account.

28 § 32. Subdivision 3 of section 27 of part A of chapter 56 of the laws  
29 of 2023 directing the education department to conduct a comprehensive  
30 study of alternative tuition rate-setting methodologies for approved  
31 providers operating school-age and preschool programs receiving state  
32 funding, is amended to read as follows:

33 3. The state education department shall present its recommendations  
34 and analysis to the governor, the director of the division of the budg-  
35 et, the temporary president of the senate, the speaker of the assembly,  
36 the chairperson of the senate finance committee, and the chairperson of  
37 the assembly ways and means committee no later than July 1, [~~2025~~] 2027.  
38 Adoption of any alternative rate-setting methodologies shall be subject  
39 to the approval of the director of the division of the budget.

40 § 33. Subdivision 1 of section 167 of chapter 169 of the laws of 1994,  
41 relating to certain provisions related to the 1994-95 state operations,  
42 aid to localities, capital projects and debt service budgets, as amended  
43 by section 23 of part A of chapter 56 of the laws of 2022, is amended to  
44 read as follows:

45 1. Sections one through seventy of this act shall be deemed to have  
46 been in full force and effect as of April 1, 1994 provided, however,  
47 that sections one, two, twenty-four, twenty-five and twenty-seven  
48 through seventy of this act shall expire and be deemed repealed on March  
49 31, 2000; provided, however, that section twenty of this act shall apply  
50 only to hearings commenced prior to September 1, 1994, and provided  
51 further that section twenty-six of this act shall expire and be deemed  
52 repealed on March 31, 1997; and provided further that sections four  
53 through fourteen, sixteen, and eighteen, nineteen and twenty-one through  
54 twenty-one-a of this act shall expire and be deemed repealed on March  
55 31, 1997; and provided further that sections three, fifteen, seventeen,

1 twenty, twenty-two and twenty-three of this act shall expire and be  
2 deemed repealed on March 31, ~~2024~~ 2029.

3 § 34. Section 26 of subpart F of part C of chapter 97 of the laws of  
4 2011 amending the education law relating to census reporting, as amended  
5 by section 46 of part YYY of chapter 59 of the laws of 2019, is amended  
6 to read as follows:

7 § 26. This act shall take effect immediately provided, however, that  
8 the provisions of section three of this act shall expire June 30, ~~2024~~  
9 2029 when upon such date the provisions of such section shall be deemed  
10 repealed; provided, further that the provisions of sections eight, elev-  
11 en, twelve, thirteen and twenty of this act shall expire July 1, 2014  
12 when upon such date the provisions of such sections shall be deemed  
13 repealed.

14 § 35. Special apportionment for salary expenses. 1. Notwithstanding  
15 any other provision of law, upon application to the commissioner of  
16 education, not sooner than the first day of the second full business  
17 week of June 2025 and not later than the last day of the third full  
18 business week of June 2025, a school district eligible for an apportion-  
19 ment pursuant to section 3602 of the education law shall be eligible to  
20 receive an apportionment pursuant to this section, for the school year  
21 ending June 30, 2025, for salary expenses incurred between April 1 and  
22 June 30, 2024 and such apportionment shall not exceed the sum of (a) the  
23 deficit reduction assessment of 1990--1991 as determined by the commis-  
24 sioner of education, pursuant to paragraph f of subdivision 1 of section  
25 3602 of the education law, as in effect through June 30, 1993, plus (b)  
26 186 percent of such amount for a city school district in a city with a  
27 population in excess of 1,000,000 inhabitants, plus (c) 209 percent of  
28 such amount for a city school district in a city with a population of  
29 more than 195,000 inhabitants and less than 219,000 inhabitants accord-  
30 ing to the latest federal census, plus (d) the net gap elimination  
31 adjustment for 2010--2011, as determined by the commissioner of educa-  
32 tion pursuant to chapter 53 of the laws of 2010, plus (e) the gap elimi-  
33 nation adjustment for 2011--2012 as determined by the commissioner of  
34 education pursuant to subdivision 17 of section 3602 of the education  
35 law, and provided further that such apportionment shall not exceed such  
36 salary expenses. Such application shall be made by a school district,  
37 after the board of education or trustees have adopted a resolution to do  
38 so and in the case of a city school district in a city with a population  
39 in excess of 125,000 inhabitants, with the approval of the mayor of such  
40 city.

41 2. The claim for an apportionment to be paid to a school district  
42 pursuant to subdivision one of this section shall be submitted to the  
43 commissioner of education on a form prescribed for such purpose, and  
44 shall be payable upon determination by such commissioner that the form  
45 has been submitted as prescribed. Such approved amounts shall be payable  
46 on the same day in September of the school year following the year in  
47 which application was made as funds provided pursuant to subparagraph  
48 (4) of paragraph b of subdivision 4 of section 92-c of the state finance  
49 law, on the audit and warrant of the state comptroller on vouchers  
50 certified or approved by the commissioner of education in the manner  
51 prescribed by law from moneys in the state lottery fund and from the  
52 general fund to the extent that the amount paid to a school district  
53 pursuant to this section exceeds the amount, if any, due such school  
54 district pursuant to subparagraph (2) of paragraph a of subdivision 1 of  
55 section 3609-a of the education law in the school year following the  
56 year in which application was made.

3. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions one and two of this section shall first be deducted from the following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph (2) of such paragraph followed by the fixed fall payments payable pursuant to subparagraph (4) of such paragraph and then followed by the district's payments to the teachers' retirement system pursuant to subparagraph (1) of such paragraph, and any remainder to be deducted from the individualized payments due the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

§ 36. Special apportionment for public pension accruals. 1. Notwithstanding any other provision of law, upon application to the commissioner of education, not later than June 30, 2025, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2025 and such apportionment shall not exceed the additional accruals required to be made by school districts in the 2004--2005 and 2005--2006 school years associated with changes for such public pension liabilities. The amount of such additional accrual shall be certified to the commissioner of education by the president of the board of education or the trustees or, in the case of a city school district in a city with a population in excess of 125,000 inhabitants, the mayor of such city. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

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

3. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions one and two of this section shall first be deducted from the following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph (2) of such paragraph

1 followed by the fixed fall payments payable pursuant to subparagraph (4)  
2 of such paragraph and then followed by the district's payments to the  
3 teachers' retirement system pursuant to subparagraph (1) of such para-  
4 graph, and any remainder to be deducted from the individualized payments  
5 due the district pursuant to paragraph b of such subdivision shall be  
6 deducted on a chronological basis starting with the earliest payment due  
7 the district.

8 § 37. The amounts specified in this section shall be a set-aside from  
9 the state funds which each such district is receiving from the total  
10 foundation aid:

11 1. for the development, maintenance or expansion of magnet schools or  
12 magnet school programs for the 2024--2025 school year. For the city  
13 school district of the city of New York there shall be a set-aside of  
14 foundation aid equal to forty-eight million one hundred seventy-five  
15 thousand dollars (\$48,175,000) including five hundred thousand dollars  
16 (\$500,000) for the Andrew Jackson High School; for the Buffalo city  
17 school district, twenty-one million twenty-five thousand dollars  
18 (\$21,025,000); for the Rochester city school district, fifteen million  
19 dollars (\$15,000,000); for the Syracuse city school district, thirteen  
20 million dollars (\$13,000,000); for the Yonkers city school district,  
21 forty-nine million five hundred thousand dollars (\$49,500,000); for the  
22 Newburgh city school district, four million six hundred forty-five thou-  
23 sand dollars (\$4,645,000); for the Poughkeepsie city school district,  
24 two million four hundred seventy-five thousand dollars (\$2,475,000); for  
25 the Mount Vernon city school district, two million dollars (\$2,000,000);  
26 for the New Rochelle city school district, one million four hundred ten  
27 thousand dollars (\$1,410,000); for the Schenectady city school district,  
28 one million eight hundred thousand dollars (\$1,800,000); for the Port  
29 Chester city school district, one million one hundred fifty thousand  
30 dollars (\$1,150,000); for the White Plains city school district, nine  
31 hundred thousand dollars (\$900,000); for the Niagara Falls city school  
32 district, six hundred thousand dollars (\$600,000); for the Albany city  
33 school district, three million five hundred fifty thousand dollars  
34 (\$3,550,000); for the Utica city school district, two million dollars  
35 (\$2,000,000); for the Beacon city school district, five hundred sixty-  
36 six thousand dollars (\$566,000); for the Middletown city school  
37 district, four hundred thousand dollars (\$400,000); for the Freeport  
38 union free school district, four hundred thousand dollars (\$400,000);  
39 for the Greenburgh central school district, three hundred thousand  
40 dollars (\$300,000); for the Amsterdam city school district, eight  
41 hundred thousand dollars (\$800,000); for the Peekskill city school  
42 district, two hundred thousand dollars (\$200,000); and for the Hudson  
43 city school district, four hundred thousand dollars (\$400,000).

44 2. Notwithstanding any inconsistent provision of law to the contrary,  
45 a school district setting aside such foundation aid pursuant to this  
46 section may use such set-aside funds for: (a) any instructional or  
47 instructional support costs associated with the operation of a magnet  
48 school; or (b) any instructional or instructional support costs associ-  
49 ated with implementation of an alternative approach to promote diversity  
50 and/or enhancement of the instructional program and raising of standards  
51 in elementary and secondary schools of school districts having substan-  
52 tial concentrations of minority students.

53 3. The commissioner of education shall not be authorized to withhold  
54 foundation aid from a school district that used such funds in accordance  
55 with this paragraph, notwithstanding any inconsistency with a request  
56 for proposals issued by such commissioner for the purpose of attendance

1 improvement and dropout prevention for the 2024--2025 school year, and  
2 for any city school district in a city having a population of more than  
3 one million, the set-aside for attendance improvement and dropout  
4 prevention shall equal the amount set aside in the base year. For the  
5 2024--2025 school year, it is further provided that any city school  
6 district in a city having a population of more than one million shall  
7 allocate at least one-third of any increase from base year levels in  
8 funds set aside pursuant to the requirements of this section to communi-  
9 ty-based organizations. Any increase required pursuant to this section  
10 to community-based organizations must be in addition to allocations  
11 provided to community-based organizations in the base year.

12 4. For the purpose of teacher support for the 2024--2025 school year:  
13 for the city school district of the city of New York, sixty-two million  
14 seven hundred seven thousand dollars (\$62,707,000); for the Buffalo city  
15 school district, one million seven hundred forty-one thousand dollars  
16 (\$1,741,000); for the Rochester city school district, one million seven-  
17 ty-six thousand dollars (\$1,076,000); for the Yonkers city school  
18 district, one million one hundred forty-seven thousand dollars  
19 (\$1,147,000); and for the Syracuse city school district, eight hundred  
20 nine thousand dollars (\$809,000). All funds made available to a school  
21 district pursuant to this section shall be distributed among teachers  
22 including prekindergarten teachers and teachers of adult vocational and  
23 academic subjects in accordance with this section and shall be in addi-  
24 tion to salaries heretofore or hereafter negotiated or made available;  
25 provided, however, that all funds distributed pursuant to this section  
26 for the current year shall be deemed to incorporate all funds distrib-  
27 uted pursuant to former subdivision 27 of section 3602 of the education  
28 law for prior years. In school districts where the teachers are repres-  
29 ented by certified or recognized employee organizations, all salary  
30 increases funded pursuant to this section shall be determined by sepa-  
31 rate collective negotiations conducted pursuant to the provisions and  
32 procedures of article 14 of the civil service law, notwithstanding the  
33 existence of a negotiated agreement between a school district and a  
34 certified or recognized employee organization.

35 § 38. Support of public libraries. The moneys appropriated for the  
36 support of public libraries by a chapter of the laws of 2024 enacting  
37 the aid to localities budget shall be apportioned for the 2024--2025  
38 state fiscal year in accordance with the provisions of sections 271,  
39 272, 273, 282, 284, and 285 of the education law as amended by the  
40 provisions of such chapter and the provisions of this section, provided  
41 that library construction aid pursuant to section 273-a of the education  
42 law shall not be payable from the appropriations for the support of  
43 public libraries and provided further that no library, library system or  
44 program, as defined by the commissioner of education, shall receive less  
45 total system or program aid than it received for the year 2001--2002  
46 except as a result of a reduction adjustment necessary to conform to the  
47 appropriations for support of public libraries.

48 Notwithstanding any other provision of law to the contrary the moneys  
49 appropriated for the support of public libraries for the year 2024--2025  
50 by a chapter of the laws of 2024 enacting the aid to localities budget  
51 shall fulfill the state's obligation to provide such aid and, pursuant  
52 to a plan developed by the commissioner of education and approved by the  
53 director of the budget, the aid payable to libraries and library systems  
54 pursuant to such appropriations shall be reduced proportionately to  
55 assure that the total amount of aid payable does not exceed the total  
56 appropriations for such purpose.

