

# STATE OF NEW YORK

4945

2023-2024 Regular Sessions

## IN SENATE

February 17, 2023

Introduced by Sens. PARKER, HOYLMAN-SIGAL, SERRANO -- 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 establishing a clean air account; 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. Paragraph a of subdivision 2 of section 92-s of the state  
2 finance law, as amended by section 1 of part U of chapter 58 of the laws  
3 of 2016, is amended to read as follows:

4 a. The comptroller shall establish the following separate and distinct  
5 accounts within the environmental protection fund:

6 (i) solid waste account;

7 (ii) parks, recreation and historic preservation account;

8 (iii) open space account;

9 (iv) climate change mitigation and adaptation account; [~~and~~]

10 (v) environmental protection transfer account[~~-~~]; and

11 (vi) clean air account.

12 § 2. Paragraph (f) of subdivision 6 of section 92-s of the state  
13 finance law is relettered paragraph (g) and a new paragraph (f) is added  
14 to read as follows:

15 (f) Moneys from the clean air account shall be available, pursuant to  
16 appropriation, for clean air account projects according to the follow-  
17 ing:

18 (i) Thirty-five million dollars to upgrade school boilers. The commis-  
19 sioner of education shall establish a procedure to determine the priori-  
20 ty of which school boilers shall be replaced;

21 (ii) Five million dollars for grants to schools in clean air non-at-  
22 tainment areas to pay for the increased cost of ultra low sulfur diesel;  
23 and

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

LBD06485-01-3

1     (iii) Ten million dollars to fund the initial costs associated with  
2     conversion to boilers or furnaces that use bio-fuel.

3     § 3. The sum of fifty million dollars (\$50,000,000), or so much there-  
4     of as may be necessary, is hereby appropriated to the department of  
5     environmental conservation out of any moneys in the state treasury in  
6     the general fund to the credit of the clean air account, not otherwise  
7     appropriated, and made immediately available, for the purpose of carry-  
8     ing out the provisions of this act. Such moneys shall be payable on the  
9     audit and warrant of the comptroller on vouchers certified or approved  
10    by the commissioner of the department of environmental conservation in  
11    the manner prescribed by law.

12    § 4. This act shall take effect immediately.