

# STATE OF NEW YORK

6340

2023-2024 Regular Sessions

## IN SENATE

April 17, 2023

Introduced by Sen. KRUEGER -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT making appropriations for the support of government; to amend chapter 121 of the laws of 2023 relating to making appropriations for the support of government, in relation thereto; and to amend chapter 122 of the laws of 2023, relating to making appropriations for the support of government, in relation thereto, and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Legislative intent. The legislature hereby finds and  
2 declares that the enactment of these appropriations provides sufficient  
3 authority to the comptroller for the purpose of making payments for the  
4 purposes described herein until such time as appropriation bills submit-  
5 ted by the governor pursuant to article VII of the state constitution  
6 for the support of government for the state fiscal year beginning April  
7 1, 2023 are enacted.

8 § 2. Section 2 of chapter 121 of the laws of 2023, relating to making  
9 appropriations for the support of government, as amended by chapter 122  
10 of the laws of 2023, is amended to read as follows:

11 § 2. The amounts specified in this section, or so much thereof as  
12 shall be sufficient to accomplish the purposes designated, is hereby  
13 appropriated and authorized to be paid as hereinafter provided, to the  
14 public officers and for the purpose specified, which amount shall be  
15 available for the state fiscal year beginning April 1, 2023.

16 ALL STATE DEPARTMENTS AND AGENCIES

17 For the purpose of making payments for  
18 personal service, including liabilities

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

LBD12008-01-3

1 incurred prior to April 1, 2023, on the  
 2 payrolls scheduled to be paid during the  
 3 period April 1 through April [~~17~~ 20, 2023  
 4 to state officers and employees of the  
 5 executive branch, including the governor,  
 6 lieutenant governor, comptroller, and  
 7 attorney general, and to employees of the  
 8 legislature. This appropriation also  
 9 includes funding for payment of health  
 10 care and mental hygiene bonuses to eligi-  
 11 ble state employees, and payments for  
 12 services performed by mentally ill or  
 13 developmentally disabled persons who are  
 14 employed in state-operated special employ-  
 15 ment, work-for-pay or sheltered workshop  
 16 programs ..... [~~458,000,000~~] 714,000,000  
 17 -----

18 § 3. Section 3 of chapter 121 of the laws of 2023, relating to making  
 19 appropriations for the support of government, as amended by chapter 122  
 20 of the laws of 2023, is amended to read as follows:

21 § 3. The amount specified in this section, or so much thereof as shall  
 22 be sufficient to accomplish the purpose designated, is hereby appropri-  
 23 ated and authorized to be paid as hereinafter provided, to the public  
 24 officers and for the purpose specified, which amount shall be available  
 25 for the state fiscal year beginning April 1, 2023.

26 ALL STATE DEPARTMENTS AND AGENCIES

27 For the payment of state operations non  
 28 personal service liabilities to the execu-  
 29 tive branch, including the comptroller,  
 30 and the attorney general, and legislature,  
 31 incurred in the ordinary course of busi-  
 32 ness, during the period April 1 through  
 33 April [~~17~~ 20, 2023, pursuant to existing  
 34 state law and for purposes for which the  
 35 legislature authorized the expenditure of  
 36 moneys during the 2022-2023 state fiscal  
 37 year; provided, however, that nothing  
 38 contained herein shall be deemed to limit  
 39 or restrict the power or authority of  
 40 state departments or agencies to conduct  
 41 their activities or operations in accord-  
 42 ance with existing law, and further  
 43 provided that nothing contained herein  
 44 shall be deemed to supersede, nullify or  
 45 modify the provisions of section 40 of the  
 46 state finance law prescribing when appro-  
 47 priations made for the 2022-2023 state  
 48 fiscal year shall have ceased to have  
 49 force and effect ..... [~~22,000,000~~] 48,600,000  
 50 -----

1 § 4. Section 4 of chapter 121 of the laws of 2023, relating to making  
2 appropriations for the support of government, as amended by chapter 122  
3 of the laws of 2023, is amended to read as follows:

4 § 4. The amounts specified in this section, or so much thereof as  
5 shall be sufficient to accomplish the purposes designated, is hereby  
6 appropriated and authorized to be paid as hereinafter provided, to the  
7 public officers and for the purposes specified, which amount shall be  
8 available for the state fiscal year beginning April 1, 2023.

9 ALL STATE DEPARTMENTS AND AGENCIES

10 The sum of [~~thirty million dollars~~  
11 ~~(\$30,000,000)] one hundred seventy million  
12 dollars (\$170,000,000), or so much thereof  
13 as shall be sufficient to accomplish the  
14 purpose designated, is hereby appropriated  
15 for contracts and grants approved for  
16 purposes for which the legislature author-  
17 ized the expenditures of money during the  
18 2022-2023 fiscal year. An amount up to  
19 [~~thirty million dollars (\$30,000,000)] one  
20 hundred seventy million dollars  
21 (\$170,000,000) shall be available for the  
22 payment of capital projects liabilities  
23 incurred during the period from April 1  
24 through April [~~17~~ 20, 2023 for contracts  
25 and grants approved prior to April 1,  
26 2023, provided, however, that nothing  
27 contained herein shall be deemed to limit  
28 or restrict the power or authority of  
29 state departments or agencies to conduct  
30 their activities or operations in accord-  
31 ance with existing law, and further  
32 provided that nothing contained herein  
33 shall be deemed to supersede, nullify, or  
34 modify the provisions of section 40 of the  
35 state finance law prescribing when appro-  
36 priations made for the 2022-2023 fiscal  
37 year shall have ceased to have force and  
38 effect .....~~~~

39 .....	[ <del>30,000,000</del> ]	<u>170,000,000</u>
40 .....	-----	

41 § 5. Section 5 of chapter 121 of the laws of 2023, relating to making  
42 appropriations for the support of government, as amended by chapter 122  
43 of the laws of 2023, is amended to read as follows:

44 § 5. The several amounts specified in this section, or so much thereof  
45 as shall be sufficient to accomplish the purposes designated, are hereby  
46 appropriated and authorized to be paid as hereinafter provided, to the  
47 respective public officers and for the several purposes specified, which  
48 amounts shall be available for the state fiscal year beginning April 1,  
49 2023.

50 ALL STATE DEPARTMENTS AND AGENCIES

51 The sum of [~~five million dollars~~

1 ~~(\$5,000,000)~~ thirty million dollars  
2 (\$30,000,000), or so much thereof as shall  
3 be sufficient to accomplish the purpose  
4 designated, is hereby appropriated for  
5 contracts and grants approved for which  
6 the legislature authorized the expendi-  
7 tures of money during the 2022-2023 fiscal  
8 year. An amount up to [~~five million~~  
9 ~~dollars~~ ~~(\$5,000,000)~~ thirty million  
10 dollars (\$30,000,000) shall be available  
11 for the payment of capital projects  
12 liabilities incurred during the period  
13 from April 1 through April [~~17~~ 20, 2023  
14 for contracts and grants approved after  
15 April 1, 2023, provided, however, that  
16 nothing contained herein shall be deemed  
17 to limit or restrict the power or authori-  
18 ty of state departments or agencies to  
19 conduct their activities or operations in  
20 accordance with existing law, and further  
21 provided that nothing contained herein  
22 shall be deemed to supersede, nullify, or  
23 modify the provisions of section 40 of the  
24 state finance law prescribing when appro-  
25 priations made for the 2022-2023 fiscal  
26 year shall have ceased to have force and  
27 effect ..... [~~5,000,000~~] 30,000,000  
28 -----

29 § 6. Section 6 of chapter 121 of the laws of 2023, relating to making  
30 appropriations for the support of government, as amended by chapter 122  
31 of the laws of 2023, is amended to read as follows:

32 § 6. The amounts specified in this section, or so much thereof as  
33 shall be sufficient to accomplish the purposes designated, is hereby  
34 appropriated and authorized to be paid as hereinafter provided, to the  
35 public officers and for the purposes specified, which amount shall be  
36 available for the state fiscal year beginning April 1, 2023.

