

STATE OF NEW YORK

3006--B

IN SENATE

January 22, 2025

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to contracts for excellence; to amend the education law, in relation to foundation aid; to amend the education law, in relation to the establishment of a statewide dual enrollment policy; to amend the education law, in relation to allowable transportation expenses; to amend the education law, in relation to universal pre-kindergarten and the Statewide universal full-day pre-kindergarten program; to amend chapter 756 of the laws of 1992 relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to reimbursement for the 2025-2026 school year withholding a portion of employment preparation education aid and in relation to the effectiveness thereof; to amend the education law, in relation to maximum class sizes for special classes for certain students with disabilities; to amend chapter 82 of the laws of 1995 amending the education law and other laws relating to state aid to school districts and the appropriation of funds for the support of government, in relation to the effectiveness thereof; providing for special apportionment for salary expenses; providing for special apportionment for public pension accruals; providing for set-asides from the state funds which certain districts are receiving from the total foundation aid; providing for support of public libraries; and to repeal certain provisions of the education law relating to calculation of school aid (Part A); to amend the education law, in relation to the universal prekindergarten program; to amend the education law, in relation to foundation aid; to amend the education law, in relation to library materials aid; to amend part C of chapter 56 of the laws of 2020 directing the commissioner of education to appoint a monitor for the Rochester city school district, establishing the powers and duties of such monitor and certain other officers and relating to the apportionment of aid to such school district, in relation to the expenses of the monitor and to extend the effectiveness thereof; to amend chapter 19 of the laws

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

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of 2020 authorizing the commissioner of education to appoint a monitor to oversee the Hempstead union free school district and establishing the powers and duties of such monitor, in relation to the expenses of the monitor and to extend the effectiveness thereof; to amend chapter 18 of the laws of 2020 repealing a chapter of the laws of 2019 authorizing the commissioner of education, in consultation with the comptroller to appoint a monitor to oversee the Wyandanch union free school district and establishing the powers and duties of such monitor, in relation to the expenses of the monitor and to extend the effectiveness thereof; to amend chapter 89 of the laws of 2016 relating to supplementary funding for dedicated programs for public school students in the East Ramapo central school district, in relation to the expenses of the monitor and to extend the effectiveness thereof; authorizing the commissioner of education to appoint a monitor to oversee the Mount Vernon city school district and establishing the powers and duties of such monitor; to amend the education law, in relation to expanding authorization to provide pupil transportation in child safety zones; to amend the education law, in relation to approved expenses from the testing of potable water systems of occupied school buildings; to amend the education law, in relation to expanding aid for career education; to amend the education law, in relation to increasing additional apportionment of building aid for certain projects; to amend the education law, in relation to setting interim tuition rates for certain programs; to amend the education law, in relation to authorizing certain institutions to retain funds in excess of their allowable and reimbursable costs incurred for certain services and programs; to amend the education law, in relation to transitional aid for charter school payments; providing for an accelerated payment schedule for the New Rochelle city school district; directing the commissioner of education to conduct a survey regarding the total mental health expenditures of each school district; to amend the education law, in relation to zero-emission school buses; to amend the education law, in relation to apportionment for pupil transportation; to amend the education law, in relation to allowable transportation expenses; to amend the education law, in relation to allowable expenses for transportation capital, debt service, or leases which are related to costs associated with the purchase of or conversion to zero-emission school buses and supporting infrastructure; to amend the education law, in relation to operating base aid for certain reorganized school districts; to amend chapter 121 of the laws of 1996 authorizing the Roosevelt union free school district to finance deficits by the issuance of serial bonds, in relation to an apportionment for salary expenses; to amend chapter 378 of the laws of 2010 amending the education law relating to paperwork reduction, in relation to extending the provisions thereof; to amend the education law, in relation to community school grants; and providing for the repeal of certain provisions upon the expiration thereof (Part A-1); to amend the education law, in relation to establishing a universal school meals program; to amend chapter 537 of the laws of 1976 relating to paid, free and reduced price breakfast for eligible pupils in certain school districts, in relation to a state subsidy; and to repeal section 925 of the education law relating to the community eligibility provision state subsidy (Part B); to amend the education law, in relation to student use of internet-enabled devices during the school day (Part C); to amend the education law in relation to scholarships awarded to part-time students by the New York state

higher education services corporation; to amend the education law, in relation to making conforming changes; to repeal section 666 of the education law, relating to tuition awards for part-time undergraduate students; and to repeal section 667-c-1 of the education law relating to the New York state part-time scholarship award program (Part D); to amend the education law, in relation to excelsior scholarship awarded to students by the New York state higher education services corporation (Part E); to amend the education law, in relation to creating a New York opportunity promise scholarship (Part F); to amend the executive law, the public housing law and the state finance law, in relation to discriminatory practices by real estate appraisers and further fair housing compliance (Part G); intentionally omitted (Part H); to amend the general obligations law, in relation to the liability of a grantee or assignee for deposits made by tenants upon conveyance of rent stabilized dwelling units (Part I); to amend the real property actions and proceedings law, in relation to determining when a dwelling is abandoned (Part J); to amend the real property tax law, in relation to a tax exemption for residential real property transferred to a low-income household or community land trust (Part K); to amend the private housing finance law, in relation to reduction of taxes pursuant to shelter rent (Part L); to amend the real property tax law, in relation to the applicability of the residential redevelopment inhibited property exemption to all localities in the state (Part M); to utilize reserves in the mortgage insurance fund for various housing purposes (Part N); to amend part N of chapter 56 of the laws of 2020, amending the social services law relating to restructuring financing for residential school placements, in relation to the effectiveness thereof (Part O); to amend the social services law, in relation to certification of child care substitute pools to place substitute caregivers in licensed and registered child care programs (Part P); to amend the social services law, in relation to establishing the baby bucks allowance (Part Q); to amend the social services law, in relation to increasing the standards of monthly need for aged, blind and disabled persons living in the community (Part R); to amend part W of chapter 54 of the laws of 2016 amending the social services law relating to the powers and duties of the commissioner of social services relating to the appointment of a temporary operator, in relation to the effectiveness thereof (Part S); to amend the labor law, in relation to revising the healthy terminals act (Part T); intentionally omitted (Part U); to amend the labor law, in relation to civil penalties for violations of certain provisions for the payment of wages; to amend the civil practice law and rules, in relation to grounds for attachment; to amend the business corporation law, in relation to streamlining procedures where employees may hold shareholders of non-publicly traded corporations personally liable for wage theft; to amend the limited liability company law, in relation to creating a right for victims of wage theft to hold the ten members with the largest ownership interests in a company personally liable for wage theft; and to amend the labor law, in relation to penalties for certain wage violations (Part V); to amend the labor law and the penal law, in relation to the civil and criminal penalties for violations of child labor laws (Part W); to amend the labor law and the education law, in relation to digitizing the process by which minors apply for employment certificates or working papers; and to repeal certain provisions of the labor law relating thereto (Part X); to amend the veterans' services law, in relation to annuity to be paid

to parents, spouses, and minor children of service members who died while on active duty (Part Y); to amend the executive law, in relation to the requirements for filing a complaint with the division of human rights; and to amend the state finance law, in relation to establishing a discrimination complaints escrow fund (Part Z); to require the submission of an annual report on the New York state museum (Part AA); to amend the real property tax law, in relation to establishing a real property tax exemption for veterans who have a one hundred percent service connected disability (Part BB); to amend the social services law, in relation to assisting persons with medically diagnosed HIV infection; and repealing certain provisions of such law relating thereto (Part CC); to amend the social services law, in relation to the standards of monthly need for persons in receipt of public assistance (Part DD); to amend the social services law, in relation to allowances for the costs of diapers (Part EE); establishing a fiscal cliff task force to conduct a study on fiscal cliffs in the state's public assistance programs and to make recommendations related thereto; and providing for the repeal of such provision upon expiration thereof (Part FF); to amend the social services law, in relation to child care assistance under the child care block grant (Part GG); to amend the social services law, in relation to increasing the federal poverty level requirement for recipients of social services where it concerns the one-time disregard of earned income following job entry for up to six consecutive months (Part HH); to amend the social services law, in relation to prohibiting requiring parents or caretakers to earn a minimum wage to be eligible for child care assistance (Part II); to amend the executive law, in relation to extending the time for the advisory board and commissioner of health to complete requirements related to the modernization and revitalization of SUNY Downstate health sciences university and provides that board hearings are subject to the open meetings law (Part JJ); to amend the social services law, in relation to establishing the New York healthy incentive program (Subpart A); to amend the social services law, in relation to automating SNAP and the New York healthy incentive program (Subpart B); and to amend the social services law, in relation to establishing the New York healthy incentive program outreach program (Subpart C)(Part KK); to amend the social services law, in relation to establishing a state SNAP minimum benefit program (Part LL); to amend the education law, in relation to establishing the mental health educational opportunity program and the mental health higher educational opportunity program (Part MM); to amend the education law, in relation to tuition assistance program awards for students experiencing homelessness (Part NN); to amend the education law, in relation to the New York state district attorney and indigent legal services attorney loan forgiveness program (Part OO); to amend the education law, in relation to creating the school-based mental health loan repayment program (Part PP); to amend the education law, in relation to allowing for students in postsecondary education experience or transition program to receive awards from the tuition assistance program (Part QQ); to amend the education law, in relation to phasing out certain mandatory university fees for graduate students (Part RR); to amend the education law, in relation to expanding eligibility for the tuition assistance program (Part SS); to amend the education law, in relation to the duration of tuition assistance awards (Part TT); to amend the general business law and the real property law, in relation to providing expanded homeownership opportunities from the conversion

of certain residential rental buildings to condominium status by property owners that commit to the stewardship of permanently affordable units and the preservation of expiring affordable housing inventory in the city of New York; and providing for the repeal of such provisions upon expiration thereof (Part UU); to amend the veterans' services law, in relation to establishing a searchable database of veteran-owned businesses (Part VV); to amend the state finance law, in relation to establishing the youth justice innovation fund (Part WW); to amend the education law, in relation to removing the requirement that an institution of higher learning shall have a certain amount of total endowment assets to qualify for state aid apportionments; and to repeal subparagraph (vi) of paragraph (b) of subdivision 2 of section 6401 of the education law, relating to the requirement that sponsoring colleges associated with certain institutions of higher learning have a certain amount of total endowment assets for such institutions of higher learning to qualify for state aid apportionments (Part XX); to amend the private housing finance law, in relation to establishing the small rental housing development initiative (Part YY); to amend the private housing finance law, in relation to the mobile and manufactured home replacement program (Part ZZ); to amend the private housing finance law, in relation to increasing the annual amount of loans made to an agricultural producer from the housing development fund (Part AAA); to amend the private housing finance law, in relation to establishing the New York state first home grant program; and to amend the tax law, in relation to excluding the amount of any grant to any first time home buyer awarded or any federal first time home buyer grant program from taxable income for the purpose of calculating New York adjusted gross income (Part BBB); to amend the public housing law, in relation to establishing the housing access voucher program (Part CCC); to amend the workers' compensation law and the insurance law, in relation to increasing short-term disability benefits (Part DDD); to amend the workers' compensation law, in relation to the parties' rights to a hearing upon application to the workers' compensation board and requiring a record of all hearings held (Part EEE); to amend the state finance law, in relation to establishing the New York state worker protection and labor law enforcement fund (Part FFF); to amend the labor law, in relation to requiring training to reduce abusive conduct and bullying in the workplace (Part GGG); to amend the labor law, in relation to decreasing the length of the suspension period applicable to certain striking workers who seek to obtain unemployment insurance benefits (Part HHH); to amend the social services law, in relation to enacting the "shelter arrears eviction forestallment act" to provide emergency assistance for rent or mortgage arrears or other fees for the prevention of eviction (Part III); to amend the real property tax law, in relation to expanding the applicability of the assessment exemption for living quarters for parent or grandparent (Part JJJ); to amend the navigation law, in relation to real property establishing the homeowner protection program (Part KKK); to amend the private housing finance law and the state finance law, in relation to establishing the vacant rental improvement program (Part LLL); to amend the private housing finance law, in relation to establishing the block by block homeownership program (Part MMM); to amend the labor law, in relation to unemployment benefits based on employment with certain educational institutions; and to repeal certain provisions of such law relating thereto (Part NNN); to amend the labor law, in relation to prevailing wage

requirements applicable to construction projects performed under private contract; and to repeal section 224-c of the labor law, in relation to eliminating the public subsidiary board (Part 000); in relation to establishing an analysis of the feasibility of forming insurance captives for the purpose of controlling and lowering insurance costs for affordable housing in the state of New York; and providing for the repeal of such provisions upon the expiration thereof (Part PPP); to amend the public housing law, in relation to public reporting on capital programs and projects of the division of housing and community renewal (Part QQQ); to amend the private housing finance law, in relation to establishing the green affordable pre-electrification program (Part RRR); and to amend the education law, in relation to requiring institutions within the state university of New York and the city university of New York to have at least one vending machine on campus which makes emergency contraception available for purchase (Part SSS)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state education, labor, housing and family
3 assistance budget for the 2025-2026 state fiscal year. Each component is
4 wholly contained within a Part identified as Parts A through SSS. The
5 effective date for each particular provision contained within such Part
6 is set forth in the last section of such Part. Any provision in any
7 section contained within a Part, including the effective date of the
8 Part, which makes a reference to a section "of this act", when used in
9 connection with that particular component, shall be deemed to mean and
10 refer to the corresponding section of the Part in which it is found.
11 Section three of this act sets forth the general effective date of this
12 act.

13 PART A

14 Section 1. Paragraph e of subdivision 1 of section 211-d of the educa-
15 tion law, as amended by section 1 of part A of chapter 56 of the laws of
16 2024, is amended to read as follows:

17 e. Notwithstanding paragraphs a and b of this subdivision, a school
18 district that submitted a contract for excellence for the two thousand
19 eight--two thousand nine school year shall submit a contract for excel-
20 lence for the two thousand nine--two thousand ten school year in
21 conformity with the requirements of subparagraph (vi) of paragraph a of
22 subdivision two of this section unless all schools in the district are
23 identified as in good standing and provided further that, a school
24 district that submitted a contract for excellence for the two thousand
25 nine--two thousand ten school year, unless all schools in the district
26 are identified as in good standing, shall submit a contract for excel-
27 lence for the two thousand eleven--two thousand twelve school year which
28 shall, notwithstanding the requirements of subparagraph (vi) of para-
29 graph a of subdivision two of this section, provide for the expenditure
30 of an amount which shall be not less than the product of the amount
31 approved by the commissioner in the contract for excellence for the two
32 thousand nine--two thousand ten school year, multiplied by the
33 district's gap elimination adjustment percentage and provided further

1 that, a school district that submitted a contract for excellence for the
2 two thousand eleven--two thousand twelve school year, unless all schools
3 in the district are identified as in good standing, shall submit a
4 contract for excellence for the two thousand twelve--two thousand thir-
5 teen school year which shall, notwithstanding the requirements of
6 subparagraph (vi) of paragraph a of subdivision two of this section,
7 provide for the expenditure of an amount which shall be not less than
8 the amount approved by the commissioner in the contract for excellence
9 for the two thousand eleven--two thousand twelve school year and
10 provided further that, a school district that submitted a contract for
11 excellence for the two thousand twelve--two thousand thirteen school
12 year, unless all schools in the district are identified as in good
13 standing, shall submit a contract for excellence for the two thousand
14 thirteen--two thousand fourteen school year which shall, notwithstanding
15 the requirements of subparagraph (vi) of paragraph a of subdivision two
16 of this section, provide for the expenditure of an amount which shall be
17 not less than the amount approved by the commissioner in the contract
18 for excellence for the two thousand twelve--two thousand thirteen school
19 year and provided further that, a school district that submitted a
20 contract for excellence for the two thousand thirteen--two thousand
21 fourteen school year, unless all schools in the district are identified
22 as in good standing, shall submit a contract for excellence for the two
23 thousand fourteen--two thousand fifteen school year which shall,
24 notwithstanding the requirements of subparagraph (vi) of paragraph a of
25 subdivision two of this section, provide for the expenditure of an
26 amount which shall be not less than the amount approved by the commis-
27 sioner in the contract for excellence for the two thousand thirteen--two
28 thousand fourteen school year; and provided further that, a school
29 district that submitted a contract for excellence for the two thousand
30 fourteen--two thousand fifteen school year, unless all schools in the
31 district are identified as in good standing, shall submit a contract for
32 excellence for the two thousand fifteen--two thousand sixteen school
33 year which shall, notwithstanding the requirements of subparagraph (vi)
34 of paragraph a of subdivision two of this section, provide for the
35 expenditure of an amount which shall be not less than the amount
36 approved by the commissioner in the contract for excellence for the two
37 thousand fourteen--two thousand fifteen school year; and provided
38 further that a school district that submitted a contract for excellence
39 for the two thousand fifteen--two thousand sixteen school year, unless
40 all schools in the district are identified as in good standing, shall
41 submit a contract for excellence for the two thousand sixteen--two thou-
42 sand seventeen school year which shall, notwithstanding the requirements
43 of subparagraph (vi) of paragraph a of subdivision two of this section,
44 provide for the expenditure of an amount which shall be not less than
45 the amount approved by the commissioner in the contract for excellence
46 for the two thousand fifteen--two thousand sixteen school year; and
47 provided further that, a school district that submitted a contract for
48 excellence for the two thousand sixteen--two thousand seventeen school
49 year, unless all schools in the district are identified as in good
50 standing, shall submit a contract for excellence for the two thousand
51 seventeen--two thousand eighteen school year which shall, notwithstand-
52 ing the requirements of subparagraph (vi) of paragraph a of subdivision
53 two of this section, provide for the expenditure of an amount which
54 shall be not less than the amount approved by the commissioner in the
55 contract for excellence for the two thousand sixteen--two thousand
56 seventeen school year; and provided further that a school district that

1 submitted a contract for excellence for the two thousand seventeen--two
2 thousand eighteen school year, unless all schools in the district are
3 identified as in good standing, shall submit a contract for excellence
4 for the two thousand eighteen--two thousand nineteen school year which
5 shall, notwithstanding the requirements of subparagraph (vi) of para-
6 graph a of subdivision two of this section, provide for the expenditure
7 of an amount which shall be not less than the amount approved by the
8 commissioner in the contract for excellence for the two thousand seven-
9 teen--two thousand eighteen school year; and provided further that, a
10 school district that submitted a contract for excellence for the two
11 thousand eighteen--two thousand nineteen school year, unless all schools
12 in the district are identified as in good standing, shall submit a
13 contract for excellence for the two thousand nineteen--two thousand
14 twenty school year which shall, notwithstanding the requirements of
15 subparagraph (vi) of paragraph a of subdivision two of this section,
16 provide for the expenditure of an amount which shall be not less than
17 the amount approved by the commissioner in the contract for excellence
18 for the two thousand eighteen--two thousand nineteen school year; and
19 provided further that, a school district that submitted a contract for
20 excellence for the two thousand nineteen--two thousand twenty school
21 year, unless all schools in the district are identified as in good
22 standing, shall submit a contract for excellence for the two thousand
23 twenty--two thousand twenty-one school year which shall, notwithstanding
24 the requirements of subparagraph (vi) of paragraph a of subdivision two
25 of this section, provide for the expenditure of an amount which shall be
26 not less than the amount approved by the commissioner in the contract
27 for excellence for the two thousand nineteen--two thousand twenty school
28 year; and provided further that, a school district that submitted a
29 contract for excellence for the two thousand twenty--two thousand twen-
30 ty-one school year, unless all schools in the district are identified as
31 in good standing, shall submit a contract for excellence for the two
32 thousand twenty-one--two thousand twenty-two school year which shall,
33 notwithstanding the requirements of subparagraph (vi) of paragraph a of
34 subdivision two of this section, provide for the expenditure of an
35 amount which shall be not less than the amount approved by the commis-
36 sioner in the contract for excellence for the two thousand twenty--two
37 thousand twenty-one school year; and provided further that, a school
38 district that submitted a contract for excellence for the two thousand
39 twenty-one--two thousand twenty-two school year, unless all schools in
40 the district are identified as in good standing, shall submit a contract
41 for excellence for the two thousand twenty-two--two thousand twenty-
42 three school year which shall, notwithstanding the requirements of
43 subparagraph (vi) of paragraph a of subdivision two of this section,
44 provide for the expenditure of an amount which shall be not less than
45 the amount approved by the commissioner in the contract for excellence
46 for the two thousand twenty-one--two thousand twenty-two school year;
47 and provided further that, a school district that submitted a contract
48 for excellence for the two thousand twenty-two--two thousand twenty-
49 three school year, unless all schools in the district are identified as
50 in good standing, shall submit a contract for excellence for the two
51 thousand twenty-three--two thousand twenty-four school year which shall,
52 notwithstanding the requirements of subparagraph (vi) of paragraph a of
53 subdivision two of this section, provide for the expenditure of an
54 amount which shall be not less than the amount approved by the commis-
55 sioner in the contract for excellence for the two thousand twenty-two--
56 two thousand twenty-three school year; and provided further that, a

1 school district that submitted a contract for excellence for the two
2 thousand twenty-three--two thousand twenty-four school year, unless all
3 schools in the district are identified as in good standing, shall submit
4 a contract for excellence for the two thousand twenty-four--two thousand
5 twenty-five school year which shall, notwithstanding the requirements of
6 subparagraph (vi) of paragraph a of subdivision two of this section,
7 provide for the expenditure of an amount which shall be not less than
8 the amount approved by the commissioner in the contract for excellence
9 for the two thousand twenty-three--two thousand twenty-four school year;
10 and provided further that a school district that submitted a contract
11 for excellence for the two thousand twenty-four--two thousand twenty-
12 five school year, unless all schools in the district are identified as
13 in good standing, shall submit a contract for excellence for the follow-
14 ing school year which shall, notwithstanding the requirements of subpar-
15 agraph (vi) of paragraph a of subdivision two of this section, provide
16 for the expenditure of an amount which shall be not less than the amount
17 approved by the commissioner in the contract for excellence for the two
18 thousand twenty-four--two thousand twenty-five school year; provided,
19 however, that, in a city school district in a city having a population
20 of one million or more, notwithstanding the requirements of subparagraph
21 (vi) of paragraph a of subdivision two of this section, the contract for
22 excellence shall provide for the expenditure as set forth in subpara-
23 graph (v) of paragraph a of subdivision two of this section. For
24 purposes of this paragraph, the "gap elimination adjustment percentage"
25 shall be calculated as the sum of one minus the quotient of the sum of
26 the school district's net gap elimination adjustment for two thousand
27 ten--two thousand eleven computed pursuant to chapter fifty-three of the
28 laws of two thousand ten, making appropriations for the support of
29 government, plus the school district's gap elimination adjustment for
30 two thousand eleven--two thousand twelve as computed pursuant to chapter
31 fifty-three of the laws of two thousand eleven, making appropriations
32 for the support of the local assistance budget, including support for
33 general support for public schools, divided by the total aid for adjust-
34 ment computed pursuant to chapter fifty-three of the laws of two thou-
35 sand eleven, making appropriations for the local assistance budget,
36 including support for general support for public schools. Provided,
37 further, that such amount shall be expended to support and maintain
38 allowable programs and activities approved in the two thousand nine--two
39 thousand ten school year or to support new or expanded allowable
40 programs and activities in the current year.

41 § 2. Paragraph p of subdivision 1 of section 3602 of the education law
42 is REPEALED.

43 § 3. The opening paragraph and subparagraphs (i) and (ii) of paragraph
44 q of subdivision 1 of section 3602 of the education law, as amended by
45 section 16 of part YYY of chapter 59 of the laws of 2017, are amended to
46 read as follows:

47 "Poverty count" shall mean the sum of the product of the [~~lunch~~]
48 economically disadvantaged student count multiplied by sixty-five
49 percent, plus the product of the [~~census~~] SAIPE count multiplied by
50 sixty-five percent, where:

51 (i) [~~"Lunch~~] "Economically disadvantaged student count" shall mean the
52 product of the public school enrollment of the school district on the
53 date enrollment was counted in accordance with this subdivision for the
54 base year multiplied by the three-year average [~~free and reduced price~~
55 lunch percent] economically disadvantaged rate; and

1 (ii) [~~"Census~~] "SAIPE count" shall mean the product of the public
2 school enrollment of the school district on the date enrollment was
3 counted in accordance with this subdivision for the base year multiplied
4 by the [~~census-2000-poverty~~] three-year average small area income and
5 poverty estimate rate.

6 § 4. Subparagraphs (iii), (iv) and (v) of paragraph q of subdivision 1
7 of section 3602 of the education law are REPEALED.

8 § 5. Paragraph kk of subdivision 1 of section 3602 of the education
9 law is REPEALED.

10 § 6. Paragraph ll of subdivision 1 of section 3602 of the education
11 law, as added by section 11-a of part A of chapter 56 of the laws of
12 2021, is renumbered subparagraph (iv) of paragraph q of such subdivision
13 1 and is amended to read as follows:

14 (iv) (1) "Economically disadvantaged count" shall be equal to the
15 unduplicated count of all children registered to receive educational
16 services in grades kindergarten through twelve, including children in
17 ungraded programs who participate in, or whose family participates in,
18 economic assistance programs, such as the free or reduced-price lunch
19 programs, Social Security Insurance, Supplemental Nutrition Assistance
20 Program, Foster Care, Refugee Assistance (cash or medical assistance),
21 Earned Income Tax Credit (EITC), Home Energy Assistance Program (HEAP),
22 Safety Net Assistance (SNA), Bureau of Indian Affairs (BIA), or Tempo-
23 rary Assistance for Needy Families (TANF).

24 (2) "Economically disadvantaged rate" shall mean the quotient arrived
25 at when dividing the economically disadvantaged count by public enroll-
26 ment as computed pursuant to subparagraph one of paragraph n of this
27 subdivision.

28 (3) "Three-year average economically disadvantaged rate" shall equal
29 the quotient of: (i) the sum of the economically disadvantaged count for
30 the school year prior to the base year, plus such number for the school
31 year two years prior to the base year, plus such number for the school
32 year three years prior to the base year; divided by (ii) the sum of
33 enrollment as computed pursuant to subparagraph one of paragraph n of
34 this subdivision [~~one of this section~~] for the school year prior to the
35 base year, plus such number for the school year two years prior to the
36 base year, plus such number for the school year three years prior to the
37 base year, [~~computed~~] rounded to four decimals [~~without rounding~~].

38 § 7. Paragraph mm of subdivision 1 of section 3602 of the education
39 law is renumbered subparagraph (iii) of paragraph q of such subdivision
40 1 and is amended to read as follows:

41 (iii) "Three-year average small area income and poverty estimate rate"
42 shall equal the quotient of: (i) the sum of the number of persons aged
43 five to seventeen within the school district, based on the small area
44 income and poverty estimates produced by the United States census
45 bureau, whose families had incomes below the poverty level for the
46 calendar year prior to the year in which the base year began, plus such
47 number for the calendar year two years prior to the year in which the
48 base year began, plus such number for the calendar year three years
49 prior to the year in which the base year began; divided by (ii) the sum
50 of the total number of persons aged five to seventeen within the school
51 district, based on such census bureau estimates, for the year prior to
52 the year in which the base year began, plus such total number for the
53 year two years prior to the year in which the base year began, plus such
54 total number for the year three years prior to the year in which the
55 base year began, [~~computed~~] rounded to four decimals [~~without rounding~~].

1 § 8. Subparagraph 2 of paragraph g of subdivision 3 of section 3602 of
2 the education law, as amended by section 13 of part B of chapter 57 of
3 the laws of 2008, is amended to read as follows:

4 (2) a value computed by subtracting from one the product obtained by
5 multiplying the combined wealth ratio by sixty-four hundredths, provided
6 however, that for the purpose of computing the state sharing ratio for
7 total foundation aid, the tier two value shall be computed by subtract-
8 ing from one the product obtained when multiplying the combined wealth
9 ratio by six hundred twenty-eight thousandths (0.628) and such values
10 shall be computed using the combined wealth ratio for total foundation
11 aid in place of the combined wealth ratio; or

12 § 9. The closing paragraph of paragraph g of subdivision 3 of section
13 3602 of the education law, as amended by section 8 of part A of chapter
14 56 of the laws of 2024, is amended to read as follows:

15 Such result shall be expressed as a decimal carried to three places
16 without rounding, but shall not be greater than ninety hundredths nor
17 less than zero, provided, however, that for the purpose of computing the
18 state sharing ratio for total foundation aid in the two thousand twenty-
19 four--two thousand twenty-five school year[~~and thereafter~~], such
20 result shall not be greater than ninety-one hundredths (0.91), and that
21 for the purpose of computing the state sharing ratio for total founda-
22 tion aid in the two thousand twenty-five--two thousand twenty-six school
23 year and thereafter, such result shall not be greater than ninety-three
24 hundredths (0.93).

25 § 10. Subdivision 4 of section 3602 of the education law is amended by
26 adding a new paragraph f to read as follows:

27 f. Foundation aid payable in the two thousand twenty-five--two thou-
28 sand twenty-six school year. Notwithstanding any provision of law to the
29 contrary, foundation aid payable in the two thousand twenty-five--two
30 thousand twenty-six school year shall equal the greater of total founda-
31 tion aid or the product of one and three hundredths (1.03) multiplied by
32 the foundation aid base.

33 § 11. The education law is amended by adding a new section 319 to
34 read as follows:

35 § 319. Establishment of dual enrollment policy. 1. For purposes of
36 this section:

37 (a) "Dual enrollment" means any program that is a partnership between
38 at least one school and at least one institution of higher education
39 that provides high school students with the opportunity to enroll in
40 college courses and earn transcribed and transferable college credit
41 from the institution(s) while completing high school graduation and
42 diploma requirements. Dual enrollment is the umbrella under which exist-
43 ing programs like pathways in technology early college high schools
44 (P-Tech), smart scholars, and smart transfer fall.