§ 38-a. Subdivision 3 of section 711 of the education law, as amended by section 7 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

3. No school district shall be required to purchase or otherwise acquire school library materials, the cost of which shall exceed an amount equal to the library materials factor multiplied by the sum of the public school district enrollment and the nonpublic school enrollment in the base year as defined in subparagraphs two and three of paragraph n of subdivision one of section thirty-six hundred two of this chapter. For aid payable in the nineteen hundred ninety-eight--nineteen hundred ninety-nine school year, the library materials factor shall be four dollars. For aid payable in the two thousand seven--two thousand eight through the two thousand twenty-three--two thousand twenty-four school year ~~[and thereafter]~~, the library materials factor shall be six dollars and twenty-five cents. For aid payable in the two thousand twenty-four--two thousand twenty-five school year and thereafter, the library materials factor shall be eleven dollars.

§ 39. Severability. The provisions of this act shall be severable, and if the application of any clause, sentence, paragraph, subdivision, section or part of this act to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not necessarily affect, impair or invalidate the application of any such clause, sentence, paragraph, subdivision, section, part of this act or remainder thereof, as the case may be, to any other person or circumstance, 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.

§ 40. This act shall take effect immediately, and shall be deemed to have been in full force and effect on and after April 1, 2024, provided, however, that:

1. sections one, five, eight, eight-b, eleven-a, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, seventeen-a, eighteen, twenty-three, twenty-four, twenty-five, twenty-nine, twenty-nine-a, thirty-seven and thirty-eight-a of this act shall take effect July 1, 2024;

2. section eight-a of this act shall apply to the calculation of BOCES aid and aid for career education payable in the 2024-2025 school year and thereafter;

3. the amendments to chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by a consortium for worker education in New York City made by sections twenty-seven and twenty-eight of this act shall not affect the repeal of such chapter and shall be deemed repealed therewith; and

4. the amendments to paragraph (d) of subdivision 1 of section 2856 of the education law made by section thirty of this act shall be subject to the expiration and reversion of such subdivision pursuant to subdivision d of section 27 of chapter 378 of the laws of 2007, as amended, when upon such date the provisions of section thirty-one of this act shall take effect.

## PART B

Section 1. The education law is amended by adding a new section 818 to read as follows:

§ 818. Instruction in reading. 1. On or before January first, two thousand twenty-five, the commissioner shall provide school districts

1 with the instructional best practices for the teaching of reading to  
2 students in prekindergarten through grade three. Instructional best  
3 practices for the teaching of reading shall be evidence-based and scien-  
4 tifically based, focusing on reading competency in the areas of phonemic  
5 awareness, phonics, vocabulary development, reading fluency, comprehen-  
6 sion, including background knowledge, oral language and writing, oral  
7 skill development, and align with the department's culturally respon-  
8 sive-sustaining framework. Such instructional best practices shall be  
9 periodically updated by the commissioner where appropriate.

10 2. Beginning September first, two thousand twenty-five and annually  
11 thereafter, every school district shall review their curriculum and  
12 instructional practices in the subject of reading for students in prek-  
13 indergarten through grade three to ensure that they align with the read-  
14 ing instructional best practices provided by the commissioner and are  
15 part of a comprehensive plan to improve student reading outcomes in  
16 prekindergarten through grade three.

17 § 2. This act shall take effect immediately.

## 18 PART C

19 Section 1. Article 14 of the education law is amended by adding a new  
20 part VI to read as follows:

### 21 PART VI

### 22 STUDENT FINANCIAL AID RESOURCES

#### 23 Section 694-c. Financial aid resources.

##### 24 694-d. Reporting.

25 § 694-c. Financial aid resources. 1. The corporation shall enter into  
26 a contract with a not-for-profit organization for the creation of  
27 uniform resources on post-secondary financial aid programs, including:

28 (a) a presentation, including training, on the federal free applica-  
29 tion for federal student aid and application for aid available to indi-  
30 viduals meeting the requirements of subparagraph (ii) of paragraph a of  
31 subdivision five of section six hundred sixty-one of this article; and

32 (b) a notice describing state-sponsored financial aid programs,  
33 including financial aid, scholarships, and assistance available to  
34 students attending college or post-secondary education, including the  
35 federal free application for federal student aid and awards available  
36 to students meeting the requirements of subparagraph (ii) of paragraph a  
37 of subdivision five of section six hundred sixty-one of this article.  
38 The notice shall also include application deadlines for such scholar-  
39 ships and assistance, and information on general college application  
40 deadlines.

41 2. The corporation, in consultation with the department, shall  
42 distribute the resources created pursuant to subdivision one of this  
43 section to every high school throughout the state. The corporation shall  
44 also maintain a dedicated webpage on its website that provides informa-  
45 tion on colleges, community-based organizations, and other institutions  
46 that offer assistance related to the federal free application for feder-  
47 al student aid and application for aid available to individuals meeting  
48 the requirements of subparagraph (ii) of paragraph a of subdivision  
49 five of section six hundred sixty-one of this article.

50 3. Each high school in this state shall, by the first of October of  
51 each school year:

52 (a) conduct oral presentations on post-secondary financial aid  
53 programs, using the resources created under paragraph (a) of subdivision

one of this section, to high school juniors and seniors at least once; and

(b) distribute the notice created under paragraph (b) of subdivision one of this section to high school juniors and seniors.

§ 694-d. Reporting. On or before the first day of September, the corporation shall annually submit a report to the governor, the temporary president of the senate, the speaker of the assembly, and the chairs of the senate and assembly committees on education and higher education, which shall include:

1. the total number of free application for federal student aid applications filed in the prior academic year, and how such number compares to the number of applications filed in the previous five years; and

2. the total number of applications for aid available to individuals meeting the requirements of subparagraph (ii) of paragraph a of subdivision five of section six hundred sixty-one of this article filed in the prior academic year, and how such number compares to the number of applications filed in the previous five years.

§ 2. This act shall take effect on the first of July one year after the date on which it shall have become a law. Effective immediately, the commissioner of education and president of the higher education services corporation shall commence any regulatory action needed for the implementation of this act.

#### PART D

Intentionally Omitted

#### PART E

Intentionally Omitted

#### PART F

Section 1. Section 16 of chapter 260 of the laws of 2011 amending the education law and the New York state urban development corporation act relating to establishing components of the NY-SUNY 2020 challenge grant program, as amended by section 4 of part DD of chapter 56 of the laws of 2021, is amended to read as follows:

§ 16. This act shall take effect July 1, 2011; provided that sections one, two, three, four, five, six, eight, nine, ten, eleven, twelve and thirteen of this act shall expire ~~[13]~~ 16 years after such effective date when upon such date the provisions of this act shall be deemed repealed; and provided further that sections fourteen and fifteen of this act shall expire 5 years after such effective date when upon such date the provisions of this act shall be deemed repealed.

§ 2. This act shall take effect immediately.

#### PART G

Intentionally Omitted

#### PART H

Section 1. Paragraphs (a), (b), (c) and (d) of subdivision 1 of section 131-o of the social services law, as amended by section 1 of part Z of chapter 56 of the laws of 2023, are amended to read as follows:

(a) in the case of each individual receiving family care, an amount equal to at least ~~[\$175.00]~~ \$181.00 for each month beginning on or after January first, two thousand ~~[twenty-three]~~ twenty-four.

(b) in the case of each individual receiving residential care, an amount equal to at least ~~[\$202.00]~~ \$208.00 for each month beginning on or after January first, two thousand ~~[twenty-three]~~ twenty-four.

(c) in the case of each individual receiving enhanced residential care, an amount equal to at least ~~[\$241.00]~~ \$249.00 for each month beginning on or after January first, two thousand ~~[twenty-three]~~ twenty-four.

(d) for the period commencing January first, two thousand ~~[twenty-four]~~ twenty-five, the monthly personal needs allowance shall be an amount equal to the sum of the amounts set forth in subparagraphs one and two of this paragraph:

(1) the amounts specified in paragraphs (a), (b) and (c) of this subdivision; and

(2) the amount in subparagraph one of this paragraph, multiplied by the percentage of any federal supplemental security income cost of living adjustment which becomes effective on or after January first, two thousand ~~[twenty-four]~~ twenty-five, but prior to June thirtieth, two thousand ~~[twenty-four]~~ twenty-five, rounded to the nearest whole dollar.

§ 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of section 209 of the social services law, as amended by section 2 of part Z of chapter 56 of the laws of 2023, are amended to read as follows:

(a) On and after January first, two thousand ~~[twenty-three]~~ twenty-four, for an eligible individual living alone, ~~[\$1,001.00]~~ \$1,030.00; and for an eligible couple living alone, ~~[\$1,475.00]~~ \$1,519.00.

(b) On and after January first, two thousand ~~[twenty-three]~~ twenty-four, for an eligible individual living with others with or without in-kind income, ~~[\$937.00]~~ \$966.00; and for an eligible couple living with others with or without in-kind income, ~~[\$1,417.00]~~ \$1,461.00.

(c) On and after January first, two thousand ~~[twenty-three]~~ twenty-four, (i) for an eligible individual receiving family care, ~~[\$1,180.48]~~ \$1,209.48 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving family care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, ~~[\$1,142.48]~~ \$1,171.48; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(d) On and after January first, two thousand ~~[twenty-three]~~ twenty-four, (i) for an eligible individual receiving residential care, ~~[\$1,349.00]~~ \$1,378.00 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving residential care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, ~~[\$1,319.00]~~ \$1,348.00; and (iv) for an eligible couple

1 receiving such care in any other county in the state, two times the  
2 amount set forth in subparagraph (iii) of this paragraph.

3 (e) On and after January first, two thousand [~~twenty-three~~] twenty-  
4 four, (i) for an eligible individual receiving enhanced residential  
5 care, [~~\$1,608.00~~] \$1,637.00; and (ii) for an eligible couple receiving  
6 enhanced residential care, two times the amount set forth in subpara-  
7 graph (i) of this paragraph.

8 (f) The amounts set forth in paragraphs (a) through (e) of this subdi-  
9 vision shall be increased to reflect any increases in federal supple-  
10 mental security income benefits for individuals or couples which become  
11 effective on or after January first, two thousand [~~twenty-four~~] twenty-  
12 five but prior to June thirtieth, two thousand [~~twenty-four~~]  
13 twenty-five.

14 § 3. This act shall take effect December 31, 2024.

15 PART I

16 Intentionally Omitted

17 PART J

18 Intentionally Omitted

19 PART K

20 Intentionally Omitted

21 PART L

22 Intentionally Omitted

23 PART M

24 Intentionally Omitted

25 PART N

26 Section 1. Notwithstanding any other provision of law, the housing  
27 trust fund corporation may provide, for purposes of the neighborhood  
28 preservation program, a sum not to exceed \$17,633,000 for the fiscal  
29 year ending March 31, 2025. Within this total amount, \$250,000 shall be  
30 used for the purpose of entering into a contract with the neighborhood  
31 preservation coalition to provide technical assistance and services to  
32 companies funded pursuant to article 16 of the private housing finance  
33 law. Notwithstanding any other provision of law, and subject to the  
34 approval of the New York state director of the budget, the board of  
35 directors of the state of New York mortgage agency shall authorize the  
36 transfer to the housing trust fund corporation, for the purposes of  
37 reimbursing any costs associated with neighborhood preservation program  
38 contracts authorized by this section, a total sum not to exceed  
39 \$17,633,000, such transfer to be made from (i) the special account of

1 the mortgage insurance fund created pursuant to section 2429-b of the  
2 public authorities law, in an amount not to exceed the actual excess  
3 balance in the special account of the mortgage insurance fund, as deter-  
4 mined and certified by the state of New York mortgage agency for the  
5 fiscal year 2023-2024 in accordance with section 2429-b of the public  
6 authorities law, if any, and/or (ii) provided that the reserves in the  
7 project pool insurance account of the mortgage insurance fund created  
8 pursuant to section 2429-b of the public authorities law are sufficient  
9 to attain and maintain the credit rating (as determined by the state of  
10 New York mortgage agency) required to accomplish the purposes of such  
11 account, the project pool insurance account of the mortgage insurance  
12 fund, such transfer to be made as soon as practicable but no later than  
13 June 30, 2024.

14 § 2. Notwithstanding any other provision of law, the housing trust  
15 fund corporation may provide, for purposes of the rural preservation  
16 program, a sum not to exceed \$7,557,000 for the fiscal year ending March  
17 31, 2025. Within this total amount, \$250,000 shall be used for the  
18 purpose of entering into a contract with the rural housing coalition to  
19 provide technical assistance and services to companies funded pursuant  
20 to article 17 of the private housing finance law. Notwithstanding any  
21 other provision of law, and subject to the approval of the New York  
22 state director of the budget, the board of directors of the state of New  
23 York mortgage agency shall authorize the transfer to the housing trust  
24 fund corporation, for the purposes of reimbursing any costs associated  
25 with rural preservation program contracts authorized by this section, a  
26 total sum not to exceed \$7,557,000, such transfer to be made from (i)  
27 the special account of the mortgage insurance fund created pursuant to  
28 section 2429-b of the public authorities law, in an amount not to exceed  
29 the actual excess balance in the special account of the mortgage insur-  
30 ance fund, as determined and certified by the state of New York mortgage  
31 agency for the fiscal year 2023-2024 in accordance with section 2429-b  
32 of the public authorities law, if any, and/or (ii) provided that the  
33 reserves in the project pool insurance account of the mortgage insurance  
34 fund created pursuant to section 2429-b of the public authorities law  
35 are sufficient to attain and maintain the credit rating (as determined  
36 by the state of New York mortgage agency) required to accomplish the  
37 purposes of such account, the project pool insurance account of the  
38 mortgage insurance fund, such transfer to be made as soon as practicable  
39 but no later than June 30, 2024.