37 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

38 GENERAL STATE CHARGES

39 STATE OPERATIONS

40 GENERAL STATE CHARGES ..... [~~524,660,000~~] 559,815,000  
41 -----

42 General Fund  
43 State Purposes Account - 10050

44 For employee fringe benefits according to  
45 the following project schedule including  
46 those benefits which are related to  
47 employees paid from funds, accounts, or  
48 programs where the division of the budget  
49 has issued waivers ..... [~~522,460,000~~] 556,440,000

PROJECT	AMOUNT
-----	
For the state's contribution to the social security contribution fund .....	
..... [ <del>42,000,000</del> ]	<u>70,000,000</u>
For the state's share of contributions to the voluntary defined contribution plan made on behalf of eligible employees pursuant to chapter 18 of the laws of 2012 who elect to participate in such plan and who are not otherwise eligible to participate in the SUNY optional retirement program .....	
..... [ <del>460,000</del> ]	<u>690,000</u>
For the state's contribution to the health insurance fund and deposit into the retiree health benefit trust fund pursuant to section 99-aa of the state finance law. The state's share of the health insurance program dividends shall be available to pay for the premiums in 2023-24 ..	400,000,000
For payments to the state insurance fund for workers' compensation benefits and other related workers' compensation costs prior to or after they become incurred including but not limited to the benefits defined in chapters 302 and 303 of the laws of 1985 .....	45,000,000
For the state's contribution to employee benefit fund programs .....	35,000,000
<u>For the state's contribution to the dental insurance plan ...</u>	<u>4,250,000</u>
<u>For the state's contribution to the vision care plan .....</u>	<u>1,500,000</u>
-----	
Project schedule total ...	
..... [ <del>522,460,000</del> ]	<u>556,440,000</u>
-----	
For the payment of the metropolitan commuter transportation mobility tax pursuant to article 23 of the tax law as added by chapter 25 of the laws of 2009 on behalf of the state employees employed in the	

1	metropolitan commuter transportation	
2	district .....	[ <del>2,200,000</del> ]
3		<u>3,300,000</u>

4 For payment of claims for damage to personal  
5 or real property or for bodily injuries or  
6 wrongful death caused by officers, employ-  
7 ees, or other authorized persons providing  
8 service to state government while provid-  
9 ing such service, and the state university  
10 construction fund while acting within the  
11 scope of their employment, and while oper-  
12 ating motor vehicles, and for any individ-  
13 uals operating motor vehicles which are  
14 assigned on a permanent basis with unre-  
15 stricted use to state officers and employ-  
16 ees when the person is permanently  
17 assigned the motor vehicle (80559) ..... 75,000  
18 -----

19 § 7. Section 7 of chapter 121 of the laws of 2023, relating to making  
20 appropriations for the support of government, as amended by chapter 122  
21 of the laws of 2023, is amended to read as follows:

22 § 7. The amounts specified in this section, or so much thereof as  
23 shall be sufficient to accomplish the purposes designated, is hereby  
24 appropriated and authorized to be paid as hereinafter provided, to the  
25 public officers and for the purposes specified, which amount shall be  
26 available for the state fiscal year beginning April 1, 2023.

27 JUDICIARY

28 For the purpose of making payments for  
29 personal service, including liabilities  
30 incurred prior to April 1, 2023, on the  
31 payrolls scheduled to be paid during the  
32 period April 1 through April [~~17~~] 20, 2023  
33 to officers and employees of the judiciary  
34 ..... 65,000,000

35 For the payment of state operations nonper-  
36 sonal service liabilities, the sum of  
37 fifty million dollars (\$50,000,000), or so  
38 much thereof as shall be sufficient to  
39 accomplish the purpose designated, is  
40 hereby appropriated to the judiciary out  
41 of any moneys in the general fund or other  
42 funds to the credit of the state purposes  
43 account not otherwise appropriated. The  
44 comptroller is hereby authorized and  
45 directed to utilize this appropriation for  
46 the purpose of making payments for non-  
47 personal service liabilities incurred by  
48 the judiciary from April 1 through April  
49 [~~17~~] 20, 2023 ..... 50,000,000

50 For the payment of aid to localities liabil-  
51 ities, the sum of fifteen million dollars  
52 (\$15,000,000), or so much thereof as shall

1 be sufficient to accomplish the purpose  
 2 designated, is hereby appropriated to the  
 3 judiciary out of any moneys in the general  
 4 fund or other funds to the credit of the  
 5 state purposes account not otherwise  
 6 appropriated. The comptroller is hereby  
 7 authorized and directed to utilize this  
 8 appropriation for the purpose of making  
 9 payments for aid to localities liabilities  
 10 incurred by the judiciary from April 1  
 11 through April ~~17~~ 20, 2023 ..... 15,000,000

12 For the payment of employee fringe benefit  
 13 programs including, but not limited to,  
 14 the judiciary's contributions to the  
 15 health insurance fund, the employees'  
 16 retirement system pension accumulation  
 17 fund, the social security contribution  
 18 fund, employee benefit fund programs, the  
 19 dental insurance plan, the vision care  
 20 plan, the unemployment insurance fund, and  
 21 for workers' compensation benefits, the  
 22 sum of [~~seventy five million dollars~~  
 23 ~~(\$75,000,000)] two hundred eighty-one  
 24 million dollars (\$281,000,000), or so much  
 25 thereof as shall be sufficient to accom-  
 26 plish the purpose designated, is hereby  
 27 appropriated to the judiciary out of any  
 28 moneys in the general fund or other funds  
 29 to the credit of the state purposes  
 30 account not otherwise appropriated. The  
 31 comptroller is hereby authorized and  
 32 directed to utilize this appropriation for  
 33 the purpose of making payments for employ-  
 34 ee fringe benefit liabilities incurred by  
 35 the judiciary from April 1 through April  
 36 [~~10~~ 20, 2023 ..... [~~75,000,000~~] 281,000,000~~

37 § 8. Section 8 of chapter 122 of the laws of 2023, relating to making  
 38 appropriations for the support of government, is amended to read as  
 39 follows:

40 § 8. The amount specified in this section, or so much thereof as shall  
 41 be sufficient to accomplish the purpose designated, is hereby appropri-  
 42 ated and authorized to be paid as hereinafter provided, to the public  
 43 officers and for the purpose specified, which amount shall be available  
 44 for the state fiscal year beginning April 1, 2023.