45 (b) "School" means a charter school, a school district, or a board of
46 cooperative educational services.

47 2. The commissioner shall adopt a statewide policy outlining the defi-
48 nition of dual enrollment programs and guidelines for participation and
49 data reporting in New York state.

50 3. The policy established pursuant to subdivision two of this section
51 shall require that schools and higher education institutions annually
52 submit to the department data demonstrating participation and success in
53 dual enrollment programs in a form and manner determined by the commis-
54 sioner pursuant to subdivision five of this section. The department
55 shall annually publish such data on its public website no later than

1 January first in the school year following the school year for which the
2 data is applicable.

3 4. The policy established pursuant to subdivision two of this section
4 shall require that, by September first, two thousand twenty-six, all
5 schools participating in a dual enrollment program have on file with the
6 department a partnership agreement with the institution(s) of higher
7 education with which they are partnered. Such partnership agreements
8 shall establish the scope and terms of the dual enrollment program, as
9 well as a protocol for collecting, sharing, and reporting any data
10 required by the commissioner pursuant to this section. Partnership
11 agreements shall be consistent with the policy adopted by the commis-
12 sioner pursuant to subdivision two of this section, and shall contain
13 such other provisions as may be required by the commissioner. The part-
14 nership agreements shall be updated and resubmitted no less than once
15 every five years. The commissioner shall develop and make publicly
16 available the required partnership agreement form for schools and higher
17 education institutions no later than January first, two thousand twen-
18 ty-six.

19 5. On or before January first, two thousand twenty-six, the commis-
20 sioner, the chancellor of the state university of New York, the chancel-
21 lor of the city university of New York, and the governor shall jointly
22 establish data points to be submitted pursuant to this section.

23 § 12. Subdivision 4 of section 3627 of the education law, as amended
24 by section 13-a of part A of chapter 56 of the laws of 2024, is amended
25 to read as follows:

26 4. Notwithstanding any other provision of law to the contrary, any
27 expenditures for transportation provided pursuant to this section in the
28 two thousand thirteen--two thousand fourteen school year and thereafter
29 and otherwise eligible for transportation aid pursuant to subdivision
30 seven of section thirty-six hundred two of this article shall be consid-
31 ered approved transportation expenses eligible for transportation aid,
32 provided further that for the two thousand thirteen--two thousand four-
33 teen school year such aid shall be limited to eight million one hundred
34 thousand dollars and for the two thousand fourteen--two thousand fifteen
35 school year such aid shall be limited to the sum of twelve million six
36 hundred thousand dollars plus the base amount and for the two thousand
37 fifteen--two thousand sixteen school year through two thousand eigh-
38 teen--two thousand nineteen school year such aid shall be limited to the
39 sum of eighteen million eight hundred fifty thousand dollars plus the
40 base amount and for the two thousand nineteen--two thousand twenty
41 school year such aid shall be limited to the sum of nineteen million
42 three hundred fifty thousand dollars plus the base amount and for the
43 two thousand twenty--two thousand twenty-one school year such aid shall
44 be limited to the sum of nineteen million eight hundred fifty thousand
45 dollars plus the base amount and for the two thousand twenty-two--two
46 thousand twenty-three school year such aid shall be limited to the sum
47 of twenty-two million three hundred fifty thousand dollars plus the base
48 amount and for the two thousand twenty-three--two thousand twenty-four
49 school year such aid shall be limited to the sum of twenty-four million
50 eight hundred fifty thousand dollars plus the base amount and for the
51 two thousand twenty-four--two thousand twenty-five school year [~~and~~
52 ~~thereafter~~] such aid shall be limited to the sum of twenty-nine million
53 eight hundred fifty thousand dollars plus the base amount and for the
54 two thousand twenty-five--two thousand twenty-six school year and there-
55 after such aid shall be limited to the product of (i) the maximum amount
56 of aid authorized by this subdivision for the base year, and (ii) the

1 sum of two and one-half and the percentage increase in the consumer
 2 price index as defined in paragraph hh of subdivision one of section
 3 thirty-six hundred two of this article. For purposes of this subdivi-
 4 sion, "base amount" means the amount of transportation aid paid to the
 5 school district for expenditures incurred in the two thousand twelve--
 6 two thousand thirteen school year for transportation that would have
 7 been eligible for aid pursuant to this section had this section been in
 8 effect in such school year, except that subdivision six of this section
 9 shall be deemed not to have been in effect. And provided further that
 10 the school district shall continue to annually expend for the transpor-
 11 tation described in subdivision one of this section at least the expend-
 12 itures used for the base amount.

13 § 13. Paragraph i of subdivision 12 of section 3602 of the education
 14 law, as amended by section 14 of part A of chapter 56 of the laws of
 15 2024, is amended to read as follows:

16 i. For the two thousand twenty-one--two thousand twenty-two school
 17 year through the two thousand [~~twenty-four~~] twenty-five--two thousand
 18 [~~twenty-five~~] twenty-six school year, each school district shall be
 19 entitled to an apportionment equal to the amount set forth for such
 20 school district as "ACADEMIC ENHANCEMENT" under the heading "2020-21
 21 ESTIMATED AIDS" in the school aid computer listing produced by the
 22 commissioner in support of the budget for the two thousand twenty--two
 23 thousand twenty-one school year and entitled "SA202-1", and such appor-
 24 tionment shall be deemed to satisfy the state obligation to provide an
 25 apportionment pursuant to subdivision eight of section thirty-six
 26 hundred forty-one of this article.

27 § 14. The opening paragraph of subdivision 16 of section 3602 of the
 28 education law, as amended by section 15 of part A of chapter 56 of the
 29 laws of 2024, is amended to read as follows:

30 Each school district shall be eligible to receive a high tax aid
 31 apportionment in the two thousand eight--two thousand nine school year,
 32 which shall equal the greater of (i) the sum of the tier 1 high tax aid
 33 apportionment, the tier 2 high tax aid apportionment and the tier 3 high
 34 tax aid apportionment or (ii) the product of the apportionment received
 35 by the school district pursuant to this subdivision in the two thousand
 36 seven--two thousand eight school year, multiplied by the due-minimum
 37 factor, which shall equal, for districts with an alternate pupil wealth
 38 ratio computed pursuant to paragraph b of subdivision three of this
 39 section that is less than two, seventy percent (0.70), and for all other
 40 districts, fifty percent (0.50). Each school district shall be eligible
 41 to receive a high tax aid apportionment in the two thousand nine--two
 42 thousand ten through two thousand twelve--two thousand thirteen school
 43 years in the amount set forth for such school district as "HIGH TAX AID"
 44 under the heading "2008-09 BASE YEAR AIDS" in the school aid computer
 45 listing produced by the commissioner in support of the budget for the
 46 two thousand nine--two thousand ten school year and entitled "SA0910".
 47 Each school district shall be eligible to receive a high tax aid appor-
 48 tionment in the two thousand thirteen--two thousand fourteen through two
 49 thousand [~~twenty-four~~] twenty-five--two thousand [~~twenty-five~~] twenty-
 50 six school year equal to the greater of (1) the amount set forth for
 51 such school district as "HIGH TAX AID" under the heading "2008-09 BASE
 52 YEAR AIDS" in the school aid computer listing produced by the commis-
 53 sioner in support of the budget for the two thousand nine--two thousand
 54 ten school year and entitled "SA0910" or (2) the amount set forth for
 55 such school district as "HIGH TAX AID" under the heading "2013-14 ESTI-
 56 MATED AIDS" in the school aid computer listing produced by the commis-

1 sioner in support of the executive budget for the 2013-14 fiscal year
2 and entitled "BT131-4".

3 § 15. Subdivision 16 of section 3602-ee of the education law, as
4 amended by section 18 of part A of chapter 56 of the laws of 2024, is
5 amended to read as follows:

6 16. The authority of the department to administer the universal full-
7 day pre-kindergarten program shall expire June thirtieth, two thousand
8 [~~twenty-five~~] twenty-six; provided that the program shall continue and
9 remain in full effect.

10 § 16. Intentionally omitted.

11 § 17. Intentionally omitted.

12 § 18. Subdivision b of section 2 of chapter 756 of the laws of 1992,
13 relating to funding a program for work force education conducted by the
14 consortium for worker education in New York city, as amended by section
15 27 of part A of chapter 56 of the laws of 2024, is amended to read as
16 follows:

17 b. Reimbursement for programs approved in accordance with subdivision
18 a of this section for the reimbursement for the 2018--2019 school year
19 shall not exceed 59.4 percent of the lesser of such approvable costs per
20 contact hour or fourteen dollars and ninety-five cents per contact hour,
21 reimbursement for the 2019--2020 school year shall not exceed 57.7
22 percent of the lesser of such approvable costs per contact hour or
23 fifteen dollars sixty cents per contact hour, reimbursement for the
24 2020--2021 school year shall not exceed 56.9 percent of the lesser of
25 such approvable costs per contact hour or sixteen dollars and twenty-
26 five cents per contact hour, reimbursement for the 2021--2022 school
27 year shall not exceed 56.0 percent of the lesser of such approvable
28 costs per contact hour or sixteen dollars and forty cents per contact
29 hour, reimbursement for the 2022--2023 school year shall not exceed 55.7
30 percent of the lesser of such approvable costs per contact hour or
31 sixteen dollars and sixty cents per contact hour, reimbursement for the
32 2023--2024 school year shall not exceed 54.7 percent of the lesser of
33 such approvable costs per contact hour or seventeen dollars and seventy
34 cents per contact hour, [~~and~~] reimbursement for the 2024--2025 school
35 year shall not exceed 56.6 percent of the lesser of such approvable
36 costs per contact hour or eighteen dollars and seventy cents per contact
37 hour, and reimbursement for the 2025--2026 school year shall not exceed
38 58.2 percent of the lesser of such approvable costs per contact hour or
39 nineteen dollars and fifty cents per contact hour, and where a contact
40 hour represents sixty minutes of instruction services provided to an
41 eligible adult. Notwithstanding any other provision of law to the
42 contrary, for the 2018--2019 school year such contact hours shall not
43 exceed one million four hundred sixty-three thousand nine hundred
44 sixty-three (1,463,963); for the 2019--2020 school year such contact
45 hours shall not exceed one million four hundred forty-four thousand four
46 hundred forty-four (1,444,444); for the 2020--2021 school year such
47 contact hours shall not exceed one million four hundred six thousand
48 nine hundred twenty-six (1,406,926); for the 2021--2022 school year such
49 contact hours shall not exceed one million four hundred sixteen thousand
50 one hundred twenty-two (1,416,122); for the 2022--2023 school year such
51 contact hours shall not exceed one million four hundred six thousand
52 nine hundred twenty-six (1,406,926); for the 2023--2024 school year such
53 contact hours shall not exceed one million three hundred forty-two thou-
54 sand nine hundred seventy-five (1,342,975); [~~and~~] for the 2024--2025
55 school year such contact hours shall not exceed one million two hundred
56 twenty-eight thousand seven hundred thirty-three (1,228,733); and for

1 the 2025--2026 school year such contact hours shall not exceed one
2 million fourteen thousand one hundred nine (1,014,109). Notwithstanding
3 any other provision of law to the contrary, the apportionment calculated
4 for the city school district of the city of New York pursuant to subdivi-
5 sion 11 of section 3602 of the education law shall be computed as if
6 such contact hours provided by the consortium for worker education, not
7 to exceed the contact hours set forth herein, were eligible for aid in
8 accordance with the provisions of such subdivision 11 of section 3602 of
9 the education law.

10 § 19. Section 4 of chapter 756 of the laws of 1992, relating to fund-
11 ing a program for work force education conducted by the consortium for
12 worker education in New York city, is amended by adding a new subdivi-
13 sion dd to read as follows:

14 dd. The provisions of this subdivision shall not apply after the
15 completion of payments for the 2025--2026 school year. Notwithstanding
16 any inconsistent provisions of law, the commissioner of education shall
17 withhold a portion of employment preparation education aid due to the
18 city school district of the city of New York to support a portion of the
19 costs of the work force education program. Such moneys shall be credited
20 to the elementary and secondary education fund-local assistance account
21 and shall not exceed thirteen million dollars (\$13,000,000).

22 § 20. Section 6 of chapter 756 of the laws of 1992, relating to fund-
23 ing a program for work force education conducted by the consortium for
24 worker education in New York city, as amended by section 29 of part A of
25 chapter 56 of the laws of 2024, is amended to read as follows:

26 § 6. This act shall take effect July 1, 1992, and shall be deemed
27 repealed June 30, [~~2025~~] 2026.

28 § 21. Subdivision 6 of section 4402 of the education law, as amended
29 by section 25 of part A of chapter 56 of the laws of 2024, is amended to
30 read as follows:

31 6. Notwithstanding any other law, rule or regulation to the contrary,
32 the board of education of a city school district with a population of
33 one hundred twenty-five thousand or more inhabitants shall be permitted
34 to establish maximum class sizes for special classes for certain
35 students with disabilities in accordance with the provisions of this
36 subdivision. For the purpose of obtaining relief from any adverse fiscal
37 impact from under-utilization of special education resources due to low
38 student attendance in special education classes at the middle and
39 secondary level as determined by the commissioner, such boards of educa-
40 tion shall, during the school years nineteen hundred ninety-five--nine-
41 ty-six through June thirtieth, two thousand [~~twenty-five~~] twenty-six, be
42 authorized to increase class sizes in special classes containing
43 students with disabilities whose age ranges are equivalent to those of
44 students in middle and secondary schools as defined by the commissioner
45 for purposes of this section by up to but not to exceed one and two
46 tenths times the applicable maximum class size specified in regulations
47 of the commissioner rounded up to the nearest whole number, provided
48 that in a city school district having a population of one million or
49 more, classes that have a maximum class size of fifteen may be increased
50 by no more than one student and provided that the projected average
51 class size shall not exceed the maximum specified in the applicable
52 regulation, provided that such authorization shall terminate on June
53 thirtieth, two thousand. Such authorization shall be granted upon filing
54 of a notice by such a board of education with the commissioner stating
55 the board's intention to increase such class sizes and a certification
56 that the board will conduct a study of attendance problems at the

1 secondary level and will implement a corrective action plan to increase
2 the rate of attendance of students in such classes to at least the rate
3 for students attending regular education classes in secondary schools of
4 the district. Such corrective action plan shall be submitted for
5 approval by the commissioner by a date during the school year in which
6 such board increases class sizes as provided pursuant to this subdivi-
7 sion to be prescribed by the commissioner. Upon at least thirty days
8 notice to the board of education, after conclusion of the school year in
9 which such board increases class sizes as provided pursuant to this
10 subdivision, the commissioner shall be authorized to terminate such
11 authorization upon a finding that the board has failed to develop or
12 implement an approved corrective action plan.

13 § 22. Subdivisions 22 and 24 of section 140 of chapter 82 of the laws
14 of 1995, amending the education law and other laws relating to state aid
15 to school districts and the appropriation of funds for the support of
16 government, as amended by section 26 of part A of chapter 56 of the laws
17 of 2024, are amended to read as follows:

18 (22) sections one hundred twelve, one hundred thirteen, one hundred
19 fourteen, one hundred fifteen and one hundred sixteen of this act shall
20 take effect on July 1, 1995; provided, however, that section one hundred
21 thirteen of this act shall remain in full force and effect until July 1,
22 [~~2025~~] 2026 at which time it shall be deemed repealed;

23 (24) sections one hundred eighteen through one hundred thirty of this
24 act shall be deemed to have been in full force and effect on and after
25 July 1, 1995; provided further, however, that the amendments made pursu-
26 ant to section one hundred twenty-four of this act shall be deemed to be
27 repealed on and after July 1, [~~2025~~] 2026;

28 § 23. Special apportionment for salary expenses. 1. Notwithstanding
29 any other provision of law, upon application to the commissioner of
30 education, not sooner than the first day of the second full business
31 week of June 2026 and not later than the last day of the third full
32 business week of June 2026, a school district eligible for an apportion-
33 ment pursuant to section 3602 of the education law shall be eligible to
34 receive an apportionment pursuant to this section, for the school year
35 ending June 30, 2026, for salary expenses incurred between April 1 and
36 June 30, 2025 and such apportionment shall not exceed the sum of (a) the
37 deficit reduction assessment of 1990--1991 as determined by the commis-
38 sioner of education, pursuant to paragraph f of subdivision 1 of section
39 3602 of the education law, as in effect through June 30, 1993, plus (b)
40 186 percent of such amount for a city school district in a city with a
41 population in excess of 1,000,000 inhabitants, plus (c) 209 percent of
42 such amount for a city school district in a city with a population of
43 more than 195,000 inhabitants and less than 219,000 inhabitants accord-
44 ing to the latest federal census, plus (d) the net gap elimination
45 adjustment for 2010--2011, as determined by the commissioner of educa-
46 tion pursuant to chapter 53 of the laws of 2010, plus (e) the gap elimi-
47 nation adjustment for 2011--2012 as determined by the commissioner of
48 education pursuant to subdivision 17 of section 3602 of the education
49 law, and provided further that such apportionment shall not exceed such
50 salary expenses. Such application shall be made by a school district,
51 after the board of education or trustees have adopted a resolution to do
52 so and in the case of a city school district in a city with a population
53 in excess of 125,000 inhabitants, with the approval of the mayor of such
54 city.

55 2. The claim for an apportionment to be paid to a school district
56 pursuant to subdivision 1 of this section shall be submitted to the

1 commissioner of education on a form prescribed for such purpose, and
2 shall be payable upon determination by such commissioner that the form
3 has been submitted as prescribed. Such approved amounts shall be payable
4 on the same day in September of the school year following the year in
5 which application was made as funds provided pursuant to subparagraph 4
6 of paragraph b of subdivision 4 of section 92-c of the state finance
7 law, on the audit and warrant of the state comptroller on vouchers
8 certified or approved by the commissioner of education in the manner
9 prescribed by law from moneys in the state lottery fund and from the
10 general fund to the extent that the amount paid to a school district
11 pursuant to this section exceeds the amount, if any, due such school
12 district pursuant to subparagraph 2 of paragraph a of subdivision 1 of
13 section 3609-a of the education law in the school year following the
14 year in which application was made.

15 3. Notwithstanding the provisions of section 3609-a of the education
16 law, an amount equal to the amount paid to a school district pursuant to
17 subdivisions 1 and 2 of this section shall first be deducted from the
18 following payments due the school district during the school year
19 following the year in which application was made pursuant to subpara-
20 graphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section
21 3609-a of the education law in the following order: the lottery appor-
22 tionment payable pursuant to subparagraph 2 of such paragraph followed
23 by the fixed fall payments payable pursuant to subparagraph 4 of such
24 paragraph and then followed by the district's payments to the teachers'
25 retirement system pursuant to subparagraph 1 of such paragraph, and any
26 remainder to be deducted from the individualized payments due the
27 district pursuant to paragraph b of such subdivision shall be deducted
28 on a chronological basis starting with the earliest payment due the
29 district.

30 § 24. Special apportionment for public pension accruals. 1. Notwith-
31 standing any other provision of law, upon application to the commission-
32 er of education, not later than June 30, 2026, and for each year there-
33 after for the following four years, a school district eligible for an
34 apportionment pursuant to section 3602 of the education law shall be
35 eligible to receive an apportionment pursuant to this section, through
36 the school year ending June 30, 2030 and such apportionment shall not
37 exceed the additional accruals required to be made by school districts
38 in the 2004--2005 and 2005--2006 school years associated with changes
39 for such public pension liabilities. The amount of such additional
40 accrual shall be certified to the commissioner of education by the pres-
41 ident of the board of education or the trustees or, in the case of a
42 city school district in a city with a population in excess of 125,000
43 inhabitants, the mayor of such city. Such application shall be made by a
44 school district, after the board of education or trustees have adopted a
45 resolution to do so and in the case of a city school district in a city
46 with a population in excess of 125,000 inhabitants, with the approval of
47 the mayor of such city.

48 2. The claim for an apportionment to be paid to a school district
49 pursuant to subdivision one of this section shall be submitted to the
50 commissioner of education on a form prescribed for such purpose, and
51 shall be payable upon determination by such commissioner that the form
52 has been submitted as prescribed. Such approved amounts shall be payable
53 on the same day in September of the school year following the year in
54 which application was made as funds provided pursuant to subparagraph 4
55 of paragraph b of subdivision 4 of section 92-c of the state finance
56 law, on the audit and warrant of the state comptroller on vouchers

1 certified or approved by the commissioner of education in the manner
2 prescribed by law from moneys in the state lottery fund and from the
3 general fund to the extent that the amount paid to a school district
4 pursuant to this section exceeds the amount, if any, due such school
5 district pursuant to subparagraph 2 of paragraph a of subdivision 1 of
6 section 3609-a of the education law in the school year following the
7 year in which application was made.

8 3. Notwithstanding the provisions of section 3609-a of the education
9 law, an amount equal to the amount paid to a school district pursuant to
10 subdivisions 1 and 2 of this section shall first be deducted from the
11 following payments due the school district during the school year
12 following the year in which application was made pursuant to subpara-
13 graphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section
14 3609-a of the education law in the following order: the lottery appor-
15 tionment payable pursuant to subparagraph 2 of such paragraph followed
16 by the fixed fall payments payable pursuant to subparagraph 4 of such
17 paragraph and then followed by the district's payments to the teachers'
18 retirement system pursuant to subparagraph 1 of such paragraph, and any
19 remainder to be deducted from the individualized payments due the
20 district pursuant to paragraph b of such subdivision shall be deducted
21 on a chronological basis starting with the earliest payment due the
22 district.

23 § 25. The amounts specified in this section shall be a set-aside from
24 the state funds which each such district is receiving from the total
25 foundation aid:

26 1. for the development, maintenance or expansion of magnet schools or
27 magnet school programs for the 2025--2026 school year. For the city
28 school district of the city of New York there shall be a set-aside of
29 foundation aid equal to forty-eight million one hundred seventy-five
30 thousand dollars (\$48,175,000) including five hundred thousand dollars
31 (\$500,000) for the Andrew Jackson High School; for the Buffalo city
32 school district, twenty-one million twenty-five thousand dollars
33 (\$21,025,000); for the Rochester city school district, fifteen million
34 dollars (\$15,000,000); for the Syracuse city school district, thirteen
35 million dollars (\$13,000,000); for the Yonkers city school district,
36 forty-nine million five hundred thousand dollars (\$49,500,000); for the
37 Newburgh city school district, four million six hundred forty-five thou-
38 sand dollars (\$4,645,000); for the Poughkeepsie city school district,
39 two million four hundred seventy-five thousand dollars (\$2,475,000); for
40 the Mount Vernon city school district, two million dollars (\$2,000,000);
41 for the New Rochelle city school district, one million four hundred ten
42 thousand dollars (\$1,410,000); for the Schenectady city school district,
43 one million eight hundred thousand dollars (\$1,800,000); for the Port
44 Chester city school district, one million one hundred fifty thousand
45 dollars (\$1,150,000); for the White Plains city school district, nine
46 hundred thousand dollars (\$900,000); for the Niagara Falls city school
47 district, six hundred thousand dollars (\$600,000); for the Albany city
48 school district, three million five hundred fifty thousand dollars
49 (\$3,550,000); for the Utica city school district, two million dollars
50 (\$2,000,000); for the Beacon city school district, five hundred sixty-
51 six thousand dollars (\$566,000); for the Middletown city school
52 district, four hundred thousand dollars (\$400,000); for the Freeport
53 union free school district, four hundred thousand dollars (\$400,000);
54 for the Greenburgh central school district, three hundred thousand
55 dollars (\$300,000); for the Amsterdam city school district, eight
56 hundred thousand dollars (\$800,000); for the Peekskill city school

1 district, two hundred thousand dollars (\$200,000); and for the Hudson
2 city school district, four hundred thousand dollars (\$400,000).

3 2. Notwithstanding any inconsistent provision of law to the contrary,
4 a school district setting aside such foundation aid pursuant to this
5 section may use such set-aside funds for: (a) any instructional or
6 instructional support costs associated with the operation of a magnet
7 school; or (b) any instructional or instructional support costs associ-
8 ated with implementation of an alternative approach to promote diversity
9 and/or enhancement of the instructional program and raising of standards
10 in elementary and secondary schools of school districts having substan-
11 tial concentrations of minority students.

12 3. The commissioner of education shall not be authorized to withhold
13 foundation aid from a school district that used such funds in accordance
14 with this paragraph, notwithstanding any inconsistency with a request
15 for proposals issued by such commissioner for the purpose of attendance
16 improvement and dropout prevention for the 2025--2026 school year, and
17 for any city school district in a city having a population of more than
18 one million, the set-aside for attendance improvement and dropout
19 prevention shall equal the amount set aside in the base year. For the
20 2025--2026 school year, it is further provided that any city school
21 district in a city having a population of more than one million shall
22 allocate at least one-third of any increase from base year levels in
23 funds set aside pursuant to the requirements of this section to communi-
24 ty-based organizations. Any increase required pursuant to this section
25 to community-based organizations must be in addition to allocations
26 provided to community-based organizations in the base year.

27 4. For the purpose of teacher support for the 2025--2026 school year:
28 for the city school district of the city of New York, sixty-two million
29 seven hundred seven thousand dollars (\$62,707,000); for the Buffalo city
30 school district, one million seven hundred forty-one thousand dollars
31 (\$1,741,000); for the Rochester city school district, one million seven-
32 ty-six thousand dollars (\$1,076,000); for the Yonkers city school
33 district, one million one hundred forty-seven thousand dollars
34 (\$1,147,000); and for the Syracuse city school district, eight hundred
35 nine thousand dollars (\$809,000). All funds made available to a school
36 district pursuant to this section shall be distributed among teachers
37 including prekindergarten teachers and teachers of adult vocational and
38 academic subjects in accordance with this section and shall be in addi-
39 tion to salaries heretofore or hereafter negotiated or made available;
40 provided, however, that all funds distributed pursuant to this section
41 for the current year shall be deemed to incorporate all funds distrib-
42 uted pursuant to former subdivision 27 of section 3602 of the education
43 law for prior years. In school districts where the teachers are repres-
44 ented by certified or recognized employee organizations, all salary
45 increases funded pursuant to this section shall be determined by sepa-
46 rate collective negotiations conducted pursuant to the provisions and
47 procedures of article 14 of the civil service law, notwithstanding the
48 existence of a negotiated agreement between a school district and a
49 certified or recognized employee organization.

50 § 26. Support of public libraries. The moneys appropriated for the
51 support of public libraries by a chapter of the laws of 2025 enacting
52 the aid to localities budget shall be apportioned for the 2025--2026
53 state fiscal year in accordance with the provisions of sections 271,
54 272, 273, 282, 284, and 285 of the education law as amended by the
55 provisions of such chapter and the provisions of this section, provided
56 that library construction aid pursuant to section 273-a of the education

1 law shall not be payable from the appropriations for the support of
2 public libraries and provided further that no library, library system or
3 program, as defined by the commissioner of education, shall receive less
4 total system or program aid than it received for the year 2025--2026
5 except as a result of a reduction adjustment necessary to conform to the
6 appropriations for support of public libraries.

7 Notwithstanding any other provision of law to the contrary the moneys
8 appropriated for the support of public libraries for the year 2025--2026
9 by a chapter of the laws of 2025 enacting the aid to localities budget
10 shall fulfill the state's obligation to provide such aid and, pursuant
11 to a plan developed by the commissioner of education and approved by the
12 director of the budget, the aid payable to libraries and library systems
13 pursuant to such appropriations shall be reduced proportionately to
14 assure that the total amount of aid payable does not exceed the total
15 appropriations for such purpose.

16 § 27. Severability. The provisions of this act shall be severable, and
17 if the application of any clause, sentence, paragraph, subdivision,
18 section or part of this act to any person or circumstance shall be
19 adjudged by any court of competent jurisdiction to be invalid, such
20 judgment shall not necessarily affect, impair or invalidate the applica-
21 tion of any such clause, sentence, paragraph, subdivision, section, or
22 part of this act or remainder thereof, as the case may be, to any other
23 person or circumstance, but shall be confined in its operation to the
24 clause, sentence, paragraph, subdivision, section or part thereof
25 directly involved in the controversy in which such judgment shall have
26 been rendered.

27 § 28. This act shall take effect immediately, and shall be deemed to
28 have been in full force and effect on and after April 1, 2025, provided,
29 however, that:

30 1. Sections one, two, three, four, five, six, seven, eight, nine, ten,
31 twelve, thirteen, fourteen, fifteen, seventeen, twenty-one and twenty-
32 five of this act shall take effect July 1, 2025; and

33 2. The amendments to chapter 756 of the laws of 1992 made by sections
34 eighteen and nineteen of this act shall not affect the repeal of such
35 chapter and shall be deemed repealed therewith.

36

PART A-1

37 Section 1. Subparagraph (i) of paragraph b of subdivision 10 of
38 section 3602-e of the education law, as amended by section 23-c of part
39 A of chapter 56 of the laws of 2021, is amended to read as follows:

40 (i) "Selected aid per prekindergarten pupil" shall equal the greater
41 of (A) the product of five-tenths and the school district's selected
42 foundation aid for the current year, [~~or~~] (B) the aid per prekindergar-
43 ten pupil calculated pursuant to this subdivision for the two thousand
44 six-two thousand seven school year, based on data on file for the school
45 aid computer listing produced by the commissioner in support of the
46 enacted budget for the two thousand six--two thousand seven school year
47 and entitled "SA060-7" [~~, provided, however, that in the two thousand~~
48 ~~eight--two thousand nine school year, a city school district in a city~~
49 ~~having a population of one million inhabitants or more shall not be~~
50 ~~eligible to select aid per prekindergarten pupil pursuant to clause (A)~~
51 ~~of this subparagraph], or (C) six thousand seven hundred dollars
52 (\$6,700);~~

53 § 2. Subdivision 20 of section 3602-e of the education law is amended
54 by adding a new paragraph c to read as follows:

1 c. Two thousand twenty-five--two thousand twenty-six school year.

