STATE OF NEW YORK

11603

IN ASSEMBLY

June 5, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Hyndman) -- read once and referred to the Committee on Labor

AN ACT to amend the public buildings law and the labor law, in relation to prevailing wage requirements applicable to leasehold improvements in state leases

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

Section 1. Subdivision 12 of section 3 of the public buildings law, as amended by section 47 of part T of chapter 57 of the laws of 2007, is amended to read as follows:

12. Lease from time to time buildings, rooms or premises in the county of Albany, and elsewhere as required, for providing space for departments, commissions, boards and officers of the state government, upon such terms and conditions as [~~he or she~~] **such commissioner** deems most advantageous to the state. Any such lease shall, however, be for a term not exceeding ten years, except that, the commissioner of general services may enter into leases for a term not exceeding fifteen years when, in the judgment of such commissioner, such longer term is in the best interests of the state. Any such lease may provide for optional renewals on the part of the state, for terms of ten years or less. Each such lease shall contain a clause stating that the contract of the state thereunder shall be deemed executory only to the extent of moneys available therefor and that no liability shall be incurred by the state beyond the money available for such purpose. **Each such lease shall contain a clause requiring compliance with section two hundred twenty-four-g of the labor law.** Notwithstanding the provisions of any other law, except section sixteen hundred seventy-six of the public authorities law relating to use of dormitory authority facilities by the aged, the commissioner of general services shall have sole and exclusive authority to lease space for state departments, agencies, commissions, boards and officers within the county of Albany. Any buildings, rooms or premises, now or hereafter held by the commissioner of general services under lease, may be sublet, in part or in whole, provided that in the judgment of such commissioner, and the occupying department, commission,

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

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board, and officers of the state government, such buildings, rooms or premises are not for a time needed. Notwithstanding any other provision of law to the contrary, if bonds or notes are issued pursuant to section sixteen hundred eighty-n of the public authorities law for the purpose of acquiring a building or other facility previously financed by a lease or lease-purchase obligation as authorized herein, the state agency which is the tenant in occupancy shall be authorized to remit tax payments or payments in lieu of thereof to the appropriate taxing authority in a manner consistent with the process and term established under the original lease or lease-purchase for the subject property for a period coincident with the term of the lease as established at the commencement of the term thereof. The state may undertake a certiorari review of assessments that may be imposed from time to time.

§ 2. Subdivision 12 of section 3 of the public buildings law, as amended by section 48 of part T of chapter 57 of the laws of 2007, is amended to read as follows:

12. Lease from time to time buildings, rooms or premises in the county of Albany, and elsewhere as required, for providing space for departments, commissions, boards and officers of the state government, upon such terms and conditions as [~~he or she~~] **such commissioner** deems most advantageous to the state. Any such lease shall, however, be for a term not exceeding ten years, but may provide for optional renewals on the part of the state, for terms of ten years or less. Each such lease shall contain a clause stating that the contract of the state thereunder shall be deemed executory only to the extent of moneys available therefor and that no liability shall be incurred by the state beyond the money available for such purpose. **Each such lease shall contain a clause requiring compliance with section two hundred twenty-four-g of the labor law.** Notwithstanding the provisions of any other law, except section sixteen hundred seventy-six of the public authorities law relating to use of dormitory authority facilities by the aged, the commissioner of general services shall have sole and exclusive authority to lease space for state departments, agencies, commissions, boards and officers within the county of Albany. Any buildings, rooms or premises, now or hereafter held by the commissioner of general services under lease, may be sublet, in part or in whole, provided that in the judgment of the commissioner, and the occupying department, commission, board, and officers of the state government, such buildings, rooms or premises are not for a time needed.

§ 3. The labor law is amended by adding a new section 224-g to read as follows:

§ 224-g. Prevailing wage requirements applicable to leasehold improvements in state leases. 1. Subject to the provisions of this section, covered leasehold improvements in leases entered into by the commissioner of general services pursuant to subdivision twelve of section three of the public buildings law shall be subject to prevailing wage requirements in accordance with sections two hundred twenty-two and two hundred twenty-b of this article.

2. "Covered leasehold improvements" shall include any construction undertaken pursuant to leases entered into by the commissioner of general services under section three of the public buildings law, including structural modifications, new drywall and flooring, updates to lighting, electrical, and technology systems, addition of rooms, cubicles, or partitions, and shelving and countertops where such construction costs are over one hundred thousand dollars.

3. This section shall apply to all leases entered into by the commissioner of general services pursuant to section three of the public buildings law.

4. For purposes of this section, "fiscal officer" shall be deemed to be the commissioner. The enforcement of any covered leasehold improvements shall be subject to the requirements of section two hundred twenty, two hundred twenty-a and two hundred twenty-b of this article, and section two hundred twenty-seven of this chapter and within the jurisdiction of the fiscal officer.

5. The fiscal officer may issue rules and regulations governing the provisions of this section. Violations of this section shall be grounds for determinations and orders pursuant to section two hundred twenty-b of this article.

§ 4. This act shall take effect immediately; provided that the amendments to subdivision 12 of section 3 of the public buildings law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 27 of chapter 95 of the laws of 2000, as amended, when upon such date the provisions of section two of this act shall take effect.