45 DEPARTMENT OF FAMILY ASSISTANCE  
 46 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

47 AID TO LOCALITIES

48 EMPLOYMENT AND INCOME SUPPORT PROGRAM ..... 235,416,000  
 49 -----  
 50 General Fund  
 51 Local Assistance Account - 10000

1 For state reimbursement of the safety net  
2 assistance program as established pursuant  
3 to chapter 436 of the laws of 1997.  
4 Notwithstanding section 153 of the social  
5 services law or any other inconsistent  
6 provision of law, funds appropriated here-  
7 in shall reimburse 29 percent of safety  
8 net assistance expenditures, including the  
9 cost of providing shelter supplements for  
10 safety net assistance households at local  
11 option, including eligible households  
12 containing a household member who has been  
13 released from prison, in order to prevent  
14 eviction and address homelessness in  
15 accordance with social services district  
16 plans approved by the office of temporary  
17 and disability assistance and the director  
18 of the budget, provided, however, that in  
19 social services districts with a popu-  
20 lation over five million no shelter  
21 supplements other than [~~those to prevent~~  
22 ~~eviction~~] the family homelessness and  
23 eviction prevention supplement shall be  
24 reimbursed, provided however funds appro-  
25 riated herein shall only be used to reim-  
26 burse rental costs up to the maximum rent  
27 levels in place as of January 1, 2021,  
28 then adjusted consistent with the annual  
29 year-over-year percentage changes in fair  
30 market rent, provided, however, in the  
31 event of a decrease in fair market rent  
32 the value of the maximum rent levels reim-  
33 bursed with funds appropriated herein  
34 shall not decrease and shall be set at the  
35 maximum rent levels established during the  
36 prior year, and further provided that such  
37 supplements shall not be part of the stan-  
38 dard of need pursuant to section 131-a of  
39 the social services law. Funds appropri-  
40 ated herein shall also reimburse 29  
41 percent of safety net assistance expendi-  
42 tures, in social services districts with a  
43 population over five million, for emergen-  
44 cy shelter, transportation, or nutrition  
45 payments which the district determines are  
46 necessary to establish or maintain inde-  
47 pendent living arrangements among persons  
48 living with medically diagnosed HIV  
49 infection as defined by the AIDS institute  
50 of the state department of health and who  
51 are homeless or facing homelessness and  
52 for whom no viable and less costly alter-  
53 native to housing is available; provided,  
54 however, that funds appropriated herein  
55 may only be used for such purposes if the  
56 cost of such allowances are not eligible



1 for reimbursement under medical assistance  
2 or other programs. Funds appropriated  
3 herein shall reimburse 29 percent of safe-  
4 ty net assistance expenditures, in social  
5 services districts with a population of  
6 five million or fewer, for emergency shel-  
7 ter payments promulgated by the office of  
8 temporary and disability assistance which  
9 the district determines are necessary to  
10 establish or maintain independent living  
11 arrangements among persons living with  
12 medically diagnosed HIV infection as  
13 defined by the AIDS institute of the state  
14 department of health and who are homeless  
15 or facing homelessness and for whom no  
16 viable and less costly alternative to  
17 housing is available; provided, however,  
18 that funds appropriated herein may only be  
19 used for such purposes if the cost of such  
20 allowances are not eligible for reimburse-  
21 ment under medical assistance or other  
22 programs. Funds appropriated herein shall  
23 reimburse 29 percent of safety net assist-  
24 ance expenditures, in social services  
25 districts with a population of five  
26 million or fewer, for emergency shelter  
27 payments in excess of those promulgated by  
28 the office of temporary and disability  
29 assistance but not exceeding an amount  
30 reasonably approximate to 100 percent of  
31 fair market rent, at local option which  
32 the district determines are necessary to  
33 establish or maintain independent living  
34 arrangements among persons living with  
35 medically diagnosed HIV infection as  
36 defined by the AIDS institute of the State  
37 department of health and who are homeless  
38 or facing homelessness and for whom no  
39 viable and less costly alternative to  
40 housing is available; provided, however,  
41 that funds appropriated herein may only be  
42 used for such purposes if the cost of such  
43 allowances are not eligible for reimburse-  
44 ment under medical assistance or other  
45 programs. Such emergency shelter payments  
46 shall only be made at local option and in  
47 accordance with a plan approved by the  
48 office of temporary and disability assist-  
49 ance and the director of the budget.  
50 Provided, however, notwithstanding section  
51 153 of the social services law or any  
52 other inconsistent provision of law, if  
53 necessary funding, as determined by the  
54 director of the budget, is secured in a  
55 social services district from the medical  
56 assistance program by reducing the capita-

1 tion rates paid to medicaid managed care  
2 organizations by the amount of savings  
3 resulting from stably housing individuals  
4 living with medically diagnosed HIV  
5 infection as defined by the AIDS institute  
6 of the state department of health, the  
7 social services district shall make such  
8 emergency shelter payments in excess of  
9 those promulgated by the office of tempo-  
10 rary and disability assistance but not  
11 exceeding an amount reasonably approximate  
12 to 100 percent of fair market rent, and  
13 the savings shall be used to reimburse 100  
14 percent of the cost of such excess emer-  
15 gency shelter payments for cases reim-  
16 bursed under the safety net assistance or  
17 family assistance programs in social  
18 services districts with a population of  
19 five million or fewer, in accordance with  
20 a plan approved by the office of temporary  
21 and disability assistance and the director  
22 of the budget; provided further that  
23 reimbursement shall be provided to medi-  
24 caid managed care organizations through  
25 adjustments to capitation rates should  
26 actual gross savings not be realized as  
27 determined by the director of the budget.  
28 For persons living with medically diag-  
29 nosed HIV infection as defined by the AIDS  
30 institute of the state department of  
31 health living in social service districts  
32 with a population over five million who  
33 are receiving public assistance, funds  
34 appropriated herein shall be used to reim-  
35 burse 29 percent of the additional rental  
36 costs determined based on limiting such  
37 person's earned and/or unearned income  
38 contribution to 30 percent. For persons  
39 living with medically diagnosed HIV  
40 infection as defined by the AIDS institute  
41 of the state department of health living  
42 in social services districts with a popu-  
43 lation of five million or fewer who are  
44 receiving public assistance, funds appro-  
45 priated herein may be used to reimburse up  
46 to 100 percent of the additional rental  
47 costs determined based on limiting such  
48 person's earned and/or unearned income  
49 contribution to 30 percent. Such payments  
50 of additional rental costs shall only be  
51 made at local option and in accordance  
52 with a plan approved by the office of  
53 temporary and disability assistance and  
54 the director of the budget. Provided,  
55 however, notwithstanding section 153 of  
56 the social services law or any other