40 § 3. Notwithstanding any other provision of law, the housing trust  
41 fund corporation may provide, for purposes of the rural rental assist-  
42 ance program pursuant to article 17-A of the private housing finance  
43 law, a sum not to exceed \$23,180,000 for the fiscal year ending March  
44 31, 2025. Notwithstanding any other provision of law, and subject to  
45 the approval of the New York state director of the budget, the board of  
46 directors of the state of New York mortgage agency shall authorize the  
47 transfer to the housing trust fund corporation, for the purposes of  
48 reimbursing any costs associated with rural rental assistance program  
49 contracts authorized by this section, a total sum not to exceed  
50 \$23,180,000, such transfer to be made from (i) the special account of  
51 the mortgage insurance fund created pursuant to section 2429-b of the  
52 public authorities law, in an amount not to exceed the actual excess  
53 balance in the special account of the mortgage insurance fund, as deter-  
54 mined and certified by the state of New York mortgage agency for the  
55 fiscal year 2023-2024 in accordance with section 2429-b of the public  
56 authorities law, if any, and/or (ii) provided that the reserves in the

1 project pool insurance account of the mortgage insurance fund created  
2 pursuant to section 2429-b of the public authorities law are sufficient  
3 to attain and maintain the credit rating, as determined by the state of  
4 New York mortgage agency, required to accomplish the purposes of such  
5 account, the project pool insurance account of the mortgage insurance  
6 fund, such transfer shall be made as soon as practicable but no later  
7 than June 30, 2024.

8 § 4. Notwithstanding any other provision of law, the homeless housing  
9 and assistance corporation may provide, for purposes of the New York  
10 state supportive housing program, the solutions to end homelessness  
11 program or the operational support for AIDS housing program, or to qual-  
12 ified grantees under such programs, in accordance with the requirements  
13 of such programs, a sum not to exceed \$53,581,000 for the fiscal year  
14 ending March 31, 2025. The homeless housing and assistance corporation  
15 may enter into an agreement with the office of temporary and disability  
16 assistance to administer such sum in accordance with the requirements of  
17 such programs. Notwithstanding any other provision of law, and subject  
18 to the approval of the New York state director of the budget, the board  
19 of directors of the state of New York mortgage agency shall authorize  
20 the transfer to the homeless housing and assistance corporation, a total  
21 sum not to exceed \$53,581,000, such transfer to be made from (i) the  
22 special account of the mortgage insurance fund created pursuant to  
23 section 2429-b of the public authorities law, in an amount not to exceed  
24 the actual excess balance in the special account of the mortgage insur-  
25 ance fund, as determined and certified by the state of New York mortgage  
26 agency for the fiscal year 2023-2024 in accordance with section 2429-b  
27 of the public authorities law, if any, and/or (ii) provided that the  
28 reserves in the project pool insurance account of the mortgage insurance  
29 fund created pursuant to section 2429-b of the public authorities law  
30 are sufficient to attain and maintain the credit rating as determined by  
31 the state of New York mortgage agency, required to accomplish the  
32 purposes of such account, the project pool insurance account of the  
33 mortgage insurance fund, such transfer shall be made as soon as practi-  
34 cable but no later than March 31, 2025.

35 § 5. This act shall take effect immediately.

36 PART O

37 Intentionally Omitted

38 PART P

39 Intentionally Omitted

40 PART Q

41 Intentionally Omitted

42 PART R

43 Intentionally Omitted

## 1 PART S

2 Intentionally Omitted

## 3 PART T

4 Intentionally Omitted

## 5 PART U

6 Intentionally Omitted

## 7 PART V

8 Section 1. The state university of New York trustees and city univer-  
9 sity of New York trustees shall jointly develop recommendations for a  
10 new formula for financing the operating costs of community colleges.  
11 Such recommendations shall provide for consistent and predictable fund-  
12 ing for community colleges, consider enrollment in specific programs,  
13 and include mechanisms to encourage and reward growth. The trustees  
14 shall jointly submit such recommendations to the governor, the temporary  
15 president of the senate, and the speaker of the assembly on or before  
16 December 31, 2024.

17 § 2. This act shall take effect immediately.

## 18 PART W

19 Section 1. Paragraph a of subdivision 1 of section 667-c of the educa-  
20 tion law, as amended by section 1 of part E of chapter 56 of the laws of  
21 2022, is amended to read as follows:

22 a. part-time students enrolled at [~~the state university, a community~~  
23 ~~college, the city university of New York, and a non-profit college or~~  
24 ~~university~~] a degree granting institution of higher education incorpo-  
25 rated by the regents or by the legislature who meet all requirements for  
26 tuition assistance program awards except for the students' part-time  
27 attendance; or

28 § 2. This act shall take effect July 1, 2024.

## 29 PART X

30 Section 1. Subparagraphs (ii), (iii), and (vi) of paragraph a of  
31 subdivision 3 of section 667 of the education law, subparagraphs (ii)  
32 and (vi) as amended by section 1 of part B of chapter 60 of the laws of  
33 2000, subparagraph (iii) as amended by section 3 of part H of chapter 58  
34 of the laws of 2011, are amended and a new (vii) is added to read as  
35 follows:

36 (ii) Except for students as noted in subparagraph (iii) of this para-  
37 graph, the base amount as determined from subparagraph (i) of this para-  
38 graph, shall be reduced in relation to income as follows:

|                     |                       |
|---------------------|-----------------------|
| 39 Amount of income | Schedule of reduction |
| 40                  | of base amount        |

|    |                                                                         |                               |
|----|-------------------------------------------------------------------------|-------------------------------|
| 1  | (A) Less than seven thousand                                            | None                          |
| 2  | dollars                                                                 |                               |
| 3  | (B) Seven thousand dollars or                                           | Seven per centum of excess    |
| 4  | more, but less than eleven                                              | over seven thousand dollars   |
| 5  | thousand dollars                                                        |                               |
| 6  | (C) Eleven thousand dollars or                                          | Two hundred eighty dollars    |
| 7  | more, but less than eighteen                                            | plus ten per centum of excess |
| 8  | thousand dollars                                                        | over eleven thousand dollars  |
| 9  | (D) Eighteen thousand dollars or                                        | Nine hundred eighty dollars   |
| 10 | more, but not more than                                                 | plus twelve per centum of     |
| 11 | <del>eighty</del> <u>one hundred twenty-five</u>                        | excess over eighteen          |
| 12 | thousand dollars                                                        | thousand dollars              |
| 13 | (iii) (A) For students who have been granted exclusion of parental      |                               |
| 14 | income and were single with no dependent for income tax purposes during |                               |
| 15 | the tax year next preceding the academic year for which application is  |                               |
| 16 | made, the base amount, as determined in subparagraph (i) of this para-  |                               |
| 17 | graph, shall be reduced in relation to income as follows:               |                               |

|    |                  |                       |
|----|------------------|-----------------------|
| 18 | Amount of income | Schedule of reduction |
| 19 |                  | of base amount        |

|    |                                       |                           |
|----|---------------------------------------|---------------------------|
| 20 | (1) Less than three thousand          | None                      |
| 21 | dollars                               |                           |
| 22 | (2) Three thousand dollars or         | Thirty-one per centum of  |
| 23 | more, but not more than               | amount in excess of three |
| 24 | <del>ten</del> <u>thirty</u> thousand | thousand dollars          |
| 25 | dollars                               |                           |

26 (B) For those students who have been granted exclusion of parental  
 27 income who have a spouse but no other dependent, for income tax purposes  
 28 during the tax year next preceding the academic year for which applica-  
 29 tion is made, the base amount, as determined in subparagraph (i) of this  
 30 paragraph, shall be reduced in relation to income as follows:

|    |                  |                       |
|----|------------------|-----------------------|
| 31 | Amount of income | Schedule of reduction |
| 32 |                  | of base amount        |

|    |                                        |                               |
|----|----------------------------------------|-------------------------------|
| 33 | (1) Less than seven thousand           | None                          |
| 34 | dollars                                |                               |
| 35 | (2) Seven thousand dollars or          | Seven per centum of excess    |
| 36 | more, but less than eleven             | over seven thousand dollars   |
| 37 | thousand dollars                       |                               |
| 38 | (3) Eleven thousand dollars or         | Two hundred eighty dollars    |
| 39 | more, but less than eighteen           | plus ten per centum of excess |
| 40 | thousand dollars                       | over eleven thousand dollars  |
| 41 | (4) Eighteen thousand dollars          | Nine hundred eighty dollars   |
| 42 | or more, but not more than             | plus twelve per centum of     |
| 43 | <del>forty</del> <u>sixty</u> thousand | excess over eighteen          |
| 44 | dollars                                | thousand dollars              |

45 (vi) For the two thousand two--two thousand three through two thousand  
 46 twenty-three--twenty-four academic ~~[year and thereafter]~~ years, the  
 47 award shall be the net amount of the base amount determined pursuant to  
 48 subparagraph (i) of this paragraph reduced pursuant to subparagraph (ii)  
 49 or (iii) of this paragraph but the award shall not be reduced below five  
 50 hundred dollars.

(vii) For the two thousand twenty-four--two thousand twenty-five academic year and thereafter, the award shall be the net amount of the base amount determined pursuant to subparagraph (i) of this paragraph reduced pursuant to subparagraph (ii) or (iii) of this paragraph but the award shall not be reduced below one thousand dollars.

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

#### PART Y

Section 1. Section 131-a of the social services law is amended by adding a new subdivision 3-e to read as follows:

3-e. Commencing October first, two thousand twenty-four, for persons and families determined to be eligible by the application of the standard of need prescribed by the provisions of subdivision two of this section, the amounts set forth in paragraph (a) of subdivision three of this section, after application of subdivision three-c and subdivision three-d of this section, shall be increased by the following amounts as a monthly supplemental basic grant:

| <u>Number of Persons in Household</u> |              |              |              |              |              |  |
|---------------------------------------|--------------|--------------|--------------|--------------|--------------|--|
| <u>One</u>                            | <u>Two</u>   | <u>Three</u> | <u>Four</u>  | <u>Five</u>  | <u>Six</u>   |  |
| <u>\$106</u>                          | <u>\$168</u> | <u>\$225</u> | <u>\$290</u> | <u>\$358</u> | <u>\$413</u> |  |

For each additional needy person in the household, there shall be added an additional amount of fifty-five dollars monthly.

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

#### PART Z

Section 1. Section 410-x of the social services law is amended by adding a new subdivision 10 to read as follows:

10. A social services district shall provide child care assistance funded under the block grant for additional or different hours than a parent or caretaker spends in work, training, educational activities or other reasons for care designated by the social services district in its consolidated services plan in accordance with paragraph (e) of subdivision one of section four hundred ten-w of this title, including, but not limited to, paying for full-time child care assistance regardless of the hours of the activity of the parent's or caretaker's reason for care.

§ 2. Section 410-w of the social services law is amended by adding a new subdivision 1-a to read as follows:

1-a. For all families eligible for child care assistance pursuant to subdivision one of this section, a social services district shall not limit authorized child care services strictly based on the hours during which the parent or caretaker is engaged in work, education or other activity or the number of hours the parent or caretaker is engaged in any such reasons for care.

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

#### PART AA

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

### ARTICLE 32

### FOUNDATIONS FOR FUTURES HOUSING PROGRAM

1 Section 1290. Foundations for futures housing program.

2 § 1290. Foundations for futures housing program. 1. Program establish-  
3 ment. Within amounts appropriated or otherwise available therefor, the  
4 division of housing and community renewal shall develop and administer a  
5 program which shall provide assistance in the form of payments, grants  
6 and loans for the formation of limited equity cooperative housing  
7 utilizing funding appropriated for such a purpose as well as any other  
8 funding source or sources which the commissioner may determine is suit-  
9 able to support such a program. Such program may utilize state owned  
10 sites, municipally owned sites, or sites owned by a not-for-profit  
11 corporation or community land trust exclusively for the purpose of  
12 providing housing pursuant to this section. Real property may be  
13 acquired for the purpose of such program as authorized pursuant to  
14 section five hundred seventy-six-a of this chapter. Such program shall  
15 provide (a) housing for households up to one hundred and thirty percent  
16 of area median income, (b) a process in which households shall have the  
17 ability to accrue equity over time, and (c) that housing units created  
18 pursuant to this section remain affordable in perpetuity. The commis-  
19 sioner shall also assist prospective homebuyers to identify funding  
20 sources that provide low interest loans to develop properties and  
21 provide loans to prospective homebuyers.

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

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

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

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

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

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

40 3. Supervision. All such housing projects shall be managed independ-  
41 ently of the residents of the project by a corporation or not-for-profit  
42 corporation determined qualified by the division of housing and communi-  
43 ty renewal. Any regulatory agreement that is executed for such program  
44 shall include a requirement that resident maintenance fees increase by a  
45 minimum percentage annually to ensure that such housing continues to be  
46 in good repair.