2 (i) The universal prekindergarten expansion for the two thousand twenty-five--two thousand twenty-six school year shall be the three year old
3 increase plus the four year old increase, plus the expansion increase.

4 (1) For purposes of this paragraph, the "three-year-old increase"
5 shall be equal to the positive difference, if any, of the product of the
6 sum of eligible half-day three-year-old prekindergarten pupils weighted
7 at 0.5 as defined in clause two of subparagraph (iii) of paragraph b of
8 subdivision ten of this section, plus eligible full-day three-year-old
9 prekindergarten pupils as defined in clause two of subparagraph (ii) of
10 paragraph b of subdivision ten of this section, multiplied by six thou-
11 sand seven hundred dollars (\$6,700), less the three-year-old grant
12 amount a district is eligible to receive under subparagraph (ix) of the
13 opening paragraph of subdivision ten of this section for the base year.

14 (2) For purposes of this paragraph, the "four-year-old increase" shall
15 be equal to the positive difference, if any, of the product of the sum
16 of eligible half-day four-year-old prekindergarten pupils weighted at
17 0.5 as defined in clause one of subparagraph (iii) of paragraph b of
18 this subdivision, plus eligible full-day four-year-old prekindergarten
19 pupils as defined in clause one of subparagraph (ii) of paragraph b of
20 this subdivision, multiplied by six thousand seven hundred dollars
21 (\$6,700), less the four-year-old grant amount a district is eligible to
22 receive under subparagraph (ix) of the opening paragraph of subdivision
23 ten of this section for the base year.

24 (3) For purposes of this paragraph, the "expansion increase" shall be
25 equal to twice the product of (A) expansion slots multiplied by (B)
26 selected aid per prekindergarten pupil calculated pursuant to subpara-
27 graph (i) of paragraph b of subdivision ten of this section for the two
28 thousand twenty-five--two thousand twenty-six school year.

29 (ii) For purposes of this paragraph, "expansion slots" shall be for
30 new full-day four-year-old prekindergarten pupils for purposes of
31 subparagraph (ii) of paragraph b of subdivision ten of this section.
32 Expansion slots shall be equal to the amount included under the heading
33 "2025-26 UPK Expansion Slots" in the school aid computer listing
34 produced by the commissioner in support of the enacted budget request
35 for the two thousand twenty-five--two thousand twenty-six school year
36 and entitled "SA252-6" and calculated as the positive difference, if
37 any, of the unserved four-year-old prekindergarten pupils calculated
38 pursuant to subparagraph (iv) of paragraph b of subdivision ten of this
39 section less the number of four-year-old students eligible to be served
40 in full-day and half-day settings in a state-funded program which must
41 meet the requirements of this section or section thirty-six hundred
42 two-ee of this part for the two thousand twenty-four--two thousand twenty-five
43 school year, with students served in half-day settings multi-
44 plied by six hundred and twenty-two thousandths (0.622), provided that
45 in the event this calculation results in a value less than fifteen, such
46 expansion slots shall be equal to zero.

47
48 § 3. Section 3602-ee of the education law is amended by adding a new
49 subdivision 18 to read as follows:

50 18. (a) For any school district utilizing less than one hundred
51 percent of their allotted funds from the amount set forth for such
52 school districts as "UNIVERSAL PRE-KINDERGARTEN" in the school aid
53 computer listing produced by the commissioner in support of the enacted
54 budget, such district shall publish on the district's website a report
55 written in plain language which describes: (i) the total amount of
56 universal pre-kindergarten funds available to such school district, (ii)

1 the total amount of funds such school district utilized during a school
 2 year; (iii) the reason or reasons for the difference between available
 3 funds and utilized funds; (iv) the number of pupils whose families
 4 sought pre-kindergarten services from such school district but did not
 5 receive them during the school year; and (v) a plan for how the school
 6 district anticipates providing pre-kindergarten services during the next
 7 five school years, including provisions for any potential expansion of
 8 services.

9 (b) Such report shall be published no later than September first of
 10 each school year.

11 (c) Such report shall be updated annually by September first of each
 12 subsequent school year until the year following the year in which the
 13 district utilized one hundred percent of its allotted funds.

14 (d) The provisions of this subdivision shall not apply to any district
 15 which utilized one hundred percent of its allotted funds from the amount
 16 set forth for such school districts as "UNIVERSAL PRE-KINDERGARTEN" in
 17 the prior school year.

18 § 4. Subparagraph 2 of paragraph a of subdivision 4 of section 3602 of
 19 the education law, as amended by section 9-b of part CCC of chapter 59
 20 of the laws of 2018, is amended to read as follows:

21 (2) (i) The regional cost index shall reflect an analysis of labor
 22 market costs based on median salaries in professional occupations that
 23 require similar credentials to those of positions in the education
 24 field, but not including those occupations in the education field,
 25 provided that the regional cost indices for the two thousand seven--two
 26 thousand eight school year [~~and thereafter~~] through two thousand twen-
 27 ty-four--two thousand twenty-five school year shall be as follows:

Labor Force Region	Index
Capital District	1.124
Southern Tier	1.045
Western New York	1.091
Hudson Valley	1.314
Long Island/NYC	1.425
Finger Lakes	1.141
Central New York	1.103
Mohawk Valley	1.000
North Country	1.000

38 (ii) The regional cost index for the two thousand twenty-five--two
 39 thousand twenty-six school year and thereafter shall be as follows:

<u>Capital District</u>	<u>1.124</u>
<u>Southern Tier</u>	<u>1.045</u>
<u>Western New York</u>	<u>1.091</u>
<u>Hudson Valley</u>	<u>1.425</u>
<u>Long Island</u>	<u>1.425</u>
<u>NYC</u>	<u>1.464</u>
<u>Finger Lakes</u>	<u>1.141</u>
<u>Central New York</u>	<u>1.103</u>
<u>Mohawk Valley</u>	<u>1.000</u>
<u>North Country</u>	<u>1.000</u>

50 § 5. Subdivision 3 of section 711 of the education law, as amended by
 51 section 7 of part B of chapter 57 of the laws of 2007, is amended to
 52 read as follows:

53 3. No school district shall be required to purchase or otherwise
 54 acquire school library materials, the cost of which shall exceed an
 55 amount equal to the library materials factor multiplied by the sum of
 56 the public school district enrollment and the nonpublic school enroll-

1 ment in the base year as defined in subparagraphs two and three of para-
2 graph n of subdivision one of section thirty-six hundred two of this
3 chapter. For aid payable in the nineteen hundred ninety-eight--nineteen
4 hundred ninety-nine school year, the library materials factor shall be
5 four dollars. For aid payable in the two thousand seven--two thousand
6 eight school year [~~and thereafter~~] through the two thousand twenty-four-
7 -two thousand twenty-five school year, the library materials factor
8 shall be six dollars and twenty-five cents. For aid payable in the two
9 thousand twenty-five--two thousand twenty-six school year and thereaft-
10 er, the library materials factor shall be eleven dollars and thirty-
11 three cents.

12 § 6. Subdivision 3 of section 2 and section 12 of part C of chapter 56
13 of the laws of 2020 directing the commissioner of education to appoint a
14 monitor for the Rochester city school district, establishing the powers
15 and duties of such monitor and certain other officers and relating to
16 the apportionment of aid to such school district, section 12 as amended
17 by section 25 of part A of chapter 56 of the laws of 2023, are amended
18 to read as follows:

19 3. The reasonable and necessary expenses incurred by the monitor while
20 performing [~~his or her~~] their official duties which are not otherwise
21 provided for by the state shall be paid by the school district. The
22 state shall annually appropriate one hundred seventy-five thousand
23 dollars (\$175,000) to the Rochester city school district to support
24 costs associated with such expenses. Notwithstanding any other provision
25 of law, the monitor shall be entitled to defense and indemnification by
26 the school district to the same extent as a school district employee.

27 § 12. This act shall take effect immediately, provided, however, that
28 sections two, three, four, five, six, seven, eight, nine and ten of this
29 act shall expire and be deemed repealed June 30, [~~2025~~] 2030; and
30 provided further, however that sections one and eleven of this act shall
31 expire and be deemed repealed June 30, 2049.

32 § 7. Subdivision 3 of section 3 and section 12 of chapter 19 of the
33 laws of 2020 authorizing the commissioner of education to appoint a
34 monitor to oversee the Hempstead union free school district and
35 establishing the powers and duties of such monitor, are amended to read
36 as follows:

37 3. The reasonable and necessary expenses incurred by the monitor while
38 performing [~~his or her~~] their official duties which are not otherwise
39 provided for by the state shall be paid by the school district. The
40 state shall annually appropriate one hundred seventy-five thousand
41 dollars (\$175,000) to the Hempstead union free school district to
42 support costs associated with such expenses. Notwithstanding any other
43 provision of law, the monitor shall be entitled to defense and indemni-
44 fication by the school district to the same extent as a school district
45 employee.

46 § 12. This act shall take effect immediately; provided, however,
47 section one of this act shall take effect on the same date as a chapter
48 of the laws of 2019, authorizing the commissioner of education and the
49 chancellor of the board of regents, with the approval of the board of
50 regents, to appoint monitors to oversee the Hempstead union free school
51 district, as proposed in legislative bills numbers S.6559 and A.8403,
52 takes effect; and provided further, however sections two, three, four,
53 five, six, seven, eight, nine, ten and eleven of this act shall expire
54 and be deemed repealed June 30, [~~2025~~] 2030.

55 § 8. Subdivision 3 of section 3 and section 13 of chapter 18 of the
56 laws of 2020 repealing a chapter of the laws of 2019 authorizing the

1 commissioner of education, in consultation with the comptroller to
2 appoint a monitor to oversee the Wyandanch union free school district
3 and establishing the powers and duties of such monitor, are amended to
4 read as follows:

5 3. The reasonable and necessary expenses incurred by the monitor while
6 performing [~~his or her~~] their official duties which are not otherwise
7 provided for by the state shall be paid by the school district. The
8 state shall annually appropriate one hundred seventy-five thousand
9 dollars (\$175,000) to the Wyandanch union free school district to
10 support costs associated with such expenses. Notwithstanding any other
11 provision of law, the monitor shall be entitled to defense and indemni-
12 fication by the school district to the same extent as a school district
13 employee.

14 § 13. This act shall take effect immediately, provided however:

15 Section one of this act shall take effect on the same date as a chap-
16 ter of the laws of 2019, authorizing the commissioner of education, in
17 consultation with the comptroller to appoint a monitor to oversee the
18 Wyandanch union free school district and establishing the powers and
19 duties of the monitor, as proposed in legislative bills numbers S.6588-A
20 and A.8422-A, takes effect.

21 Sections three through ten of this act shall expire and be deemed
22 repealed June 30, [~~2025~~] 2030.

23 Section eleven shall expire and be deemed repealed June 30 of the last
24 fiscal year during which serial bonds or bonds issued to refund such
25 serial bonds that are outstanding pursuant to such section of this act,
26 provided that the superintendent of the Wyandanch union free school
27 district shall notify the legislative bill drafting commission upon such
28 occurrence in order that the commission may maintain an accurate and
29 timely effective data base of the official text of the laws of the state
30 of New York in furtherance of effectuating the provisions of section 44
31 of the legislative law and section 70-b of the public officers law.

32 Sections two and twelve of this act shall expire and be deemed
33 repealed June 30, 2049.

34 § 9. Paragraph (c) of section 3 and section 13 of chapter 89 of the
35 laws of 2016 relating to supplementary funding for dedicated programs
36 for public school students in the East Ramapo central school district,
37 paragraph (c) as added and section 13 as amended by chapter 173 of the
38 laws of 2021, are amended to read as follows:

39 (c) The reasonable and necessary expenses incurred by the monitor or
40 monitors while performing [~~his or her~~] their official duties which are
41 not otherwise provided for by the state shall be paid by the school
42 district. The state shall annually appropriate two hundred twenty-five
43 thousand dollars (\$225,000) to the East Ramapo central school district
44 to support costs associated with such expenses. Notwithstanding any
45 other provision of law, the monitor or monitors shall be entitled to
46 defense and indemnification by the school district to the same extent as
47 a school district employee.

48 § 13. This act shall take effect July 1, 2016 and shall expire and be
49 deemed repealed June 30, [~~2025~~] 2030.

50 § 10. Establishment of monitor to provide oversight, guidance and
51 technical assistance related to the educational and fiscal policies,
52 practices, programs and decisions of the school district, the board of
53 education and the superintendent in the Mount Vernon city school
54 district:

55 1. Definitions. As used in this section:

56 (a) "Commissioner" shall mean the commissioner of education;

1 (b) "Department" shall mean the state education department;

2 (c) "Board of education" or "board" shall mean the board of education
3 of the Mount Vernon city school district;

4 (d) "School district" or "district" shall mean the Mount Vernon city
5 school district;

6 (e) "Superintendent" shall mean the superintendent of the Mount Vernon
7 city school district; and

8 (f) "Relatives" shall mean a Mount Vernon city school district board
9 member's spouse, domestic partner, child, stepchild, stepparent, or any
10 person who is a direct descendant of the grandparents of a current board
11 member or a board member's spouse or domestic partner.

12 2. Appointment of a monitor. The commissioner shall appoint one moni-
13 tor to provide oversight, guidance and technical assistance related to
14 the educational and fiscal policies, practices, programs and decisions
15 of the school district, the board of education and the superintendent.

16 (a) The monitor, to the extent practicable, shall have experience in
17 school district finances and one or more of the following areas:

18 (i) elementary and secondary education;

19 (ii) the operation of school districts in New York;

20 (iii) educating students with disabilities; and

21 (iv) educating English language learners.

22 (b) The monitor shall be a non-voting ex-officio member of the board
23 of education. The monitor shall be an individual who is not a resident,
24 employee of the school district or relative of a board member of the
25 school district at the time of their appointment.

26 (c) The reasonable and necessary expenses incurred by the monitor
27 while performing their official duties which are not otherwise provided
28 for by the state shall be paid by the school district. The state of New
29 York shall annually appropriate one hundred and seventy-five thousand
30 dollars (\$175,000) to the Mount Vernon city school district to support
31 costs associated with such expenses. Notwithstanding any other provision
32 of law, the monitor shall be entitled to defense and indemnification by
33 the school district to the same extent as a school district employee.

34 3. Meetings. (a) The monitor shall be entitled to attend all meetings
35 of the board, including executive sessions; provided however, such moni-
36 tor shall not be considered for purposes of establishing a quorum of the
37 board. The school district shall fully cooperate with the monitor
38 including, but not limited to, providing such monitor with access to any
39 necessary documents and records of the district including access to
40 electronic information systems, databases and planning documents,
41 consistent with all applicable state and federal statutes including, but
42 not limited to, Family Education Rights and Privacy Act (FERPA) (20
43 U.S.C. § 1232g) and section 2-d of the education law.

44 (b) The board, in consultation with the monitor, shall adopt a
45 conflict of interest policy that complies with all existing applicable
46 laws, rules and regulations that ensures its board members and adminis-
47 tration act in the school district's best interest and comply with
48 applicable legal requirements. The conflict of interest policy shall
49 include, but not be limited to:

50 (i) a definition of the circumstances that constitute a conflict of
51 interest;

52 (ii) procedures for disclosing a conflict of interest to the board;

53 (iii) a requirement that the person with the conflict of interest not
54 be present at or participate in board deliberations or votes on the
55 matter giving rise to such conflict, provided that nothing in this
56 subdivision shall prohibit the board from requesting that the person

1 with the conflict of interest present information as background or
2 answer questions at a board meeting prior to the commencement of delib-
3 erations or voting relating thereto;

4 (iv) a prohibition against any attempt by the person with the conflict
5 to influence improperly the deliberation or voting on the matter giving
6 rise to such conflict; and

7 (v) a requirement that the existence and resolution of the conflict be
8 documented in the board's records, including in the minutes of any meet-
9 ing at which the conflict was discussed or voted upon.

10 4. Public hearings. (a) The monitor shall schedule three public hear-
11 ings to be held within sixty days of their appointment, which shall
12 allow public comment from the district's residents, students, parents,
13 employees, board members and administration.

14 (i) The first hearing shall take public comment on existing statutory
15 and regulatory authority of the commissioner, the department and the
16 board of regents regarding school district governance and intervention
17 under applicable state law and regulations, including but not limited
18 to, sections 306, 211-c, and 211-f of the education law.

19 (ii) The second hearing shall take public comment on the academic
20 performance of the district.

21 (iii) The third hearing shall take public comment on the fiscal
22 performance of the district.

23 (b) The board of education and the monitor shall consider these public
24 comments when developing the financial plan and academic improvement
25 plan under this section.

26 5. Financial plan. (a) No later than November first, two thousand
27 twenty-five, the board of education and the monitor shall develop a
28 proposed financial plan for the two thousand twenty-five--two thousand
29 twenty-six school year and the four subsequent school years. The finan-
30 cial plan shall ensure that annual aggregate operating expenses shall
31 not exceed annual aggregate operating revenues for such school year and
32 that the major operating funds of the district be balanced in accordance
33 with generally accepted accounting principles. The financial plan shall
34 include statements of all estimated revenues, expenditures, and cash
35 flow projections of the district.

36 (b) If the board of education and the monitor agree on all the
37 elements of the proposed financial plan, the board of education shall
38 conduct a public hearing on the plan and consider the input of the
39 community. The proposed financial plan shall be made public on the
40 district's website at least three business days before such public hear-
41 ing. Once the proposed financial plan has been approved by the board of
42 education, such plan shall be submitted by the monitor to the commis-
43 sioner for approval and shall be deemed approved for the purposes of
44 this section.

45 (c) If the board of education and the monitor do not agree on all the
46 elements of the proposed financial plan, the board of education shall
47 conduct a public hearing on the proposed plan that details the elements
48 of disagreement between the monitor and the board, including documented
49 justification for such disagreements and any requested amendments from
50 the monitor. The proposed financial plan, elements of disagreement, and
51 requested amendments shall be made public on the district's website at
52 least three business days before such public hearing. After considering
53 the input of the community, the board may alter the proposed financial
54 plan and the monitor may alter their requested amendments, and the moni-
55 tor shall submit the proposed financial plan, their amendments to the
56 plan, and documentation providing justification for such disagreements

1 and amendments to the commissioner no later than December first, two
2 thousand twenty-five. By January fifteenth, two thousand twenty-six, the
3 commissioner shall approve the proposed plan with any of the monitor's
4 proposed amendments, or make other modifications, such commissioner
5 deems appropriate. The board of education shall provide the commissioner
6 with any information such commissioner requests to approve such plan
7 within three business days of such request. Upon the approval of the
8 commissioner, the financial plan shall be deemed approved for purposes
9 of this section.

10 6. Academic improvement plan. (a) No later than November first, two
11 thousand twenty-five, the board of education and the monitor shall
12 develop an academic improvement plan for the district's two thousand
13 twenty-five--two thousand twenty-six school year and the four subsequent
14 school years. The academic improvement plan shall contain a series of
15 programmatic recommendations designed to improve academic performance
16 over the period of the plan in those academic areas that the commission-
17 er deems to be in need of improvement which shall include addressing the
18 provisions contained in any action plan set forth by the department.

19 (b) If the board of education and the monitor agree on all the
20 elements of the proposed academic improvement plan, the board of educa-
21 tion shall conduct a public hearing on the plan and consider the input
22 of the community. The proposed academic improvement plan shall be made
23 public on the district's website at least three business days before
24 such public hearing. Once the proposed academic improvement plan has
25 been approved by the board of education, such plan shall be submitted by
26 the monitor to the commissioner for approval and shall be deemed
27 approved for the purposes of this section.

28 (c) If the board of education and the monitor do not agree on all the
29 elements of the proposed academic improvement plan, the board of educa-
30 tion shall conduct a public hearing on the proposed plan that details
31 the elements of disagreement between the monitor and the board, includ-
32 ing documented justification for such disagreements and any requested
33 amendments from the monitor. The proposed academic improvement plan,
34 elements of disagreement, and requested amendments shall be made public
35 on the district's website at least three business days before such
36 public hearing. After considering the input of the community, the board
37 may alter the proposed academic improvement plan and the monitor may
38 alter their requested amendments, and the monitor shall submit the
39 proposed academic improvement plan, their amendments to the plan, and
40 documentation providing justification for such disagreements and amend-
41 ments to the commissioner no later than December first, two thousand
42 twenty-five. By January fifteenth, two thousand twenty-six, the commis-
43 sioner shall approve the proposed plan with any of the monitor's
44 proposed amendments, or make other modifications, such commissioner
45 deems appropriate. The board of education shall provide the commissioner
46 with any information such commissioner requests to approve such plan
47 within three business days of such request. Upon the approval of the
48 commissioner, the academic improvement plan shall be deemed approved for
49 purposes of this section.

50 7. Fiscal and operational oversight. (a) The board of education shall
51 annually submit the school district's proposed budget for the next
52 succeeding school year to the monitor no later than March first prior to
53 the school district's annual budget vote. The monitor shall review the
54 proposed budget to ensure that it is balanced within the context of
55 revenue and expenditure estimates and mandated programs. The monitor
56 shall also review the proposed budget to ensure that it, to the greatest

1 extent possible, is consistent with the district academic improvement
2 plan and financial plan developed and approved pursuant to this section.
3 The monitor shall present their findings to the board of education and
4 the commissioner no later than forty-five days prior to the date sched-
5 uled for the school district's annual budget vote. The commissioner
6 shall require the board of education to make amendments to the proposed
7 budget consistent with any recommendations made by the monitor if the
8 commissioner determines such amendments are necessary to comply with the
9 financial plan and academic improvement plan under this section. The
10 school district shall make available on the district's website: the
11 initial proposed budget, the monitor's findings, and the final proposed
12 budget at least seven days prior to the date of the school district's
13 budget hearing. In the event of a revote, the board of education, in
14 conjunction with the monitor, shall develop and submit the school
15 district's proposed budget for the next succeeding school year to the
16 commissioner no later than seven days prior to the budget hearing. The
17 board of education shall provide the commissioner with any information
18 such commissioner requests in order to make a determination pursuant to
19 this subdivision within three business days of such request.

20 (b) The district shall provide quarterly reports to the monitor and
21 annual reports to the commissioner and board of regents on the academic,
22 fiscal, and operational status of the school district. In addition, the
23 monitor shall provide semi-annual reports to the commissioner, board of
24 regents, the governor, the temporary president of the senate, and the
25 speaker of the assembly on the academic, fiscal, and operational status
26 of the school district. Such semi-annual report shall include all the
27 contracts that the district entered into throughout the year.

28 (c) The monitor shall have the authority to disapprove travel outside
29 the state paid for by the district.

30 (d) The monitor shall work with the district's shared decision-making
31 committee as defined in 8 NYCRR 100.11 in developing the academic
32 improvement plan, financial plan, district goals, implementation of
33 district priorities and budgetary recommendations.

34 (e) The monitor shall assist in resolving any disputes and conflicts,
35 including but not limited to, those between the superintendent and the
36 board of education and among the members of the board of education.

37 (f) The monitor may recommend, and the board shall consider by vote of
38 a resolution at the next scheduled meeting of the board, cost saving
39 measures including, but not limited to, shared service agreements.

40 8. The commissioner may overrule any decision of the monitor, except
41 for collective bargaining agreements negotiated in accordance with arti-
42 cle 14 of the civil service law, if such commissioner deems that such
43 decision is not aligned with the financial plan, academic improvement
44 plan, or the school district's budget.

45 9. The monitor may notify the commissioner and the board in writing
46 when such monitor deems the district is violating an element of the
47 financial plan or academic improvement plan in this section. Within
48 twenty days, the commissioner shall determine whether the district is in
49 violation of any of the elements of the plans highlighted by the monitor
50 and shall order the district to comply immediately with the plans and
51 remedy any such violation. The school district shall suspend all actions
52 related to the potential violation of the financial plan or academic
53 improvement plan until the commissioner issues a determination.

54 10. Nothing in this section shall be construed to abrogate the duties
55 and responsibilities of the school district consistent with applicable
56 state law and regulations.

1 § 11. Subdivision 1 of section 3635-b of the education law, as amended
2 by chapter 536 of the laws of 2002, is amended to read as follows:

3 1. This section shall apply where the board of education or trustees
4 of a common, central, central high school, union free school district,
5 or city school district [~~of a city with less than one hundred twenty-~~
6 ~~five thousand inhabitants~~] adopts a resolution to make transportation in
7 child safety zones available to resident pupils for a particular school
8 year. Such resolution shall continue in effect for subsequent school
9 years until the board adopts a resolution providing otherwise.

10 § 12. Paragraph b of subdivision 5 of section 1950 of the education
11 law, as amended by chapter 130 of the laws of 2022, is amended to read
12 as follows:

13 b. The cost of services herein referred to shall be the amount allo-
14 cated to each component school district by the board of cooperative
15 educational services to defray expenses of such board, including
16 approved expenses from the testing of potable water systems of occupied
17 school buildings under the board's jurisdiction as required pursuant to
18 section eleven hundred ten of the public health law provided that such
19 expenses for testing of potable water systems are not reimbursable from
20 another state or federal source, except that that part of the salary
21 paid any teacher, supervisor or other employee of the board of cooper-
22 ative educational services which is (i) for the two thousand twenty-
23 five--two thousand twenty-six school year and prior school years in
24 excess of thirty thousand dollars, (ii) for aid payable in the two thou-
25 sand twenty-six--two thousand twenty-seven school year in excess of
26 forty thousand dollars, (iii) for aid payable in the two thousand twen-
27 ty-seven--two thousand twenty-eight school year in excess of fifty thou-
28 sand dollars, and (iv) for aid payable in the two thousand twenty-eight-
29 -two thousand twenty-nine school year and thereafter, in excess of sixty
30 thousand dollars, shall not be such an approved expense, and except also
31 that administrative and clerical expenses shall not exceed ten percent
32 of the total expenses for purposes of this computation. Any gifts,
33 donations or interest earned by the board of cooperative educational
34 services or on behalf of the board of cooperative educational services
35 by the dormitory authority or any other source shall not be deducted in
36 determining the cost of services allocated to each component school
37 district. Any payments made to a component school district by the board
38 of cooperative educational services pursuant to subdivision eleven of
39 section six-p of the general municipal law attributable to an approved
40 cost of service computed pursuant to this subdivision shall be deducted
41 from the cost of services allocated to such component school district.
42 The expense of transportation provided by the board of cooperative
43 educational services pursuant to paragraph q of subdivision four of this
44 section shall be eligible for aid apportioned pursuant to subdivision
45 seven of section thirty-six hundred two of this chapter and no board of
46 cooperative educational services transportation expense shall be an
47 approved cost of services for the computation of aid under this subdivi-
48 sion. Transportation expense pursuant to paragraph q of subdivision
49 four of this section shall be included in the computation of the ten
50 percent limitation on administrative and clerical expenses.

51 § 13. Paragraph b of subdivision 10 of section 3602 of the education
52 law, as amended by section 16 of part B of chapter 57 of the laws of
53 2007, is amended to read as follows:

54 b. Aid for career education. There shall be apportioned to such city
55 school districts and other school districts which were not components of
56 a board of cooperative educational services in the base year, through

1 the two thousand twenty-five--two thousand twenty-six school year and
2 prior school years for pupils in grades ten through twelve, and for the
3 two thousand twenty-six--two thousand twenty-seven school year and ther-
4 eafter, for pupils in grades nine through twelve, in attendance in
5 career education programs as such programs are defined by the commis-
6 sioner, subject for the purposes of this paragraph to the approval of
7 the director of the budget, an amount for each such pupil to be computed
8 by multiplying the career education aid ratio, for the two thousand
9 twenty-five--two thousand twenty-six school year and prior school years,
10 by three thousand nine hundred dollars, and for the two thousand twen-
11 ty-six--two thousand twenty-seven school year and thereafter, by four
12 thousand three hundred dollars. Such aid will be payable for weighted
13 pupils attending career education programs operated by the school
14 district and for weighted pupils for whom such school district contracts
15 with boards of cooperative educational services to attend career educa-
16 tion programs operated by a board of cooperative educational services.
17 Weighted pupils for the purposes of this paragraph shall mean the sum of
18 the attendance of students, through the two thousand twenty-five--two
19 thousand twenty-six school year and prior school years, in grades ten
20 through twelve, and for the two thousand twenty-six--two thousand twen-
21 ty-seven school year and thereafter, in grades nine through twelve, in
22 career education sequences in trade, industrial, technical, agricultural
23 or health programs plus the product of sixteen hundredths multiplied by
24 the attendance of students, for the two thousand twenty-five--two thou-
25 sand twenty-six school year and prior school years, in grades ten
26 through twelve, and for the two thousand twenty-six--two thousand twen-
27 ty-seven school year and thereafter, in grades nine through twelve, in
28 career education sequences in business and marketing as defined by the
29 commissioner in regulations. The career education aid ratio shall be
30 computed by subtracting from one the product obtained by multiplying
31 fifty-nine percent by the combined wealth ratio. This aid ratio shall be
32 expressed as a decimal carried to three places without rounding, but not
33 less than thirty-six percent.

34 Any school district that receives aid pursuant to this paragraph shall
35 be required to use such amount to support career education programs in
36 the current year.