1 inconsistent provision of law, if neces-  
2 sary funding, as determined by the direc-  
3 tor of the budget, is secured in a social  
4 services district from the medical assist-  
5 ance program by reducing the capitation  
6 rates paid to medicaid managed care organ-  
7 izations by the amount of savings result-  
8 ing from stably housing individuals living  
9 with medically diagnosed HIV infection as  
10 defined by the AIDS institute of the state  
11 department of health, the social services  
12 district shall make such payments of addi-  
13 tional rental costs, for cases reimbursed  
14 under the safety net assistance and family  
15 assistance program, and the savings shall  
16 be used to reimburse 100 percent of the  
17 cost of the additional rental costs deter-  
18 mined based on limiting such person's  
19 earned and/or unearned income contribution  
20 to 30 percent in social services districts  
21 with a population of five million or  
22 fewer, in accordance with a plan approved  
23 by the office of temporary and disability  
24 assistance and the director of the budget;  
25 provided further that reimbursement shall  
26 be provided to medicaid managed care  
27 organizations through adjustments to capi-  
28 tation rates should actual gross savings  
29 not be realized as determined by the  
30 director of the budget. Amounts appropri-  
31 ated herein may be used to enter into  
32 contracts with persons or entities author-  
33 ized pursuant to subdivision ~~(i)~~ (j) of  
34 section 17 of the social services law  
35 consistent with federal law and require-  
36 ments. Such contracts will be consistent  
37 with subdivision ~~(i)~~ (j) of section 17  
38 of the social services law. Notwithstand-  
39 ing section 153 of the social services law  
40 or any other inconsistent provision of  
41 law, the office may reduce reimbursement  
42 otherwise payable to social services  
43 districts to recover 29 percent of costs  
44 incurred by the office for expenditures  
45 related to subdivision ~~(i)~~ (j) of  
46 section 17 of the social services law.  
47 Such funds are to be available for payment  
48 of aid heretofore accrued or hereafter to  
49 accrue to municipalities. Subject to the  
50 approval of the director of the budget,  
51 such funds shall be available to the  
52 office of temporary and disability assist-  
53 ance net of disallowances, refunds,  
54 reimbursements, and credits, including  
55 those related to title IV-E of the social  
56 security act; and including, but not

1 limited to, additional federal funds  
2 resulting from any changes in federal cost  
3 allocation methodologies. Notwithstanding  
4 any inconsistent provision of law, the  
5 amount herein appropriated may be  
6 increased or decreased by interchange with  
7 any other appropriation within the office  
8 of temporary and disability assistance  
9 general fund - local assistance account  
10 with the approval of the director of the  
11 budget, who shall file such approval with  
12 the department of audit and control and  
13 copies thereof with the chairman of the  
14 senate finance committee and the chairman  
15 of the assembly ways and means committee.  
16 Social services districts shall be  
17 required to report to the office of tempo-  
18 rary and disability assistance on an annu-  
19 al basis, information, as determined and  
20 requested by the office, related to  
21 services and expenditures for which  
22 reimbursement is sought for providing  
23 temporary housing assistance to homeless  
24 individuals and families. Such information  
25 shall be submitted electronically to the  
26 extent feasible as determined by the  
27 office, and shall be used to evaluate  
28 expenditures by such social services  
29 districts for the provision of temporary  
30 housing assistance for homeless individ-  
31 uals and families. Notwithstanding section  
32 153 of the social services law, or any  
33 other inconsistent provision of law, the  
34 office of temporary and disability assist-  
35 ance may withhold or deny reimbursement,  
36 in whole or in part, to any social  
37 services district that fails to develop or  
38 submit a homeless services plan subject to  
39 the approval of the office of temporary  
40 and disability assistance, fails to  
41 provide homeless services and outreach in  
42 accordance with its approved homeless  
43 services plan, or fails to develop or  
44 submit homeless services outcome reports,  
45 consistent with those requirements promul-  
46 gated by the office of temporary and disa-  
47 bility assistance. Notwithstanding section  
48 153 of the social services law, or any  
49 other inconsistent provision of law, such  
50 appropriation shall be available for  
51 reimbursement of eligible costs incurred  
52 on or after January 1, 2023 and before  
53 January 1, 2024, that are otherwise reim-  
54 bursable by the state on or after April 1,  
55 2023, that are claimed by March 1, 2024.

1 Such reimbursement shall constitute total  
 2 state reimbursement for activities funded  
 3 herein in state fiscal year 2023-24  
 4 (52203) ..... 52,083,000  
 5 For expenditures for additional state  
 6 payments for eligible aged, blind, and  
 7 disabled persons related to supplemental  
 8 security income and for expenditures made  
 9 pursuant to title 8 of article 5 of the  
 10 social services law. Such funds are avail-  
 11 able for payment of aid heretofore accrued  
 12 or hereafter to accrue. Notwithstanding  
 13 any inconsistent provision of law, the  
 14 amount herein appropriated may be  
 15 increased or decreased by interchange with  
 16 any other appropriation within the office  
 17 of temporary and disability assistance  
 18 general fund - local assistance account  
 19 with the approval of the director of the  
 20 budget, who shall file such approval with  
 21 the department of audit and control and  
 22 copies thereof with the chairman of the  
 23 senate finance committee and the chairman  
 24 of the assembly ways and means committee  
 25 (52311) ..... 58,333,000

26 Special Revenue Funds - Federal  
 27 Federal Health and Human Services Fund  
 28 Temporary Assistance for Needy Families Account - 25178

29 For reimbursement of the cost of the family  
 30 assistance and the emergency assistance to  
 31 families programs. Notwithstanding section  
 32 153 of the social services law or any  
 33 inconsistent provision of law, funds  
 34 appropriated herein shall be provided  
 35 without state or local participation  
 36 except that for social services districts  
 37 with a population of five million or more,  
 38 reimbursement will be eighty-five percent.  
 39 Funds appropriated herein shall also  
 40 include the cost of providing shelter  
 41 supplements for family assistance house-  
 42 holds at local option, including eligible  
 43 households containing a household member  
 44 who has been released from prison, in  
 45 order to prevent eviction and address  
 46 homelessness in accordance with social  
 47 services district plans approved by the  
 48 office of temporary and disability assist-  
 49 ance and the director of the budget,  
 50 provided, however, that in social services  
 51 districts with a population over five  
 52 million no shelter supplements other than  
 53 [~~those to prevent eviction~~] the family  
 54 homelessness and eviction prevention