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

50 § 2. This act shall take effect immediately.

51 PART BB

52 Section 1. The public housing law is amended by adding a new section  
53 20-a to read as follows:

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

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

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

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

21 (iii) all participating lenders.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 PART CC

26 Section 1. Section 410-x of the social services law is amended by  
27 adding a new subdivision 10 to read as follows:

28 10. A social services district shall establish differential payment  
29 rates for child care services provided by licensed, registered or  
30 enrolled child care providers as required by this subdivision.

31 (a) Local social services districts shall establish a differential  
32 payment rate for child care services provided by licensed or registered  
33 child care providers who provide care to a child or children experienc-  
34 ing homelessness. Such differential payment rate shall be fifteen  
35 percent higher than the actual cost of care or the applicable market-re-  
36 lated payment rate established by the office in regulations, whichever  
37 is less.

38 (b) Local social services districts shall establish a differential  
39 payment rate for child care services provided by licensed, registered,  
40 or enrolled child care providers who provide care to a child during  
41 nontraditional hours. Nontraditional hours shall mean care provided  
42 before six o'clock in the morning or after seven o'clock in the evening  
43 Monday through Friday, any hour on Saturday or Sunday, or any hour  
44 during a public holiday under section twenty-four of the general  
45 construction law. Such differential payment rate shall be fifteen  
46 percent higher than the actual cost of care or the applicable market-re-  
47 lated payment rate established by the office in regulations, whichever  
48 is less.

49 (c) Local social services districts may establish differential payment  
50 rates that are higher than the actual cost of care or applicable market  
51 rate for child care services provided in any other situation they deem  
52 appropriate to incentivize licensed, registered or enrolled child care  
53 providers to serve eligible families in need of care.

§ 2. This act shall take effect on the first of April next succeeding the date on which it shall have become a law.

## PART DD

Section 1. The public housing law is amended by adding a new article 14-A to read as follows:

ARTICLE 14-AHOUSING ACCESS VOUCHER PROGRAMSection 605. Legislative findings.606. Definitions.607. Housing access voucher program.608. Eligibility.609. Funding allocation and distribution.610. Payment of housing vouchers.611. Leases and tenancy.612. Rental obligation.613. Monthly assistance payment.614. Inspection of units.615. Rent.616. Vacated units.617. Leasing of units owned by a housing access voucher local administrator.618. Verification of income.619. Division of an assisted family.620. Maintenance of effort.621. Vouchers statewide.622. Applicable codes.623. Housing choice.

§ 605. Legislative findings. The legislature finds that it is in the public interest of the state to ensure that individuals and families are not rendered homeless because of an inability to pay the cost of housing, and to aid individuals and families who are homeless or face an imminent loss of housing in obtaining and maintaining suitable permanent housing in accordance with the provisions of this article.

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

1. "Homeless" means lacking a fixed, regular, and adequate nighttime residence; having a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, campground, or other place not meant for human habitation; living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by federal, state or local government programs for low-income individuals or by charitable organizations, congregate shelters, or transitional housing); exiting an institution where an individual or family has resided and lacking a regular fixed and adequate nighttime residence upon release or discharge; individuals released or scheduled to be released from incarceration and lacking a regular fixed and adequate nighttime residence upon release or discharge; being a homeless family with children or unaccompanied youth defined as homeless under 42 U.S.C. § 11302(a); having experienced a long-term period without living independently in permanent housing or having experienced persistent instability as measured by frequent moves and being reasonably expected to continue in such status for an extended

1 period of time because of chronic disabilities, chronic physical health  
2 or mental health conditions, substance addiction, histories of domestic  
3 violence or childhood abuse, the presence of a child or youth with a  
4 disability, multiple barriers to employment, or other dangerous or life-  
5 threatening conditions, including conditions that relate to violence  
6 against an individual or a family member.

7 2. "Imminent loss of housing" means having received a verified rent  
8 demand or a petition for eviction; having received a court order result-  
9 ing from an eviction action that notifies the individual or family that  
10 they must leave their housing; facing loss of housing due to a court  
11 order to vacate the premises due to hazardous conditions, which may  
12 include but not be limited to asbestos, lead exposure, mold, and radon;  
13 having a primary nighttime residence that is a room in a hotel or motel  
14 and lacking the resources necessary to stay; facing loss of the primary  
15 nighttime residence, which may include living in the home of another  
16 household, where the owner or renter of the housing will not allow the  
17 individual or family to stay, provided further, that an assertion from  
18 an individual or family member alleging such loss of housing or home-  
19 lessness shall be sufficient to establish eligibility; or fleeing or  
20 attempting to flee domestic violence, dating violence, sexual assault,  
21 stalking, human trafficking or other dangerous or life-threatening  
22 conditions that relate to violence against the individual or a family  
23 member, provided further that an assertion from an individual or family  
24 member alleging such abuse and loss of housing shall be sufficient to  
25 establish eligibility.

26 3. "Public housing agency" means any county, municipality, or other  
27 governmental entity or public body that is authorized to administer any  
28 public housing program (or an agency or instrumentality of such an enti-  
29 ty), and any other public or private non-profit entity that administers  
30 any other public housing program or assistance.

31 4. "Section 8 local administrator" means a public housing agency that  
32 administers the Section 8 Housing Choice Voucher program under section 8  
33 of the United States housing act of 1937 within a community, county or  
34 region, or statewide, on behalf of and under contract with the housing  
35 trust fund corporation.

36 5. "Housing access voucher local administrator" means a public housing  
37 agency, as defined in subdivision three of this section, or Section 8  
38 local administrator designated to administer the housing access voucher  
39 program within a community, county or region, or statewide, on behalf of  
40 and under contract with the housing trust fund corporation. In the city  
41 of New York, the housing access voucher local administrator shall be the  
42 New York city department of housing preservation and development, or the  
43 New York city housing authority, or both.

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

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

53 8. "Dwelling unit" means a single-family dwelling, including attached  
54 structures such as porches and stoops; or a single-family dwelling unit  
55 in a structure that contains more than one separate residential dwelling  
56 unit, and in which each such unit is used or occupied, or intended to be

1 used or occupied, in whole or in part, as the residence of one or more  
2 persons.

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

5 10. "Adjusted income" shall mean the same as it is defined by 24 CFR §  
6 5.611 and any amendments thereto.

7 11. "Reasonable rent" means rent not more than the rent charged on  
8 comparable units in the private unassisted market and rent charged for  
9 comparable unassisted units in the premises.

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

13 13. "Voucher" means a document issued by the housing trust fund corpo-  
14 ration pursuant to this article to an individual or family selected for  
15 admission to the housing access voucher program, which describes such  
16 program and the procedures for approval of a unit selected by the family  
17 and states the obligations of the individual or family under the  
18 program.

19 14. "Lease" means a written agreement between an owner and a tenant  
20 for the leasing of a dwelling unit to the tenant. The lease establishes  
21 the conditions for occupancy of the dwelling unit by an individual or  
22 family with housing assistance payments under a contract between the  
23 owner and the housing access voucher local administrator.

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

26 (a) under the age of eighteen;

27 (b) a person with a disability; or

28 (c) a full-time student.

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

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

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

35 19. "Disability" means:

36 (a) the inability to engage in any substantial gainful activity by  
37 reason of any medically determinable physical or mental impairment which  
38 can be expected to result in death or which has lasted or can be  
39 expected to last for a continuous period of not less than twelve months;  
40 or

41 (b) in the case of an individual who has attained the age of fifty-  
42 five and is blind, the inability by reason of such blindness to engage  
43 in substantial gainful activity requiring skills or abilities comparable  
44 to those of any gainful activity in which they have previously engaged  
45 with some regularity and over a substantial period of time; or

46 (c) a physical, mental, or emotional impairment which:

47 (i) is expected to be of long-continued and indefinite duration;

48 (ii) substantially impedes his or her ability to live independently;  
49 and

50 (iii) is of such a nature that such ability could be improved by more  
51 suitable housing conditions; or

52 (d) a developmental disability that is a severe, chronic disability of  
53 an individual that:

54 (i) is attributable to a mental or physical impairment or combination  
55 of mental and physical impairments;

56 (ii) is manifested before the individual attains age twenty-two;

1 (iii) is likely to continue indefinitely;  
2 (iv) results in substantial functional limitations in three or more of  
3 the following areas of major life activity:

4 (A) self-care;

5 (B) receptive and expressive language;

6 (C) learning;

7 (D) mobility;

8 (E) self-direction;

9 (F) capacity for independent living; or

10 (G) economic self-sufficiency; and

11 (v) reflects the individual's need for a combination and sequence of  
12 special, interdisciplinary, or generic services, individualized  
13 supports, or other forms of assistance that are of lifelong or extended  
14 duration and are individually planned and coordinated.

15 § 607. Housing access voucher program. The commissioner, subject to  
16 the appropriation of funds for this purpose, shall implement a program  
17 of rental assistance in the form of housing vouchers for eligible indi-  
18 viduals and families who are homeless or who face an imminent loss of  
19 housing in accordance with the provisions of this article. The housing  
20 trust fund corporation shall issue vouchers pursuant to this article,  
21 subject to appropriation of funds for this purpose, and may contract  
22 with the division of housing and community renewal to administer any  
23 aspect of this program in accordance with the provisions of this arti-  
24 cle. The commissioner shall designate housing access voucher local  
25 administrators in the state to make vouchers available to such individ-  
26 uals and families and to administer other aspects of the program in  
27 accordance with the provisions of this article.

28 § 608. Eligibility. The commissioner shall promulgate standards for  
29 determining eligibility for assistance under this program. Individuals  
30 and families who meet the standards shall be eligible regardless of  
31 immigration status. Eligibility shall be limited to individuals and  
32 families who are homeless or facing imminent loss of housing. Housing  
33 access voucher local administrators may rely on a certification from a  
34 social services provider serving homeless individuals, including, but  
35 not limited to, homeless shelters to determine whether an applicant  
36 qualifies as a homeless individual or family.

37 1. An individual or family shall be eligible for this program if they  
38 are homeless or facing imminent loss of housing and have an income of no  
39 more than fifty percent of the area median income, as defined by the  
40 United States department of housing and urban development.

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

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

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

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

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

7 § 609. Funding allocation and distribution. 1. Subject to appropri-  
8 ation, funding shall be allocated by the commissioner in each county  
9 except for those counties located within the city of New York, the  
10 initial allocation shall be in proportion to the number of households in  
11 each county or the city of New York who are severely rent burdened based  
12 on data published by the United States census bureau. Funding for coun-  
13 ties located within the city of New York shall be allocated directly to  
14 the New York city department of housing preservation and development  
15 and/or the New York city housing authority, as appropriate, in propor-  
16 tion to the number of households in New York city as compared to the  
17 rest of the state of New York who are severely rent burdened based on  
18 data published by the United States census bureau.

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

23 3. Priority shall be given to applicants who are homeless. The commis-  
24 sioner shall have the discretion to establish further priorities as  
25 appropriate.

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

30 § 610. Payment of housing vouchers. 1. The housing voucher shall be  
31 paid directly to any owner under a contract between the owner of the  
32 dwelling unit to be occupied by the voucher recipient and the appropri-  
33 ate housing access voucher local administrator. The commissioner shall  
34 determine the form of the housing assistance payment contract and the  
35 method of payment. A housing assistance payment contract entered into  
36 pursuant to this section shall establish the payment standard (including  
37 utilities and all maintenance and management charges) which the owner is  
38 entitled to receive for each dwelling unit with respect to which such  
39 assistance payments are to be made. The payment standard shall not  
40 exceed one hundred twenty percent nor be less than ninety percent of the  
41 fair market rent for the rental area in which it is located. Fair  
42 market rent shall be determined pursuant to the procedures and standards  
43 as set forth in the Federal Housing Choice voucher program, as set forth  
44 in the applicable sections of Part 888 of Title 24 of the Code of Feder-  
45 al Regulations. Fair market rent for a rental area shall be published  
46 not less than annually by the commissioner and shall be made available  
47 on the website of New York state homes and community renewal.

48 2. A housing assistance payment contract entered into pursuant to  
49 subdivision one of this section may provide for an initial payment of up  
50 to five months of rent arrears that have accrued during prior occupancy  
51 of a dwelling unit by a voucher recipient if such payment of arrears is  
52 necessary to continue such voucher recipient's occupancy of such dwell-  
53 ing unit, and thereby prevent imminent loss of housing.