37 A board of education which spends less than its local funds as defined
38 by regulations of the commissioner for career education in the base year
39 during the current year shall have its apportionment under this subdivi-
40 sion reduced in an amount equal to such deficiency in the current or a
41 succeeding school year, provided however that the commissioner may waive
42 such reduction upon determination that overall expenditures per pupil in
43 support of career education programs were continued at a level equal to
44 or greater than the level of such overall expenditures per pupil in the
45 preceding school year.

46 § 14. Subparagraph 1 of paragraph b of subdivision 6-f of section 3602
47 of the education law, as added by section 19 of part H of chapter 83 of
48 the laws of 2002, is amended to read as follows:

49 (1) has a total project cost of [~~one hundred~~] two hundred fifty thou-
50 sand dollars or less; provided however, that for any district, no more
51 than one project shall be eligible pursuant to this subparagraph for an
52 apportionment within the same school year; and/or

53 § 15. Subdivision 4 of section 4405 of the education law is amended by
54 adding a new paragraph 1 to read as follows:

55 1. Tuition rates approved on an interim basis in advance of the estab-
56 lishment of reimbursement rates pursuant to the tuition methodology

1 established pursuant to this subdivision for the two thousand twenty-
2 ty-five--two thousand twenty-six school year and annually thereafter,
3 for special services and programs provided to school age students
4 by approved private residential or non-residential schools for the
5 education of students with disabilities that are located within the
6 state, by special act school districts, by July and August programs
7 for students with disabilities approved pursuant to section forty-four
8 hundred eight of this article, and for special services or
9 programs provided to preschool students with disabilities by programs
10 approved pursuant to section forty-four hundred ten of this article
11 including, but not limited to, special class and special class in
12 an integrated setting programs, shall be equal to the last certified
13 prospective or reconciliation rate and shall include compounded growth
14 determined in accordance with the following:

15 (i) If the last certified prospective or reconciliation rate was
16 approved for the school year prior to the current school year, such rate
17 shall increase by the annual growth percentage approved for the current
18 year.

19 (ii) If the last certified prospective or reconciliation rate was
20 approved for the school year two years prior to the current school year,
21 such rate shall increase by the annual growth percentage approved for
22 the year prior to the current school year, and the product of such shall
23 then increase by the annual growth percentage approved for the current
24 school year.

25 (iii) If the last certified prospective or reconciliation rate was
26 approved for the school year three or more years prior to the current
27 school year, such rate shall increase by the annual growth percentage
28 approved for the year two years prior to the current year, the product
29 of such shall then increase by the annual growth percentage approved for
30 the year prior to the current year, and the product of such shall then
31 increase by the annual growth percentage approved for the current year.

32 § 16. Section 4204-b of the education law is amended by adding a new
33 subdivision 5 to read as follows:

34 5. For the two thousand twenty-five--two thousand twenty-six school
35 year and thereafter, an institution subject to this article shall be
36 authorized to retain funds in excess of their allowable and reimbursable
37 costs incurred for services and programs to students appointed. The
38 amount of funds that may be annually retained shall not exceed one
39 percent of the institution's total allowable and reimbursable costs for
40 services and programs provided to students for the school year from
41 which the funds are to be retained, provided that the total accumulated
42 balance that may be retained shall not exceed four percent of such total
43 costs for such school year and provided, further, that such funds shall
44 not be recoverable on reconciliation, such funds shall be carried
45 forward as total reimbursable costs for purposes of calculating subse-
46 quent year prospective and reconciliation tuition rates and such funds
47 shall be separate from and in addition to any other authorization to
48 retain surplus funds on reconciliation. Funds shall be expended only
49 pursuant to an authorization of the governing board of the institution
50 for a purpose expressly authorized as part of allowable costs for the
51 year in which the funds are to be expended, provided that funds may be
52 expended to pay prior year outstanding debts. Any institution that
53 retains funds pursuant to this subdivision shall be required to annually
54 report a statement of the total balance of such retained funds, the
55 amount, if any, retained in the prior school year, the amount, if any,

1 disbursed in the prior school year, and the financial reports that are
2 required to be annually submitted to the department.

3 § 17. Section 4003 of the education law is amended by adding a new
4 subdivision 8 to read as follows:

5 8. Tuition rates approved on an interim basis in advance of the estab-
6 lishment of reimbursement rates pursuant to the tuition methodology
7 established pursuant to this section for the two thousand twenty-five--
8 two thousand twenty-six school year and annually thereafter, for special
9 services and programs provided to school age students by a special act
10 school district or an approved private school operated by a child care
11 institution shall be equal to the last certified prospective or recon-
12 ciliation rate and shall include compounded growth determined in accord-
13 ance with the following:

14 (a) If the last certified prospective or reconciliation rate was
15 approved for the school year prior to the current school year, such rate
16 shall increase by the annual growth percentage approved for the current
17 year.

18 (b) If the last certified prospective or reconciliation rate was
19 approved for the school year two years prior to the current school year,
20 such rate shall increase by the annual growth percentage approved for
21 the year prior to the current school year, and the product of such shall
22 then increase by the annual growth percentage approved for the current
23 school year.

24 (c) If the last certified prospective or reconciliation rate was
25 approved for the school year three or more years prior to the current
26 school year, such rate shall increase by the annual growth percentage
27 approved for the year two years prior to the current year, the product
28 of such shall then increase by the annual growth percentage approved for
29 the year prior to the current year, and the product of such shall then
30 increase by the annual growth percentage approved for the current year.

31 § 18. The opening paragraph of subdivision 41 of section 3602 of the
32 education law, as amended by section 20 of part B of chapter 57 of the
33 laws of 2008, is amended and a new paragraph (e) is added to read as
34 follows:

35 In addition to any other apportionment under this section, for the two
36 thousand seven--two thousand eight school year and thereafter, a school
37 district [~~other than a city school district in a city having a popu-~~
38 ~~lation of one million or more~~] shall be eligible for an apportionment in
39 an amount equal to the greater of the sum of paragraphs (a), (b) and
40 (c), or paragraph (e)

41 (e) The product of eligible pupils multiplied by eight-tenths (0.8)
42 and further multiplied by charter school basic tuition for the base year
43 as defined pursuant to section twenty-eight hundred fifty-six of this
44 chapter. For purposes of this paragraph, eligible pupil shall be equal
45 to the positive difference, if any, of the number of resident pupils
46 enrolled in a charter school in the base year less the product of two-
47 tenths (0.2) multiplied by total resident public school district enroll-
48 ment in the base year.

49 § 19. Accelerated payment schedule for New Rochelle city school
50 district. The New Rochelle city school district shall be paid on an
51 accelerated schedule as follows:

52 a. (1) Notwithstanding any other provisions of law, for aid payable in
53 the school years 2025-2026 through 2054-2055 upon application to the
54 commissioner of education submitted not sooner than the second Monday in
55 June of the school year in which such aid is payable and not later than
56 the Friday following the third Monday in June of the school year in

1 which such aid is payable, or ten days after the effective date of this
2 section, whichever shall be later, the New Rochelle city school district
3 shall be eligible to receive an apportionment pursuant to this section
4 in an amount equal to the product of ten million dollars (\$10,000,000)
5 the quotient of the positive difference of thirty minus the number of
6 school years elapsed since the 2025-2026 school year divided by thirty.

7 (2) Funds apportioned pursuant to this subdivision shall be used for
8 services and expenses of the New Rochelle city school district and shall
9 be applied to support of its educational programs and any liability
10 incurred by such city school district in carrying out its functions and
11 responsibilities under the education law.

12 b. The claim for an apportionment to be paid to the New Rochelle city
13 school district pursuant to subdivision a of this section shall be
14 submitted to the commissioner of education on a form prescribed for such
15 purpose and shall be payable upon determination by such commissioner
16 that the form has been submitted as prescribed and that the school
17 district has complied with the reporting requirements of this section.
18 For each school year in which application is made pursuant to subdivi-
19 sion a of this section, such approved amount shall be payable on or
20 before June thirtieth of such school year upon the audit and warrant of
21 the state comptroller on vouchers certified or approved by the commis-
22 sioner of education in the manner prescribed by law from moneys in the
23 state lottery fund appropriated for general support of public schools
24 and from the general fund to the extent that the amount paid to the New
25 Rochelle city school district pursuant to this subdivision and subdivi-
26 sion a of this section exceeds the amount of the moneys apportioned, if
27 any, for general support for public schools due such school district
28 pursuant to section 3609-a of the education law on or before September
29 first of such school year.

30 c. Notwithstanding the provisions of section 3609-a of the education
31 law, an amount equal to the amount paid to the New Rochelle city school
32 district during the base year pursuant to subdivisions a and b of this
33 section shall first be deducted from payments due during the current
34 school year pursuant to subparagraphs (1), (2), (3), (4) and (5) of
35 paragraph a of subdivision 1 of section 3609-a of the education law in
36 the following order: the lottery apportionment payable pursuant to
37 subparagraph (2) of such paragraph followed by the fixed fall payments
38 payable pursuant to subparagraph (4) of such paragraph, and any remain-
39 der to be deducted from the individualized payments due to the district
40 pursuant to paragraph b of such subdivision shall be deducted on a chro-
41 nological basis starting with the earliest payment due the district.

42 d. Notwithstanding any other provisions of law, the sum of payments
43 made to the New Rochelle city school district during the base year
44 pursuant to subdivisions a and b of this section plus payments made to
45 such school district during the current year pursuant to section 3609-a
46 of the education law shall be deemed to truly represent all aids paid to
47 such school district during the current school year pursuant to such
48 section 3609-a for the purposes of computing any adjustments to such
49 aids that may occur in a subsequent school year.

50 e. (1) On or before the first day of each month beginning in July 2026
51 and ending in June 2056, the chief fiscal officer and the superintendent
52 of schools of the New Rochelle city school district shall prepare and
53 submit to the board of education a report of the fiscal condition of the
54 school district, including but not limited to the most current available
55 data on fund balances on funds maintained by the school district and the

1 district's use of the apportionments provided pursuant to subdivisions a
2 and b of this section.

3 (2) Such monthly report shall be in a format prescribed by the commis-
4 sioner of education. The board of education shall either reject and
5 return the report to the chief fiscal officer and the superintendent of
6 schools for appropriate revisions and resubmittal or shall approve the
7 report and submit copies to the commissioner of education and the state
8 comptroller of such approved report as submitted or resubmitted.

9 (3) In the 2025-2026 through 2054-2055 school years, the chief fiscal
10 officer of the New Rochelle city school district shall monitor all budg-
11 ets and for each budget, shall prepare a quarterly report of summarized
12 budget data depicting overall trends of actual revenues and budget
13 expenditures for the entire budget as well as individual line items.
14 Such report shall compare revenue estimates and appropriations as set
15 forth in such budget with the actual revenues and expenditures made to
16 date. All quarterly reports shall be accompanied by a recommendation
17 from the superintendent of schools or chief fiscal officer to the board
18 of education setting forth any remedial actions necessary to resolve any
19 unfavorable budget variance including the overestimation of revenue and
20 underestimation of appropriations. The chief fiscal officer shall also
21 prepare, as part of such report, a quarterly trial balance of general
22 ledger accounts in accordance with generally accepted accounting princi-
23 ples as prescribed by the state comptroller. All reports shall be
24 completed within sixty days after the end of each quarter and shall be
25 submitted to the chief fiscal officer and the board of education of the
26 New Rochelle city school district, the state division of budget, the
27 office of the state comptroller, the commissioner of education, the
28 chair of the assembly ways and means committee and the chair of the
29 senate finance committee.

30 § 20. Mental health expenditures survey. 1. The commissioner of educa-
31 tion shall conduct a survey regarding the total mental health expendi-
32 tures of each school district, including:

33 (a) the number of full and part-time school counselors, school social
34 workers and school psychologists in each school district and the total
35 cost to each school district to employ such school counselors, school
36 social workers, and school psychologists;

37 (b) each school district's total costs related to providing school-
38 based mental health clinics;

39 (c) each school district's total costs related to providing instruc-
40 tion to students on mental health, including, but not limited to, mental
41 health instruction pursuant to section eight hundred four of the educa-
42 tion law; and

43 (d) any other school district expenditures the commissioner, in
44 consultation with the New York state office of mental health, deem to
45 have been made for the purpose of providing mental health services to
46 students.

47 2. The commissioner shall make a report of the findings of the survey
48 prescribed by this act and deliver such report to the governor, tempo-
49 rary president of the senate, and speaker of the assembly on or before
50 December 31, 2025.

51 3. The commissioner shall indicate in the report required by subdivi-
52 sion two of this section if a school district has no mental health
53 expenditures pursuant to paragraphs (a), (b), (c) or (d) of subdivision
54 1 of this section.

1 § 21. Subdivision 4 of section 3638 of the education law, as added by
2 section 1 of subpart A of part B of chapter 56 of the laws of 2022, is
3 amended to read as follows:

4 4. (a) A school district may apply to the commissioner, and the
5 department may grant [~~a one-time~~] an extension of up to twenty-four
6 months to comply with the requirements of subdivision two of this
7 section. The commissioner shall consider a school district's effort to
8 meet the requirements of subdivision two of this section when granting
9 an extension, including but not limited to, procurement efforts made by
10 the school district, applications for state or federal funds, changes
11 needed to school district operations to meet the requirements of this
12 section, employee training, and receipt of technical assistance, if any.

13 [~~Upon a school district receiving an extension, the New York state energy
14 research and development authority, in consultation with the depart-
15 ment, shall provide any additional technical assistance necessary to the
16 district to meet the requirements of subdivision two of this section]~~

17 The commissioner shall provide written notification to a school district
18 where such school district is granted an extension and shall detail the
19 grounds for granting such extension.

20 (b) The commissioner shall notify the New York state energy research
21 and development authority where an extension is granted pursuant to
22 paragraph (a) of this subdivision. The New York state energy research
23 and development authority shall meet with the school district at least
24 quarterly to provide additional technical assistance necessary to
25 address the grounds detailed in the extension.

26 (c) The commissioner may grant additional extensions to a school
27 district that made a good faith effort to fulfill the requirements of
28 subdivision two of this section and to attend all quarterly meetings
29 pursuant to paragraph (b) of this subdivision. Any such extension shall
30 require documentation of all technical assistance provided pursuant to
31 paragraph (b) of this subdivision and the efforts and actions of the
32 district to fulfill any recommendations it has received. The commission-
33 er shall detail the grounds for which additional extensions are granted.

34 (d) The New York state energy research and development authority shall
35 determine when a school district has the capacity to fulfill the
36 requirements of subdivision two of this section, and upon such determi-
37 nation shall file with the district clerk a certification of such deter-
38 mination.

39 (e) The commissioner shall publish on the department's website no
40 later than December thirty-first, two thousand twenty-five the applica-
41 tion school districts must use to apply for extensions pursuant to para-
42 graphs (a) and (c) of this subdivision and the requirements school
43 districts must meet to qualify for such extensions.

44 § 22. Section 3638 of the education law is amended by adding a new
45 subdivision 8 to read as follows:

46 8. (a) Any entity seeking to sell zero-emission school buses to school
47 districts or contractors for use in providing transportation services to
48 school districts shall be required to provide an independent range esti-
49 mate to prospective purchasers before selling such buses. Such range
50 estimate must, at a minimum, provide the estimated range on different
51 terrain and different weather conditions. The range estimate shall also
52 include the average level of battery degradation per ten thousand miles
53 traveled. The range estimate shall also consider whether the bus is
54 stored outside or utilizes an indoor garage.

55 (b) The office of general services, in consultation with the New York
56 state energy research and development authority, shall promulgate regu-

1 lations to implement paragraph (a) of this subdivision and shall provide
2 zero-emission school bus manufacturers with a list of parties that may
3 provide independent range verification in accordance with this subdivi-
4 sion.

5 (c) Nothing in this subdivision shall be interpreted to have any
6 effect on completed sales or sales that are already in process while
7 regulations are being promulgated or prior to their effective date. For
8 any sales which, pursuant to this paragraph, a range estimate is not
9 required to be provided prior to such sale, if the entity selling such
10 zero-emission bus or buses later receives a range estimate for the model
11 or models sold, the entity will provide such range estimate or estimates
12 to the district or contractor.

13 § 23. Subparagraph 1 of paragraph b of subdivision 7 of section 3602
14 of the education law, as amended by section 17 of part B of chapter 57
15 of the laws of 2007, is amended to read as follows:

16 (1) For the purposes of this apportionment, approved transportation
17 operating expense shall be the actual expenditure incurred by a school
18 district and approved by the commissioner (i) for those items of trans-
19 portation operating expense allowable under subdivision one of section
20 thirty-six hundred twenty-three-a of this article for regular aidable
21 transportation of pupils as such terms are defined in sections thirty-
22 six hundred twenty-one and thirty-six hundred twenty-two-a of this arti-
23 cle, and (ii) for those items of transportation operating expense allow-
24 able under subdivision one of section thirty-six hundred twenty-three-a
25 of this article for the transportation required or authorized pursuant
26 to article eighty-nine of this chapter, and (iii) for providing monitors
27 on school buses for students with disabilities, and (iv) for transporta-
28 tion operating expenses allowable under section thirty-six hundred twen-
29 ty-three-a of this article for the transportation of homeless children
30 authorized by paragraph c of subdivision four of section thirty-two
31 hundred nine of this chapter, provided that the total approved cost of
32 such transportation shall not exceed the amount of the total cost of the
33 most cost-effective mode of transportation, and (v) for operational
34 costs of electrification plans allowable under subdivision one of
35 section thirty-six hundred twenty-three-a of this article developed in
36 support of the requirements contained in section thirty-six hundred
37 thirty-eight of this article.

38 § 24. Paragraph f of subdivision 1 of section 3623-a of the education
39 law is relettered paragraph g and a new paragraph f is added to read as
40 follows:

41 f. The school district's operational costs of electrification plans
42 developed in support of the requirements contained in section thirty-six
43 hundred thirty-eight of this article. For the purposes of this para-
44 graph, operational costs shall include, but not be limited to, consulta-
45 tion with utility service providers, bus contractors, and engineering
46 services. Such electrification plans shall not include the purchase of
47 any bus, the purchase or installation of charging infrastructure, or
48 grid infrastructure upgrades.

49 § 25. Subparagraph 2 of paragraph d of subdivision 3 of section 3623-a
50 of the education law, as added by section 13 of part A of chapter 56 of
51 the laws of 2024, is amended to read as follows:

52 (2) (i) In the case of allowable expenses for transportation capital,
53 debt service, or leases which are related to costs associated with the
54 purchase of or conversion to zero-emission school buses and supporting
55 infrastructure and which are supported in whole or in part by vouchers,
56 payments, or grants authorized under section 58-0701 of the environ-

1 mental conservation law, such allowable expenses at the time in which
2 the expense is claimed for aid shall ~~[not exceed]~~ be reduced by the
3 quotient of (A) the positive difference, if any, of the maximum state
4 support less allowable expenses, divided by (B) the transportation aid
5 ratio calculated pursuant to subdivision seven of section thirty-six
6 hundred two of this article, provided that allowable expenses after such
7 reduction, if any, shall be greater than zero.

8 (ii) For purposes of this subparagraph "maximum state support" shall
9 be equal to the sum of ~~[(i)]~~ (A) the product of the transportation aid
10 ratio calculated pursuant to subdivision seven of section thirty-six
11 hundred two of this article multiplied by allowable expenses, plus
12 ~~[(ii)]~~ (B) the final value of any such vouchers paid on behalf of a
13 school district, payments, and grants authorized under section 58-0701
14 of the environmental conservation law.

15 § 26. Subparagraph 6 of paragraph d and paragraph d-1 of subdivision
16 14 of section 3602 of the education law, subparagraph 6 of paragraph d
17 as added by section 17-a of part A of chapter 57 of the laws of 2007,
18 paragraph d-1 as amended by section 10-a of part A of chapter 56 of the
19 laws of 2024, are amended to read as follows:

20 (6) where such reorganization includes at least two school districts
21 employing eight or more teachers forming a central high school district
22 pursuant to section nineteen hundred thirteen of this chapter~~[, such]~~.

23 (7) Such reorganized district shall be entitled to an apportionment
24 equal to an additional percent of the apportionment computed in accord-
25 ance with the provisions of paragraph d-1 of this subdivision; ~~[but in~~
26 ~~no case shall the sum of such apportionment under this paragraph plus~~
27 ~~the selected operating aid per pupil be more than a total of ninety five~~
28 ~~per centum of the year prior to the base year approved operating~~
29 ~~expense]~~; for a period of five years beginning with the first school
30 year of operation as a reorganized district such additional percent
31 shall be forty percent; and thereafter such additional forty percent
32 apportionment to such district shall be reduced by four percentage
33 points each year, beginning with the sixth school year of operation as a
34 reorganized district, and continuing until such additional forty percent
35 apportionment is eliminated; provided, however, that the total appor-
36 tionment to such reorganized district, beginning with the first school
37 year of operation as a reorganized district, and for a period of fifteen
38 years thereafter, shall be not less than the sum of all apportionments
39 computed in accordance with the provisions of this paragraph plus the
40 apportionment computed in accordance with the provisions of paragraph
41 d-1 of this subdivision that each component school district was entitled
42 to receive and did receive during the last school year preceding such
43 first year of operation. In the event a school district is eligible for
44 incentive operating aid and again reorganizes pursuant to a new plan or
45 reorganization established by the commissioner, and where such new reor-
46 ganization is again eligible for incentive operating aid, the newly
47 created school district shall be entitled to receive incentive operating
48 aid pursuant to the provisions of this paragraph, based on all school
49 districts included in any such reorganization, provided, however, that
50 incentive operating aid payments due because of any such former reorgan-
51 ization shall cease.

52 d-1. For purposes of paragraph d of this subdivision, "~~selected oper-~~
53 ~~ating aid per pupil]~~ total operating aid base" shall mean the appor-
54 tionment computed for the 2006-07 school year, based on data on file with
55 the commissioner as of the date upon which an electronic data file was
56 created for the purposes of compliance with paragraph b of subdivision

1 twenty-one of section three hundred five of this chapter on February
2 fifteenth, provided further that for school districts which reorganize
3 on or after July first, two thousand twenty-four, for purposes of para-
4 graph d of this subdivision, "~~selected operating aid per pupil~~ total
5 operating aid base" shall mean the total foundation aid base, as defined
6 pursuant to paragraph j of subdivision one of this section, calculated
7 as of the effective date of the reorganization.

8 § 27. Subdivision a of section 5 of chapter 121 of the laws of 1996,
9 relating to authorizing the Roosevelt union free school district to
10 finance deficits by the issuance of serial bonds, as amended by section
11 36-a of part A of chapter 56 of the laws of 2024, is amended to read as
12 follows:

13 a. Notwithstanding any other provisions of law, upon application to
14 the commissioner of education submitted not sooner than April first and
15 not later than June thirtieth of the applicable school year, the Roose-
16 velt union free school district shall be eligible to receive an appor-
17 tionment pursuant to this chapter for salary expenses, including related
18 benefits, incurred between April first and June thirtieth of such school
19 year. Such apportionment shall not exceed: for the 1996-97 school year
20 [~~through the 2024-25 school year~~] and thereafter, four million dollars
21 (\$4,000,000) [~~for the 2025-26 school year, three million dollars~~
22 ~~(\$3,000,000); for the 2026-27 school year, two million dollars~~
23 ~~(\$2,000,000); for the 2027-28 school year, one million dollars~~
24 ~~(\$1,000,000); and for the 2028-29 school year, zero dollars~~]. Such
25 annual application shall be made after the board of education has
26 adopted a resolution to do so with the approval of the commissioner of
27 education.

28 § 28. Section 11 of chapter 378 of the laws of 2010 amending the
29 education law relating to paperwork reduction, as amended by section 1
30 of item FF of subpart B of part XXX of chapter 58 of the laws of 2020,
31 is amended to read as follows:

32 § 11. This act shall take effect immediately; provided, however, that
33 the commissioner of education shall promulgate any rules or regulations
34 necessary to implement the provisions of this act on or before July 1,
35 2010; provided, further that if section ten of this act shall take
36 effect after July 1, 2010 it shall be deemed to have been in full force
37 and effect on and after July 1, 2010; and provided further that section
38 ten of this act shall expire and be deemed repealed on June 30, [~~2025~~]
39 2030.

40 § 29. Subdivision 6-a of section 3641 of the education law, as added
41 by section 16 of part A of chapter 57 of the laws of 2013, is amended to
42 read as follows:

43 6-a. Community school [grants] act. a. [~~Within the amount appropri-~~
44 ~~ated for such purpose, subject to a plan developed by the state council~~
45 ~~on children and families in coordination with the commissioner and~~
46 ~~approved by the director of the budget, the commissioner shall award~~
47 ~~competitive grants pursuant to this subdivision to eligible school~~
48 ~~districts or in a city with a population of one million or more an~~
49 ~~eligible entity to implement, beginning in the two thousand thirteen--~~
50 ~~two thousand fourteen school year, a plan that targets school buildings~~
51 ~~as community hubs to deliver co-located or school-linked academic,~~
52 ~~health, mental health, nutrition, counseling, legal and/or other~~
53 ~~services to students and their families in a manner that will lead to~~
54 ~~improved educational and other outcomes. In a city with a population of~~
55 ~~one million or more, eligible entities shall mean the city school~~
56 ~~district of the city of New York, or not-for-profit organizations, which~~

~~shall include not for profit community based organizations. An eligible entity that is a not for profit may apply for a community school grant provided that it collaborates with the city school district of the city of New York and receives the approval of the chancellor of the city school district of the city of New York.~~

~~(1) Such plan shall include, but not be limited to:~~

~~(i) The process by which a request for proposals will be developed;~~

~~(ii) The scoring rubric by which such proposals will be evaluated, provided that such grants shall be awarded based on factors including, but not limited to: measures of school district need; measures of the need of students to be served by each of the school districts; the school district's proposal to target the highest need schools and students; the sustainability of the proposed community schools program; and proposal quality;~~

~~(iii) The form and manner by which applications will be submitted;~~

~~(iv) The manner by which calculation of the amount of the award will be determined;~~

~~(v) The timeline for the issuance and review of applications; and~~

~~(vi) Program implementation phases that will trigger payment of set percentages of the total award.~~

~~(2) In assessing proposal quality, the commissioner shall take into account factors including, but not limited to:~~

~~(i) The extent to which the school district's proposal would provide such community services through partnerships with local governments and non-profit organizations;~~

~~(ii) The extent to which the proposal would provide for delivery of such services directly in school buildings;~~

~~(iii) The extent to which the proposal articulates how such services would facilitate measurable improvement in student and family outcomes;~~

~~(iv) The extent to which the proposal articulates and identifies how existing funding streams and programs would be used to provide such community services; and~~

~~(v) the extent to which the proposal ensures the safety of all students, staff and community members in school buildings used as community hubs.~~

~~b. A response to a request for proposals issued pursuant to this subdivision may be submitted by a single school district or jointly by a consortium of two or more school districts, or in a city with a population of one million or more, an eligible entity.~~

~~c. The amount of the grant award shall be determined by the commissioner, consistent with the plan developed pursuant to paragraph a of this subdivision, except that no single district may be awarded more than forty percent of the total amount of grant awards made pursuant to this subdivision; and provided further that the maximum award to any individual community school site shall be five hundred thousand dollars, and provided further that the amount awarded will be paid out in set percentages over time upon successful implementation of each phase of a school district's approved proposal set forth pursuant to paragraph a of this subdivision; and provided further that none of the grants awarded pursuant to this subdivision may be used to supplant existing funding.]~~

A community school is both a place and a set of partnerships between the traditional public school and other community resources and takes a comprehensive approach to improve academic and developmental outcomes. Its integrated focus on academics, health, mental wellness, social services, youth and community development and family and community engagement leads to improved student learning, stronger families and

1 healthier communities. Community schools have the framework in place to
2 eliminate the barriers for all students to have access to a high-quality
3 learning experience.

4 (1) Such schools shall include a community school director to imple-
5 ment the community school framework by:

6 (i) reviewing student data and conducting an annual community wide
7 assessment of needs and assets;

8 (ii) coordinating and leveraging integrated health, mental wellness
9 and social supports;

10 (iii) identifying and securing family supports that include empowering
11 parents to participate in decision making and to maintain active family
12 and community engagement that values their diverse experiences and back-
13 grounds partners with parents or caregivers to develop and promote a
14 vision for student success including but not limited to courses, activ-
15 ities and services for parents or caregivers and community members;

16 (iv) implementing expanding and enriching learning time, programs and
17 opportunities, including but not limited to before, during and after-
18 school, weekend, summer and year-round programs, that provide additional
19 academic support, enrichment activities and other programs that may be
20 offered in partnership with community-based organizations to enhance
21 academic learning, social skills, emotional and life skills and are
22 aligned with the school's curriculum;

23 (v) managing a community school-based committee that includes but is
24 not limited to the school principal, certified classroom teachers,
25 school-related professionals, other school employees, families, communi-
26 ty organizations, nonprofit organizations, and collective bargaining
27 organizations that guide collaborative planning, implementation and
28 oversight and where leadership initiatives are shared; and

29 (vi) implementing high-quality teaching and learning that provides
30 ongoing professional development to teachers and school-related profes-
31 sionals.

