STATE OF NEW YORK

1028

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the urban development corporation act, in relation to enacting the "safe havens for all-day enjoyment (SHADE) act"

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

Section 1. This act shall be known and may be cited as the "safe havens for all-day enjoyment (SHADE) act".

§ 2. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new section 16-bb to read as follows:

§ 16-bb. Safe havens for all-day enjoyment grant program. (1) Program established. There is hereby established a "safe havens for all-day enjoyment grant program" under the purview of the empire state development corporation. Such program shall be a competitive grant program designed to assist municipalities in the state with establishing shaded public gathering spaces and public transportation areas to enhance the enjoyment and use of such spaces where there is no existing or insufficient sun protection, as provided under this section.

(2) Definitions. For the purposes of this section, the following terms shall have the following meanings:

(a) "Eligible project" shall mean a project proposed by a municipality to enhance shade in the following areas within such municipality:

(i) public gathering spaces, including but not limited to public parks, plazas, squares, or trails; and/or

(ii) public transportation areas, including but not limited to bus stops, city blocks, or bicycling corridors.

(b) "Grant recipients" shall mean municipalities selected to receive grant awards under the program pursuant to subdivision one of this section.

(c) "Program" shall mean the safe havens for all-day enjoyment grant program established under this section.

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

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(3) Selection of grant recipients. Grant recipients shall be selected by the corporation based on the strength of their proposals, including evaluation of eligible projects highlighted within such proposals. The following criteria shall be considered by the corporation in evaluating such proposals:

(a) Eligible projects shall be high impact in the number of people or events they will serve, as determined by the corporation by evaluating a history of events taking place at the location of such eligible projects, traffic studies, and any other evidence of regular use deemed relevant by the corporation;

(b) The corporation shall favor selection of eligible projects that will serve the largest number of people; and

(c) Eligible projects shall demonstrate an impact on mean radiant temperature, with a focus on reducing or providing relief from heat enhanced by the urban heat island effect, as determined by the corporation, who shall develop standards for demonstrating such impacts.

(4) Grants awarded and matching funds. (a) The corporation shall determine amounts to be awarded to grant recipients on an individual basis, based on the financial needs of the eligible projects proposed by such grant recipients. Criteria for such determinations shall be established by the corporation by rules and regulations.

(b) Grant recipients shall match the value of funds awarded to such grant recipients under paragraph (a) of this subdivision on a dollar-for-dollar basis for each eligible project.

(5) Funding. The corporation is authorized, within available appropriations in the empire state development fund established pursuant to section sixteen-m of this act or from other funds appropriated, to make grant awards available to grant recipients pursuant to the provisions of this section.

§ 3. Subdivision 1 of section 16-m of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new paragraph (p) to read as follows:

(p) Grant awards to grant recipients as set forth under section sixteen-bb of this act to support the safe havens for all-day enjoyment grant program to assist municipalities in the state with establishing shaded public gathering spaces and public transportation areas to enhance the enjoyment and use of such spaces where there is no existing or insufficient sun protection.

§ 4. Rules and regulations. The empire state development corporation is authorized to promulgate rules and regulations in accordance with the state administrative procedure act that are necessary to fulfill the purposes of this act. Such rules and regulations shall be completed within one hundred eighty days after the effective date of this act.

§ 5. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that the amendments to subdivision 1 of section 16-m of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, made by section three of this act shall not affect the expiration of such section and shall be deemed to expire therewith. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.