

# STATE OF NEW YORK

4642

2023-2024 Regular Sessions

## IN SENATE

February 13, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the highway law, in relation to indexing appropriations

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

1 Section 1. Subdivision 2 of section 10-c of the highway law, as  
2 amended by chapter 355 of the laws of 1999, is amended to read as  
3 follows:

4 2. On or before the twenty-fifth day of April, June, September and  
5 November of each state fiscal year commencing with the state fiscal year  
6 beginning on April first, nineteen hundred eighty-four there shall be  
7 distributed and paid to counties, cities, towns and villages an amount  
8 equal to the moneys appropriated for the purposes of this section  
9 divided by the number of payment dates in that state fiscal year. Such  
10 amounts shall be distributed and paid pursuant to subdivision three of  
11 this section. Provided, however, that on and after January first, two  
12 thousand twenty-five and on each following January first, the commis-  
13 sioner shall index the level of such appropriations for subsequent state  
14 fiscal years based on the national highway construction cost index for  
15 the most recent twelve month period. The commissioner shall increase  
16 appropriations by the rate of inflation for the most recent twelve month  
17 period that is available at the time the adjusted rate is calculated and  
18 announced using the national highway construction cost index, or a  
19 successor index as calculated by the United States federal highway  
20 administration, if such rate of inflation is greater than zero percent.

21 § 2. This act shall take effect immediately.

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

LBD09127-01-3