32 (2) A set of strategies shall be implemented in a community school
33 that include programs and services that focus on building and maintain-
34 ing relationships to improve academic and developmental outcomes for
35 students. Such frameworks shall include:

36 (i) a union-led framework which is a community school initiative
37 bringing together the unions, school district, city and community that
38 coordinate and maximize public, nonprofit, and private resources and
39 government agencies to deliver critical programs and services to
40 students and their families using the school building as the community
41 hub with the goal of creating improved student learning, stronger fami-
42 lies, and healthier communities; or

43 (ii) a university-assisted framework where community schools are plac-
44 es and partnerships linking the school system, key community resources
45 and higher education with an integrated focus on academics, support
46 systems and civic engagement; or

47 (iii) a district-led framework where the district serves as the lead
48 partner in the community school and brings partners to the table to
49 figure out how to improve student learning and help foster stronger
50 families and healthy communities; or

51 (iv) a county-wide framework that is a collaborative effort of family,
52 school, community, and government as the primary delivery device for
53 services and activities that center around early childhood development,
54 family and community engagement and family support and student develop-
55 ment programs; or

1 (v) a lead partner framework that uses a community-based organization
2 (CBO) as a partner that works collaboratively with the principal and the
3 school leadership team to carry out the work at the school that focuses
4 on the whole child, while also engaging family members, to ensure that
5 students succeed in the classroom; or

6 (vi) a multi-tiered system of support (MTSS) framework to support
7 students' academic development, social and emotional wellness, and the
8 development of culturally responsive, trauma-informed schools.

9 b. Each qualifying school district shall receive funding from this
10 program equal to the result of the quotient of each district's founda-
11 tion aid community school setaside amount established pursuant to
12 section thirty-six hundred two of this article divided by the statewide
13 value of the foundation aid community school setaside amount established
14 pursuant to section thirty-six hundred two of this article multiplied by
15 the amount of the appropriation for the community school categorical
16 grant established herein. Districts which do not have a setaside of
17 foundation aid for community schools pursuant to section thirty-six
18 hundred two of this article shall not be eligible for funds pursuant to
19 this subdivision.

20 c. The commissioner shall promulgate regulations that set forth the
21 requirements for use of such funds by districts, which shall include a
22 requirement that districts require that funds be used to transform pre-
23 existing community school programs, struggling or persistently struggl-
24 ing schools, or schools with significant levels of poverty, homeless-
25 ness, free and reduced price meals, or other factors as determined by
26 the commissioner. Provided further that such regulations shall require
27 school districts to demonstrate substantial teacher, parent and communi-
28 ty involvement in the planning, implementation, and operation of a
29 community school. The commissioner may determine that a pre-existing
30 community schools program satisfies the requirements of the commision-
31 er's regulations provided that the commissioner may require any modifi-
32 cation thereto.

33 § 30. Severability. The provisions of this act shall be severable, and
34 if the application of any clause, sentence, paragraph, subdivision,
35 section or part of this act to any person or circumstance shall be
36 adjudged by any court of competent jurisdiction to be invalid, such
37 judgment shall not necessarily affect, impair or invalidate the applica-
38 tion of any such clause, sentence, paragraph, subdivision, section or
39 part of this act or remainder thereof, as the case may be, to any other
40 person or circumstance, but shall be confined in its operation to the
41 clause, sentence, paragraph, subdivision, section or part thereof
42 directly involved in the controversy in which such judgment shall have
43 been rendered.

44 § 31. This act shall take effect immediately, provided, however that:

45 (a) subdivisions one, two, three, four, five, six, seven, eight, nine
46 and ten of section ten of this act shall expire and be deemed repealed
47 June 30, 2030;

48 (b) sections twenty-six, twenty-seven and twenty-eight of this act
49 shall take effect July 1, 2025; and

50 (c) section twenty of this act shall expire and be deemed repealed
51 January 30, 2026.

52 PART B

53 Section 1. The education law is amended by adding a new section 915-a
54 to read as follows:

1 § 915-a. Universal school meals. 1. The department shall require all
2 public school districts, charter schools and non-public schools in the
3 state that participate in the national school lunch program or school
4 breakfast program as provided in the Richard B. Russell National School
5 Lunch Act and the Child Nutrition Act, as amended, to serve breakfast
6 and lunch at no cost to the student. Public school districts, charter
7 schools and non-public schools shall maximize federal reimbursement for
8 school breakfast and lunch programs by adopting Provision 2, the federal
9 Community Eligibility Provision, or any other provision under such act,
10 the National School Lunch Act or the National Child Nutrition Act.

11 2. The department shall reimburse the difference between the amount
12 paid by the United States department of agriculture and the free rate as
13 set annually by the United States secretary of agriculture under 42
14 U.S.C. 1759a for each school.

15 3. The department, in consultation with the office of temporary and
16 disability assistance, shall promulgate any rule or regulation needed
17 for public school districts, charter schools and non-public schools to
18 promote the supplemental nutrition assistance program to a student or
19 person in parental relation to a student by either providing application
20 assistance or a direct referral to an outreach partner identified by the
21 department to the office of temporary and disability assistance to
22 increase the number of students directly certified for free or reduced
23 price school meals.

24 4. In addition to fulfilling any other applicable state and federal
25 requirements, the department shall provide technical assistance to
26 assist public school districts, charter schools, and non-public schools
27 in the transition to universal school meals to ensure successful program
28 operations and to maximize federal funding, including:

29 (a) Assisting local educational agencies with one or more community-
30 eligibility qualifying schools in meeting any state and federal require-
31 ments necessary in order to receive reimbursement through the community
32 eligibility provision.

33 (b) If a school or district is ineligible to receive reimbursement
34 through the community eligibility provision, assisting the school or
35 district in achieving eligibility and, if that is not feasible, assist
36 the school or district in determining the viability of using Provision 2
37 or other special federal provisions available to schools.

38 (c) Maximizing direct certification for specific populations as allow-
39 able under federal rules.

40 § 1-a. Subdivisions b and c of section 5 of chapter 537 of the laws of
41 1976, relating to paid, free and reduced price breakfast for eligible
42 pupils in certain school districts, subdivision b as amended by section
43 32-a of part A of chapter 56 of the laws of 2024, subdivision c as
44 amended by section 22-b of part A of chapter 56 of the laws of 2022, are
45 amended to read as follows:

46 b. Notwithstanding any monetary limitations with respect to school
47 lunch programs contained in any law or regulation, for school lunch
48 meals served in the school year commencing July 1, 2022 and each July 1
49 thereafter, a school food authority shall be eligible for a State subsi-
50 dy equal to \$0.1901 per free and paid school lunch meal, and \$0.0519 per
51 reduced-price lunch meal, for any school lunch meal served by such
52 school food authority; provided that the school food authority certifies
53 to the Department of Agriculture and Markets through the application
54 submitted pursuant to subdivision c of this section that such food
55 authority has purchased at least thirty percent of its total cost of
56 food products for its school lunch service program from New York state

1 farmers, growers, producers or processors in the preceding school year.
2 Commencing July 1, 2025, and each July 1 thereafter, a school food
3 authority shall be allowed to attribute moneys spent on purchases of
4 food products from New York state farmers, growers, producers or proces-
5 sors made for its school breakfast or snack programs to the thirty
6 percent of costs for school breakfast and lunch service programs.

7 c. The Department of Agriculture and Markets in cooperation with the
8 State Education Department, shall develop an application for school food
9 authorities to seek an additional State subsidy pursuant to this section
10 in a timeline and format prescribed by the commissioner of agriculture
11 and markets. Such application shall include, but not be limited to,
12 documentation demonstrating the school food authority's total food
13 purchases for its school breakfast, snack, and lunch service program,
14 and documentation demonstrating its total food purchases and percentages
15 for such program, permitted to be counted under this section, from New
16 York State farmers, growers, producers or processors in the preceding
17 school year. The application shall also include an attestation from the
18 school food authority's chief operating officer that it purchased at
19 least thirty percent of its total cost of food products, permitted to be
20 counted under this section, for its school breakfast, snack, and lunch
21 service program from New York State farmers, growers, producers or
22 processors in the preceding school year in order to meet the require-
23 ments for this additional State subsidy. School food authorities shall
24 be required to annually apply for this subsidy. After reviewing school
25 food authorities' completed applications for an additional State subsidy
26 pursuant to this section, the Department of Agriculture and Markets
27 shall certify to the State Education Department the school food authori-
28 ties approved for such additional State subsidy and the State Education
29 Department shall pay such additional State subsidy to such school food
30 authorities.

31 § 2. Section 925 of the education law is REPEALED.

32 § 3. This act shall take effect July 1, 2025.

33 PART C

34 Section 1. The education law is amended by adding a new section 2803
35 to read as follows:

36 § 2803. Use of internet-enabled devices during the school day. 1. For
37 purposes of this section:

38 (a) "Internet-enabled devices" shall mean and include any smartphone,
39 tablet, smartwatch, or other device capable of connecting to the inter-
40 net and enabling the user to access content on the internet, including
41 social media applications; provided, however, that "internet-enabled
42 devices" shall not include:

43 (i) non-internet-enabled devices such as cellular phones or other
44 communication devices not capable of connecting to the internet or
45 enabling the user to access content on the internet; or

46 (ii) internet-enabled devices supplied by the school district, charter
47 school, or board of cooperative educational services that are used for
48 an educational purpose.

49 (b) "School day" shall mean the entirety of every instructional day as
50 required by subdivision seven of section thirty-six hundred four of this
51 chapter during all instructional time and non-instructional time,
52 including but not limited to homeroom periods, lunch, recess, study
53 halls, and passing time.

1 (c) "School grounds" shall mean in or on or within any building,
2 structure, athletic playing field, playground, or land contained within
3 the real property boundary line of a district elementary, intermediate,
4 junior high, vocational, or high school, a charter school, or a board of
5 cooperative educational services facility.

6 2. Notwithstanding paragraph (b) of subdivision one of section twenty-
7 eight hundred fifty-four of this title, each school district, charter
8 school, and board of cooperative educational services shall adopt a
9 written policy governing the use of internet-enabled devices by students
10 during the school day anywhere on school grounds. Each school district,
11 charter school, and board of cooperative educational services shall
12 consult with the employee organization representing each bargaining unit
13 within the school building, parents, and other local stakeholders in the
14 development of such policy prior to its adoption.

15 3. The policy adopted and implemented pursuant to subdivision two of
16 this section shall prohibit the use of internet-enabled devices at least
17 during instructional time.

18 4. The policy adopted and implemented pursuant to subdivision two of
19 this section shall include one or more methods for parents and guardians
20 of students to contact students during the school day and provide for
21 written notification of parents and guardians of these methods at the
22 beginning of each school year.

23 5. The policy adopted and implemented pursuant to subdivision two of
24 this section shall include one or more methods for on-site storage where
25 students may store their internet-enabled devices during the school day,
26 which may include student lockers.

27 6. (a) The policy adopted and implemented pursuant to subdivision two
28 of this section may authorize student use of an internet-enabled device
29 during the school day on school grounds:

30 (i) if authorized by a teacher, principal, or the school district,
31 charter school, or board of cooperative educational services for a
32 specific educational purpose;

33 (ii) where necessary for the management of a student's healthcare;

34 (iii) in the event of an emergency;

35 (iv) for translation services; or

36 (v) where required by law.

37 (b) The policy may not prohibit a student's use of an internet-enabled
38 device where such use is included in the student's:

39 (i) individualized education program; or

40 (ii) plan developed pursuant to section five hundred four of the
41 federal rehabilitation act of 1973, 29 U.S.C. 794.

42 7. No later than August first, two thousand twenty-five, each school
43 district, charter school, and board of cooperative educational services
44 shall adopt and publish in a clearly visible and accessible location on
45 its website the internet-enabled device policy established pursuant to
46 subdivision two of this section. Translation of such policy into any of
47 the twelve most common non-English languages spoken by limited-English
48 proficient individuals in the state, based on the data in the most
49 recent American community survey published by the United States census
50 bureau, shall be provided upon request.

51 8. (a) No later than September first, two thousand twenty-six, and
52 each September first thereafter, each school district, charter school,
53 and board of cooperative educational services shall publish an annual
54 report on its website detailing enforcement of the policy within the
55 district, charter school, or board of cooperative educational services
56 in the prior school year, including non-identifiable demographic data of

students who have faced disciplinary action for non-compliance and analysis of any demographic disparities in enforcement of the policy. If a statistically significant disparate enforcement impact is identified, such report shall include a mitigation action plan.

(b) Each school district, charter school, and board of cooperative educational services shall not permit the suspension of a student if the only grounds for the suspension is that the student accessed an internet-enabled device in violation of the policy adopted and implemented pursuant to subdivision two of this section.

§ 2. This act shall take effect immediately.

PART D

Section 1. Section 666 of the education law is REPEALED.

§ 2. Paragraph a of subdivision 2 of section 667-c of the education law, as amended by section 1 of part E of chapter 56 of the laws of 2022, is amended to read as follows:

a. for students defined in paragraph a of subdivision one of this section, a part-time student is one who: (i) is enrolled [~~as a first-time freshman during the two thousand six--two thousand seven academic year or thereafter~~] at a college or university within the state university, including a statutory or contract college, a community college established pursuant to article one hundred twenty-six of this chapter, the city university of New York, or a non-profit college or university incorporated by the regents or by the legislature;

(ii) is enrolled for at least [~~six~~] three but less than twelve semester hours, or the equivalent, per semester in an approved undergraduate degree program; and

(iii) has a cumulative grade-point average of at least 2.00.

§ 3. Section 667-c-1 of the education law is REPEALED.

§ 4. Paragraph c of subdivision 5 of section 610 of the education law, as added by chapter 425 of the laws of 1988, is amended to read as follows:

c. Any semester, quarter or term of attendance during which a student receives an award for part-time study pursuant to this section shall be counted as one-half of a semester, quarter or term, as the case may be, toward the maximum term of eligibility for tuition assistance awards pursuant to [~~sections six hundred sixty six and~~] section six hundred sixty-seven of this chapter.

§ 5. Subdivision 2 of section 667 of the education law, as amended by chapter 376 of the laws of 2019, is amended to read as follows:

2. Duration. No undergraduate shall be eligible for more than four academic years of study, or five academic years if the program of study normally requires five years. Students enrolled in a program of remedial study, approved by the commissioner in an institution of higher education and intended to culminate in a degree in undergraduate study shall, for purposes of this section, be considered as enrolled in a program of study normally requiring five years. An undergraduate student enrolled in an eligible two year program of study approved by the commissioner shall be eligible for no more than three academic years of study. An undergraduate student enrolled in an approved two or four-year program of study approved by the commissioner who must transfer to another institution as a result of permanent college closure shall be eligible for up to two additional semesters, or their equivalent, to the extent credits necessary to complete [~~his or her~~] the student's program of study were deemed non-transferable from the closed institution or were

1 deemed not applicable to such student's program of study by the new
2 institution. Any semester, quarter, or term of attendance during which
3 a student receives any award under this article, after the effective
4 date of the former scholar incentive program and prior to academic year
5 nineteen hundred eighty-nine--nineteen hundred ninety, shall be counted
6 toward the maximum term of eligibility for tuition assistance under this
7 section, except that any semester, quarter or term of attendance during
8 which a student received an award pursuant to section six hundred
9 sixty-six of this subpart shall be counted as one-half of a semester,
10 quarter or term, as the case may be, toward the maximum term of eligi-
11 bility under this section. Any semester, quarter or term of attendance
12 during which a student received an award pursuant to section six hundred
13 sixty-seven-a of this subpart shall not be counted toward the maximum
14 term of eligibility under this section.

15 § 6. This act shall take effect immediately and shall apply to academ-
16 ic years 2025-2026 and thereafter.

17

PART E

18 Section 1. Subdivision 2 of section 669-h of the education law, as
19 amended by section 1 of part G of chapter 56 of the laws of 2022, is
20 amended to read as follows:

21 2. Amount. Within amounts appropriated therefor and based on avail-
22 ability of funds, awards shall be granted [~~beginning with the two thou-~~
23 ~~sand seventeen two thousand eighteen academic year and thereafter~~] to
24 applicants that the corporation has determined are eligible to receive
25 such awards. The corporation shall grant such awards in an amount up to
26 [~~five thousand five hundred dollars or~~] actual tuition[~~, whichever is~~
27 ~~less~~]; provided, however, (a) a student who receives educational grants
28 and/or scholarships that cover the student's full cost of attendance
29 shall not be eligible for an award under this program; and (b) an award
30 under this program shall be applied to tuition after the application of
31 payments received under the tuition assistance program pursuant to
32 section six hundred sixty-seven of this subpart, tuition credits pursu-
33 ant to section six hundred eighty-nine-a of this article, federal Pell
34 grant pursuant to section one thousand seventy of title twenty of the
35 United States code, et seq., and any other program that covers the cost
36 of attendance unless exclusively for non-tuition expenses, and the award
37 under this program shall be reduced in the amount equal to such
38 payments, provided that the combined benefits do not exceed [~~five thou-~~
39 ~~sand five hundred dollars. Upon notification of an award under this~~
40 ~~program, the institution shall defer the amount of tuition. Notwith-~~
41 ~~standing paragraph h of subdivision two of section three hundred fifty-~~
42 ~~five and paragraph (a) of subdivision seven of section six thousand two~~
43 ~~hundred six of this chapter, and any other law, rule or regulation to~~
44 ~~the contrary,~~] the **resident** undergraduate tuition charged by [~~the insti-~~
45 ~~tution to recipients of an award shall not exceed the tuition rate~~
46 ~~established by the institution for the two thousand sixteen two thou-~~
47 ~~sand seventeen academic year provided, however, that in the two thousand~~
48 ~~twenty-two--two thousand twenty-three academic year and every year ther-~~
49 ~~eafter, the undergraduate tuition charged by the institution to recipi-~~
50 ~~ents of an award shall be reset to equal the tuition rate established by~~
51 ~~the institution for the forthcoming academic year, provided further that~~
52 ~~the tuition credit calculated pursuant to section six hundred eighty-~~
53 ~~nine-a of this article shall be applied toward the tuition rate charged~~
54 ~~for recipients of an award under this program. Provided further that~~]

1 the state university of New York [~~and the city university of New York~~
2 ~~shall provide an additional tuition credit to students receiving an~~
3 ~~award to cover the remaining cost of tuition~~].

4 § 2. This act shall take effect immediately and shall be applicable to
5 academic years 2025-2026 and thereafter.

6 PART F

7 Section 1. The education law is amended by adding a new section 6311
8 to read as follows:

9 § 6311. New York opportunity promise scholarship. 1. Eligibility. A
10 New York opportunity promise scholarship shall be awarded to an appli-
11 cant who meets all of the following conditions:

12 (a) is at least twenty-five years of age or older, but in no case more
13 than fifty-five years of age, as of January first of the calendar year
14 for the semester for which the applicant makes initial application;

15 (b) has applied for a New York state tuition assistance program award
16 pursuant to section six hundred sixty-seven of this chapter, a federal
17 Pell grant pursuant to section 1070 of title 20 of the United States
18 code, et. seq., and any other applicable financial aid;

19 (c) is matriculated in an approved program directly leading to an
20 associate's degree at a New York state public institution of higher
21 education in a high-demand field; provided that for the two thousand
22 twenty-five -- two thousand twenty-six academic year, such fields shall
23 include but not be limited to advanced manufacturing, technology,
24 cybersecurity, engineering, artificial intelligence, nursing and allied
25 health professions, green and renewable energy, and pathways to teaching
26 in shortage areas, as identified and determined by the department of
27 labor, and provided further that such fields may be expanded annually
28 thereafter by the department of labor no later than one hundred eighty
29 days prior to the first start date of the fall term of such New York
30 state public institution of higher education and provided further that
31 the eligibility of such approved program established in the semester for
32 which the applicant makes initial application shall continue;

33 (d) is eligible for the payment of tuition and fees at a rate no
34 greater than that imposed for resident students in community colleges;
35 and

36 (e) has not already obtained any postsecondary degree, provided that
37 nothing in this paragraph shall be construed to prohibit the eligibility
38 of a student who is already enrolled in an eligible associate degree
39 program on the effective date of this section and who meets all the
40 other eligibility requirements of this subdivision.

41 2. Amount. Within amounts appropriated therefor, and subject to avail-
42 ability of funds, awards shall be granted for the two thousand twenty-
43 five -- two thousand twenty-six academic year and thereafter to appli-
44 cants who are determined to be eligible to receive such awards. Such
45 awards shall be calculated on a per term basis prior to the start of
46 each term the applicant is successfully enrolled and shall not exceed
47 the positive difference, if any, of (a) the sum of actual tuition, fees,
48 books, and applicable supplies charged to the applicant and approved by
49 the applicable New York state public institution of higher education
50 less (b) the sum of all payments received by the applicant from all
51 sources of financial aid received by the applicant with the exception of
52 aid received pursuant to federal work-study programs authorized under
53 sections 1087-51 through 1087-58 of title 20 of the United States code
54 and educational loans taken by the applicant or guardian.

1 3. Additional provisions. An eligible recipient shall complete at
2 least six credits per semester, for a total of at least twelve credits
3 per academic year, in an approved program of study. An eligible recipi-
4 ent shall be continuously enrolled without a gap of more than one
5 academic year, provided that such duration may be extended for an allow-
6 able interruption of study including, but not limited to, death of a
7 family member, medical leave, military service, and parental leave.
8 Notwithstanding any inconsistent provision of this section, if an appli-
9 cant fails to meet the eligibility criteria of this section at any
10 point, no further awards shall be made to the applicant.

11 4. Conditions. (a) An eligible recipient shall continue to make satis-
12 factory academic progress in order to maintain continued eligibility for
13 an award pursuant to this section.

14 (b) Each campus that enrolls students pursuant to this section shall
15 take steps consistent with established policy to maximize the award of
16 credit for prior learning for participating students.

17 (c) No student shall receive an award pursuant to this section for
18 greater than ten semesters.

19 (d) A student who earns college credit pursuant to this section shall
20 be entitled to transfer such credit to another state university of New
21 York or city university of New York campus consistent with transfer
22 policies established by the state university of New York or city univer-
23 sity of New York.

24 5. Reporting. By September first, two thousand twenty-six, and by
25 September first of each year thereafter, the chancellor of the state
26 university of New York and the chancellor of the city university of New
27 York shall each submit a report to the governor, the speaker of the
28 assembly, and the temporary president of the senate, including but not
29 limited to the following information:

30 (a) enrollment data by full and part-time status;

31 (b) enrollment data by field of study;

32 (c) retention and completion rates by full and part-time status;

33 (d) barriers to student participation;

34 (e) demographic data related to the program;

35 (f) average prior learning and transfer credit awarded;

36 (g) the total amount of funds awarded and the average award per
37 student; and

38 (h) post-completion outcomes including transfer, employment, and
39 wages, as applicable.

40 § 2. This act shall take effect immediately.

41 PART G

42 Section 1. Section 292 of the executive law is amended by adding a new
43 subdivision 42 to read as follows:

44 42. The term "real estate appraisal" shall have the same meaning as in
45 subdivision two of section one hundred sixty-a of this chapter.
46 Provided, however, that (a) real estate appraisals subject to this arti-
47 cle include those performed by any person or entity whose business holds
48 itself out as engaging in residential real estate appraisals, regardless
49 of whether or not such person or entity is certified or licensed to
50 provide real estate appraisals pursuant to the provisions of article
51 six-E of this chapter, and (b) for the purposes of this article, the
52 real estate appraisal includes all oral communications and all written
53 comments and other documents submitted as support for the estimate,
54 opinion of value, or analysis.

1 § 1-a. The public housing law is amended by adding a new section 601
2 to read as follows:

3 § 601. Fair housing testing, education and networking program. 1. For
4 the purposes of this section, the following terms shall have the follow-
5 ing meanings:

6 (a) "fair housing services" shall include, but not be limited to, fair
7 housing testing, activities related to receiving complaints or intakes,
8 assessing and investigating complaints, conducting research and investi-
9 gations, enforcing the law, and providing outreach and education to
10 current and prospective residents of owner-occupied and rental housing,
11 property owners, and other participants in the residential real estate
12 market; and

13 (b) "fair housing testing" shall mean the use of individuals who,
14 without any bona fide intent to rent or purchase housing or to purchase
15 a mortgage, pose as prospective renters or borrowers for the purpose of
16 gathering information. This information may indicate whether a housing
17 provider or other participant in the residential real estate market is
18 complying with federal, state, and local fair housing laws.

19 2. No later than one year after the effective date of this section and
20 within amounts appropriated or otherwise available therefor, the divi-
21 sion of housing and community renewal shall develop and administer a
22 fair housing testing, education and networking program to provide fair
23 housing services in every county of the state. The division shall
24 provide grants to eligible not-for-profit organizations to provide fair
25 housing services under such program.

26 3. (a) The division shall establish criteria for the selection of
27 grant applications, review applications and make awards, and exercise
28 and perform such other functions as are related to the purposes of this
29 section.

30 (b) The division shall make three-year grants, within the amounts
31 appropriated for that purpose, to not-for-profit organizations to
32 provide services related to the purposes of this section.

33 4. Each not-for-profit organization receiving a grant under this
34 section shall at a minimum report to the division no later than sixty
35 days after the end of the first and second year of the grant, and submit
36 a final report no later than sixty days after the end of each three-year
37 grant. Such report shall include an accounting of the funds received by
38 the grant and the services provided.

39 § 2. Subdivision 5 of section 296 of the executive law is amended by
40 adding a new paragraph (h) to read as follows:

41 (h) It shall be an unlawful discriminatory practice for any person to
42 discriminate against any individual in making real estate appraisal
43 services available or to base a real estate appraisal, estimate, or
44 opinion of value on the race, creed, color, national origin, citizen-
45 ship or immigration status, sexual orientation, gender identity or
46 expression, military status, sex, age, disability, marital status,
47 status as a victim of domestic violence, lawful source of income, or
48 familial status of either the prospective owners or occupants of the
49 real property, the present owners or occupants of the real property, or
50 the present owners or occupants of the real properties in the vicinity
51 of the property. Nothing in this section shall prohibit a real estate
52 appraiser from taking into consideration factors other than race, creed,
53 color, national origin, citizenship or immigration status, sexual orien-
54 tation, gender identity or expression, military status, sex, age, disa-
55 bility, marital status, status as a victim of domestic violence, lawful
56 source of income, or familial status.

1 § 3. Subdivision 9 of section 160-e of the executive law, as amended
2 by chapter 397 of the laws of 1991, is amended to read as follows:

3 9. To suspend and revoke certificates or licenses or impose fines
4 pursuant to the disciplinary proceedings provided for in this article.

5 § 4. The opening paragraph of subdivision 1 of section 160-u of the
6 executive law, as amended by chapter 397 of the laws of 1991, is amended
7 to read as follows:

8 The rights of any holder under a state certificate as a state certi-
9 fied real estate appraiser, or a license as a state licensed real estate
10 appraiser, may be revoked or suspended, or the holder of the certif-
11 ication or license may be otherwise disciplined in accordance with the
12 provisions of this article, upon any of the grounds set forth in this
13 section. As an alternative or in addition to such suspension or revoca-
14 tion, a fine not exceeding two thousand dollars may be imposed on any
15 holder of the certification or license, provided that fifty percent of
16 all moneys received by the department of state for such fines shall be
17 payable to the anti-discrimination in housing fund established pursuant
18 to section eighty-a of the state finance law. The department may inves-
19 tigate the actions of a state certified or licensed real estate
20 appraiser, and may [~~revoke or suspend the rights of~~] sanction or other-
21 wise discipline a certificate or license holder [~~or otherwise discipline~~
22 ~~a state certified or licensed real estate appraiser~~] for any of the
23 following acts or omissions:

24 § 5. Subdivision 1 of section 160-v of the executive law, as amended
25 by chapter 241 of the laws of 1999, is amended to read as follows:

26 1. Before suspending or revoking any certification or license or
27 imposing any fines on a holder of a certification or license, the
28 department shall notify the state certified or licensed real estate
29 appraiser or licensed real estate appraiser assistant in writing of any
30 charges made at least twenty days prior to the date set for the hearing
31 and shall afford [~~him or her~~] such real estate appraiser or such real
32 estate appraiser assistant an opportunity to be heard in person or by
33 counsel.

34 § 6. Subdivision 2 of section 160-w of the executive law, as amended
35 by chapter 241 of the laws of 1999, is amended to read as follows:

36 2. If the department determined that a state certified or licensed
37 real estate appraiser or licensed real estate appraiser assistant is
38 guilty of a violation of any of the provisions of this article, it shall
39 prepare a finding of fact and recommend that such appraiser be reprim-
40 anded [~~or~~], that [~~his or her~~] their certification or license be
41 suspended or revoked, and/or indicate whether a fine shall be imposed.
42 The decision and order of the department shall be final.

43 § 7. Subdivisions 2 and 3 of section 80-a of the state finance law,
44 subdivision 2 as added by chapter 687 of the laws of 2021 and subdivi-
45 sion 3 as amended by chapter 89 of the laws of 2022, are amended to read
46 as follows:

47 2. The anti-discrimination in housing fund shall consist of moneys
48 appropriated thereto, moneys transferred from any other fund or sources,
49 fifty percent of all fines and forfeitures collected pursuant to subdivi-
50 vision one of section one hundred sixty-u of the executive law, and
51 fifty percent of all fines and forfeitures collected pursuant to para-
52 graph (a) of subdivision one of section four hundred forty-one-c of the
53 real property law. Nothing contained in this section shall prevent the
54 state from receiving grants, gifts or bequests for the purposes of the
55 fund as defined in this section and depositing them into the fund
56 according to law.

1 3. The moneys in the anti-discrimination in housing fund shall be kept
2 separate from and shall not be commingled with any other moneys in the
3 custody of the state comptroller. Such moneys shall be made available to
4 the office of the attorney general, for [~~fair housing testing~~] programs
5 assisting with fair housing compliance, which includes, but is not
6 limited to, fair housing testing, outreach and education on fair housing
7 protections, addressing and investigating fair housing allegations and
8 complaints, and addressing discrimination in appraisals, including new
9 appraisals and appraisal review, through allocation of grants to duly
10 applying county, city, town or village human rights commissions, or
11 other duly applying county, city, town, village or not-for-profit enti-
12 ties specializing in the prevention of unlawful discrimination in hous-
13 ing, to detect unlawful discrimination in housing.