1 supplement shall be reimbursed, provided  
2 however funds appropriated herein shall  
3 only be used to reimburse rental costs up  
4 to the maximum rent levels in place as of  
5 January 1, 2021, then adjusted consistent  
6 with the annual year-over-year percentage  
7 changes in fair market rent, provided,  
8 however, in the event of a decrease in  
9 fair market rent the value of the maximum  
10 rent levels reimbursed with funds appro-  
11 riated herein shall not decrease and  
12 shall be set at the maximum rent levels  
13 established during the prior year, and  
14 further provided that such supplements  
15 shall not be part of the standard of need  
16 pursuant to section 131-a of the social  
17 services law. Funds appropriated herein  
18 shall also reimburse for family assistance  
19 expenditures for emergency shelter, trans-  
20 portation, or nutrition payments which the  
21 district determines are necessary to  
22 establish or maintain independent living  
23 arrangements among persons living with  
24 medically diagnosed HIV infection as  
25 defined by the AIDS institute of the State  
26 department of health and who are homeless  
27 or facing homelessness and for whom no  
28 viable and less costly alternative to  
29 housing is available; provided, however,  
30 that funds appropriated herein may only be  
31 used for such purposes if the cost of such  
32 allowances are not eligible for reimburse-  
33 ment under medical assistance or other  
34 programs. For persons living with  
35 medically diagnosed HIV infection as  
36 defined by the AIDS institute of the state  
37 department of health who are receiving  
38 public assistance funds appropriated here-  
39 in shall not be used to reimburse the  
40 additional rental costs determined based  
41 on limiting such person's earned and/or  
42 unearned income contribution to 30  
43 percent. Amounts appropriated herein may  
44 be used to enter into contracts with  
45 persons or entities authorized pursuant to  
46 subdivision [~~(i)~~] (j) of section 17 of the  
47 social services law consistent with feder-  
48 al law and requirements. Such contracts  
49 will be made consistent with subdivision  
50 [~~(i)~~] (j) of section 17 of the social  
51 services law. Notwithstanding section 153  
52 of the social services law or any other  
53 inconsistent provision of law, the office  
54 may reduce reimbursement otherwise payable  
55 to social services districts to recover  
56 the federal share of costs incurred by the

1 office for expenditures related to subdivi-  
2 sion [~~(i)~~] (j) of section 17 of the  
3 social services law. Such funds are to be  
4 available for payment of aid heretofore  
5 accrued or hereafter to accrue to municipi-  
6 palities. Subject to the approval of the  
7 director of the budget, such funds shall  
8 be available to the office of temporary  
9 and disability assistance net of disallow-  
10 ances, refunds, reimbursements, and cred-  
11 its including, but not limited to, addi-  
12 tional federal funds resulting from any  
13 changes in federal cost allocation method-  
14 ologies. Notwithstanding any inconsistent  
15 provision of law, the amount herein appro-  
16 priated may be increased or decreased by  
17 interchange with any other appropriation  
18 within the office of temporary and disa-  
19 bility assistance federal fund - local  
20 assistance account with the approval of  
21 the director of the budget, who shall file  
22 such approval with the department of audit  
23 and control and copies thereof with the  
24 chairman of the senate finance committee  
25 and the chairman of the assembly ways and  
26 means committee. Social services districts  
27 shall be required to report to the office  
28 of temporary and disability assistance on  
29 an annual basis, information, as deter-  
30 mined and requested by the office, related  
31 to services and expenditures for which  
32 reimbursement is sought for providing  
33 temporary housing assistance to homeless  
34 individuals and families. Such information  
35 shall be submitted electronically to the  
36 extent feasible as determined by the  
37 office, and shall be used to evaluate  
38 expenditures by such social services  
39 districts for the provision of temporary  
40 housing assistance for homeless individ-  
41 uals and families. Notwithstanding section  
42 153 of the social services law, or any  
43 other inconsistent provision of law, the  
44 office of temporary and disability assist-  
45 ance may withhold or deny reimbursement,  
46 in whole or in part, to any social  
47 services district that fails to develop or  
48 submit a homeless services plan subject to  
49 the approval of the office of temporary  
50 and disability assistance, fails to  
51 provide homeless services and outreach in  
52 accordance with its approved homeless  
53 services plan, or fails to develop or  
54 submit homeless services outcome reports,  
55 consistent with those requirements promul-  
56 gated by the office of temporary and disa-

1 bility assistance. Notwithstanding section  
 2 153 of the social services law, or any  
 3 other inconsistent provision of law, such  
 4 appropriation shall be available for  
 5 reimbursement of eligible costs incurred  
 6 on or after January 1, 2023 and before  
 7 January 1, 2024, that are otherwise reim-  
 8 bursable by the state on or after April 1,  
 9 2023, that are claimed by March 1, 2024.  
 10 Such reimbursement shall constitute total  
 11 federal reimbursement for activities fund-  
 12 ed herein in state fiscal year 2023-24  
 13 (52203) ..... 125,000,000

14 § 9. The amounts specified in this section, or so much thereof as  
 15 shall be sufficient to accomplish the purposes designated, is hereby  
 16 appropriated and authorized to be paid as hereinafter provided, to the  
 17 public officers and for the purposes specified, which amount shall be  
 18 available for the state fiscal year beginning April 1, 2023.

19 DEPARTMENT OF AGRICULTURE AND MARKETS

20 AID TO LOCALITIES

21 AGRICULTURAL BUSINESS SERVICES PROGRAM ..... 348,000  
 22 -----

23 General Fund  
 24 Local Assistance Account - 10000

25 Notwithstanding any law to the contrary, for  
 26 services, expenses and grants, including  
 27 but not limited to (a) the New York state  
 28 veterinary diagnostic laboratory, (b)  
 29 research and development at Cornell  
 30 university, (c) education and outreach at  
 31 Cornell university, (d) the New York farm  
 32 viability institute, (e) the promotion of  
 33 agricultural economic development, and (f)  
 34 agricultural access, education and work-  
 35 force support, pursuant to a plan prepared  
 36 by the commissioner of the department of  
 37 agriculture and markets and approved by  
 38 the director of the budget. Funds hereby  
 39 appropriated shall be available to the  
 40 program net of refunds, rebates,  
 41 reimbursements and credits. All or a  
 42 portion of this appropriation may be  
 43 suballocated to any state department,  
 44 agency, or public authority ..... 348,000  
 45 -----

46 § 10. Section 8 of chapter 121 of the laws of 2023, relating to making  
 47 appropriations for the support of government, as amended by chapter 122  
 48 of the laws of 2023, is amended to read as follows:



1 § 8. The amounts specified in this section, or so much thereof as  
2 shall be sufficient to accomplish the purposes designated, is hereby  
3 appropriated and authorized to be paid as hereinafter provided, to the  
4 public officers and for the purposes specified, which amount shall be  
5 available for the state fiscal year beginning April 1, 2023.

6 DEPARTMENT OF HEALTH

7 AID TO LOCALITIES

8 CENTER FOR COMMUNITY HEALTH PROGRAM ..... [~~19,200,000~~] 35,093,000  
9 -----

10 General Fund  
11 Local Assistance Account - 10000

12 For services and expenses related to the  
13 Indian health program. The moneys hereby  
14 appropriated shall be for payment of  
15 financial assistance heretofore accrued or  
16 hereafter to accrue (26840) ... [~~3,200,000~~] 6,400,000  
17 -----

18 Special Revenue Funds - Federal  
19 Federal USDA-Food and Nutrition Services Fund  
20 Federal Food and Nutrition Services Account - 25022

21 For various federal food and nutritional  
22 services. The moneys hereby appropriated  
23 shall be available for payment of finan-  
24 cial assistance heretofore accrued (26986)  
25 ..... [~~16,000,000~~] 19,693,000  
26 -----

27 [~~MEDICAL ASSISTANCE PROGRAM~~] HEALTH CARE REFORM ACT PROGRAM .. 9,000,000  
28 -----

29 [~~General Fund~~  
30 ~~Local Assistance Account - 10000~~]  
31 Special Revenue Funds - Other  
32 HCRA Resources Fund  
33 HCRA Program Account - 20807

34 For transfer to health research incorporated  
35 (HRI) for the AIDS drug assistance  
36 program, including payments to Ryan White  
37 centers (29880) ..... 9,000,000

38 § 11. Section 10 of chapter 122 of the laws of 2023, relating to  
39 making appropriations for the support of government, is amended to read  
40 as follows:

41 § 10. The amounts specified in this section, or so much thereof as  
42 shall be sufficient to accomplish the purposes designated, is hereby  
43 appropriated and authorized to be paid as hereinafter provided, to the  
44 public officers and for the purposes specified, which amount shall be  
45 available for the state fiscal year beginning April 1, 2023.