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

1 1. that the lease between the tenant and the owner shall be for a term  
2 of not less than one year, except that the housing access voucher local  
3 administrator may approve a shorter term for an initial lease between  
4 the tenant and the dwelling unit owner if the housing access voucher  
5 local administrator determines that such shorter term would improve  
6 housing opportunities for the tenant and if such shorter term is consid-  
7 ered to be a prevailing local market practice;

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

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

12 (b) contain terms and conditions that:

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

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

16 (c) shall provide that during the term of the lease, the owner shall  
17 not terminate the tenancy except for serious or repeated violation of  
18 the terms and conditions of the lease, for violation of applicable state  
19 or local law, or for other good cause, including, but not limited to,  
20 the non-payment of the tenant's portion of the rent owed, and in the  
21 case of an owner who is an immediate successor in interest pursuant to  
22 foreclosure during the term of the lease vacating the property prior to  
23 sale shall not constitute other good cause, except that the owner may  
24 terminate the tenancy effective on the date of transfer of the unit to  
25 the owner if the owner:

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

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

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

33 3. that any unit under an assistance contract originated under this  
34 article shall only be occupied by the individual or family designated in  
35 said contract and shall be the designated individual or family's primary  
36 residence. Contracts shall not be transferable between units and shall  
37 not be transferable between recipients. A family or individual may  
38 transfer their voucher to a different unit under a new contract pursuant  
39 to this article;

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

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

45 1. thirty percent of the monthly adjusted income of the family or  
46 individual; or

47 2. If the family or individual is receiving payments for welfare  
48 assistance from a public agency and a part of those payments, adjusted  
49 in accordance with the actual housing costs of the family, is specif-  
50 ically designated by that agency to meet the housing costs of the fami-  
51 ly, the portion of those payments that is so designated. These payments  
52 include, but are not limited to any shelter assistance or housing  
53 assistance administered by any federal, state or local agency.

54 § 613. Monthly assistance payment. 1. The amount of the monthly  
55 assistance payment with respect to any dwelling unit shall be the  
56 difference between the maximum monthly rent which the contract provides

1 that the owner is to receive for the unit and the rent the individual or  
2 family is required to pay under section six hundred twelve of this arti-  
3 cle.

4 2. The commissioner shall establish maximum rent levels for different  
5 sized rentals in each rental area in a manner that promotes the use of  
6 the program in all localities based on the fair market rent of the  
7 rental area. Rental areas shall be determined by the commissioner. The  
8 commissioner may rely on data or other information promulgated by any  
9 other state or federal agency in determining the rental areas and fair  
10 market rent.

11 3. The payment standard for each size of dwelling unit in a rental  
12 area shall not be less than ninety percent and shall not exceed one  
13 hundred twenty percent of the fair market rent established in section  
14 six hundred six of this article for the same size of dwelling unit in  
15 the same rental area, except that the commissioner shall not be required  
16 as a result of a reduction in the fair market rent to reduce the payment  
17 standard applied to a family continuing to reside in a unit for which  
18 the family was receiving assistance under this article at the time the  
19 fair market rent was reduced.

20 § 614. Inspection of units. Inspection of units shall be conducted  
21 pursuant to the procedures and standards of the Federal Housing Choice  
22 voucher program, as set forth in the applicable sections of Part 982 of  
23 Title 24 of the Code of Federal Regulations.

24 § 615. Rent. 1. The rent for dwelling units for which a housing  
25 assistance payment contract is established under this article shall be  
26 reasonable in comparison with rents charged for comparable dwelling  
27 units in the private, unassisted local market.

28 2. A housing access voucher local administrator (or other entity, as  
29 provided in section six hundred seventeen of this article) may, at the  
30 request of an individual or family receiving assistance under this arti-  
31 cle, assist that individual or family in negotiating a reasonable rent  
32 with a dwelling unit owner. A housing access voucher local administrator  
33 (or other such entity) shall review the rent for a unit under consider-  
34 ation by the individual or family (and all rent increases for units  
35 under lease by the individual or family) to determine whether the rent  
36 (or rent increase) requested by the owner is reasonable. If a housing  
37 access voucher local administrator (or other such entity) determines  
38 that the rent (or rent increase) for a dwelling unit is not reasonable,  
39 the housing access voucher local administrator (or other such entity)  
40 shall not make housing assistance payments to the owner under this  
41 subdivision with respect to that unit.

42 3. If a dwelling unit for which a housing assistance payment contract  
43 is established under this article is exempt from local rent control  
44 provisions during the term of that contract, the rent for that unit  
45 shall be reasonable in comparison with other units in the rental area  
46 that are exempt from local rent control provisions.

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

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

55 § 617. Leasing of units owned by a housing access voucher local admin-  
56 istrator. 1. If an eligible individual or family assisted under this

1 article leases a dwelling unit (other than a public housing dwelling  
2 unit) that is owned by a housing access voucher local administrator  
3 administering assistance to that individual or family under this  
4 section, the commissioner shall require the unit of general local  
5 government or another entity approved by the commissioner, to make  
6 inspections required under section six hundred fourteen of this article  
7 and rent determinations required under section six hundred fifteen of  
8 this article. The housing access voucher local administrator shall be  
9 responsible for any expenses of such inspections and determinations,  
10 subject to the appropriation of funds for this purpose.

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

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

43 § 619. Division of an assisted family. 1. In those instances where a  
44 family assisted under this article becomes divided into two otherwise  
45 eligible individuals or families due to divorce, legal separation or the  
46 division of the family, where such individuals or families cannot agree  
47 as to which such individual or family should continue to receive the  
48 assistance, and where there is no determination by a court, the housing  
49 access voucher local administrator shall consider the following factors  
50 to determine which of the individuals or families will continue to be  
51 assisted:

52 (a) which of such individuals or families has custody of dependent  
53 children;

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

1 (c) the composition of such individuals and families and which such  
2 family includes elderly or disabled members;  
3 (d) whether domestic violence was involved in the breakup of such  
4 family;  
5 (e) which family members remain in the unit; and  
6 (f) recommendations of social services professionals.

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

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

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

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

38 § 623. Housing choice. 1. The commissioner shall administer the hous-  
39 ing access voucher program under this article to promote housing choice  
40 for voucher holders. The commissioner shall affirmatively promote fair  
41 housing to the extent possible under this program.

42 2. Nothing in this article shall lessen or abridge any fair housing  
43 obligations promulgated by municipalities, localities, or any other  
44 applicable jurisdiction.

45 § 2. This act shall take effect on the ninetieth day after it shall  
46 have become a law. Effective immediately, the addition, amendment and/or  
47 repeal of any rule, regulation, plan or guidance document necessary for  
48 the implementation of this act on its effective date are authorized to  
49 be made and completed on or before such effective date; provided further  
50 that any rule, regulation, plan or guidance document shall apply only to  
51 those counties located outside of the city of New York. The New York  
52 city department of housing preservation and development and the New York  
53 city housing authority, as applicable, shall promulgate or release  
54 rules, regulations, plans or guidance documents as necessary for the  
55 implementation of this act within the city of New York.

## 1 PART EE

2 Section 1. Notwithstanding any law, rule, or regulation to the contra-  
3 ry, the higher education services corporation shall not seek recovery  
4 for overpayment where, through administrative error by such corporation,  
5 a student was incorrectly granted exclusion of parental income with a  
6 dependent for the 2020--2021, 2021--2022, or 2022--2023 academic years  
7 for the purposes of determining eligibility pursuant to section 667 of  
8 the education law.

9 § 2. This act shall take effect immediately.

## 10 PART FF

11 Section 1. The smart schools bond act of 2024 is enacted to read as  
12 follows:

## 13 SMART SCHOOLS BOND ACT OF 2024

14 Section 1. Short title.

15 2. Creation of a state debt.

16 3. Bonds of the state.

17 4. Use of moneys received.

18 Section 1. Short title. This act shall be known and may be cited as  
19 the "smart schools bond act of 2024".

20 § 2. Creation of a state debt. The creation of a state debt in an  
21 amount not exceeding in the aggregate two billion dollars  
22 (\$2,000,000,000) is hereby authorized to provide moneys for the single  
23 purpose of improving learning and opportunity for public and nonpublic  
24 school students of the state by funding capital projects to: acquire  
25 learning technology equipment or facilities including, but not limited  
26 to, interactive whiteboards, computer servers, and desktop, laptop and  
27 tablet computers; install high-speed broadband or wireless internet  
28 connectivity for schools and communities; construct, enhance, and  
29 modernize educational facilities to accommodate pre-kindergarten  
30 programs; install or construct zero-emission school bus charging infras-  
31 tructure in district-owned or operated bus depots and garages; modernize  
32 school buildings and school campuses to increase energy efficiency; and  
33 install high-tech security features in school buildings and on school  
34 campuses. The legislature may, by appropriate legislation and subject to  
35 such conditions as it may impose, make available out of the proceeds of  
36 the sale of bonds authorized in this act, moneys disbursed or to be  
37 disbursed for the cost of approved capital projects undertaken by, or on  
38 behalf of, school districts for such purposes.

39 § 3. Bonds of the state. The state comptroller is hereby authorized  
40 and empowered to issue and sell bonds of the state up to the aggregate  
41 amount of two billion dollars (\$2,000,000,000) for the purposes of this  
42 act, subject to the provisions of article five of the state finance law.  
43 The aggregate principal amount of such bonds shall not exceed two  
44 billion dollars (\$2,000,000,000) excluding bonds issued to refund or  
45 otherwise repay bonds heretofore issued for such purpose; provided,  
46 however, that upon any such refunding or repayment, the total aggregate  
47 principal amount of outstanding bonds may be greater than two billion  
48 dollars (\$2,000,000,000) only if the present value of the aggregate debt  
49 service of the refunding or repayment bonds to be issued shall not  
50 exceed the present value of the aggregate debt service of the bonds to

1 be refunded or repaid. The method for calculating present value shall be  
2 determined by law.

3 § 4. Use of moneys received. The moneys received by the state from the  
4 sale of bonds sold pursuant to this act shall be expended pursuant to  
5 appropriations for capital projects related to design, planning, site  
6 acquisition, demolition, construction, reconstruction, rehabilitation,  
7 or acquisition and/or installation of equipment for the following types  
8 of projects: capital projects related to educational technology equip-  
9 ment or facilities including but not limited to interactive whiteboards;  
10 computer servers; desktop and laptop computers, and tablets; high-speed  
11 broadband or wireless internet connectivity for schools and communities;  
12 capital projects to construct, enhance or modernize educational facili-  
13 ties to accommodate pre-kindergarten programs; capital projects to  
14 install or construct zero-emission school bus charging infrastructure in  
15 district-owned or operated bus depots and garages; capital projects to  
16 modernize school buildings and school campuses to increase energy effi-  
17 ciency; and capital projects to install high-tech security features in  
18 school buildings and on school campuses.

19 § 2. This act shall take effect immediately, provided that the  
20 provisions of section one of this act shall not take effect unless and  
21 until this act shall have been submitted to the people at the general  
22 election to be held in November 2024 and shall have been approved by a  
23 majority of all votes cast for and against it at such election. Upon  
24 approval by the people, section one of this act shall take effect imme-  
25 diately. The ballots to be furnished for the use of voters upon  
26 submission of this act shall be in the form prescribed by the election  
27 law and the proposition or question to be submitted shall be printed  
28 thereon in substantially the following form, namely "The SMART SCHOOLS  
29 BOND ACT OF 2024, as set forth in section one of part FF of chapter  
30 (here insert the chapter number) of the laws of 2024, authorizes the  
31 sale of state bonds of up to two billion dollars (\$2,000,000,000) to  
32 provide access to classroom technology and high-speed internet connec-  
33 tivity to equalize opportunities for children to learn, to add classroom  
34 space to expand high-quality pre-kindergarten programs, to install or  
35 construct zero-emission school bus charging infrastructure, to modernize  
36 schools to increase energy efficiency, and to install high-tech smart  
37 security features in schools. Shall the SMART SCHOOLS BOND ACT OF 2024  
38 be approved?".

39 PART GG

40 Section 1. Section 410-x of the social services law is amended by  
41 adding a new subdivision 5-a to read as follows:

42 5-a. (a) For each group for which the office of children and family  
43 services determines a separate payment rate pursuant to subdivision four  
44 of this section, and at the same frequency, such office shall utilize a  
45 cost estimation model to determine the actual cost providers incur when  
46 providing child care. The cost estimation model shall identify and take  
47 into account cost drivers including but not limited to employee salary  
48 and benefits, enrollment levels, facility costs and compliance with  
49 statutory and regulatory requirements. Where a quality rating system or  
50 any quality indicators are being utilized, the cost estimation model  
51 shall also take into account the cost of providing services at each  
52 level of quality.

53 (b) In developing such model the office of children and family  
54 services shall consult with stakeholders including, but not limited to,

representatives of child care resource and referral agencies, child care providers and any state advisory council established pursuant to 42 U.S.C.S. § 9831 et. seq., as amended. The cost estimation model shall be statistically valid, using complete and current data and rigorous collection methods.

§ 2. Section 410-z of the social services law, as added by section 52 of part B of chapter 436 of the laws of 1997, is amended to read as follows:

§ 410-z. Reporting requirements. 1. Each social services district shall collect and submit to the [department] office of children and family services, in such form and at such times as specified by the [department] office of children and family services, such data and information regarding child care assistance provided under the block grant as the [department] office of children and family services may need to comply with federal reporting requirements.