14 § 8. Severability. If any provision of this act, or any application of
15 any provision of this act, is held to be invalid, that shall not affect
16 the validity or effectiveness of any other provision of this act, or of
17 any other application of any provision of this act, which can be given
18 effect without that provision or application; and to that end, the
19 provisions and applications of this act are severable.

20 § 9. This act shall take effect immediately.

21 PART H

22 Intentionally Omitted

23 PART I

24 Section 1. Section 7-107 of the general obligations law, as added by
25 chapter 917 of the laws of 1984, is amended to read as follows:

26 § 7-107. Liability of a grantee or assignee for deposits made by
27 tenants upon conveyance of rent stabilized dwelling units. 1. This
28 section shall apply only to dwelling units subject to the New York city
29 rent stabilization law of nineteen hundred sixty-nine or the emergency
30 tenant protection act of nineteen seventy-four.

31 2. (a) Any grantee or assignee of any dwelling unit referred to in
32 subdivision one of this section shall be liable to a tenant for any sum
33 of money or any other thing of value deposited as security for the full
34 performance by such tenant of the terms of [~~his~~] such tenant's lease,
35 plus any accrued interest, if [~~his~~] such tenant or its predecessor in
36 interest was liable for such funds. Such liability shall attach whether
37 or not the successor in interest has, upon the conveyance of such dwell-
38 ing unit, received the sum as deposited.

39 (b) The liability of a receiver for payment of any security deposit
40 plus accrued interest pursuant to this subdivision shall be limited to
41 the amount of such deposit actually turned over to [~~him or it~~] such
42 receiver pursuant to subdivision one of section 7-105 of this [~~chapter~~]
43 title and to the operating income in excess of expenses generated during
44 [~~his or its~~] such receiver's period of receivership. No deposit or
45 advance shall exceed the amount of one month's rent, plus accrued inter-
46 est, under any contract for the lease or tenancy of a dwelling unit
47 subject to this section.

48 3. Any agreement by a lessee or tenant of a dwelling unit waiving or
49 modifying [~~his~~] such lessee's or tenant's rights as set forth in this
50 section shall be void. The entire amount of the deposit or advance,
51 plus accrued interest, shall be refundable to the tenant upon the

1 tenant's vacating of the premises except for an amount lawfully retained
2 for the reasonable and itemized costs due to non-payment of rent, damage
3 caused by the tenant beyond normal wear and tear, non-payment of utility
4 charges payable directly to the landlord under the terms of the lease or
5 tenancy, and moving and storage of the tenant's belongings. The landlord
6 may not retain any amount of the deposit for costs relating to ordinary
7 wear and tear of occupancy or damage caused by a prior tenant.

8 4. After initial lease signing but before the tenant begins occupancy,
9 the landlord shall offer the tenant the opportunity to inspect the prem-
10 ises with the landlord or the landlord's agent to determine the condi-
11 tion of the property. If the tenant requests such inspection, the
12 parties shall execute a written agreement before the tenant begins occu-
13 pancy of the unit attesting to the condition of the property and specif-
14 ically noting any existing defects or damages. Upon the tenant's vacat-
15 ing of the premises, the landlord may not retain any amount of the
16 deposit or advance due to any condition, defect, or damage noted in such
17 agreement. The agreement shall be admissible as evidence of the condi-
18 tion of the premises at the beginning of occupancy only in proceedings
19 related to the return or amount of the security deposit.

20 5. Within a reasonable time after notification of either party's
21 intention to terminate the tenancy, unless the tenant terminates the
22 tenancy with less than two weeks' notice, the landlord shall notify the
23 tenant in writing of the tenant's right to request an inspection before
24 vacating the premises and of the tenant's right to be present at the
25 inspection. If the tenant requests such an inspection, the inspection
26 shall be made no earlier than two weeks and no later than one week
27 before the end of the tenancy. The landlord shall provide at least
28 forty-eight hours written notice of the date and time of the inspection.
29 After the inspection, the landlord shall provide the tenant with an
30 itemized statement specifying repairs or cleaning that are proposed to
31 be the basis of any deductions from the tenant's deposit. The tenant
32 shall have the opportunity to cure any such condition before the end of
33 the tenancy. Any statement produced pursuant to this subdivision shall
34 only be admissible in proceedings related to the return or amount of the
35 security deposit.

36 6. Within fourteen days after the tenant has vacated the premises, the
37 landlord shall provide the tenant with an itemized statement indicating
38 the basis for the amount of the deposit retained, if any, and shall
39 return any remaining portion of the deposit to the tenant, plus accrued
40 interest. If a landlord fails to provide the tenant with the statement
41 and deposit within fourteen days, the landlord shall forfeit any right
42 to retain any portion of the deposit.

43 7. In any action or proceeding disputing the amount of any portion of
44 the deposit retained, the landlord shall bear the burden of proof as to
45 the reasonableness of the amount retained.

46 8. Any person who violates the provisions of this section shall be
47 liable for actual damages, provided a person found to have willfully
48 violated this section shall be liable for punitive damages of up to
49 twice the amount of the deposit or advance.

50 9. (a) In circumstances where any sum of money or any other thing of
51 value deposited as security for the full performance by a tenant of the
52 terms of their lease is not turned over to a successor in interest
53 pursuant to section 7-105 of this title, the grantee or assignee of the
54 leased premises shall also be liable to such tenant, upon conveyance of
55 such leased premises, for the repayment of any such security deposit,

1 plus accrued interest, as to which such grantee or assignee has actual
2 knowledge.

3 (b) For purposes of this section, a grantee or assignee of the leased
4 premises shall be deemed to have actual knowledge of any security depos-
5 it which is (i) deposited at any time during the six months immediately
6 prior to closing or other transfer of title in any banking organization
7 pursuant to subdivision two-a of section 7-103 of this title, or (ii)
8 acknowledged in any lease in effect at the time of closing or other
9 transfer of title, or (iii) supported by documentary evidence provided
10 by the tenant or lessee as set forth in paragraph (c) of this subdivi-
11 sion.

12 (c) With respect to any leased premises for which there is no record
13 of security deposit pursuant to subparagraph (i) or (ii) of paragraph
14 (b) of this subdivision, the grantee or assignee of the leased premises
15 shall be obligated to notify the tenant thereof in writing no later than
16 thirty days following the closing or other transfer of title to the fact
17 that there is no record of a security deposit for said leased premises
18 and that unless the tenant within thirty days after receiving notice
19 provides them or it with documentary evidence of deposit, the tenant
20 shall have no further recourse against them or it for said security
21 deposit. For purposes of this subdivision, "documentary evidence" shall
22 be limited to any cancelled check drawn to the order of, a receipt from,
23 or a lease signed by any predecessor in interest, if such predecessor's
24 interest in the leased premises existed on or after the effective date
25 of this paragraph. Except as otherwise provided by subparagraphs (i) and
26 (ii) of paragraph (b) of this subdivision, the grantee or assignee of
27 the leased premises shall not be charged with actual knowledge of the
28 security deposit where the tenant fails within the thirty-day period to
29 provide such documentary evidence. Where the grantee or assignee of the
30 leased premises fails to notify the tenant as specified in this para-
31 graph within thirty days following the closing or other transfer of
32 title, the tenant shall be entitled to produce documentary evidence at
33 any time.

34 (d) The grantee or assignee of the leased premises shall have the
35 right to demand that the grantor or assignor thereof establish an escrow
36 account equal to one month's rent for any leased premises for which
37 there is no record of a security deposit pursuant to paragraph (b) of
38 this subdivision to be used for the purpose of holding harmless the
39 grantee or assignee in any case where, at a date subsequent to the clos-
40 ing or other transfer of title, the tenant gives notice pursuant to
41 paragraph (c) of this subdivision.

42 (e) The liability of a receiver for payment of any security deposit
43 plus accrued interest pursuant to this subdivision shall be limited to
44 the amount of such deposit actually turned over to them or it pursuant
45 to subdivision one of section 7-105 of this title and to the operating
46 income in excess of expenses generated during their or its period of
47 receivership.

48 10. Any agreement by a lessee or tenant of a dwelling waiving or modi-
49 fying their rights as set forth in this section shall be absolutely
50 void.

51 § 2. This act shall take effect on the thirtieth day after it shall
52 have become a law and shall apply to any lease or rental agreement or
53 renewal of a lease or rental agreement entered into on or after such
54 date.

1 Section 1. Paragraph (b) of subdivision 1 of section 1971 of the real
 2 property actions and proceedings law, as amended by chapter 529 of the
 3 laws of 2008, is amended to read as follows:

4 (b) In the case of a vacant dwelling, it is not sealed or continuously
 5 guarded, in that admittance to the property may be gained without damag-
 6 ing any portion of the property, as required by law or it was sealed or
 7 is continuously guarded by a person other than the owner, a mortgagee,
 8 lienor or agent thereof, and [~~either~~] any of the following facts exists:

9 (i) A vacate order of the department or other governmental agency
 10 currently prohibits occupancy of the dwelling; or

11 (ii) The tax on such premises has been due and unpaid for a period of
 12 at least one year; or

13 (iii) The property has had a zoning, building or property maintenance
 14 code violation which has the potential to injure, endanger or unreason-
 15 ably annoy the health and safety of others that has been continuously
 16 outstanding and not remedied for a period of at least one year from the
 17 date that the original notice of violation was served upon the property
 18 owner pursuant to subdivision four of section three hundred eight of the
 19 civil practice law and rules if the owner is a natural person, section
 20 three hundred ten of the civil practice law and rules if the owner is a
 21 partnership, section three hundred ten-a of the civil practice law and
 22 rules if the owner is a limited partnership, section three hundred elev-
 23 en of the civil practice law and rules if the owner is a corporation, or
 24 section three hundred eleven-a of the civil practice law and rules if
 25 the owner is a limited liability company; or

26 § 2. This act shall take effect immediately.

27 PART K

28 Section 1. The real property tax law is amended by adding a new
 29 section 457-a to read as follows:

30 § 457-a. Exemption for eligible residential property transferred to a
 31 low-income household. 1. As used in this section:

32 (a) "Nonprofit housing organization" means a nonprofit organization
 33 exempt from certain taxes pursuant to section 501(c)(3) or section
 34 501(c)(4) of the United States internal revenue code and/or that is
 35 incorporated under the not-for-profit corporation law whose primary
 36 purpose is the construction or renovation of residential affordable
 37 housing for conveyance to households that meet certain income require-
 38 ments.

39 (b) "Community land trust" means a nonprofit organization exempt from
 40 certain taxes pursuant to section 501(c)(3) or section 501(c)(4) of the
 41 United States internal revenue code and/or that is incorporated under
 42 the not-for-profit corporation law whose primary purpose is to provide
 43 affordable housing by owning land and leasing or selling residential
 44 housing situated on that land to households that meet certain income
 45 requirements.

46 (c) "Land bank" means an entity created in accordance with article
 47 sixteen of the not-for-profit corporation law.

48 (d) "Qualified low-income household" means a household with an income
 49 upon initial occupancy of the residential property of not more than
 50 eighty percent of the area median income, as annually defined by the
 51 United States department of housing and urban development, and which has
 52 agreed to occupy such residential property as a primary residence. A
 53 nonprofit housing organization, community land trust, land bank, or
 54 appropriate governmental entity shall certify that a household meets the

1 income and residency criteria to be considered a qualified low-income
2 household and shall determine the income and assets that shall be used
3 to determine a household's income for eligibility purposes.

4 2. (a) Residential real property subject to a restrictive covenant or
5 declaration, legal requirement, regulatory agreement or other contractu-
6 al obligation with a governmental entity, nonprofit housing organiza-
7 tion, or land bank, and transferred to a qualified low-income household,
8 or where the land is transferred to a community land trust and the resi-
9 dential building situated on the land is or will be leased or sold to a
10 qualified low-income household, shall be exempt as provided in paragraph
11 (b) of this subdivision from taxation levied by or on behalf of any
12 county, city, town, village or school district in which such residential
13 real property is located, provided the legislative body or governing
14 board of such county, city, town or village, after public hearing,
15 adopts a local law, or a school district, other than a school district
16 to which article fifty-two of the education law applies, adopts a resol-
17 ution opting in to this subdivision.

18 (b) The real property tax exemption authorized pursuant to paragraph
19 (a) of this subdivision shall be an amount that is not less than twenty-
20 five percent nor more than seventy-five percent of the assessed value
21 of the residential real property.

22 (c) A copy of any local law or resolution adopted pursuant to para-
23 graph (a) of this subdivision shall be filed with the assessor of the
24 county, city, town, or village who prepares the assessment roll on which
25 the taxes of such county, city, town, village, or school district are
26 levied.

27 3. (a) The exemption granted pursuant to this section shall be discon-
28 tinued if the property granted such exemption:

29 (i) ceases to be used primarily for residential purposes;
30 (ii) ceases to be used as a primary residence; or
31 (iii) is transferred to another person or entity, other than to any
32 heirs or distributees of the owner that meet the requirements of being a
33 qualified low-income household at the time of such transfer.

34 (b) Upon determining that an exemption granted pursuant to this
35 section should be discontinued, the assessor shall mail a notice so
36 stating to the owner or owners thereof at the time and in the manner
37 provided by section five hundred ten of this chapter. Such owner or
38 owners shall be entitled to seek administrative and judicial review of
39 such action in the manner provided by law, provided that the burden
40 shall be on such owner or owners to establish eligibility for the
41 exemption.

42 4. Such exemption shall be granted only upon application by the owner
43 or owners of such real property on a form prescribed by the commis-
44 sioner. The application shall be filed with the assessor of the county,
45 city, town, or village having the power to assess property for taxation
46 on or before the appropriate taxable status date of such county, city,
47 town, or village.

48 5. If satisfied that the applicant is entitled to an exemption pursu-
49 ant to this section, the assessor shall approve the application, and
50 such residential property shall thereafter be exempt from taxation and
51 special ad valorem levies as provided in this section commencing with
52 the assessment roll prepared on the basis of the taxable status date
53 referred to in subdivision four of this section. The assessed value of
54 any exemption granted pursuant to this section shall be entered by the
55 assessor on the assessment roll with the taxable property, with the
56 amount of the exemption shown in a separate column.

1 § 2. This act shall take effect immediately.

2 PART L

3 Section 1. Paragraph (a) of subdivision 1 of section 33 of the private
4 housing finance law, as amended by chapter 229 of the laws of 1989, is
5 amended to read as follows:

6 (a) Upon the consent of the local legislative body of any municipality
7 in which a project is or is to be located, the real property in a
8 project shall be exempt from local and municipal taxes, other than
9 assessments for local improvements, to the extent of all or part of the
10 value of the property included in such project which represents an
11 increase over the assessed valuation of the real property, both land and
12 improvements, acquired for the project at the time of its acquisition by
13 the limited-profit housing company, provided, however, that the real
14 property in a project acquired for purposes of rehabilitation shall be
15 exempt to the extent of all or part of the value of the property
16 included in such project, and further provided that the amount of such
17 taxes to be paid shall not be less than ten per centum of the annual
18 shelter rent or carrying charges of such project except that for
19 projects located or to be located in a city of a population of one
20 million or more, [~~upon the consent of the local legislative body of the
21 municipality, the amount of such taxes to be paid may be set at not less
22 than (i) the taxes payable with respect to the real property in such
23 project with respect to the year nineteen hundred seventy-three, or,
24 (ii) if such project was not occupied in such year, not less than ten
25 per centum of the annual shelter rent or carrying charges first estab-
26 lished pursuant to subdivision one of section thirty one of this arti-
27 cle]~~ the amount of such taxes shall be no more than five per centum of
28 the annual shelter rent or carrying charges of the project. Notwith-
29 standing anything to the contrary contained in this article, for
30 projects located in a city of a population of one million or more, the
31 commissioner or the supervising agency, as the case may be, shall
32 promulgate rules and regulations to provide that any savings that are
33 generated by a reduction in local and municipal taxes from ten per
34 centum to five per centum of the annual shelter rent or carrying charges
35 in accordance with this paragraph, are utilized to improve the financial
36 condition of such limited-profit housing company and the physical condi-
37 tion of such project. For purposes of the preceding sentence, "savings"
38 means, for any taxable year, the amount of local and municipal taxes
39 paid by a limited-profit housing company for the taxable year ending on
40 or before December thirty-first, two thousand twenty-four less the
41 amount of local and municipal taxes paid by such company in such taxable
42 year. Upon the consent of the local legislative body of a municipality,
43 other than a city with a population of one million or more, in which the
44 project is located, the amount of such taxes may be further reduced to
45 five per centum or less of the annual shelter rent or carrying charges
46 of the project. Any such granted consent to reduce the amount of such
47 taxes shall expire every ten years. If such authorization is not
48 renewed, the rate of taxation shall revert to the level established
49 before the consent was granted. Shelter rent shall mean the total rents
50 received from the occupants of a project less the cost of providing to
51 the occupants electricity, gas, heat and other utilities. Total rents
52 shall include rent supplements and subsidies received from the federal
53 government, the state or a municipality on behalf of such occupants[7]
54 but shall not include interest reduction payments pursuant to subdivi-

1 sion (a) of section two hundred one of the Federal Housing and Urban
2 Development Act of nineteen hundred sixty-eight. The tax exemption shall
3 operate and continue so long as the mortgage loans of the company,
4 including any additional mortgage loan the proceeds of which are used
5 primarily for the residential portion of the project, which additional
6 loan is approved by the commissioner or the supervising agency, are
7 outstanding.

8 § 2. Paragraph (c) of subdivision 1 of section 33 of the private hous-
9 ing finance law, as amended by chapter 229 of the laws of 1989, is
10 amended to read as follows:

11 (c) Notwithstanding the provisions of paragraphs (a) and (b) of this
12 subdivision, the real property of a state urban development corporation
13 project acquired, owned, constructed, managed or operated by a company
14 incorporated pursuant to the not-for-profit corporation law and this
15 article shall be entitled to all the benefits provided by section four
16 hundred twenty-two of the real property tax law. The real property of a
17 state urban development corporation project, other than a state urban
18 development corporation project acquired, owned, constructed, managed or
19 operated by a company incorporated pursuant to the not-for-profit corpo-
20 ration law and this article, shall be exempt from all local and municip-
21 al taxes, other than assessments for local improvements, to the extent
22 of the value of the property included in such project as represents an
23 increase over the assessed valuation of the real property, both land and
24 improvements, acquired for the project on the date of its acquisition by
25 the limited-profit housing company, provided that the amount of such
26 taxes to be paid shall not be less than ten per centum of the annual
27 shelter rent or carrying charges of such project, as defined in para-
28 graph (a) hereof, except that in a city with a population of one million
29 or more, the amount of such taxes shall be no more than five per centum
30 of the annual shelter rent or carrying charges of the project. Notwith-
31 standing anything to the contrary contained in this article, for
32 projects located in a city of a population of one million or more, the
33 commissioner or the supervising agency, as the case may be, shall
34 promulgate rules and regulations to provide that any savings that are
35 generated by a reduction in local and municipal taxes from ten per
36 centum to five per centum of the annual shelter rent or carrying charges
37 in accordance with this paragraph, are utilized to improve the financial
38 condition of such limited-profit housing company and the physical condi-
39 tion of such project. For purposes of the preceding sentence, "savings"
40 means, for any taxable year, the amount of local and municipal taxes
41 paid by a limited-profit housing company for the taxable year ending on
42 or before December thirty-first, two thousand twenty-four less the
43 amount of local and municipal taxes paid by such company in such taxable
44 year. Upon the consent of the local legislative body of the municipi-
45 ality, other than a city with a population of one million or more, in
46 which the project is located, the amount of such taxes may be further
47 reduced to five per centum or less of the annual shelter rent or carry-
48 ing charges of the project. Any such granted consent to reduce the
49 amount of such taxes shall expire every ten years. If such authorization
50 is not renewed, the rate of taxation shall revert to the level estab-
51 lished before the consent was granted. The tax exemption shall operate
52 and continue so long as the mortgage loans of such limited profit hous-
53 ing company, including any additional mortgage loan the proceeds of
54 which are used primarily for the residential portion of the project,
55 which additional loan is approved by the commissioner or the supervising
56 agency, are outstanding and the project is continued to be operated as a

1 limited-profit housing project. If a state urban development corporation
2 project qualifying for tax exemption pursuant to this paragraph is sold,
3 with the approval of the commissioner, to another limited-profit housing
4 company, such successor company shall be entitled to all the benefits of
5 this paragraph. In the event that such sale is to a company incorporated
6 pursuant to the not-for-profit corporation law and this article, such
7 successor company shall be entitled to all the benefits provided by
8 section four hundred twenty-two of the real property tax law.

9 § 3. Paragraph (d) of subdivision 1 of section 33 of the private hous-
10 ing finance law, as amended by chapter 744 of the laws of 1977, is
11 amended to read as follows:

12 (d) Notwithstanding the provisions of paragraphs (a) and (b) of this
13 subdivision, when a project is financed with a mortgage loan pursuant to
14 this article or article three of this chapter and (i) there is a partic-
15 ipation, new loan or investment pursuant to section twenty-three-b of
16 this article or (ii) such mortgage loan is assigned, modified or satis-
17 fied pursuant to section twenty-three-a or forty-four-b or subdivision
18 twenty-two-a of section six hundred fifty-four of this chapter, the real
19 property of the project shall be exempt from all local and municipal
20 taxes, other than assessments for local improvements, to the extent of
21 the value of the real property included in such project which represents
22 an increase over the assessed valuation of the real property, both land
23 and improvements, acquired for the project on the date of its original
24 acquisition for the project by the original mortgagor under a mortgage
25 loan pursuant to this article or article three of this chapter, provided
26 that the amount of taxes to be paid on the project shall not be less
27 than ten per centum of the annual shelter rent or carrying charges of
28 such project, as defined in paragraph (a) of this subdivision, except
29 that in a city with a population of one million or more, the amount of
30 such taxes shall be no more than five per centum of the annual shelter
31 rent or carrying charges of the project. Notwithstanding anything to
32 the contrary contained in this article, for projects located in a city
33 of a population of one million or more, the commissioner or the super-
34 vising agency, as the case may be, shall promulgate rules and regu-
35 lations to provide that any savings that are generated by a reduction in
36 local and municipal taxes from ten per centum to five per centum of the
37 annual shelter rent or carrying charges in accordance with this para-
38 graph, are utilized to improve the financial condition of the limited-
39 profit housing company and the physical condition of such project. For
40 purposes of the preceding sentence, "savings" means, for any taxable
41 year, the amount of local and municipal taxes paid by a limited-profit
42 housing company for the taxable year ending on or before December thir-
43 ty-first, two thousand twenty-four less the amount of local and muni-
44 pal taxes paid by such company in such taxable year. Upon the consent
45 of the local legislative body of the municipality, other than a city
46 with a population of one million or more, in which the project is
47 located, the amount of such taxes may be further reduced to five per
48 centum or less of the annual shelter rent or carrying charges of the
49 project. Any such granted consent to reduce the amount of such taxes
50 shall expire every ten years. If such authorization is not renewed, the
51 rate of taxation shall revert to the level established before the
52 consent was granted. Such tax exemption shall commence in each instance
53 from the date when the project becomes subject to a mortgage insured by
54 the federal government and shall operate and continue so long as a mort-
55 gage on such project is insured or held by the federal government or so
56 long as the project is thereafter owned by the federal government or so

1 long as any residual indebtedness is outstanding, whichever is longer.
2 When there is a participation, new loan or investment pursuant to
3 section twenty-three-b of this article, such participation, new loan or
4 investment shall be deemed to be the equivalent of a federally insured
5 mortgage for purposes of this paragraph. Nothing contained in this para-
6 graph shall be construed to limit or otherwise impair the benefits
7 available to any company eligible for exemption from taxation pursuant
8 to section thirty-one or section thirty-six-a of this article, section
9 four hundred twenty-two or section four hundred sixty-seven-c of the
10 real property tax law, or section fifty-eight of the public housing law.
11 The foregoing shall not be deemed to authorize any company to receive
12 the benefits of any exemption from taxation in contravention of the
13 provisions of section two of article eighteen of the constitution.

14 § 4. Subdivision 4 of section 33 of the private housing finance law,
15 as amended by chapter 229 of the laws of 1989, is amended to read as
16 follows:

17 4. Notwithstanding the provisions of subdivision one hereof, when a
18 mutual company is organized under this article to facilitate the acqui-
19 sition of a building by residents thereof, the amount of local and
20 municipal taxes, other than assessments for local improvements, to be
21 paid on the real property included in such project, both land and
22 improvements, shall not exceed twenty per centum of the annual shelter
23 rent or carrying charges of such project, as defined in paragraph (a) of
24 subdivision one hereof; provided, however, that where such acquisition
25 of a building by residents thereof involves the financing of rehabili-
26 tation or other improvement as well as acquisition, upon the consent of
27 the local legislative body of the municipality in which the project is
28 located the amount of such taxes may be further reduced provided that
29 such amount shall not be less than ten per centum of the annual shelter
30 rent or carrying charges of the project, as defined in paragraph (a) of
31 subdivision one hereof; or the company may in lieu of requesting such
32 consent apply for the benefits of the local law, if any, enacted pursu-
33 ant to section four hundred eighty-nine of the real property tax law.
34 Notwithstanding any other provision of this subdivision, in a city with
35 a population of one million or more, the amount of such taxes shall be
36 no more than five per centum of the annual shelter rent or carrying
37 charges of the project. Notwithstanding anything to the contrary
38 contained in this article, for projects located in a city of a popu-
39 lation of one million or more, the commissioner or the supervising agen-
40 cy, as the case may be, shall promulgate rules and regulations to
41 provide that any savings that are generated by a reduction in local and
42 municipal taxes from ten per centum to five per centum of the annual
43 shelter rent or carrying charges in accordance with this paragraph, are
44 utilized to improve the financial condition of the limited-profit hous-
45 ing company and the physical condition of such project. For purposes of
46 the preceding sentence, "savings" means, for any taxable year, the
47 amount of local and municipal taxes paid by a limited-profit housing
48 company for the taxable year ending on or before December thirty-first,
49 two thousand twenty-four less the amount of local and municipal taxes
50 paid by such company in such taxable year. Upon the consent of the
51 local legislative body of the municipality, other than a city with a
52 population of one million or more, in which the project is located, the
53 amount of such taxes may be further reduced to five per centum or less
54 of the annual shelter rent or carrying charges of the project. Any such
55 granted consent to reduce the amount of such taxes shall expire every
56 ten years. If such authorization is not renewed, the rate of taxation

1 shall revert to the level established before the consent was granted.

2 Such tax exemption, if any, granted pursuant to this article shall oper-
3 ate and continue so long as a loan made under this article or any subse-
4 quent loan approved by the commissioner or the supervising agency to
5 enhance the residential portion of the project and the project is
6 continued to be operated for the purposes set forth in this article is
7 outstanding.

8 § 5. This act shall take effect immediately.

9

PART M

10 Section 1. The section heading of section 485-r of the real property
11 tax law, as added by chapter 406 of the laws of 2015, is amended to read
12 as follows:

13 Residential redevelopment inhibited property exemption[~~, certain~~
14 ~~cities~~].

15 § 2. Subdivision 1 of section 485-r of the real property tax law, as
16 added by chapter 406 of the laws of 2015 and paragraph (f) as amended by
17 chapter 28 of the laws of 2016, is amended to read as follows:

18 1. As used in this section, the following terms shall have the follow-
19 ing meanings:

20 (a) "Redevelopment inhibited property" shall mean a residential prop-
21 erty that has been neglected or abandoned because of the local economic
22 conditions and/or conditions on the property that inhibit such property
23 from being redeveloped by the private sector as described in subdivision
24 three of this section. Redevelopment inhibited property shall not
25 include land that is undeveloped.

26 (b) "Gap financing costs" shall mean the total cost of the property's
27 redevelopment as approved by the city, town, or village minus the
28 increase in the full valuation of the property upon completion of the
29 redevelopment.

30 (c) "Base assessment" shall mean the assessed value of the property on
31 the day the city, town, or village designates the property as redevelop-
32 ment inhibited.

33 (d) "Increased assessment" shall mean the assessed value of the prop-
34 erty as determined by the assessor upon completion of the redevelopment.

35 (e) "Incremental increase in annual property taxes" shall mean the
36 taxes based on the increased assessment minus the taxes based on the
37 base assessment.

38 [~~(f) "City" shall mean a city with a population of not less than~~
39 ~~fifteen thousand two hundred fifty and not more than fifteen thousand~~
40 ~~five hundred as determined by the latest federal decennial census.~~]

41 § 3. Subdivision 2 of section 485-r of the real property tax law, as
42 added by chapter 406 of the laws of 2015, is amended to read as follows:

43 2. A city, town, or village may, by local law, provide for the
44 exemption of real property from taxation as provided in this section.
45 Subsequent to the adoption of such local law, the county in which such
46 city, town, or village is located may after a public hearing and by
47 local law, and any school district, all or part of which is located in
48 such city, town, or village, may, by resolution, exempt such property
49 from its taxation in the same manner and to the same extent as the city,
50 town, or village has done.

51 § 4. Subdivision 3 of section 485-r of the real property tax law, as
52 added by chapter 406 of the laws of 2015, is amended to read as follows:

53 3. A local law adopted by a city, town, or village pursuant to subdi-
54 vision two of this section shall designate any property within [~~the~~]

1 such city, town, or village's boundaries as a redevelopment inhibited
2 property if one or more of the following are met:

3 (a) the city, town, or village has acquired title to the property
4 pursuant to article nineteen-A of the real property actions and
5 proceedings law; or

6 (b) the property has been continuously vacant for a period of at least
7 three years; or

8 (c) the county, city, town or village in which the property is located
9 has acquired title to the property via foreclosure for unpaid taxes
10 pursuant to article eleven of this chapter; or

11 (d) the property has outstanding zoning, housing, or uniform code
12 violations and the cost of remedying the violations exceeds the proper-
13 ty's value.