DEPARTMENT OF LABOR

AID TO LOCALITIES

UNEMPLOYMENT INSURANCE BENEFIT PROGRAM ..... [~~400,000,000~~] 544,000,000

- Enterprise Funds
- Unemployment Insurance Benefit Fund
- Unemployment Insurance Benefit Account - 50650

For payment of unemployment insurance benefits pursuant to article 18 of the labor law or as authorized by the federal government through the disaster unemployment assistance program, the emergency unemployment compensation program, the extended benefit program, the federal additional compensation program or any other federally funded unemployment benefit program (34787) ..... [~~400,000,000~~] 544,000,000

§ 12. Section 10 of chapter 121 of the laws of 2023, relating to making appropriations for the support of government, is amended to read as follows:

§ 10. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2023.

DEPARTMENT OF MENTAL HYGIENE

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

AID TO LOCALITIES

COMMUNITY SERVICES PROGRAM ..... [~~173,054,000~~] 177,545,000

- General Fund
- Local Assistance Account - 10000

For services and expenses of the community services program, net of disallowances, for community programs for people with developmental disabilities pursuant to article 41 of the mental hygiene law, and/or chapter 620 of the laws of 1974, chapter 660 of the laws of 1977, chapter 412 of the laws of 1981, chapter 27 of the laws of 1987, chapter 729 of the laws of 1989, chapter 329 of the laws of 1993 and other provisions of the mental hygiene law. Notwithstanding any inconsistent provision of law, the following appropri-

1 ation shall be net of prior and/or current  
2 year refunds, rebates, reimbursements, and  
3 credits.

4 Notwithstanding any other provision of law,  
5 advances and reimbursement made pursuant  
6 to subdivision (d) of section 41.15 and  
7 section 41.18 of the mental hygiene law  
8 shall be allocated pursuant to a plan and  
9 in a manner prescribed by the agency head  
10 and approved by the director of the budg-  
11 et. The moneys hereby appropriated are  
12 available to reimburse or advance locali-  
13 ties and voluntary non-profit agencies for  
14 expenditures made during local fiscal  
15 periods commencing January 1, 2022, April  
16 1, 2022 or July 1, 2022, and for advances  
17 for the 3 month period beginning January  
18 1, 2023.

19 Notwithstanding the provisions of article 41  
20 of the mental hygiene law or any other  
21 inconsistent provision of law, rule or  
22 regulation, the commissioner, pursuant to  
23 such contract and in the manner provided  
24 therein, may pay all or a portion of the  
25 expenses incurred by such voluntary agen-  
26 cies arising out of loans which are funded  
27 from the proceeds of bonds and notes  
28 issued by the dormitory authority of the  
29 state of New York.

30 Notwithstanding any other provision of law,  
31 the money hereby appropriated may be  
32 transferred to state operations and/or any  
33 appropriation of the office for people  
34 with developmental disabilities with the  
35 approval of the director of the budget.

36 Notwithstanding any inconsistent provision  
37 of law, moneys from this appropriation may  
38 be used for state aid of up to 100 percent  
39 of the net deficit costs of day training  
40 programs and family support services.

41 Notwithstanding the provisions of section  
42 16.23 of the mental hygiene law and any  
43 other inconsistent provision of law, with  
44 relation to the operation of certified  
45 family care homes, including family care  
46 homes sponsored by voluntary not-for-pro-  
47 fit agencies, moneys from this appropri-  
48 ation may be used for payments to purchase  
49 general services including but not limited  
50 to respite providers, up to a maximum of  
51 14 days, at rates to be established by the  
52 commissioner and approved by the director  
53 of the budget in consideration of factors  
54 including, but not limited to, geographic  
55 area and number of clients cared for in  
56 the home and for payment in an amount

1 determined by the commissioner for the  
2 personal needs of each client residing in  
3 the family care home.

4 Notwithstanding the provisions of subdivi-  
5 sion 12 of section 8 of the state finance  
6 law and any other inconsistent provision  
7 of law, moneys from this appropriation may  
8 be used for expenses of family care homes  
9 including payments to operators of certi-  
10 fied family care homes for damages caused  
11 by clients to personal and real property  
12 in accordance with standards established  
13 by the commissioner and approved by the  
14 director of the budget.

15 Notwithstanding any inconsistent provision  
16 of law, moneys from this appropriation may  
17 be used for appropriate day program  
18 services and residential services includ-  
19 ing, but not limited to, direct housing  
20 subsidies to individuals, start-up  
21 expenses for family care providers, envi-  
22 ronmental modifications, adaptive technol-  
23 ogies, appraisals, property options,  
24 feasibility studies and preoperational  
25 expenses.

26 Notwithstanding any inconsistent provision  
27 of law except pursuant to a chapter of the  
28 laws of 2022 authorizing a 5.4 percent  
29 cost of living adjustment, for the period  
30 commencing on April 1, 2022 and ending  
31 March 31, 2023 the commissioner shall not  
32 apply any other cost of living adjustment  
33 for the purpose of establishing rates of  
34 payments, contracts or any other form of  
35 reimbursement.

36 Notwithstanding section 6908 of the educa-  
37 tion law and any other provision of law,  
38 rule or regulation to the contrary, direct  
39 support staff in programs certified or  
40 approved by the office for people with  
41 developmental disabilities, including the  
42 home and community based services waiver  
43 programs that the office for people with  
44 developmental disabilities is authorized  
45 to administer with federal approval pursu-  
46 ant to subdivision (c) of section 1915 of  
47 the federal social security act, are  
48 authorized to provide such tasks as OPWDD  
49 may specify when performed under the  
50 supervision, training and periodic  
51 inspection of a registered professional  
52 nurse and in accordance with an authorized  
53 practitioner's ordered care.

54 Notwithstanding any other provision of law  
55 to the contrary, and consistent with  
56 section 33.07 of the mental hygiene law,

1 the directors of facilities licensed but  
2 not operated by the office for people with  
3 developmental disabilities who act as  
4 federally-appointed representative payees  
5 and who assume management responsibility  
6 over the funds of a resident may continue  
7 to use such funds for the cost of the  
8 resident's care and treatment, consistent  
9 with federal law and regulations.

10 Funds appropriated herein shall be available  
11 in accordance with the following:

12 Notwithstanding any inconsistent provision  
13 of law, the director of the budget is  
14 authorized to make suballocations from  
15 this appropriation to the department of  
16 health medical assistance program.

