

# STATE OF NEW YORK

9286

## IN SENATE

May 9, 2024

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

AN ACT to amend the public authorities law and the tax law, in relation to establishing the Long Island transportation account

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

1 Section 1. Subdivisions 4, 5, 6 and 7 of section 1270-i of the public  
2 authorities law are renumbered subdivisions 5, 6, 7 and 8 and a new  
3 subdivision 4 is added to read as follows:

4 4. Moneys in the Long Island transportation account shall be used for  
5 the exclusive purpose of funding the operating and capital costs of  
6 metropolitan transportation authority facilities, equipment and services  
7 in the counties of Nassau and Suffolk, and any projects improving trans-  
8 portation connections from such counties to New York County. Such funds  
9 may be used for infrastructure including construction, reconstruction,  
10 reconditioning and preservation of transportation systems, facilities  
11 and equipment, acquisition of property, and for operating costs includ-  
12 ing personal services, non-personal services, fringe benefits, and  
13 contractual services. Funds may also be used to fund a toll reduction  
14 program for any crossings under the jurisdiction of the metropolitan  
15 transportation authority or its subsidiaries or affiliates. Funds may  
16 also be used to pay or to reimburse the authority for its payment of  
17 debt service and reserve requirements on that portion of authority bonds  
18 and notes that have been issued by the authority specifically for the  
19 authorized purpose of this account. Notwithstanding any law to the  
20 contrary, final approval of the use of any funds paid into the Long  
21 Island transportation account shall be unanimously approved by three  
22 members of the metropolitan transportation authority capital program  
23 review board, established pursuant to section twelve hundred  
24 sixty-nine-a of this title, as designated under this subdivision. For  
25 purposes of such final approvals the three voting members shall be: the  
26 member appointed upon recommendation by the temporary president of the  
27 senate; the member appointed upon recommendation by the speaker of the  
28 assembly; and the member appointed by the governor.

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

LBD15397-03-4

1 § 2. Subdivisions 1, 6 and 7 of section 1270-i of the public authori-  
2 ties law, as added by section 4 of part NNN of chapter 59 of the laws of  
3 2018 and subdivisions 6 and 7 as renumbered by section one of this act,  
4 are amended to read as follows:

5 1. The authority shall create and establish a fund to be known as the  
6 "New York city transportation assistance fund" which shall be kept sepa-  
7 rate from and shall not be commingled with any other moneys of the  
8 authority. The New York city transportation assistance fund shall  
9 consist of [~~three~~] four separate accounts: (i) the "subway action plan  
10 account"; (ii) the "outer borough transportation account"; [~~and~~] (iii)  
11 the "general transportation account"; and (iv) the "Long Island trans-  
12 portation account". The authority shall make deposits in the subway  
13 action plan account of the moneys received by it pursuant to the  
14 provisions of subdivision (c) of section twelve hundred ninety-nine-H of  
15 the tax law in accordance with the provisions thereof, shall make depos-  
16 its in the outer borough transportation account of fifty percent of  
17 the moneys received by it pursuant to the provisions of subdivision (d) of  
18 section twelve hundred ninety-nine-H of the tax law in accordance with  
19 the provisions thereof, shall make deposits in the Long Island transpor-  
20 tation account of fifty percent of the moneys received by it pursuant to  
21 the provisions of subdivision (d) of section twelve hundred  
22 ninety-nine-H of the tax law in accordance with the provisions thereof,  
23 and shall make deposits in the general transportation account of the  
24 moneys received by it pursuant to the provisions of subdivision (e) of  
25 section twelve hundred ninety-nine-H of the tax law in accordance with  
26 the provisions thereof, and pursuant to the provisions of section eleven  
27 hundred eleven-C of the vehicle and traffic law.

28 6. Any revenues deposited in the subway action plan account, the outer  
29 borough transportation account, the Long Island transportation account,  
30 or the general transportation account pursuant to subdivision one of  
31 this section shall be used exclusively for the purposes described,  
32 respectively, in subdivisions two, three, and [~~four~~] five of this  
33 section. Such revenues shall only supplement and shall not supplant any  
34 federal, state, or local funds expended by the metropolitan transporta-  
35 tion authority, such authority's affiliates or subsidiaries for such  
36 respective purposes.

37 7. Any revenues deposited into the New York city transportation  
38 assistance fund pursuant to subdivision one of this section shall not be  
39 diverted into the general fund of the state, any other fund established  
40 by the chapter of the laws of two thousand eighteen which added this  
41 subdivision, any other fund maintained for the support of any other  
42 governmental purpose, or for any other purpose not authorized by subdivi-  
43 sions two, three [~~and~~], four, and five of this section.

44 § 3. Subdivision (d) of section 1299-H of the tax law, as added by  
45 section 2 of part NNN of chapter 59 of the laws of 2018, is amended to  
46 read as follows:

47 (d) The amount of revenues so certified that are in excess of the  
48 amounts deposited as provided in subdivision (c) of this section, shall  
49 be paid over by the fifteenth business day of each succeeding month from  
50 such account, without appropriation, fifty percent into the outer  
51 borough transportation account and fifty percent into the Long Island  
52 transportation account of the New York city transportation assistance  
53 fund established pursuant to section twelve hundred seventy-i of the  
54 public authorities law.

55 § 4. This act shall take effect immediately.