14 § 5. Subdivision 4 of section 485-r of the real property tax law, as
15 added by chapter 406 of the laws of 2015, is amended to read as follows:

16 4. (a) Upon the adoption of such local law, redevelopment inhibited
17 property shall be exempt from taxation and special ad valorem levies to
18 the extent of any increase in value attributable to demolition, alter-
19 ation, rehabilitation, or remediation pursuant to the following require-
20 ments:

21 (i) the demolition, alterations, rehabilitation, and/or remediation
22 shall be permitted by the [~~city's~~] applicable bureau of inspection such
23 that building or plumbing permits issued and said demolition, alter-
24 ations, rehabilitation, and/or remediation shall have met all necessary
25 approvals per the applicable New York state uniform fire prevention and
26 building code, the [~~city's~~] applicable municipal code and the [~~city's~~]
27 applicable bureau of inspection upon completion; and

28 (ii) the property for which the exemption is sought shall be [~~an~~
29 ~~owner-occupied one-family residence~~] a one to four-unit residence and
30 occupied as the primary residence of the owner or a tenant; and

31 (iii) the owner of such property shall file annually an affidavit of
32 residency with the assessor of the city, town, or village on or before
33 the appropriate taxable status date [~~of such city~~], confirming continued
34 [~~owner-occupancy~~] occupancy of the property by the owner or a tenant as
35 their primary residence; and

36 (iv) the redevelopment inhibited property is exempt from taxation and
37 special ad valorem levies attributable to the increased assessment minus
38 the taxes and special ad valorem levies imposed on the base assessment.
39 Such exemption shall not apply to special assessments.

40 (b) In the event the property granted an exemption pursuant to this
41 section ceases to be [~~owner-~~]occupied as the primary residence of the
42 owner or tenant and/or the affidavit of residency is not filed annually
43 for the approved exemption period, the exemption granted pursuant to
44 this section shall cease.

45 (c) In the event the property granted an exemption pursuant to this
46 section ceases to be a [~~one-family~~] one to four-unit dwelling, the
47 exemption granted pursuant to this section shall cease.

48 (d) In the event the owner of the property is convicted of a violation
49 or misdemeanor pursuant to New York state uniform fire prevention and
50 building code or the [~~city's~~] applicable municipal code, the exemption
51 granted pursuant to this section shall cease.

52 § 6. Subdivision 6 of section 485-r of the real property tax law, as
53 added by chapter 406 of the laws of 2015, is amended to read as follows:

54 6. (a) Such exemption shall be granted only upon application by the
55 owner of such building for the residential redevelopment inhibited prop-
56 erty exemption, on a form prescribed by the city, town, or village. Such

1 application must be filed with the assessor of the city, town, or
2 village on or before the appropriate taxable status date [~~of such city~~].
3 The application must be filed with the assessor of the city, town, or
4 village within three years from the date of completing the demolition,
5 alterations, rehabilitation, and/or remediation.

6 (b) The owner filing for such exemption shall not be required to be
7 the owner responsible for completing the demolition, alterations, reha-
8 bilitation, and/or remediation.

9 (c) If the assessor is satisfied that the applicant is entitled to an
10 exemption pursuant to this section, [~~he or she~~] such assessor shall
11 approve the application and such real property shall thereafter be
12 exempt from taxation and special ad valorem levies by the city, town, or
13 village commencing with the assessment roll prepared after the taxable
14 status date referred to in this subdivision. The assessed value of any
15 exemption granted pursuant to this section shall be entered by the
16 assessor of the city, town, or village on the assessment roll with the
17 taxable property, with the amount of the exemption shown in a separate
18 column.

19 (d) Once granted, the residential redevelopment inhibited property
20 exemption runs with the land for the exemption period pursuant to this
21 section.

22 § 7. This act shall take effect on the thirtieth day after it shall
23 have become a law.

24 PART N

25 Section 1. Notwithstanding any other provision of law, the housing
26 trust fund corporation may provide, for purposes of the neighborhood
27 preservation program, a sum not to exceed \$18,800,000 for the fiscal
28 year ending March 31, 2026. Within this total amount, \$250,000 shall be
29 used for the purpose of entering into a contract with the neighborhood
30 preservation coalition to provide technical assistance and services to
31 companies funded pursuant to article 16 of the private housing finance
32 law. Notwithstanding any other provision of law, and subject to the
33 approval of the New York state director of the budget, the board of
34 directors of the state of New York mortgage agency shall authorize the
35 transfer to the housing trust fund corporation, for the purposes of
36 reimbursing any costs associated with neighborhood preservation program
37 contracts authorized by this section, a total sum not to exceed
38 \$18,800,000, such transfer to be made from (i) the special account of
39 the mortgage insurance fund created pursuant to section 2429-b of the
40 public authorities law, in an amount not to exceed the actual excess
41 balance in the special account of the mortgage insurance fund, as deter-
42 mined and certified by the state of New York mortgage agency for the
43 fiscal year 2024-2025 in accordance with section 2429-b of the public
44 authorities law, if any, and/or (ii) provided that the reserves in the
45 project pool insurance account of the mortgage insurance fund created
46 pursuant to section 2429-b of the public authorities law are sufficient
47 to attain and maintain the credit rating (as determined by the state of
48 New York mortgage agency) required to accomplish the purposes of such
49 account, the project pool insurance account of the mortgage insurance
50 fund, such transfer to be made as soon as practicable but no later than
51 June 30, 2025.

52 § 2. Notwithstanding any other provision of law, the housing trust
53 fund corporation may provide, for purposes of the rural preservation
54 program, a sum not to exceed \$8,050,000 for the fiscal year ending March

1 31, 2026. Within this total amount, \$250,000 shall be used for the
2 purpose of entering into a contract with the rural housing coalition to
3 provide technical assistance and services to companies funded pursuant
4 to article 17 of the private housing finance law. Notwithstanding any
5 other provision of law, and subject to the approval of the New York
6 state director of the budget, the board of directors of the state of New
7 York mortgage agency shall authorize the transfer to the housing trust
8 fund corporation, for the purposes of reimbursing any costs associated
9 with rural preservation program contracts authorized by this section, a
10 total sum not to exceed \$8,050,000, such transfer to be made from (i)
11 the special account of the mortgage insurance fund created pursuant to
12 section 2429-b of the public authorities law, in an amount not to exceed
13 the actual excess balance in the special account of the mortgage insur-
14 ance fund, as determined and certified by the state of New York mortgage
15 agency for the fiscal year 2024-2025 in accordance with section 2429-b
16 of the public authorities law, if any, and/or (ii) provided that the
17 reserves in the project pool insurance account of the mortgage insurance
18 fund created pursuant to section 2429-b of the public authorities law
19 are sufficient to attain and maintain the credit rating (as determined
20 by the state of New York mortgage agency) required to accomplish the
21 purposes of such account, the project pool insurance account of the
22 mortgage insurance fund, such transfer to be made as soon as practicable
23 but no later than June 30, 2025.

24 § 3. Notwithstanding any other provision of law, the housing trust
25 fund corporation may provide, for purposes of the rural rental assist-
26 ance program pursuant to article 17-A of the private housing finance
27 law, a sum not to exceed \$23,455,000 for the fiscal year ending March
28 31, 2026. Notwithstanding any other provision of law, and subject to
29 the approval of the New York state director of the budget, the board of
30 directors of the state of New York mortgage agency shall authorize the
31 transfer to the housing trust fund corporation, for the purposes of
32 reimbursing any costs associated with rural rental assistance program
33 contracts authorized by this section, a total sum not to exceed
34 \$23,455,000, such transfer to be made from (i) the special account of
35 the mortgage insurance fund created pursuant to section 2429-b of the
36 public authorities law, in an amount not to exceed the actual excess
37 balance in the special account of the mortgage insurance fund, as deter-
38 mined and certified by the state of New York mortgage agency for the
39 fiscal year 2024-2025 in accordance with section 2429-b of the public
40 authorities law, if any, and/or (ii) provided that the reserves in the
41 project pool insurance account of the mortgage insurance fund created
42 pursuant to section 2429-b of the public authorities law are sufficient
43 to attain and maintain the credit rating, as determined by the state of
44 New York mortgage agency, required to accomplish the purposes of such
45 account, the project pool insurance account of the mortgage insurance
46 fund, such transfer shall be made as soon as practicable but no later
47 than June 30, 2025.

48 § 4. Notwithstanding any other provision of law, the homeless housing
49 and assistance corporation may provide, for purposes of the New York
50 state supportive housing program, the solutions to end homelessness
51 program or the operational support for AIDS housing program, or to qual-
52 ified grantees under such programs, in accordance with the requirements
53 of such programs, a sum not to exceed \$56,381,000 for the fiscal year
54 ending March 31, 2026. The homeless housing and assistance corporation
55 may enter into an agreement with the office of temporary and disability
56 assistance to administer such sum in accordance with the requirements of

1 such programs. Notwithstanding any other provision of law, and subject
2 to the approval of the New York state director of the budget, the board
3 of directors of the state of New York mortgage agency shall authorize
4 the transfer to the homeless housing and assistance corporation, a total
5 sum not to exceed \$56,381,000, such transfer to be made from (i) the
6 special account of the mortgage insurance fund created pursuant to
7 section 2429-b of the public authorities law, in an amount not to exceed
8 the actual excess balance in the special account of the mortgage insur-
9 ance fund, as determined and certified by the state of New York mortgage
10 agency for the fiscal year 2024-2025 in accordance with section 2429-b
11 of the public authorities law, if any, and/or (ii) provided that the
12 reserves in the project pool insurance account of the mortgage insurance
13 fund created pursuant to section 2429-b of the public authorities law
14 are sufficient to attain and maintain the credit rating as determined by
15 the state of New York mortgage agency, required to accomplish the
16 purposes of such account, the project pool insurance account of the
17 mortgage insurance fund, such transfer shall be made as soon as practi-
18 cable but no later than March 31, 2026.
19 § 5. This act shall take effect immediately.

20

PART O

21 Section 1. Section 3 of part N of chapter 56 of the laws of 2020,
22 amending the social services law relating to restructuring financing for
23 residential school placements, as amended by section 1 of part G of
24 chapter 56 of the laws of 2024, is amended to read as follows:

25 § 3. This act shall take effect immediately [~~and shall expire and be~~
26 ~~deemed repealed April 1, 2025~~]; provided however that the amendments to
27 subdivision 10 of section 153 of the social services law made by section
28 one of this act, shall not affect the expiration of such subdivision and
29 shall be deemed to expire therewith.

30 § 2. This act shall take effect immediately and shall be deemed to
31 have been in full force and effect on and after April 1, 2025.

32

PART P

33 Section 1. The social services law is amended by adding a new section
34 390-n to read as follows:

35 § 390-n. Child care substitute pool. 1. Definitions. For the purposes
36 of this section, the following terms shall have the following meanings:

37 (a) "Child care substitute pool" shall mean a program implemented and
38 managed by the early care and learning council for the purpose of plac-
39 ing individuals as substitute caregivers at child day care centers,
40 group family day care homes, family day care homes, or school age child
41 care programs as defined in section three hundred ninety of this title
42 for the purpose of providing child day care.

43 (b) "Child care resource and referral" shall have the same meaning as
44 subdivision two of section four hundred ten-p of this article.

45 (c) "Substitute caregiver" shall mean an individual who meets all
46 requirements pursuant to this section to provide temporary or interim
47 care at any child day care centers, group family homes, family day care
48 homes, or school age child care programs which elect to utilize child
49 care substitute pools.

50 (d) "Child day care centers, group family day care homes, family day
51 care homes, and school age child care programs" shall have the same
52 meaning as section three hundred ninety of this title.

1 2. The office of children and family services shall be required to
2 monitor and regulate child care substitute pools and may issue any
3 rules, regulations, and/or guidance necessary to effectuate the imple-
4 mentation and administration of this section.

5 3.(a) Child care substitute pools shall be located within New York
6 state at locations approved in consultation with the office of children
7 and family services. Such child care substitute pools shall make efforts
8 to provide services throughout the state in varied geographic locations.

9 (b) Each child care substitute pool shall be responsible for recruit-
10 ment, training, and clearance and/or background checks of substitute
11 caregivers.

12 (c) All substitute caregivers must meet background check requirements
13 set forth in subdivision five of this section.

14 4. (a) Subject to appropriation, a child care substitute pool shall be
15 authorized to utilize child care resource and referral agencies for the
16 purposes of implementation and administration, in full or in part, of
17 oversight, approval, placement, and operation of placement of substitute
18 caregivers at child day care centers, group family day care homes, fami-
19 ly day care homes, or school age child care programs for the purpose of
20 providing child care.

21 (b) Any child day care centers, group family day care homes, family
22 day care homes, or school age child care programs which are registered,
23 certified and/or licensed by the office of children and family services
24 may elect to utilize caregivers provided by and through a child care
25 substitute pool pursuant to the section in accordance with program
26 requirements set by such child care substitute pool.

27 5. Prior to placing an individual as a substitute caregiver at a child
28 day care center, group family day care home, family day care home, or
29 school age child care program as defined in section three hundred ninety
30 of this title for the purpose of providing child day care, a child care
31 support center shall verify that the substitute caregiver has met the
32 following:

33 (a) standards and training requirements set forth in section three
34 hundred ninety-a of this title for child day care program employees;

35 (b) criminal history review and background clearance requirements of
36 section three hundred ninety-b of this title for prospective employees
37 of a child day care program; and

38 (c) any other requirements established by the regulations of the
39 office of children and family services.

40 6. The office of children and family services may revoke the ability
41 of a child care substitute pool to place substitute caregivers at any
42 child day care centers, group family day care homes, family day care
43 homes, or school age child care programs as defined in section three
44 hundred ninety of this title upon a determination that the child care
45 substitute pool has not operated in accordance with applicable state or
46 federal law.

47 7. In consultation with the office of children and family services,
48 child care substitute pools may utilize technology services, applica-
49 tions, and/or software for purposes including, but not limited to, coor-
50 dination and management of substitute caregivers.

51 § 2. Section 390-b of the social services law is amended by adding a
52 new subdivision 12 to read as follows:

53 12. A child care support substitute pool established pursuant to
54 section three hundred ninety-n of this title shall be authorized to
55 request clearances for substitute caregivers in accordance with this
56 section. Substitute caregivers shall be considered "prospective employ-

1 ees" of a child day care program under subparagraph (iii) of paragraph
2 (a) of subdivision two of this section.

3 § 3. This act shall take effect one year after it shall have become a
4 law. Effective immediately, the addition, amendment, and/or repeal of
5 any rule or regulation necessary for the implementation of this act on
6 its effective date are authorized to be made and completed on or before
7 such effective date.

8 PART Q

9 Section 1. This act shall be known and may be cited as the "baby bucks
10 allowance".

11 § 2. Legislative findings and intent. The legislature hereby finds and
12 declares that child poverty in New York city and cities across New York
13 state is shamefully high and will likely worsen if current economic
14 trends continue. Half of the top six cities in the United States with
15 the highest child poverty rates are in New York state, disproportionately
16 affecting communities and children of color. In New York city, nearly
17 1 in 4 children live in poverty. In Rochester and Buffalo, that number
18 is even higher: 1 in 2 children live in poverty.

19 The legislature hereby finds and declares that New Yorkers are unable
20 to cover their basic necessities and support their families, particular-
21 ly in the face of rising interest rates and inflation. Most notably, the
22 cost of childcare, which already consumes a massive portion of family
23 income, rose 41% during the pandemic, and the total cost of raising a
24 child through high school has risen to more than \$300,000, which is a
25 \$26,000 increase from five years ago and is likely to present a heavier
26 burden for low-income parents and families for whom expenses such as
27 food, housing, and gas comprise an even larger portion of their income.

28 The legislature hereby finds and declares there is overwhelming
29 evidence that the prenatal-to-three and early childhood development
30 period are critical for a child's future prospects and affects their
31 physical, mental, emotional and social outcomes over a lifetime. A
32 program targeting infants in this formative phase would help break the
33 intergenerational cycle of poverty rather than attempting to mitigate it
34 later on, creating a positive impact on children's lives and saving
35 government funds down the road.

36 The legislature hereby finds and declares it is proven that unre-
37 stricted cash is a direct and effective solution to alleviating poverty
38 and meeting needs for families. This was shown on a national level with
39 the overwhelming success of the expanded Child Tax Credit, which lifted
40 millions of children out of poverty with its monthly payments and led to
41 a 41% spike in child poverty the first month it expired. The unre-
42 stricted cash intervention further proved how an investment in the
43 earliest days of life can have multiplying effects: studies have found
44 that a permanent expansion of the expanded Child Tax Credit would have
45 generated 10 times as much revenue as it cost. New York state has
46 recently made a commitment through the Child Poverty Reduction Act in
47 December 2021 to reduce child poverty by 50% over the course of ten
48 years, with the support of the Child Poverty Reduction Advisory Council,
49 and there is an opportunity for unrestricted cash to support this goal
50 and help the state reach its target.

51 Therefore, the legislature hereby finds and declares that New York
52 state has an opportunity and obligation to invest in its most vulnerable
53 residents by leading the fight against childhood poverty, and toward an

1 equitable economy for all, through a guaranteed income program for
2 infants.

3 § 3. Article 6 of the social services law is amended by adding a new
4 title 4-C to read as follows:

5 TITLE 4-C

6 BABY BUCKS ALLOWANCE

7 Section 409-o. Baby bucks allowance.

8 § 409-o. Baby bucks allowance. 1. Within one year of the effective
9 date of this section, the department shall establish a baby bucks allow-
10 ance pilot program to support low-income families for three months of
11 pregnancy and eighteen months of a child's life. Such pilot program
12 shall be in effect for twenty-one months.

13 2. (a) The department, in coordination with local social services
14 districts, shall develop criteria that local social services districts
15 shall use to select a total of fifteen thousand eligible families for
16 participation in the program.

17 (b) Eligible individuals chosen for participation in the program shall
18 receive a subsidy of one thousand dollars per month for the last three
19 months of pregnancy and the first nine months of a child's life and five
20 hundred dollars per month for the last nine months of participation in
21 the program.

22 (c) The department shall allocate the necessary funds to local social
23 services districts for selected eligible selected participants.

24 (d) Monthly distributions shall be made by local social services
25 districts on the first of each month for the duration of the program to
26 the eligible selected participants.

27 3. Eligible participants shall:

28 (a) have an income which is below two hundred percent of the federal
29 poverty line. Such income shall be proven by providing one of the
30 following:

31 (i) a filed tax return from the previous year;

32 (ii) a letter from an employer documenting the dates of work of the
33 applicant and the yearly pay from the employer;

34 (iii) a W-2 or 1099 form from the previous tax year; or

35 (iv) a wage notice provided pursuant to section one hundred ninety-
36 five of the labor law that documents employment for a period of time
37 within six months prior to the date the applicant certifies that they
38 became eligible;

39 (b) participate in monthly surveys provided by the department; and

40 (c) meet any other criteria deemed necessary by the department.

41 4. Of the fifteen thousand eligible participants:

42 (a) Ten thousand participants shall reside in a city with a population
43 of one hundred forty thousand or more; and

44 (b) Five thousand participants shall reside in a rural area as defined
45 in section twenty-nine hundred fifty-one of the public health law.

46 5. The department, in coordination with local social services
47 districts, shall assist eligible participants with access to resources,
48 subsidy management, and anything else deemed necessary by the depart-
49 ment.

50 6. The department and local social services districts shall conduct a
51 monthly survey to determine the impact of the program. The department
52 shall prepare an interim report regarding the first twelve months of the
53 program which shall be completed by the eighteenth month of the program
54 and a final report shall be made no later than twelve months after the
55 completion of the twenty-one month program.

1 § 4. Paragraph (a) of subdivision 8 of section 131-a of the social
2 services law is amended by adding a new subparagraph (xiv) to read as
3 follows:

4 (xiv) any financial assistance received by individuals from the baby
5 bucks allowance. Such exemption and disregard shall be applicable for
6 the length of time the individual receives the allowance. The commis-
7 sioner shall seek federal waiver authority to disregard the income from
8 the baby bucks allowance for the purpose of the supplemental nutrition
9 assistance program.

10 § 5. This act shall take effect immediately.

11 PART R

12 Section 1. Paragraphs (a), (b), (c) and (d) of subdivision 1 of
13 section 131-o of the social services law, as amended by section 1 of
14 part H of chapter 56 of the laws of 2024, are amended to read as
15 follows:

16 (a) in the case of each individual receiving family care, an amount
17 equal to at least [~~\$181.00~~] \$186.00 for each month beginning on or after
18 January first, two thousand [~~twenty-four~~] twenty-five.

19 (b) in the case of each individual receiving residential care, an
20 amount equal to at least [~~\$208.00~~] \$213.00 for each month beginning on
21 or after January first, two thousand [~~twenty-four~~] twenty-five.

22 (c) in the case of each individual receiving enhanced residential
23 care, an amount equal to at least [~~\$249.00~~] \$255.00 for each month
24 beginning on or after January first, two thousand [~~twenty-four~~] twenty-
25 five.

26 (d) for the period commencing January first, two thousand [~~twenty-~~
27 ~~five~~] twenty-six, the monthly personal needs allowance shall be an
28 amount equal to the sum of the amounts set forth in subparagraphs one
29 and two of this paragraph:

30 (1) the amounts specified in paragraphs (a), (b) and (c) of this
31 subdivision; and

32 (2) the amount in subparagraph one of this paragraph, multiplied by
33 the percentage of any federal supplemental security income cost of
34 living adjustment which becomes effective on or after January first, two
35 thousand [~~twenty-five~~] twenty-six, but prior to June thirtieth, two
36 thousand [~~twenty-five~~] twenty-six, rounded to the nearest whole dollar.

37 § 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of
38 section 209 of the social services law, as amended by section 2 of part
39 H of chapter 56 of the laws of 2024, are amended to read as follows:

40 (a) On and after January first, two thousand [~~twenty-four~~]
41 twenty-five, for an eligible individual living alone, [~~\$1,030.00~~]
42 \$1,054.00; and for an eligible couple living alone, [~~\$1,519.00~~]
43 \$1,554.00.

44 (b) On and after January first, two thousand [~~twenty-four~~]
45 twenty-five, for an eligible individual living with others with or with-
46 out in-kind income, [~~\$966.00~~] \$990.00; and for an eligible couple living
47 with others with or without in-kind income, [~~\$1,461.00~~] \$1,496.00.

48 (c) On and after January first, two thousand [~~twenty-four~~]
49 twenty-five, (i) for an eligible individual receiving family care,
50 [~~\$1,209.48~~] \$1,233.48 if [~~he or she~~] such individual is receiving such
51 care in the city of New York or the county of Nassau, Suffolk, Westches-
52 ter or Rockland; and (ii) for an eligible couple receiving family care
53 in the city of New York or the county of Nassau, Suffolk, Westchester or
54 Rockland, two times the amount set forth in subparagraph (i) of this

1 paragraph; or (iii) for an eligible individual receiving such care in
 2 any other county in the state, [~~\$1,171.48~~] \$1,195.48; and (iv) for an
 3 eligible couple receiving such care in any other county in the state,
 4 two times the amount set forth in subparagraph (iii) of this paragraph.

5 (d) On and after January first, two thousand [~~twenty-four~~]
 6 twenty-five, (i) for an eligible individual receiving residential care,
 7 [~~\$1,378.00~~] \$1,402.00 if [~~he or she~~] such individual is receiving such
 8 care in the city of New York or the county of Nassau, Suffolk, Westches-
 9 ter or Rockland; and (ii) for an eligible couple receiving residential
 10 care in the city of New York or the county of Nassau, Suffolk, Westches-
 11 ter or Rockland, two times the amount set forth in subparagraph (i) of
 12 this paragraph; or (iii) for an eligible individual receiving such care
 13 in any other county in the state, [~~\$1,348.00~~] \$1,372.00; and (iv) for an
 14 eligible couple receiving such care in any other county in the state,
 15 two times the amount set forth in subparagraph (iii) of this paragraph.

16 (e) On and after January first, two thousand [~~twenty-four~~]
 17 twenty-five, (i) for an eligible individual receiving enhanced residen-
 18 tial care, [~~\$1,637.00~~] \$1,661.00; and (ii) for an eligible couple
 19 receiving enhanced residential care, two times the amount set forth in
 20 subparagraph (i) of this paragraph.

21 (f) The amounts set forth in paragraphs (a) through (e) of this subdivi-
 22 sion shall be increased to reflect any increases in federal supple-
 23 mental security income benefits for individuals or couples which become
 24 effective on or after January first, two thousand [~~twenty-five~~] twenty-
 25 six but prior to June thirtieth, two thousand [~~twenty-five~~] twenty-
 26 six.

§ 3. This act shall take effect December 31, 2025.

PART S

28 Section 1. Section 4 of part W of chapter 54 of the laws of 2016
 29 amending the social services law relating to the powers and duties of
 30 the commissioner of social services relating to the appointment of a
 31 temporary operator, as amended by section 1 of part T of chapter 56 of
 32 the laws of 2022, is amended to read as follows:

33 § 4. This act shall take effect immediately and shall be deemed to
 34 have been in full force and effect on and after April 1, 2016, provided
 35 further that this act shall expire and be deemed repealed March 31,
 36 [~~2025~~] 2028.

37 § 2. This act shall take effect immediately.

PART T

39 Section 1. Article 19-D of the labor law, as added by chapter 88 of
 40 the laws of 2021, is amended to read as follows:

ARTICLE 19-D

MINIMUM WAGE RATES FOR COVERED AIRPORT WORKERS

43 Section 696-a. Definitions.

- 44 [~~696-b. Certification to the commissioner,~~
- 45 ~~696-e.~~] 696-b. Minimum wage rate for covered airport workers.
- 46 [~~696-d.~~] 696-c. Commissioner's powers of investigation.
- 47 [~~696-e.~~] 696-d. Records of employers.
- 48 [~~696-f.~~] 696-e. Penalties.
- 49 [~~696-g.~~] 696-f. Civil action.
- 50 [~~696-h.~~] 696-g. Regulations.

1 ~~[696-i.]~~ 696-h. Savings clause.

2 § 696-a. Definitions. As used in this article: 1. "Covered airport
3 location" means John F. Kennedy International Airport ~~[and],~~ LaGuardia
4 Airport, and Stewart International Airport, or any location used to
5 perform ~~[airline catering]~~ work ~~[as such work is described in subpara-~~
6 ~~graph (iv) of paragraph (a) of subdivision two of this section]~~ related
7 to the preparation or delivery of food for consumption on airplanes
8 departing from John F. Kennedy International Airport, LaGuardia Airport,
9 or Stewart International Airport.

10 2. (a) "Covered airport worker" means any person employed to perform
11 work at a covered airport location ~~[provided at least one-half of the~~
12 ~~employee's time during any workweek is performed at a covered airport~~
13 ~~location and who works in one of the following covered categories:~~

14 ~~(i) Cleaning and related services, which shall mean:~~

15 ~~(1) building cleaning, including warehouse, kitchen, and terminal~~
16 ~~cleaning, including common areas, gateways, gates, lounges, clubs,~~
17 ~~concession areas, terminal entryways from ramp and where planes park at~~
18 ~~the gate, and other nearby facilities used for the preparation, packag-~~
19 ~~ing, and storage of inflight meals and supplies; and~~

20 ~~(2) aircraft and cabin cleaning, including lavatory and water disposal~~
21 ~~and replenishment, lift truck driving and helping, dispatching, cleaning~~
22 ~~crew driving, and sorting and packing of inflight materials, such as~~
23 ~~blankets, pillows, and magazines;~~

24 ~~(ii) Security related services, including catering security, escort-~~
25 ~~ing, escort security, passenger aircraft security, fire guarding, termi-~~
26 ~~nal security, baggage security, traffic security, cargo screening,~~
27 ~~including guarding, warehouse security, concessions and airport lounge~~
28 ~~security, security dispatch, and security at nearby facilities used for~~
29 ~~the preparation, packaging, and storage of inflight meals; or~~

30 ~~(iii) In terminal and passenger handling services, including baggage~~
31 ~~handling, sky cap services, wheelchair attending, wheelchair dispatch-~~
32 ~~ing, customer and passenger services, line queue, identification check-~~
33 ~~ing, porter services for baggage, and passenger and employee shuttle~~
34 ~~driving.~~

35 ~~(iv) Airline catering, including work related to the preparation or~~
36 ~~delivery of food or beverage for consumption on airplanes departing from~~
37 ~~a covered airport location or related location; or~~

38 ~~(v) Airport lounge services, including food and retail services].~~

39 "Covered airport worker" shall, for any week, include an employee work-
40 ing at a covered airport location during that week for less than thirty
41 hours.