17 Notwithstanding any inconsistent provision  
18 of law, and pursuant to criteria estab-  
19 lished by the commissioner of the office  
20 for people with developmental disabilities  
21 and approved by the director of the budg-  
22 et, expenditures may be made from this  
23 appropriation for residential facilities  
24 which are pending recertification as  
25 intermediate care facilities for people  
26 with developmental disabilities.

27 Notwithstanding the provisions of section  
28 41.36 of the mental hygiene law and any  
29 other inconsistent provision of law,  
30 moneys from this appropriation may be used  
31 for payment up to \$250 per year per  
32 client, at such times and in such manner  
33 as determined by the commissioner on the  
34 basis of financial need for the personal  
35 needs of each client residing in voluntary  
36 operated community residences and volun-  
37 tary-operated community residential alter-  
38 natives, including individualized residen-  
39 tial alternatives under the home and  
40 community based services waiver. The  
41 commissioner shall, subject to the  
42 approval of the director of the budget,  
43 alter existing advance payment schedules  
44 for voluntary-operated community resi-  
45 dences established pursuant to section  
46 41.36 of the mental hygiene law. Notwith-  
47 standing any inconsistent provision of law  
48 moneys from this appropriation may be used  
49 for the operation of clinics licensed  
50 pursuant to article 16 of the mental  
51 hygiene law including, but not limited to,  
52 supportive and habilitative services  
53 consistent with the home and community  
54 based services waiver. Notwithstanding  
55 sections 112 and 163 of the state finance  
56 law and section 142 of the economic devel-

1 opment law, or any other inconsistent  
2 provision of law, funds appropriated to  
3 the department of health in accordance  
4 with a schedule based upon approved Medi-  
5 caid claims for eligible home and communi-  
6 ty-based services, or other approved  
7 services as defined in section nine thou-  
8 sand eight hundred and seventeen of the  
9 American rescue plan act of 2021, from  
10 April 1, 2021 through March 31, 2023 and  
11 made available by the department of health  
12 via sub-allocation or transfer of up to  
13 \$740,000,000 may be allocated and distrib-  
14 uted by the commissioner of the office for  
15 people with developmental disabilities,  
16 subject to approval of the director of the  
17 budget, without a competitive bid or  
18 request for proposal process for the  
19 services and expenses of qualified appli-  
20 cants. All awards will be granted utiliz-  
21 ing criteria established by the commis-  
22 sioner of the office for people with  
23 developmental disabilities to strengthen  
24 and enhance home and community-based  
25 services consistent with the American  
26 rescue plan act of 2021.

27 For the state share of medical assistance  
28 services expenses incurred by the depart-  
29 ment of health for the provision of  
30 medical assistance services to people with  
31 developmental disabilities (37835) ..... 152,106,000

32 For services and expenses of the community  
33 services program, net of disallowances,  
34 for community programs for people with  
35 developmental disabilities pursuant to  
36 article 41 of the mental hygiene law,  
37 and/or chapter 620 of the laws of 1974,  
38 chapter 660 of the laws of 1977, chapter  
39 412 of the laws of 1981, chapter 27 of the  
40 laws of 1987, chapter 729 of the laws of  
41 1989, chapter 329 of the laws of 1993 and  
42 other provisions of the mental hygiene  
43 law. Notwithstanding any inconsistent  
44 provision of law, the following appropri-  
45 ation shall be net of prior and/or current  
46 year refunds, rebates, reimbursements, and  
47 credits.

48 Notwithstanding any other provision of law,  
49 advances and reimbursement made pursuant  
50 to subdivision (d) of section 41.15 and  
51 section 41.18 of the mental hygiene law  
52 shall be allocated pursuant to a plan and  
53 in a manner prescribed by the agency head  
54 and approved by the director of the budg-  
55 et. The moneys hereby appropriated are  
56 available to reimburse or advance locali-

1 ties and voluntary non-profit agencies for  
2 expenditures made during local fiscal  
3 periods commencing January 1, 2022, April  
4 1, 2022 or July 1, 2022, and for advances  
5 for the 3 month period beginning January  
6 1, 2023.

7 Notwithstanding the provisions of article 41  
8 of the mental hygiene law or any other  
9 inconsistent provision of law, rule or  
10 regulation, the commissioner, pursuant to  
11 such contract and in the manner provided  
12 therein, may pay all or a portion of the  
13 expenses incurred by such voluntary agen-  
14 cies arising out of loans which are funded  
15 from the proceeds of bonds and notes  
16 issued by the dormitory authority of the  
17 state of New York.

18 Notwithstanding any other provision of law,  
19 the money hereby appropriated may be  
20 transferred to state operations and/or any  
21 appropriation of the office for people  
22 with developmental disabilities with the  
23 approval of the director of the budget.

24 Notwithstanding any inconsistent provision  
25 of law, moneys from this appropriation may  
26 be used for state aid of up to 100 percent  
27 of the net deficit costs of day training  
28 programs and family support services.

29 Notwithstanding the provisions of section  
30 16.23 of the mental hygiene law and any  
31 other inconsistent provision of law, with  
32 relation to the operation of certified  
33 family care homes, including family care  
34 homes sponsored by voluntary not-for-pro-  
35 fit agencies, moneys from this appropri-  
36 ation may be used for payments to purchase  
37 general services including but not limited  
38 to respite providers, up to a maximum of 5  
39 days, at rates to be established by the  
40 commissioner and approved by the director  
41 of the budget in consideration of factors  
42 including, but not limited to, geographic  
43 area and number of clients cared for in  
44 the home and for payment in an amount  
45 determined by the commissioner for the  
46 personal needs of each client residing in  
47 the family care home.

48 Notwithstanding the provisions of subdivi-  
49 sion 12 of section 8 of the state finance  
50 law and any other inconsistent provision  
51 of law, moneys from this appropriation may  
52 be used for expenses of family care homes  
53 including payments to operators of certi-  
54 fied family care homes for damages caused  
55 by clients to personal and real property  
56 in accordance with standards established

1 by the commissioner and approved by the  
2 director of the budget.

3 Notwithstanding any inconsistent provision  
4 of law, moneys from this appropriation may  
5 be used for appropriate day program  
6 services and residential services includ-  
7 ing, but not limited to, direct housing  
8 subsidies to individuals, start-up  
9 expenses for family care providers, envi-  
10 ronmental modifications, adaptive technol-  
11 ogies, appraisals, property options,  
12 feasibility studies and preoperational  
13 expenses.

14 Notwithstanding any inconsistent provision  
15 of law except pursuant to a chapter of the  
16 laws of 2021 authorizing a 5.4 percent  
17 cost of living adjustment, for the period  
18 commencing on April 1, 2022 and ending  
19 March 31, 2023 the commissioner shall not  
20 apply any other cost of living adjustment  
21 for the purpose of establishing rates of  
22 payments, contracts or any other form of  
23 reimbursement.

24 Notwithstanding section 6908 of the educa-  
25 tion law and any other provision of law,  
26 rule or regulation to the contrary, direct  
27 support staff in programs certified or  
28 approved by the office for people with  
29 developmental disabilities, including the  
30 home and community based services waiver  
31 programs that the office for people with  
32 developmental disabilities is authorized  
33 to administer with federal approval pursu-  
34 ant to subdivision (c) of section 1915 of  
35 the federal social security act, are  
36 authorized to provide such tasks as the  
37 office for people with developmental disa-  
38 bilities may specify when performed under  
39 the supervision, training and periodic  
40 inspection of a registered professional  
41 nurse and in accordance with an authorized  
42 practitioner's ordered care.