2. The office of children and family services shall prepare a report detailing the actual cost providers incur when providing child care in each setting, as determined by the cost estimation model established in paragraph (a) of subdivision five of section four hundred ten-x of this title. The report shall detail cost data for each setting, age group, care provided to children with special needs, and any other grouping for which a separate cost estimation is conducted. Such data shall include:

(a) the level of quality care as determined by a quality rating system or any quality indicators utilized by the state;

(b) a description of the major cost drivers for providing care; and

(c) a comparison of the costs of child care for each grouping to the market rate determined by the office of children and family services pursuant to subdivision four of section four hundred ten-x of this title.

The report shall be submitted to the governor, the speaker of the assembly and the temporary president of the senate by June first, two thousand twenty-five. The office of children and family services shall post the information contained in the report on its website.

§ 3. This act shall take effect immediately.

#### PART HH

Section 1. Section 3641 of the education law is amended by adding a new subdivision 18 to read as follows:

18. Implementation of the smart schools bond act of 2024. a. Definitions. The following terms, whenever used or referred to in this subdivision, unless the context indicates otherwise, shall have the following meanings:

(1) "Bonds" shall mean general obligation bonds issued pursuant to the "smart schools bond act of 2024" in accordance with article VII of the New York state constitution and article five of the state finance law.

(2) "Smart schools investment plan" shall mean a document prepared by a school district setting forth the smart schools project or projects to be undertaken with such district's smart schools allocation.

(3) "Smart schools project" shall mean a capital project as set forth and defined in subparagraphs four, five, six, seven, eight, or nine of this paragraph.

(4) "Pre-kindergarten replacement project" shall mean a capital project which, as a primary purpose, expands the availability of adequate and appropriate instructional space for pre-kindergarten.

(5) "Community connectivity project" shall mean a capital project which, as a primary purpose, expands high-speed broadband or wireless internet connectivity in the local community, including school buildings and campuses, for enhanced educational opportunity in the state.

(6) "Classroom technology project" shall mean a capital project to expand high-speed broadband or wireless internet connectivity solely for school buildings and campuses, or to acquire learning technology hardware for schools, classrooms, and student use, including but not limited to whiteboards, computer servers, desktop computers, laptop computers, and tablet computers.

(7) "School safety and security technology project" shall mean a capital project to install high-tech security features in school buildings and on school campuses, including but not limited to video surveillance, emergency notification systems and physical access controls, for enhanced educational opportunity in the state.

(8) "Zero-emission school bus charging infrastructure project" shall mean a capital project to construct or install electric charging stations that deliver electricity from a source outside a zero-emission school bus into one or more zero-emission school buses or a capital project to construct or install hydrogen fueling stations. Such electric charging station may include several charge points simultaneously connecting several zero-emission school buses to the station and any related equipment needed to facilitate charging plug-in zero-emission buses.

(9) "Energy efficiency project" shall mean a capital project to: (i) install, upgrade, or modify a renewable energy system at a school building or for the purpose of converting or connecting a school building, or portion thereof, to a renewable energy system; (ii) reduce energy use or improve energy efficiency or occupant health at a school building; or (iii) install renewable heating and cooling systems at a school building.

(10) "Renewable energy system" shall have the same meaning as section sixty-six-p of the public service law.

(11) "Selected school aid" shall mean the sum of the amounts set forth as "FOUNDATION AID", "FULL DAY K CONVERSION", "BOCES", "SPECIAL SERVICES", "HIGH COST EXCESS COST", "PRIVATE EXCESS COST", "HARDWARE & TECHNOLOGY", "SOFTWARE, LIBRARY, TEXTBOOK", "TRANSPORTATION INCL SUMMER", "OPERATING REORG INCENTIVE", "CHARTER SCHOOL TRANSITIONAL", "ACADEMIC ENHANCEMENT", "HIGH TAX AID", and "SUPPLEMENTAL PUB EXCESS COST" under the heading "2023-24 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand twenty-four-twenty-five school year.

(12) "Smart schools allocation" shall mean, for each school district, the product of (i) two billion dollars (\$2,000,000,000) multiplied by (ii) the quotient of such school district's selected school aid divided by the total selected school aid to all school districts.

b. Smart schools investment plans. (1) The commissioner shall issue guidelines setting forth required components and eligibility criteria for smart schools investment plans to be submitted by school districts. Such guidelines shall include but not be limited to: (i) a timeline for school district submission of smart schools investment plans; (ii) any requirements for the use of available state procurement options where applicable; (iii) any limitations on the amount of a district's smart schools allocation that may be used for assets with a short probable life; and (iv) the loan of smart schools classroom technology pursuant to section seven hundred fifty-five of this chapter.

1 (2) No school district shall be entitled to a smart schools grant  
2 until such district shall have submitted a smart schools investment plan  
3 to the department and received the commissioner's approval of such  
4 investment plan. In developing such investment plan, school districts  
5 shall consult with parents, teachers, students, community members and  
6 other stakeholders. Such plan shall calculate the amount of classroom  
7 technology to be loaned to students attending nonpublic schools pursuant  
8 to section seven hundred fifty-five of this chapter in a manner that  
9 includes the amount budgeted by the school district for servers, wire-  
10 less access points and other portable connectivity devices to be  
11 acquired as part of a school connectivity project.

12 (3) The commissioner shall review all smart schools investment plans  
13 for compliance with all eligibility criteria and other requirements set  
14 forth in the guidelines. The commissioner may approve or reject such  
15 plans, or may return such plans to the school district for modifica-  
16 tions. Upon approval, the smart schools project or projects described in  
17 the investment plan shall be eligible for smart schools grants. A smart  
18 schools project included in a school district's smart schools investment  
19 plan shall not require separate approval of the commissioner unless it  
20 is part of a school construction project required to be submitted for  
21 approval of the commissioner pursuant to section four hundred eight of  
22 this chapter and/or subdivision six of section thirty-six hundred two of  
23 this article. Any department, agency or public authority shall provide  
24 the commissioner with any information it requires to fulfill its duties  
25 pursuant to this subdivision.

26 (4) Any amendments or supplements to a smart schools investment plan  
27 shall be submitted to the commissioner for approval, and shall not take  
28 effect until such approval is granted.

29 c. Expenditure of money. (1) Each school district which has an  
30 approved smart schools investment plan including a smart schools project  
31 or projects shall be entitled to a grant or grants for the smart schools  
32 project or projects included therein in an amount, whether in the aggre-  
33 gate or otherwise, not to exceed the smart schools allocation calculated  
34 for such school district. The amount of such allocation not expended,  
35 disbursed or encumbered for any school year shall be carried over for  
36 expenditure and disbursement to the next succeeding school year. Expend-  
37 itures from the smart schools allocation shall not be eligible for aid  
38 under any other provision of this chapter.

39 (2) The amounts determined pursuant to this subdivision to be paid to  
40 school districts shall be certified by the commissioner in accordance  
41 with this subdivision. If, upon the option of a school district, a smart  
42 schools investment plan directs that an amount be transferred or subal-  
43 located to a department, agency, or public authority to be spent on  
44 behalf of the school district, such amounts shall be transferred or  
45 suballocated, consistent with such plan, upon the approval of the direc-  
46 tor of the budget. The amounts of money so certified or made available  
47 shall be paid by the comptroller in accordance with appropriations  
48 therefor, provided, however, that the payment schedule set forth in  
49 subdivision one of this section shall not apply to such payments. Such  
50 payment shall fulfill any obligation of the state or the commissioner to  
51 apportion funds pursuant to this subdivision, and whenever a school  
52 district has been apportioned more money pursuant to this subdivision  
53 than that to which it is entitled, the commissioner may deduct such  
54 amount from the next apportionment to be made to such school district.

55 d. Consistency with federal tax law. All actions taken pursuant to  
56 this subdivision shall be reviewed for consistency with provisions of

1 the federal internal revenue code and regulations thereunder, in accord-  
2 ance with procedures established in connection with the issuance of any  
3 tax exempt bonds pursuant to this subdivision, to preserve the tax  
4 exempt status of such bonds.

5 e. Compliance with other law. Every recipient of funds to be made  
6 available pursuant to this subdivision shall comply with all applicable  
7 state, federal and local laws.

8 § 2. The state finance law is amended by adding a new section 97-bbbb  
9 to read as follows:

10 § 97-bbbb. Smart schools bond fund of 2024. 1. There is hereby estab-  
11 lished in the joint custody of the state comptroller and the commission-  
12 er of taxation and finance a special fund to be known as the "smart  
13 schools bond fund of 2024".

14 2. The state comptroller shall deposit into the smart schools bond  
15 fund of 2024 all moneys received by the state from the sale of bonds  
16 and/or notes for uses eligible pursuant to section four of the smart  
17 schools bond act of 2024.

18 3. Moneys in the smart schools bond fund of 2024, following appropri-  
19 ation by the legislature and allocation by the director of the budget,  
20 shall be available only for reimbursement of expenditures made from  
21 appropriations from the capital projects fund for the purpose of the  
22 smart schools bond fund of 2024, as set forth in the smart schools bond  
23 act of 2024.

24 4. No moneys received by the state from the sale of bonds and/or notes  
25 sold pursuant to the smart schools bond act of 2024 shall be expended  
26 for any project until funds therefor have been allocated pursuant to the  
27 provisions of this section and copies of the appropriate certificates of  
28 approval filed with the chair of the senate finance committee, the chair  
29 of the assembly ways and means committee and the state comptroller.

30 § 3. Section 61 of the state finance law is amended by adding a new  
31 subdivision 33 to read as follows:

32 SMART SCHOOLS PROJECTS OF 2024

33 33. Thirty years. For the payment of smart schools projects, including  
34 but not limited to pre-kindergarten projects, community connectivity  
35 projects, and classroom technology projects, all as defined in subdivi-  
36 sion eighteen of section thirty-six hundred forty-one of the education  
37 law and undertaken pursuant to a chapter of the laws of two thousand  
38 twenty-four, enacting and constituting the smart schools bond act of  
39 2024. Thirty years for pre-kindergarten projects, twenty years for  
40 community connectivity projects, eighteen years for energy efficiency  
41 projects, twelve years for zero-emission school bus charging infrastruc-  
42 ture projects, and eight years for classroom technology projects or  
43 school safety and security technology projects. Notwithstanding the  
44 foregoing, for the purposes of calculating annual debt service, the  
45 state comptroller shall apply a weighted average period of probable life  
46 of such smart schools projects, including with any other works or  
47 purposes to be financed with state debt. Weighted average period of  
48 probable life shall be determined by computing the sum of the products  
49 derived from multiplying the dollar value of the portion of the debt  
50 contracted for each work or purpose (or class of works or purposes) by  
51 the probable life of such work or purpose (or class of works or  
52 purposes) and dividing the resulting sum by the dollar value of the  
53 entire debt after taking into consideration any original issue premium  
54 or discount.

55 § 4. Section 755 of the education law, as added by section 4 of part C  
56 of chapter 56 of the laws of 2014, is amended to read as follows:

§ 755. Loan of smart schools classroom technology. 1. In the several cities and school districts of the state, school authorities, as defined in subdivision twelve of section two of this chapter, shall have the power and duty, to the extent provided in this section, to loan, upon request of an individual or a group of individual pupils, to all pupils legally attending nonpublic elementary or secondary schools located in the school district, smart schools classroom technology acquired pursuant to ~~[subdivision]~~ subdivisions sixteen and eighteen of section thirty-six hundred forty-one of this chapter which is designated for use in any public elementary or secondary schools of the state or is approved by any school authorities. Such smart schools classroom technology made available to nonpublic students shall be limited to that allowable under ~~[both]~~ paragraph seven of subdivision sixteen of section thirty-six hundred forty-one of this chapter, paragraph six of subdivision eighteen of section thirty-six hundred forty-one of this chapter and section seven hundred fifty-four of this article. Such smart schools classroom technology is to be loaned free to such children, commencing with the two thousand fourteen--two thousand fifteen school year, subject to such rules and regulations as are or may be prescribed by the board of regents and such school authorities.

2. No school district shall be required to loan smart schools classroom technology in excess of the smart schools classroom technology acquired by such district pursuant to ~~[subdivision]~~ subdivisions sixteen and eighteen of section thirty-six hundred forty-one of this chapter. Such smart schools classroom technology shall be loaned on an equitable basis to children attending nonpublic schools in the district in the current year, provided that nothing in this article shall be construed to require a school district to loan to children attending nonpublic schools, pursuant to this section, classroom technology purchased with local or federal funds or with state funds other than funds apportioned pursuant to subdivision sixteen of section ~~[three hundred sixty-four]~~ thirty-six hundred forty-one of this chapter, and provided further that no school district may loan smart schools classroom technology in an aggregate amount greater than two hundred fifty dollars multiplied by the nonpublic school enrollment in the base year, at time of enactment, as defined in subparagraph three of paragraph n of subdivision one of section thirty-six hundred two of this chapter. The payment of tuition under article eighty-nine of this chapter is deemed to be an equitable loan to children for whom such tuition is paid, and the provisions of this section shall not apply.

