

# STATE OF NEW YORK

4836

2023-2024 Regular Sessions

## IN SENATE

February 15, 2023

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

AN ACT to amend the state finance law, in relation to awarding grants to municipalities for capital improvement projects; and making an appropriation therefor

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

1 Section 1. Subdivision 10 of section 54 of the state finance law is  
2 amended by adding a new paragraph v to read as follows:

3 v. Local government capital improvement grant program. (i) (1) For the  
4 purposes of this paragraph, "municipality" and "municipalities" shall  
5 mean any city, town or village that has a population of less than seven  
6 thousand five hundred.

7 (2) For the purposes of this paragraph, "total expenditures" shall  
8 mean the total expenditures for a municipality as reported to the state  
9 comptroller.

10 (3) For the purposes of this paragraph, "capital improvement projects"  
11 shall mean any non-transportation related capital improvement project on  
12 property owned by a municipality that has a total cost of one hundred  
13 thousand dollars or higher and such project exceeds ten percent of such  
14 municipality's total expenditures.

15 (ii) Within the annual amounts appropriated therefor, the secretary of  
16 state may award matching grants to municipalities to cover costs associ-  
17 ated with capital improvement projects.

18 (iii) The maximum cumulative grant award for a local government capi-  
19 tal improvement grant shall not exceed two hundred fifty thousand  
20 dollars.

21 (iv) Matching funds equal to at least fifty percent of the total cost  
22 of the capital improvement project under the grant approved by the  
23 department of state shall be required to receive a local government  
24 capital improvement grant.

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

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1 (v) Within one week of the receipt of an application, the department  
2 of state shall review the application to ensure the applicant has filed  
3 the correct application, and to determine if any required sections of  
4 the application contain no information. Within one business day of  
5 determining an applicant has filed an incorrect application, or deter-  
6 mining an application contains no information in a section required to  
7 contain information, the department shall so notify the applicant.  
8 Applicants shall be permitted to amend an application found to be miss-  
9 ing information, and such application shall be reconsidered for approval  
10 if it is amended by the application deadline. If an applicant has  
11 submitted an incorrect application, the applicant may submit the correct  
12 application to the appropriate program by the deadline for such program  
13 for consideration. Under no circumstances shall this subparagraph be  
14 deemed to require the extension of any application deadline established  
15 by the department, nor shall it obligate the department to conduct a  
16 substantive review of the contents of any application outside of the  
17 procedures established by the department for the purposes of maintaining  
18 the competitive integrity of the grant program.

19 § 2. The sum of five million dollars (\$5,000,000), or so much thereof  
20 as may be necessary, is hereby appropriated to the department of state  
21 out of any moneys in the state treasury in the general fund to the cred-  
22 it of the local government capital improvement grant program, not other-  
23 wise appropriated, and made immediately available, for the purpose of  
24 carrying out the provisions of this act. Such moneys shall be payable on  
25 the audit and warrant of the comptroller on vouchers certified or  
26 approved by the commissioner of education in the manner prescribed by  
27 law.

28 § 3. This act shall take effect immediately.