43 Notwithstanding any other provision of law  
44 to the contrary, and consistent with  
45 section 33.07 of the mental hygiene law,  
46 the directors of facilities licensed but  
47 not operated by the office for people with  
48 developmental disabilities who act as  
49 federally-appointed representative payees  
50 and who assume management responsibility  
51 over the funds of a resident may continue  
52 to use such funds for the cost of the  
53 resident's care and treatment, consistent  
54 with federal law and regulations.



1 For services and expenses related to provid-  
2 ing health care and mental hygiene worker  
3 bonuses.  
4 Funds appropriated herein shall be available  
5 in accordance with the following:  
6 Notwithstanding any other provision of law  
7 to the contrary, funds appropriated herein  
8 are available to reimburse in- and out-of-  
9 state private residential schools, pursu-  
10 ant to subdivision (c) of section 13.37-a  
11 and subdivision (g) of section 13.38 of  
12 the mental hygiene law, for costs of  
13 supporting the residential and day program  
14 services available to individuals who are  
15 over the age of 21 years of age, provided  
16 that the amount paid for residential  
17 services and/or maintenance costs is net  
18 of any supplemental security income bene-  
19 fit to which the individual receiving  
20 services is eligible, and provided further  
21 that funding for nonresidential services  
22 will be in an amount not to exceed the  
23 maximum reimbursement for appropriate day  
24 services delivered by the office for  
25 people with developmental disabilities  
26 certified or approved providers other than  
27 in- and out-of-state private residential  
28 schools, unless otherwise authorized by  
29 the director of the budget.  
30 Notwithstanding section 163 of the state  
31 finance law, section 142 of the economic  
32 development law, and article 41 of the  
33 mental hygiene law, the commissioner of  
34 the office for people with developmental  
35 disabilities may make the funds appropri-  
36 ated herein available as state aid, a loan  
37 or a grant, pursuant to terms and condi-  
38 tions established by the commissioner of  
39 the office for people with developmental  
40 disabilities, to cover a portion of the  
41 development costs of private, public  
42 and/or non-profit organizations, including  
43 corporations and partnerships established  
44 pursuant to the private housing finance  
45 law and/or any other statutory provisions,  
46 for supportive housing units that have  
47 been set aside for individuals with intel-  
48 lectual and developmental disabilities.  
49 Further, the office for people with devel-  
50 opmental disabilities shall have a lien on  
51 the real property developed with such  
52 state aid, loans or grants, which shall be  
53 in the amount of the loan or grant, for a  
54 maximum term of 30 years, or other longer  
55 term consistent with the requirements of  
56 another regulatory agency.

1	For services and expenses related to the	
2	provision of residential services to	
3	people with developmental disabilities	
4	(37802) .....	<del>[11,880,000]</del> <u>14,427,000</u>
5	For services and expenses related to the	
6	provision of day program services to	
7	people with developmental disabilities	
8	(37803) .....	<del>[2,674,000]</del> <u>3,247,000</u>
9	For services and expenses related to the	
10	provision of family support services to	
11	people with developmental disabilities	
12	(37804) .....	<del>[3,732,000]</del> <u>4,533,000</u>
13	For services and expenses related to the	
14	provision of workshop, day training and	
15	employment services to people with devel-	
16	opmental disabilities. Notwithstanding any	
17	other provision of law, up to \$800,000 of	
18	this appropriation may be transferred to	
19	the New York State Education Departments'	
20	Adult Career and Continuing Education	
21	Services - Vocational Rehabilitation	
22	(ACCES-VR) program to support the Long-	
23	Term Sheltered Employment program operated	
24	by FEDCAP Rehabilitation Services, Inc.	
25	(37805) .....	<del>[2,154,000]</del> <u>2,616,000</u>
26	For other services and expenses provided to	
27	people with developmental disabilities	
28	including but not limited to hepatitis B,	
29	care at home waiver, epilepsy services,	
30	Special Olympics New York, Inc. and volun-	
31	tary fingerprinting (37806) .....	<del>[508,000]</del> <u>616,000</u>
32	-----	

33 § 13. The amounts specified in this section, or so much thereof as  
34 shall be sufficient to accomplish the purposes designated, is hereby  
35 appropriated and authorized to be paid as hereinafter provided, to the  
36 public officers and for the purposes specified, which amount shall be  
37 available for the state fiscal year beginning April 1, 2023.

38 DEPARTMENT OF STATE

39 AID TO LOCALITIES

40 LOCAL GOVERNMENT AND COMMUNITY SERVICES PROGRAM ..... 541,000  
41 -----

42 Special Revenue Funds - Federal  
43 Federal Health and Human Services Fund  
44 Federal Health and Human Services Account - 25127

45 For allocations from the community services  
46 block grant to community action agencies  
47 and other eligible entities, including  
48 suballocation to other state departments  
49 and agencies provided however, each recip-  
50 ient of funds from this appropriation

1 shall not be required to secure a local  
 2 share equivalent (51019) ..... 541,000  
 3 -----

4 § 14. No expenditure may be made from any appropriation in this act,  
 5 until a certificate of approval has been issued by the director of the  
 6 budget and a copy of such certificate shall have been filed with the  
 7 state comptroller, the chairman of the senate finance committee and the  
 8 chairman of the assembly ways and means committee provided, however,  
 9 that any expenditures from any appropriation in this act made by the  
 10 legislature or judiciary shall not require such certificate.

11 § 15. All expenditures and disbursements made against the appropri-  
 12 ations in this act shall, upon final action by the legislature on appro-  
 13 priation bills submitted by the governor pursuant to article VII of the  
 14 state constitution for the support of government for the state fiscal  
 15 year beginning April 1, 2023, be transferred by the comptroller as  
 16 expenditures and disbursements to such appropriations for all state  
 17 departments and agencies, as applicable, in amounts equal to the amounts  
 18 charged against the appropriations in this act for each such department,  
 19 agency, and the legislature and the judiciary.

20 § 16. Severability clause. If any clause, sentence, paragraph, subdi-  
 21 vision, section or part of this act shall be adjudged by any court of  
 22 competent jurisdiction to be invalid, such judgment shall not affect,  
 23 impair, or invalidate the remainder thereof, but shall be confined in  
 24 its operation to the clause, sentence, paragraph, subdivision, section  
 25 or part thereof directly involved in the controversy in which such judg-  
 26 ment shall have been rendered. It is hereby declared to be the intent of  
 27 the legislature that this act would have been enacted even if such  
 28 invalid provisions had not been included herein.

29 § 17. This act shall take effect immediately and shall be deemed to  
 30 have been in full force and effect on and after April 1, 2023; provided,  
 31 however, that upon the transfer of expenditures and disbursements by the  
 32 comptroller as provided in section fifteen of this act, the appropri-  
 33 ations made by this act and subject to such section shall be deemed  
 34 repealed.