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:

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

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

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

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

1. The authority shall create and establish a fund to be known as the "New York city transportation assistance fund" which shall be kept separate from and shall not be commingled with any other moneys of the authority. The New York city transportation assistance fund shall consist of [~~three~~] four separate accounts: (i) the "subway action plan account"; (ii) the "outer borough transportation account"; [~~and~~] (iii) the "general transportation account"; and (iv) the "Long Island transportation account". The authority shall make deposits in the subway action plan account of the moneys received by it pursuant to the provisions of subdivision (c) of section twelve hundred ninety-nine-H of the tax law in accordance with the provisions thereof, shall make deposits in the outer borough transportation account of fifty percent of the moneys received by it pursuant to the provisions of subdivision (d) of section twelve hundred ninety-nine-H of the tax law in accordance with the provisions thereof, shall make deposits in the Long Island transportation account of fifty percent of the moneys received by it pursuant to the provisions of subdivision (d) of section twelve hundred ninety-nine-H of the tax law in accordance with the provisions thereof, and shall make deposits in the general transportation account of the moneys received by it pursuant to the provisions of subdivision (e) of section twelve hundred ninety-nine-H of the tax law in accordance with the provisions thereof, and pursuant to the provisions of section eleven hundred eleven-C of the vehicle and traffic law.

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

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

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

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

§ 4. This act shall take effect immediately.