STATE OF NEW YORK

1948--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 14, 2025

Introduced by M. of A. ROSENTHAL, REYES, TAPIA, CRUZ, BURDICK, STECK, SEAWRIGHT, LEE -- read once and referred to the Committee on Housing -- recommitted to the Committee on Housing in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the private housing finance law, in relation to establishing an affordable independent senior housing assistance program

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

Section 1. The private housing finance law is amended by adding a new article 29-A to read as follows:

ARTICLE XXIX-A

AFFORDABLE INDEPENDENT SENIOR HOUSING ASSISTANCE PROGRAM

Section 1265. Affordable independent senior housing assistance program.

§ 1265. Affordable independent senior housing assistance program. 1. Establishment. The commissioner, in conjunction with the commissioner of health, shall develop an affordable independent senior housing assistance program, which shall provide grants within amounts appropriated or otherwise available therefor to affordable independent senior housing properties to establish and operate resident assistance programs. The affordable independent senior housing assistance program shall be administered by the division.

2. Definitions. For purposes of this article, the following terms shall have the following meanings: (a) "affordable independent senior housing property" shall mean any residential project which contains dwelling units that are affordable to residents at a specific income level pursuant to a statute, regulation, restrictive declaration, or regulatory agreement with a local, state, or federal government entity that is occupied by individuals over sixty years of age, who live independently and at least eighty percent of whom have a total household income that does not exceed sixty percent of the area median income;

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

LBD02348-02-6

(b) "resident assistance" shall mean services or support offered to residents of affordable independent senior housing properties to help promote healthy living by extending independence and improving quality of life; and

(c) "division" shall mean the state division of housing and community renewal.

3. Assistance. Allowable resident assistance shall be determined by the commissioner in consultation with the commissioner of health; provided however, that the provision of such resident assistance shall not include any services or support that requires the property to be licensed as an adult care facility pursuant to article seven of the social services law or an assisted living residence pursuant to article forty-six-B of the public health law. Prior to issuing any grants pursuant to this article, the division and the department of health shall solicit input from various stakeholders to determine what would constitute resident assistance to ensure that such resident assistance would not require such licensure. A summary of such input and the determination by the division as to whether the assistance provided by the grant applicant would require licensure as an adult care facility or assisted living residence shall be in writing and shared with the various stakeholders prior to the approval of any grants pursuant to this section.

4. Allocation. Sixty percent of the total funds awarded pursuant to this article in any fiscal year shall be allocated to projects located in urban areas of the state, as such term is defined in subdivision four of section twelve hundred thirty-one of this chapter. Forty percent of the total funds awarded pursuant to this article in any fiscal year shall be allocated to projects located in rural areas of the state, as such term is defined in subdivision three of section twelve hundred thirty-one of this chapter. Up to ten percent of any amounts appropriated or otherwise available therefor may be used by the commissioner to administer the program.

§ 2. This act shall take effect immediately.