3. School authorities shall adopt regulations specifying the date by which requests for the purchase and loan of smart schools classroom technology must be received by the district. Notice of such date shall be given to all ~~[non-public]~~ nonpublic schools in the school district. For the two thousand fourteen--two thousand fifteen school year, such date shall not be earlier than the first day of January of such school year, and for the two thousand fifteen--two thousand sixteen school year and thereafter, such date shall not be earlier than the first day of June of the school year prior to that for which such smart schools classroom technology is being requested, provided, however, that a parent or guardian of a child not attending a particular ~~[non-public]~~ nonpublic school prior to January first or June first of the school year, as applicable, may submit a written request for smart schools classroom technology within thirty days after such child is enrolled in such ~~[non-public]~~ nonpublic school. In no event, however, shall a request made later than the times otherwise provided pursuant to this

subdivision be denied where a reasonable explanation is given for the delay in making the request.

§ 5. If otherwise applicable, all work performed on a project authorized by this act shall be subject to article eight of the labor law and shall be subject to the enforcement of prevailing wage requirements by the department of labor.

§ 6. If any clause, sentence, paragraph, 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, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 7. This act shall take effect only in the event that section 1 of part FF of a chapter of the laws of 2024, enacting the "smart schools bond act of 2024," is submitted to the people at the general election to be held in November 2024 and is approved by a majority of all votes cast for and against it at such election. Upon such approval, this act shall take effect immediately. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of the foregoing sections of this act are authorized and directed to be made and completed on or before such effective date.

## PART II

Section 1. Article 20 and sections 1000 and 1001 of the general municipal law, as renumbered by chapter 84 of the laws of 1981, are renumbered article 21 and sections 1100 and 1101, respectively, and a new article 20 is added to read as follows:

### ARTICLE 20

#### PRO-HOUSING COMMUNITIES

##### Section 1001. Definitions.

##### 1002. Certification of pro-housing communities.

##### 1003. Reporting.

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

1. "The division" shall mean the division of housing and community renewal.

2. "Metropolitan transportation commuter district" shall refer to the counties of the Bronx, Kings (Brooklyn), New York, Richmond (Staten Island), Queens, Westchester, Orange, Putnam, Dutchess, Rockland, Nassau, and Suffolk.

3. "Municipality" shall mean any city, town, or village.

4. "Permitting documentation" shall mean documentation and data to be submitted to the division in a manner and format to be directed by the division pursuant to rules and regulations developed after consultation with relevant stakeholders.

5. "Pro-housing community program" shall mean the following programs:

(a) the downtown revitalization initiative administered by the department of state;

(b) the NY forward program administered by the department of state;

(c) the regional council capital fund program administered by empire state development corporation;

(d) the New York main street program administered by New York state homes and community renewal;

(e) any capital grants made pursuant to the market New York program administered by empire state development corporation;

1 (f) the Long Island investment fund administered by empire state  
2 development corporation;

3 (g) the Mid-Hudson momentum fund administered by empire state develop-  
4 ment corporation; and

5 (h) the public transportation modernization enhancement program admin-  
6 istered by the department of transportation.

7 6. "Affected state entities" means (a) all agencies, offices, and  
8 departments over which the governor has executive authority, and (b) all  
9 public benefit corporations, public authorities, boards, and commis-  
10 sions, for which the governor appoints the chair, the chief executive,  
11 or the majority of board members, except for the port authority of New  
12 York and New Jersey, any interstate or international authorities as  
13 defined in section two of the public authorities law, and any local  
14 authorities as defined in section two of the public authorities law.

15 § 1002. Certification of pro-housing communities. 1. Beginning on  
16 April first, two thousand twenty-four, a municipality shall be certified  
17 as a pro-housing community by the division when such municipality  
18 achieves any of the following:

19 (a) If such municipality is located in the metropolitan transportation  
20 commuter district, demonstrates through the permitting documentation  
21 that it has increased its housing stock by one percent over the past  
22 year or by three percent over the past three years;

23 (b) If such municipality is not located in the metropolitan transpor-  
24 tation commuter district, demonstrates through the permitting documenta-  
25 tion that it has increased its housing stock by one third of one percent  
26 over the past year or by one percent over the past three years; or

27 (c) Demonstrates that the municipality has previously taken actions  
28 within the previous five years or adopts a resolution approving any of  
29 the following actions:

30 (i) streamlining permitting for multifamily housing, affordable hous-  
31 ing, accessible housing, accessory dwelling units, transit-oriented  
32 housing, supportive housing, senior housing, and LGBTQ+ senior housing;

33 (ii) adopting policies to affirmatively further fair housing;

34 (iii) incorporating regional housing needs into planning decisions;

35 (iv) increasing development capacity for residential uses;

36 (v) enacting policies that encourage a broad range of housing develop-  
37 ment including but not limited to multifamily housing, affordable hous-  
38 ing, accessible housing, accessory dwelling units, supportive housing,  
39 senior housing, and LGBTQ+ senior housing;

40 (vi) allowing for the ministerial approval of lot splits;

41 (vii) creation or adoption of a municipal or regional affordable hous-  
42 ing plan;

43 (viii) made suitable for occupancy property previously deemed aban-  
44 doned pursuant to article nineteen-a of the real property actions and  
45 proceedings law;

46 (ix) amending land-use requirements to permit the construction and  
47 occupancy of residential housing in an area that previously permitted  
48 only industrial or commercial use;

49 (x) decreasing minimum lot size requirements; or

50 (xi) making expenditures related to the production of housing and the  
51 rehabilitation of existing buildings and structures including but not  
52 limited to land acquisition, planning, engineering, construction costs,  
53 and other hard and soft costs directly related to the construction,  
54 rehabilitation, purchase or rental of housing.

55 2. The division shall act on an application for certification as a  
56 pro-housing community within ninety days of receipt.

1 a. Certification as a pro-housing community will remain in effect for  
2 three years from the date of such certification, after which time a  
3 municipality may apply for re-certification.

4 b. Any municipality certified as a "pro-housing community" pursuant to  
5 executive order thirty of two thousand twenty-three prior to April  
6 first, two thousand twenty-four shall be deemed a pro-housing community  
7 pursuant to this article and shall likewise have its certification  
8 expire three years from the date it was certified as a "pro-housing  
9 community" and shall comply with all requirements of this article when  
10 applying for re-certification.

11 c. A municipality that has been certified as a pro-housing community  
12 as provided in paragraph a or paragraph b of this subdivision shall  
13 annually report to the division information related to its actions as a  
14 pro-housing community including relevant housing permit data and updates  
15 in zoning regulations. In the case of a municipality that has adopted a  
16 resolution pursuant to this section such report shall include informa-  
17 tion regarding the progress of the municipality toward the actions or  
18 goals stated in the resolution.

19 3. Certification as a pro-housing community shall qualify the pro-  
20 housing community for priority among other municipal applications  
21 for such funds administered under a pro-housing community program.

22 4. When evaluating pro-housing community certification applications,  
23 the division shall further prioritize municipalities that have adopted  
24 actions related to affordable housing, supportive housing, adoption of  
25 an affordable housing plan, and actions pursuant to subparagraph (viii)  
26 of paragraph (c) of subdivision one of this section.

27 5. An affected state entity that administers any pro-housing community  
28 program shall give priority among the municipal applications for such  
29 funds to those applications made by municipalities that have been certi-  
30 fied as pro-housing communities, and shall further prioritize among  
31 certified pro-housing communities those identified by the division for  
32 further prioritization pursuant to subdivision four of this section.  
33 Provided, however, that applications made by municipalities that have  
34 not been certified as pro-housing communities will not be deprioritized  
35 relative to applications from certified pro-housing communities if the  
36 application from the non-certified municipality is expressly for the  
37 purpose of funding housing development, including mixed-use developments  
38 that contain housing components, or would fund non-housing investments  
39 necessary for and made in relation to a particular housing development.

40 § 1003. Reporting. 1. The commissioner of the division shall submit  
41 and make publicly available on its website an annual report to the  
42 governor, the speaker of the assembly, and the temporary president of  
43 the senate, on or before February first of each year, that summarizes  
44 the utilization of the pro-housing community certification for the  
45 previous fiscal year.

46 2. Such report shall contain information pertaining to the previous  
47 fiscal year including, but not limited to:

48 (a) the number of municipalities that applied for the pro-housing  
49 community certification;

50 (b) the number of municipalities certified as a pro-housing community;

51 (c) the number of municipalities that applied for funds through a  
52 pro-housing community program;

53 (d) the number of pro-housing communities that applied for funds  
54 through a pro-housing community program;

55 (e) the number of municipalities that received awards from a pro-hous-  
56 ing community program;

(f) the number of pro-housing communities that received awards from a pro-housing community program;  
(g) the number of housing units permitted in each pro-housing community;  
(h) the number of housing units completed in each municipality;  
(i) the number of affordable housing units permitted in each pro-housing community;  
(j) the number of affordable housing units completed in each municipality;  
(k) the area median income requirements of such affordable housing units if applicable; and  
(l) the number of pro-housing communities that adopted a resolution described in section one thousand two of this article and the number of those pro-housing communities that made progress toward the actions or goals stated in the resolution.

§ 2. This act shall take effect immediately.

#### PART JJ

Section 1. Short title. This act shall be known and may be cited as the "Increasing Nutrition Support for Prenatal and Infant RESiliency ("INSPIRE") pilot program".

§ 2. The social services law is amended by adding a new section 152-e to read as follows:

§ 152-e. Increasing nutrition support for prenatal and infant resiliency "INSPIRE" pilot program. 1. The office of temporary and disability assistance shall establish a one year pilot program to provide monthly allowance to support low-income mothers and infants.

2. Pregnant individuals and families with a child under the age of one year who are public assistance recipients, or income eligible to receive public assistance shall be eligible to receive a subsidy under the program. Eligible individuals shall receive a subsidy of four hundred dollars per month for the last three months of pregnancy and the first twelve months of a child's life under the program.

3. The department shall allocate the necessary funds to local social services districts for this purpose. Monthly distributions shall be made by local social services districts on the first of each month for the duration of the program to eligible participants.

4. The office of temporary and disability assistance shall determine how income shall be verified to determine eligibility under the program.

5. The office of temporary and disability assistance, in coordination with local social services districts, shall assist eligible participants with access to resources, subsidy management, and any other assistance deemed necessary by such office.

6. Any financial assistance received by individuals from the monthly allowance established under this section shall be exempt and disregarded for the purposes of eligibility for any pilot program in relation to direct cash transfers.

§ 3. Paragraph (a) of subdivision 8 of section 131-a of the social services law is amended by adding a new subparagraph (xiv) to read as follows:

(xiv) any financial assistance received by individuals from the monthly allowance from the increasing nutrition support for prenatal and infant resiliency "INSPIRE" program under section one hundred fifty-two-e of this title. Such exemption and disregard shall be applicable for the length of time the individual receives the allowance. The

commissioner shall seek federal waiver authority to disregard the income from this allowance for the purpose of the supplemental nutrition assistance program.

§ 4. This act shall take effect immediately.

#### PART KK

Section 1. Section 370 of the education law is amended by adding two new subdivisions 6-a and 6-b to read as follows:

6-a. "Large-scale construction project" shall mean any construction project for which the total estimated cost is three million dollars or more and:

(i) which is performed under the approved master capital plan of the state university submitted pursuant to subdivision thirteen of section three hundred fifty-five of this chapter; or

(ii) which involves the construction, acquisition, reconstruction, rehabilitation or improvement of academic buildings, dormitories and other facilities that are university-related economic development projects authorized by law pursuant to section three hundred seventy-two-a of this article.

6-b. "Project labor agreement" shall have the same meaning as set forth in section two hundred twenty-two of the labor law.

§ 2. Section 376 of the education law is amended by adding a new subdivision 11 to read as follows:

11. (a) Each large-scale construction project shall only be undertaken pursuant to a project labor agreement in accordance with section two hundred twenty-two of the labor law.

(b) For any project which does not utilize a project labor agreement pursuant to paragraph (a) of this subdivision, the fund shall provide a specific written explanation of why a project labor agreement would not be consistent with paragraph (a) of subdivision two of section two hundred twenty-two of the labor law and why a project labor agreement on the project would otherwise be inconsistent with statutes, rules, or regulations applicable to the fund.

An exception shall be granted for a particular project contract by the solicitation date.

(c) A letting agency may require the use of a project labor agreement on construction projects where the total cost to the fund is less than that for a large-scale construction project, if consistent with paragraph (a) of subdivision two of section two hundred twenty-two of the labor law.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all contracts entered into, renewed, modified or amended on or after such date.

#### PART LL

Section 1. The executive law is amended by adding a new article 29 to read as follows:

##### ARTICLE 29

##### NEW YORK STATE OFFICE OF CIVIL REPRESENTATION

Section 827. Office of civil representation.

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

829. Definitions.

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

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

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

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

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

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

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

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

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

26 (d) postal code of residence;

27 (e) household size;

28 (f) estimated length of tenancy;

29 (g) approximate household income;

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

32 (i) tenancy in rent-regulated housing;

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

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

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

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

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

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

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

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

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

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

53 (q) the number of buildings in which outreach was conducted, the  
54 number of workshops offered, the number of attendees at such workshops,  
55 the number of people referred to non-profits having status under section

1 501 (C) (3) of the United States internal revenue code, and the number  
2 of trainings offered; and

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

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

7 4. coordinate with other programs providing legal representation in  
8 covered proceedings to ensure efficiency of functions and to prevent  
9 duplication of work;

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

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

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

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

22 1. "executive director" means the executive director of the New York  
23 state office of civil representation.

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

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

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

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

54 6. "designated community organization" means a not-for-profit organ-  
55 ization or association having non-profit status under section 501(C)(3)  
56 of the United States internal revenue code that has the capacity to

1 provide education in a program established under section eight hundred  
2 thirty of this article. To the extent practicable, such designated  
3 community organization shall maintain a practice of furnishing free  
4 services; possess expertise and experience in community education and  
5 organizing, and ties to the communities they serve; demonstrate exper-  
6 tise in recognizing and responding to the housing issues facing low-in-  
7 come residents of the state of New York; possess adequate expertise to  
8 provide consistent, high quality supervision, oversight, training, eval-  
9 uation, and strategic response to emerging or changing needs in the  
10 communities served; and maintain reasonable workloads and working condi-  
11 tions for their staff.

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

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

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

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

36 (a) legal representation through one or more designated legal organ-  
37 izations to eligible individuals in covered proceedings throughout the  
38 state;

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

43 (c) community outreach and education through one or more designated  
44 legal organizations and/or designated community organizations regarding  
45 the programs created herein.

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

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

50 (b) legal and community-based organizations;

51 (c) representatives of the judiciary;

52 (d) representatives of a municipality operating or funding a program  
53 providing legal representation, legal consultation, or community educa-  
54 tion and outreach and/or representatives of the organizations involved  
55 in such programs; and

1 (e) any other organizations or individuals as may be necessary as  
2 determined by the executive director.

3 3. The office shall post on its website information regarding the  
4 programs created under this section including how individuals may find  
5 services available in their geographic area.

6 4. The office shall hold one or more hearings or listening sessions in  
7 each region of the state on an annual basis to evaluate the programs  
8 created pursuant to this section and to incorporate any necessary chang-  
9 es to such programs.

10 § 2. Section 701 of the real property actions and proceedings law is  
11 amended by adding a new subdivision 3 to read as follows:

12 3. Any court maintaining a covered proceeding, as defined by section  
13 eight hundred twenty-nine of the executive law, shall notify all  
14 respondents by mail upon filing of a petition, not less than fourteen  
15 days before trial, of the ability to obtain legal representation or  
16 legal consultation, as applicable, pursuant to section eight hundred  
17 thirty of the executive law.

18 § 3. Subdivisions 1 and 2 of section 711 of the real property actions  
19 and proceedings law, subdivision 1 as amended by chapter 305 of the laws  
20 of 1963 and subdivision 2 as amended by section 12 of part M of chapter  
21 36 of the laws of 2019, are amended to read as follows:

22 1. The tenant continues in possession of any portion of the premises  
23 after the expiration of [~~his~~] such tenant's term, without the permission  
24 of the landlord or, in a case where a new lessee is entitled to  
25 possession, without the permission of the new lessee. Acceptance of rent  
26 after commencement of the special proceeding upon this ground shall not  
27 terminate such proceeding nor effect any award of possession to the  
28 landlord or to the new lessee, as the case may be. A proceeding seeking  
29 to recover possession of real property by reason of the termination of  
30 the term fixed in the lease pursuant to a provision contained therein  
31 giving the landlord the right to terminate the time fixed for occupancy  
32 under such agreement if [~~he deems~~] such landlord deems the tenant objec-  
33 tionable, shall not be maintainable unless the landlord shall by compe-  
34 tent evidence establish to the satisfaction of the court that the tenant  
35 is objectionable. No proceeding shall be maintained unless the court  
36 has notified an individual of the ability to obtain legal represen-  
37 tation or legal consultation, as applicable, pursuant to section eight  
38 hundred thirty of the executive law.

39 2. The tenant has defaulted in the payment of rent, pursuant to the  
40 agreement under which the premises are held, and a written demand of the  
41 rent has been made with at least fourteen days' notice requiring, in the  
42 alternative, the payment of the rent, or the possession of the premises,  
43 has been served upon [~~him~~] such tenant as prescribed in section seven  
44 hundred thirty-five of this article. No proceeding shall be maintained  
45 unless the court has notified an individual of the ability to obtain  
46 legal representation or legal consultation, as applicable, pursuant to  
47 section eight hundred thirty of the executive law. Any person succeeding  
48 to the landlord's interest in the premises may proceed under this subdivi-  
49 sion for rent due [~~his~~] their predecessor in interest if [~~he~~] such  
50 person has a right thereto. Where a tenant dies during the term of the  
51 lease and rent due has not been paid and the apartment is occupied by a  
52 person with a claim to possession, a proceeding may be commenced naming  
53 the occupants of the apartment seeking a possessory judgment only as  
54 against the estate. Entry of such a judgment shall be without prejudice  
55 to the possessory claims of the occupants, and any warrant issued shall  
56 not be effective as against the occupants.

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

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

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

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

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

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

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

§ 7. The real property law is amended by adding a new section 235-j to read as follows:

§ 235-j. Lease provisions waiving right to counsel void. Any provision of a lease or contract waiving or otherwise limiting the tenant's ability to obtain legal representation or legal consultation under section eight hundred thirty of the executive law, as may be applicable, shall be void and unenforceable.

§ 8. Severability clause. If any provision of this act, or any application of any provision of this act, is held to be invalid, or to violate or be inconsistent with any federal law or regulation, that shall not affect the validity or effectiveness of any other provision of this act, which can be given effect without that provision or application; and to that end, the provisions and applications of this act are severable.

§ 9. This act shall take effect January 1, 2025; provided, however, that sections two through seven of this act shall take effect one year after such date.

#### PART MM

Section 1. Subdivisions 2 and 3 of section 679-g of the education law, as added by section 1 of part C of chapter 56 of the laws of 2015, are amended to read as follows:

2. Eligibility. To be eligible for an award pursuant to this section, an applicant shall: (a) have graduated from a high school located in New York state or attended an approved New York state program for a state high school equivalency diploma and received such high school equivalency diploma; (b) have graduated and obtained an undergraduate degree from a college or university with its headquarters located in New York state in or after the two thousand fourteen--fifteen academic year; (c) apply for this program within two years of obtaining such degree; (d) be a participant in a federal income-driven repayment plan whose payment amount is generally ten percent of discretionary income; (e) have income of less than ~~[fifty]~~ sixty-six thousand dollars; (f) comply with ~~[subdivisions three and]~~ subdivision five of section six hundred sixty-one of this part; and (g) work in New York state, if employed. For purposes of this program, "income" shall be the total adjusted gross income of the applicant and the applicant's spouse, if applicable.

3. Awards. An applicant whose annual income is less than ~~[fifty]~~ sixty-six thousand dollars shall be eligible to receive an award equal to one hundred percent of his or her monthly federal income-driven repayment plan payments for twenty-four months of repayment under the federal program. Provided, however, that the awards granted under this section shall be deferred for a recipient who has been granted a deferment or forbearance under the federal income-driven repayment plan. Upon completion of such deferment or forbearance period, such recipient shall be eligible to receive an award for the remaining time period under this subdivision. A recipient who is not a resident of New York state at the time any payment is made under this program shall be required to refund such payments to the state. The corporation shall be authorized to recover such payments in accordance with rules and regulations promulgated by the corporation. A student who is delinquent or in default on a student loan made under any statutory New York state or federal education loan program or has failed to comply with the terms of a service condition imposed by an award made pursuant to this article or has

1 failed to repay an award shall be ineligible to receive an award under  
2 this program until such delinquency, default or failure is cured.  
3 § 2. This act shall take effect July 1, 2024.

4 PART NN

5 Section 1. Subdivision 2 of section 667 of the education law, as  
6 amended by chapter 376 of the laws of 2019, is amended to read as  
7 follows:

8 2. Duration. No undergraduate shall be eligible for more than [~~four~~]  
9 ~~five~~ academic years of study, or [~~five~~] ~~six~~ academic years if the  
10 program of study normally requires five years. Students enrolled in a  
11 program of remedial study, approved by the commissioner in an institu-  
12 tion of higher education and intended to culminate in a degree in under-  
13 graduate study shall, for purposes of this section, be considered as  
14 enrolled in a program of study normally requiring five years. An under-  
15 graduate student enrolled in an eligible two year program of study  
16 approved by the commissioner shall be eligible for no more than [~~three~~]  
17 ~~four~~ academic years of study. An undergraduate student enrolled in an  
18 approved two or four-year program of study approved by the commissioner  
19 who must transfer to another institution as a result of permanent  
20 college closure shall be eligible for up to two additional semesters, or  
21 their equivalent, to the extent credits necessary to complete [~~his--or~~  
22 ~~her~~] such student's program of study were deemed non-transferable from  
23 the closed institution or were deemed not applicable to such student's  
24 program of study by the new institution. Any semester, quarter, or term  
25 of attendance during which a student receives any award under this arti-  
26 cle, after the effective date of the former scholar incentive program  
27 and prior to academic year nineteen hundred eighty-nine--nineteen  
28 hundred ninety, shall be counted toward the maximum term of eligibility  
29 for tuition assistance under this section, except that any semester,  
30 quarter or term of attendance during which a student received an award  
31 pursuant to section six hundred sixty-six of this subpart shall be  
32 counted as one-half of a semester, quarter or term, as the case may be,  
33 toward the maximum term of eligibility under this section. Any semester,  
34 quarter or term of attendance during which a student received an award  
35 pursuant to section six hundred sixty-seven-a of this subpart shall not  
36 be counted toward the maximum term of eligibility under this section.  
37 § 2. This act shall take effect July 1, 2024.

38 PART OO

39 Section 1. Paragraph b of subdivision 2 of section 679-e of the  
40 education law, as amended by section 1 of part VV of chapter 56 of the  
41 laws of 2009, is amended to read as follows:

42 b. "Eligible period" means the [~~six-year~~] eight-year period after  
43 completion of the [~~third~~] second year and before the commencement of the  
44 [~~tenth~~] eleventh year of employment as an eligible attorney. For  
45 purposes of this section, all periods of time during which an admitted  
46 attorney was employed as an eligible attorney and all periods of time  
47 during which a law school graduate awaiting admission to the New York  
48 state bar was employed by a prosecuting [~~or~~] agency, criminal defense  
49 agency, non-profit indigent civil legal services corporation as permit-  
50 ted by section four hundred eighty-four of the judiciary law shall be  
51 combined.

1 § 2. Paragraph d of subdivision 2 of section 679-e of the education  
2 law, as amended by section 1 of part VV of chapter 56 of the laws of  
3 2009, is amended to read as follows:

4 d. "Year of qualified service" means the twelve month period measured  
5 from the anniversary of the attorney's employment as an eligible attor-  
6 ney, or as a law school graduate awaiting admission to the New York  
7 state bar employed by a prosecuting ~~[or]~~ agency, criminal defense  
8 agency, non-profit indigent civil legal services corporation as permit-  
9 ted by section four hundred eighty-four of the judiciary law, adjusted  
10 for any interruption in employment. Any period of temporary leave from  
11 service taken by an eligible attorney shall not be considered in the  
12 calculation of qualified service. However, the period of temporary leave  
13 shall be considered an interruption in employment and the calculation of  
14 the time period of qualified service shall recommence when the eligible  
15 attorney returns to full time service.

16 § 3. Paragraph a of subdivision 3 of section 679-e of the education  
17 law, as amended by section 1 of part VV of chapter 56 of the laws of  
18 2009, is amended to read as follows:

19 a. An eligible attorney may apply for reimbursement after the  
20 completion of each year of qualified service provided however that  
21 reimbursement to each eligible attorney shall not exceed ~~[three thousand~~  
22 ~~four hundred]~~ eight thousand dollars, per qualifying year, subject to  
23 appropriations available therefor. The president may establish: (i) an  
24 application deadline and (ii) a method of selecting recipients if in any  
25 given year there are insufficient funds to cover the needs of all the  
26 applicants. Awards shall be within the amounts appropriated for such  
27 purpose and based on availability of funds.

28 § 4. Paragraph b of subdivision 3 of section 679-e of the education  
29 law, as amended by section 1 of part VV of chapter 56 of the laws of  
30 2009, is amended to read as follows:

31 b. An eligible attorney may apply after the completion of the ~~[fourth]~~  
32 second year of qualified service, and annually thereafter after the  
33 completion of the ~~[fifth]~~ third through ~~[ninth]~~ eleventh year of quali-  
34 fied service, and may seek a student loan expense grant for only the  
35 previous year of qualified service within the time periods prescribed by  
36 the president. An eligible attorney may receive student loan expense  
37 grants for no more than ~~[six]~~ eight years of qualified service within an  
38 eligible period.

39 § 5. This act shall take effect April 1, 2025. Nothing in this act  
40 shall be implemented in a manner that diminishes the current award or  
41 status of eligible attorneys currently participating in the program.

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

51 § 3. This act shall take effect immediately provided, however, that  
52 the applicable effective date of Parts A through 00 of this act shall be  
53 as specifically set forth in the last section of such Parts.