42 (b) "Covered airport worker" shall not include ~~[anyone who works in~~
43 ~~one of the following non-covered categories:~~

44 ~~(i) Non-cleaning and security related cargo and ramp services, includ-~~
45 ~~ing ramp baggage and cargo handling, load control and ramp communi-~~
46 ~~cation, aircraft mechanics and fueling of aircraft, provision of cool-~~
47 ~~ing, heating, and power, passenger aircraft servicing, cabin equipment~~
48 ~~maintenance, guiding aircraft in and out of gates, and gate side~~
49 ~~aircraft maintenance;~~

50 ~~(ii) Ramp and tarmac maintenance services, including operation of snow~~
51 ~~plows, ramp cleaning vehicles, and tarmac sweepers;~~

52 ~~(iii) Concession services, including food service, which includes food~~
53 ~~and beverage service, wait service, and cashiers, and retail service,~~
54 ~~which includes news, and gifts, and duty-free;~~

55 ~~(c) "Covered airport worker" shall not include direct employees of the~~
56 ~~Port Authority of New York and New Jersey, or any workers hired by~~

1 ~~companies contracted by the Port Authority of New York and New Jersey,~~
2 ~~that are performing work under such contract] persons employed in an
3 executive, administrative, or professional capacity as defined in
4 subparagraph one of paragraph (a) of section thirteen of the Fair Labor
5 Standards Act of 1938 (29 U.S.C. s.213 et seq.), or persons employed by
6 the Port Authority of New York and New Jersey or any other governmental
7 agency.~~

8 [~~(d) Covered airport worker shall include only:~~

9 ~~(i) Employees employed at a covered airport location on December thir-~~
10 ~~tieth, two thousand twenty and who are working an average of at least~~
11 ~~thirty hours per week; and~~

12 ~~(ii) Employees employed at a covered airport location on or after~~
13 ~~January first, two thousand twenty three and who are working for an~~
14 ~~average of thirty hours per week.~~

15 ~~(e) "Covered airport worker" shall also not include persons employed~~
16 ~~in an executive, administrative, or professional capacity as defined in~~
17 ~~subparagraph one of paragraph (a) of section thirteen of the Fair Labor~~
18 ~~Standards Act of 1938.]~~

19 3. "Successor airport employer" means any [~~person who furnishes clean-~~
20 ~~ing and related services, security related services, in terminal and~~
21 ~~passenger handling services, airline catering, or airport lounge~~
22 ~~services] employer that employs covered airport workers who provide
23 services at a covered airport location that are substantially similar to
24 those that were provided by covered airport workers previously employed
25 by another employer at such covered airport location.~~

26 4. "Employer" means any person, corporation, limited liability compa-
27 ny, or association employing any individual in an occupation, industry,
28 trade, business or service. The term "employer" shall not include a
29 governmental agency.

30 5. [~~The "standard wage rate" means the greater of:~~

31 ~~(a) any minimum wage rate that would be otherwise applicable to~~
32 ~~covered airport workers established by article nineteen of this chapter,~~
33 ~~or~~

34 ~~(b) any otherwise applicable minimum wage rate established through a~~
35 ~~policy of the Port Authority of New York and New Jersey] The "applicable
36 standard rate" means the wage and benefit rates designated by the
37 commissioner based on the determinations made by the General Services
38 Administration pursuant to the federal McNamara-O'Hara Service Contract
39 Act of 1965 (41 U.S.C. 6701 et seq.), for the appropriate localities and
40 classifications of building service employees; provided, however, that
41 in no event shall the prevailing wage rate applicable to a covered
42 airport worker on and after January first, two thousand twenty-five and
43 every year thereafter be less than the following:~~

44 (a) any otherwise applicable minimum wage rate established through a
45 regulation of the Port Authority of New York and New Jersey; and

46 (b) an amount of supplemental wages or a supplemental healthcare
47 contribution equal to the rate for health and welfare for all occupa-
48 tions, designated by the commissioner based on the determinations made
49 by the federal department of labor pursuant to the McNamara-O'Hara
50 Service Contract Act of 1965 (41 U.S.C. 6701 et seq.) for the geographic
51 region in which the covered airport location is situated and in effect
52 on the date of the designation by the commissioner; and

53 (c) paid leave equal to the paid leave requirements designated by the
54 commissioner the immediately preceding January first, based on the
55 determinations made by the General Services Administration pursuant to

1 the McNamara-O'Hara Service Contract Act of 1965 (41 U.S.C. 6701 et
2 seq.).

3 ~~6. [The "standard benefits supplement rate" means an hourly supplement~~
4 ~~of four dollars and fifty-four cents furnished to an employee by provid-~~
5 ~~ing at least four dollars and fifty-four cents per hour toward the cost~~
6 ~~of minimum essential coverage under an eligible employer sponsored plan~~
7 ~~as defined in treasury regulation section 1.5000A-2(c)(1) beginning on~~
8 ~~July first, two thousand twenty one. The standard benefits supplement~~
9 ~~rate shall apply only to the first forty hours worked by each covered~~
10 ~~airport worker in each week and shall not apply to any overtime hours~~
11 ~~worked by any covered airport worker. The standard benefits supplement~~
12 ~~rate shall apply to any paid leave taken by a covered airport worker~~
13 ~~that does not exceed forty hours in a week] "Commissioner" means the~~
14 commissioner of labor of the state of New York.

15 ~~[7. The "applicable standard rate" shall mean a combination of (a) the~~
16 ~~standard wage rate, and (b) the standard benefits supplemental rate.~~

17 ~~§ 696-b. Certification to the commissioner. 1. No later than March~~
18 ~~thirty-first, two thousand twenty one, each employer of a covered~~
19 ~~airport worker shall submit to the commissioner a sworn statement certi-~~
20 ~~fying the total number of workers employed by such employer at a covered~~
21 ~~airport location to perform cleaning and related services, security~~
22 ~~related services, in terminal and passenger handling services, airline~~
23 ~~catering, or airport lounge services, at a covered airport location on~~
24 ~~December thirtieth, two thousand twenty, and identifying the number that~~
25 ~~is equal to eighty percent of such total number of employees, which~~
26 ~~shall be the December thirtieth, two thousand twenty benchmark for the~~
27 ~~purposes of this section. Such statement shall further include an affir-~~
28 ~~mation that such employer will ensure that the number of covered airport~~
29 ~~workers it employs at a covered airport location between July first, two~~
30 ~~thousand twenty one and December thirty-first, two thousand twenty two~~
31 ~~is no less than the December thirtieth, two thousand twenty benchmark.~~
32 ~~Such sworn statement shall be provided by the commissioner upon request~~
33 ~~by any airport worker performing cleaning and related services, security~~
34 ~~related services, in terminal and passenger handling services, airline~~
35 ~~catering, or airport lounge services, at a covered airport location or~~
36 ~~any representative of such airport workers. Prior to employing any~~
37 ~~airport workers to perform cleaning and related services, security~~
38 ~~related services, in terminal and passenger handling services, airline~~
39 ~~catering, or airport lounge services, at a covered airport location, any~~
40 ~~successor airport employer shall obtain the applicable December thirti-~~
41 ~~eth, two thousand twenty benchmark from the commissioner and submit to~~
42 ~~the commissioner an affirmation that such employer will ensure that the~~
43 ~~number of covered airport workers it employs at a covered airport~~
44 ~~location between July first, two thousand twenty one and December thir-~~
45 ~~ty-first, two thousand twenty two is no less than the December thirti-~~
46 ~~eth, two thousand twenty benchmark.~~

47 ~~2. Each employer of any covered airport worker employed at a covered~~
48 ~~airport location on or after January first, two thousand twenty three~~
49 ~~shall submit to the commissioner, in a form and manner proscribed by the~~
50 ~~commissioner, a sworn statement affirming that such employer will~~
51 ~~ensure, where applicable, that the proportion of covered airport workers~~
52 ~~in each classification it employs to work an average of at least thirty~~
53 ~~hours per week at a covered airport location is the same as such propor-~~
54 ~~tion was compared to all workers in the same classification working at~~
55 ~~such covered airport location in the calendar year two thousand nineteen~~
56 ~~workforce. The commissioner shall publish a list of all covered classi-~~

~~fications with the corresponding proportions of all workers employed to work an average of at least thirty hours a week compared to all workers in the same classification employed to work at each covered airport location in the calendar year two thousand nineteen. The commissioner shall be empowered to promulgate rules or regulations to determine the method and accounting for such information and to verify its accuracy, including the ability to establish a presumed proportion where records are missing or unavailable and provided further that such full-time levels shall be no less than such December thirtieth, two thousand twenty benchmark. If such proportion is not maintained, consistent with such rules or regulations promulgated by the commissioner, then the hours worked by such part time workers, which are outside of such proportion, shall be subject to the provisions of this section as if they worked an average of at least thirty hours per week at a covered airport location and were otherwise a covered airport worker.~~

~~3. Each employer of a covered airport worker employed at a covered airport location on December thirtieth, two thousand twenty and who is working an average of at least thirty hours per week shall provide such covered airport worker the ability to begin or change enrollment in an eligible employer-sponsored plan as defined in treasury regulation section 1.5000A-2(e)(1) for coverage beginning on July first, two thousand twenty one.~~

~~4. Each employer of any other covered airport worker at a covered airport location shall provide such covered airport worker the ability to begin or change enrollment in an eligible employer-sponsored plan as defined in treasury regulation section 1.5000A-2(e)(1) for coverage beginning no later than thirty days after becoming a covered airport worker.~~

§ [~~696-a.~~] 696-b. Minimum wage rate for covered airport workers. All [~~covered~~] employers at a covered airport location shall ensure that every covered airport worker is compensated at a rate that is no less than the applicable standard rate. Nothing in this article shall alter or limit any employer's obligation to pay any otherwise applicable prevailing wage under article eight or nine of this chapter.

§ [~~696-d.~~] 696-c. Commissioner's powers of investigation. The commissioner or [~~his or her~~] such commissioner's authorized representative shall have the power to:

1. investigate the compensation of covered airport workers in the state;

2. enter the place of business or employment of any employer for the purpose of (a) examining and inspecting any and all books, registers, payrolls, and other records that in any way relate to or have a bearing upon the compensation provided to, or the hours worked by any employees, and (b) ascertaining whether the provisions of this article and the rules and regulations promulgated hereunder are being complied with; and

3. require from any employer full and correct statements and reports in writing, at such times as the commissioner may deem necessary, of the compensation provided to and the hours by such employer's employees.

§ [~~696-e.~~] 696-d. Records of employers. For every employee covered by this article, every employer shall establish, maintain, and preserve for not less than six years contemporaneous, true, and accurate payroll records showing for each week worked the hours worked, the compensation provided, plus such other information as the commissioner deems material and necessary. For all covered airport workers who are not exempt from overtime compensation as established in the commissioner's minimum wage orders or otherwise provided by law, rule, or regulation, the payroll

1 records shall include the compensation provided and the regular hourly
2 rate or rates of pay, the overtime rate or rates of pay, the number of
3 regular hours worked, the number of overtime hours worked and the cost
4 of benefits and/or benefit supplements. On demand, the employer shall
5 furnish to the commissioner or [~~his or her~~] such commissioner's duly
6 authorized representative a sworn statement of the hours worked, rate or
7 rates of compensation, for each covered airport worker, plus such other
8 information as the commissioner deems material and necessary. Every
9 employer shall keep such records open to inspection by the commissioner
10 or [~~his or her~~] such commissioner's duly authorized representative at
11 any reasonable time. Every employer of a covered airport worker shall
12 keep a digest and summary of this article which shall be prepared by the
13 commissioner, posted in a conspicuous place in [~~his or her~~] their estab-
14 lishment and shall also keep posted such additional copies of said
15 digest and summary as the commissioner prescribes. Employers shall, on
16 request, be furnished with copies of this article and of orders, and of
17 digests and summaries thereof, without charge. Employers shall permit
18 the commissioner or [~~his or her~~] such commissioner's duly authorized
19 representative to question without interference any employee of such
20 employer in a private location at the place of employment and during
21 working hours in respect to the wages paid to and the hours worked by
22 such employee or other employees.

23 § [~~696-f.~~] 696-e. Penalties. 1. If the commissioner finds that any
24 employer has violated any provision of this article or of a rule or
25 regulation promulgated thereunder, the commissioner may, after an oppor-
26 tunity for a hearing, and by an order which shall describe particularly
27 the nature of the violation, assess the employer a civil penalty of not
28 more than ten thousand dollars for the first such violation within six
29 years, not more than twenty thousand dollars for a second violation
30 within six years and not more than fifty thousand dollars for a third or
31 subsequent violation within six years. Such penalty shall be paid to the
32 commissioner for deposit in the treasury of the state. In assessing the
33 amount of the penalty, the commissioner shall give due consideration to
34 the size of the employer's business, the good faith [~~of the employer~~]
35 basis of the employer to believe that its conduct was in compliance with
36 the law, the gravity of the violation, the history of previous
37 violations and the failure to comply with record-keeping or other
38 requirements.

39 2. Any order issued under subdivision one of this section shall be
40 deemed a final order of the commissioner and not subject to review by
41 any court or agency unless the employer files a petition with the indus-
42 trial board of appeals for a review of the order, pursuant to section
43 one hundred one of this chapter.

44 3. The civil penalty provided for in this section shall be in addition
45 to and may be imposed concurrently with any other remedy or penalty
46 provided for in this chapter.

47 4. Upon a showing by an employee organization, the commissioner may
48 investigate by examining payroll records whether an employer withheld
49 hours of work to employees for the purpose of reducing the employer's
50 obligations under this article. If, after the opportunity for a hearing,
51 the commissioner determines that an employer withheld hours of work to
52 employees for the purpose of reducing the employer's obligations under
53 this article, the commissioner may, in addition to any other penalty
54 available, also require that the employer pay the [~~standard benefits~~
55 supplement] applicable standard rate to all of the employer's employees,
56 regardless of the number of hours worked by the employees.

1 § [~~696-g.~~ 696-f. Civil action. 1. On behalf of any employee paid
2 less than the applicable standard rate to which the employee is entitled
3 under the provisions of this article, the commissioner may bring any
4 legal action necessary, including administrative action, to collect such
5 claim, and the employer shall be required to pay the full amount of the
6 underpayment, plus costs, and unless the employer proves a good faith
7 basis to believe that its underpayment was in compliance with the law,
8 an additional amount as liquidated damages. Liquidated damages shall be
9 calculated by the commissioner as no more than one hundred percent of
10 the total amount of underpayments found to be due the employee. In any
11 action brought by the commissioner in a court of competent jurisdiction,
12 liquidated damages shall be calculated as an amount equal to one hundred
13 percent of underpayments found to be due the employee.

14 2. Notwithstanding any other provision of law, an action to recover
15 upon a liability imposed by this article must be commenced within six
16 years. The statute of limitations shall be tolled from the date an
17 employee files a complaint with the commissioner or the commissioner
18 commences an investigation, whichever is earlier, until an order to
19 comply issued by the commissioner becomes final, or where the commis-
20 sioner does not issue an order, until the date on which the commissioner
21 notifies the complainant that the investigation has concluded.

22 3. In any civil action by the commissioner, the commissioner shall
23 have the right to collect attorneys' fees and costs incurred in enforc-
24 ing any court judgment. Any judgment or court order awarding remedies
25 under this section shall provide that if any amounts remain unpaid upon
26 the expiration of ninety days following issuance of judgment, or ninety
27 days after expiration of the time to appeal and no appeal therefrom is
28 then pending, whichever is later, the total amount of judgment shall
29 automatically increase by fifteen percent.

30 § [~~696-h.~~ 696-g. Regulations. [~~1.~~] The commissioner may promulgate
31 such regulations as [~~he or she~~] such commissioner deems appropriate to
32 carry out the purposes of this article and to safeguard minimum compen-
33 sation standards.

34 § [~~696-i.~~ 696-h. Savings clause. 1. If any provision of this article
35 or the application thereof to any person, occupation or circumstance is
36 held invalid, the remainder of the article and the application of such
37 provision to other persons, employees, occupations, or circumstances
38 shall not be affected thereby.

39 2. If any clause, sentence, paragraph, subdivision, section or part of
40 this article shall be adjudged by any court of competent jurisdiction to
41 be invalid, such judgment shall not affect, impair, or invalidate the
42 remainder thereof, but shall be confined in its operation to the clause,
43 sentence, paragraph, subdivision, section or part thereof directly
44 involved in the controversy in which such judgment shall have been
45 rendered. It is hereby declared to be the intent of the legislature that
46 this article would have been enacted even if such invalid provisions had
47 not been included herein.

48 [~~3. If section six hundred ninety six a, section six hundred ninety~~
49 ~~six b, or section six hundred ninety six c of this article or any~~
50 ~~portion thereof shall be adjudged, whether by final judgment, a tempo-~~
51 ~~rary restraining order, or a preliminary injunction, by any court of~~
52 ~~competent jurisdiction to be preempted by federal law, then the "stand-~~
53 ~~ard benefits supplement rate" defined in subdivision six of section six~~
54 ~~hundred ninety six a of this article shall immediately mean the follow-~~
55 ~~ing:~~

~~(a) An hourly supplement of four dollars and fifty four cents furnished to an employee by providing at least four dollars and fifty four cents per hour beginning on July first, two thousand twenty one in one of the following ways: (i) in the form of health and/or other benefits, not including paid leave, that cost the employer the entire required hourly supplemental amount; (ii) by providing a portion of the required hourly supplement in the form of health and/or other benefits, not including paid leave, and the balance in cash; or (iii) by providing the entire supplement in cash.~~

~~(b) The value of such supplement shall be no less than four dollars and fifty four cents per hour.~~

~~(c) The standard benefits supplement rate shall apply only to the first forty hours worked by each covered airport worker in each week and shall not apply to any overtime hours worked by any covered airport worker.~~

~~(d) The standard benefits supplement rate shall apply to any paid leave taken by a covered airport worker that does not exceed forty hours in a week.~~

~~4. If section six hundred ninety six a, section six hundred ninety six b, or section six hundred ninety six c of this article or any portion thereof shall be adjudged by any preliminary relief, including a temporary restraining order or a preliminary injunction, by any court of competent jurisdiction to be preempted by federal law but is later adjudged by the same court not to be preempted by federal law in a final judgment, then the definition of "standard benefits supplement rate" shall immediately revert to the definition stated in subdivision six of section six hundred ninety six a of this article.]~~

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

PART U

Intentionally Omitted

PART V

Section 1. Subdivision 3 of section 218 of the labor law, as amended by chapter 2 of the laws of 2015, is amended to read as follows:

3. (a) Provided that no proceeding for administrative or judicial review as provided in this chapter shall then be pending and the time for initiation of such proceeding shall have expired, the commissioner may file with the county clerk of the county where the employer resides or has a place of business the order of the commissioner, or the decision of the industrial board of appeals containing the amount found to be due including the civil penalty, if any, and at the commissioner's discretion, an additional fifteen percent damages upon any outstanding monies owed. ~~[A]~~ Notwithstanding any provision to the contrary, in execution of any order or decision filed by the commissioner pursuant to this section, the commissioner shall have all the powers conferred upon sheriffs by article twenty-five of the civil practice law and rules, but the commissioner shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. Additionally, at the request of an employee, the commissioner shall assign, without consideration or liability, that portion of the filed order that constitutes wages, wage supplements, interest on wages or wage supple-

1 ments, or liquidated damages due that employee, to that employee and may
2 file an assignment or order in that amount in the name of that employee
3 with the county clerk of the county where the employer resides or has a
4 place of business. The filing of such assignment, order or decision
5 shall have the full force and effect of a judgment duly docketed in the
6 office of such clerk. The assignment[~~, order or decision~~] may be
7 enforced [~~by and in the name of the commissioner, or~~] by the employee[~~,~~]
8 in the same manner, and with like effect, as that prescribed by the
9 civil practice law and rules for the enforcement of a money judgment.

10 (b) In addition and as an alternative to any other remedy provided by
11 this section and provided that no proceeding for administrative or judi-
12 cial review as provided in this chapter shall then be pending and the
13 time for initiation of such proceeding shall have expired, the commis-
14 sioner may issue a warrant under the commissioner's official seal,
15 directed to the sheriff of any county, commanding the sheriff to levy
16 upon and sell the real and personal property that may be found within
17 the sheriff's county of an employer who has defaulted in the payment of
18 any sum determined to be due from such employer for the payment of such
19 sum together with interest, penalties, and the cost of executing the
20 warrant, and to return such warrant to the commissioner and to pay into
21 the fund the money collected by virtue thereof within sixty days after
22 the receipt of such warrant. The sheriff shall, within five days after
23 the receipt of the warrant, file with the clerk of the county a copy
24 thereof, and thereupon such clerk shall enter in the judgment docket the
25 name of the employer mentioned in the warrant and the amount of the
26 contribution, interest, and penalties for which the warrant is issued
27 and the date when such copy is filed. Thereupon the amount of such
28 warrant so docketed shall become a lien upon the title to and interest
29 in real property and chattels of the employer against whom the warrant
30 is issued in the same manner as a judgment duly docketed in the office
31 of such clerk. The sheriff shall then proceed upon the warrant in the
32 same manner, and with like effect, as that provided by law in respect to
33 executions issued against property upon judgments of a court of record,
34 and the sheriff shall be entitled to the same fees, which they may
35 collect in the same manner, for the sheriff's services in executing the
36 warrant.

37 (c) In the discretion of the commissioner, a warrant of like terms,
38 force, and effect may be issued and directed to any officer or employee
39 of the department of labor who may file a copy of such warrant with the
40 clerk of any county in the state, and thereupon each such clerk shall
41 docket it and it shall become a lien in the same manner and with the
42 same force and effect as hereinbefore provided with respect to a warrant
43 issued and directed to and filed by a sheriff; and in the execution
44 thereof such officer or employee shall have all the powers conferred by
45 law upon sheriffs, but they shall be entitled to no fee or compensation
46 in excess of the actual expenses paid in the performance of such duty.
47 If a warrant is returned not satisfied in full, the commissioner shall
48 have the same remedies to enforce the amount thereof as if the commis-
49 sioner had recovered judgment for the same.

50 § 2. Subdivision 3 of section 219 of the labor law, as amended by
51 chapter 2 of the laws of 2015, is amended to read as follows:

52 3. (a) Provided that no proceeding for administrative or judicial
53 review as provided in this chapter shall then be pending and the time
54 for initiation of such proceeding shall have expired, the commissioner
55 may file with the county clerk of the county where the employer resides
56 or has a place of business the order of the commissioner or the decision

1 of the industrial board of appeals containing the amount found to be
2 due, including, at the commissioner's discretion, an additional fifteen
3 percent damages upon any outstanding monies owed. [~~At~~] Notwithstanding
4 any provision to the contrary, in execution of any order or decision
5 filed by the commissioner pursuant to this section, the commissioner
6 shall have all the powers conferred upon sheriffs by article twenty-five
7 of the civil practice law and rules, but the commissioner shall be enti-
8 itled to no fee or compensation in excess of the actual expenses paid in
9 the performance of such duty. Additionally, at the request of an employ-
10 ee, the commissioner shall assign, without consideration or liability,
11 that portion of the filed order that constitutes wages, wage supple-
12 ments, interest on wages or wage supplements, or liquidated damages due
13 the employee, to that employee and may file an assignment or order in
14 that amount in the name of such employee with the county clerk of the
15 county where the employer resides or has a place of business. The filing
16 of such assignment, order or decision shall have the full force and
17 effect of a judgment duly docketed in the office of such clerk. The
18 assignment[~~, order or decision~~] may be enforced [~~by and in the name of~~
19 ~~the commissioner, or~~] by the employee[~~,~~] in the same manner, and with
20 like effect, as that prescribed by the civil practice law and rules for
21 the enforcement of a money judgment.

22 (b) In addition and as an alternative to any other remedy provided by
23 this section and provided that no proceeding for administrative or judi-
24 cial review as provided in this chapter shall then be pending and the
25 time for initiation of such proceeding shall have expired, the commis-
26 sioner may issue a warrant under the official seal of the commissioner,
27 directed to the sheriff of any county, commanding the sheriff to levy
28 upon and sell the real and personal property that may be found within
29 the sheriff's county of an employer who has defaulted in the payment of
30 any sum determined to be due from such employer for the payment of such
31 sum together with interest, penalties, and the cost of executing the
32 warrant, and to return such warrant to the commissioner and to pay into
33 the fund the money collected by virtue thereof within sixty days after
34 the receipt of such warrant. The sheriff shall, within five days after
35 the receipt of the warrant, file with the clerk of the county a copy
36 thereof, and thereupon such clerk shall enter in the judgment docket the
37 name of the employer mentioned in the warrant and the amount of the
38 contribution, interest, and penalties for which the warrant is issued
39 and the date when such copy is filed. Thereupon the amount of such
40 warrant so docketed shall become a lien upon the title to and interest
41 in real property and chattels of the employer against whom the warrant
42 is issued in the same manner as a judgment duly docketed in the office
43 of such clerk. The sheriff shall then proceed upon the warrant in the
44 same manner, and with like effect, as that provided by law in respect to
45 executions issued against property upon judgments of a court of record,
46 and the sheriff shall be entitled to the same fees, which they may
47 collect in the same manner, for the sheriff's services in executing the
48 warrant.

49 (c) In the discretion of the commissioner, a warrant of like terms,
50 force, and effect may be issued and directed to any officer or employee
51 of the department of labor who may file a copy of such warrant with the
52 clerk of any county in the state, and thereupon each such clerk shall
53 docket it and it shall become a lien in the same manner and with the
54 same force and effect as hereinbefore provided with respect to a warrant
55 issued and directed to and filed by a sheriff; and in the execution
56 thereof such officer or employee shall have all the powers conferred by

1 law upon sheriffs, but they shall be entitled to no fee or compensation
2 in excess of the actual expenses paid in the performance of such duty.
3 If a warrant is returned not satisfied in full, the commissioner shall
4 have the same remedies to enforce the amount thereof as if the commis-
5 sioner had recovered judgment for the same.

6 § 2-a. Subdivision 5 of section 6201 of the civil practice law and
7 rules, as amended by chapter 860 of the laws of 1977 and as renumbered
8 by chapter 618 of the laws of 1992, is amended and a new subdivision 6
9 is added to read as follows:

10 5. the cause of action is based on a judgment, decree or order of a
11 court of the United States or of any other court which is entitled to
12 full faith and credit in this state, or on a judgment which qualifies
13 for recognition under the provisions of article 53[+] of this chapter;
14 or

15 6. the cause of action is based on wage claims. "Wage claims," when
16 used in this chapter, shall include any claims of violations of articles
17 five, six, and nineteen of the labor law, section two hundred fifteen of
18 the labor law, and the related regulations or wage orders promulgated by
19 the commissioner of labor, including but not limited to any claims of
20 unpaid, minimum, overtime, and spread-of-hours pay, unlawfully retained
21 gratuities, unlawful deductions from wages, unpaid commissions, unpaid
22 benefits and wage supplements, and retaliation, and any claims pursuant
23 to 18 U.S.C. § 1595, 29 U.S.C. § 201 et seq., and/or employment contract
24 as well as the concomitant liquidated damages and penalties authorized
25 pursuant to the labor law, the Fair Labor Standards Act, or any employ-
26 ment contract.

27 § 2-b. Section 6210 of the civil practice law and rules, as added by
28 chapter 860 of the laws of 1977, is amended to read as follows:

29 § 6210. Order of attachment on notice; temporary restraining order;
30 contents. Upon a motion on notice for an order of attachment, the court
31 may, without notice to the defendant, grant a temporary restraining
32 order prohibiting the transfer of assets by a garnishee as provided in
33 subdivision (b) of section 6214. When attachment is sought pursuant to
34 subdivision six of section 6201, and if the employer contests the
35 motion, the court shall hold a hearing within ten days of when the
36 employer's response to plaintiffs' motion for attachment is due. The
37 contents of the order of attachment granted pursuant to this section
38 shall be as provided in subdivision (a) of section 6211.

39 § 2-c. Subdivision (b) of section 6211 of the civil practice law and
40 rules, as amended by chapter 566 of the laws of 1985, is amended to read
41 as follows:

42 (b) Confirmation of order. Except where an order of attachment is
43 granted on the ground specified in subdivision one or six of section
44 6201, an order of attachment granted without notice shall provide that
45 within a period not to exceed five days after levy, the plaintiff shall
46 move, on such notice as the court shall direct to the defendant, the
47 garnishee, if any, and the sheriff, for an order confirming the order of
48 attachment. Where an order of attachment without notice is granted on
49 the ground specified in subdivision one or six of section 6201, the
50 court shall direct that the statement required by section 6219 be served
51 within five days, that a copy thereof be served upon the plaintiff, and
52 the plaintiff shall move within ten days after levy for an order
53 confirming the order of attachment. If the plaintiff upon such motion
54 shall show that the statement has not been served and that the plaintiff
55 will be unable to satisfy the requirement of subdivision (b) of section
56 6223 until the statement has been served, the court may grant one exten-

1 sion of the time to move for confirmation for a period not to exceed ten
2 days. If plaintiff fails to make such motion within the required period,
3 the order of attachment and any levy thereunder shall have no further
4 effect and shall be vacated upon motion. Upon the motion to confirm, the
5 provisions of subdivision (b) of section 6223 shall apply. An order of
6 attachment granted without notice may provide that the sheriff refrain
7 from taking any property levied upon into [~~his~~] their actual custody,
8 pending further order of the court.

9 § 2-d. Subdivisions (b) and (e) of rule 6212 of the civil practice law
10 and rules, subdivision (b) as separately amended by chapters 15 and 860
11 of the laws of 1977 and subdivision (e) as added by chapter 860 of the
12 laws of 1977, are amended to read as follows:

13 (b) Undertaking. [~~On~~] 1. Except where an order of attachment is sought
14 on the ground specified in subdivision six of section 6201, on a motion
15 for an order of attachment, the plaintiff shall give an undertaking, in
16 a total amount fixed by the court, but not less than five hundred
17 dollars, a specified part thereof conditioned that the plaintiff shall
18 pay to the defendant all costs and damages, including reasonable attor-
19 ney's fees, which may be sustained by reason of the attachment if the
20 defendant recovers judgment or if it is finally decided that the plain-
21 tiff was not entitled to an attachment of the defendant's property, and
22 the balance conditioned that the plaintiff shall pay to the sheriff all
23 of [~~his~~] their allowable fees.

24 2. On a motion for an attachment pursuant to subdivision six of
25 section 6201, the court shall order that the plaintiff give an accessi-
26 ble undertaking of no more than five hundred dollars, or in the alterna-
27 tive, may waive the undertaking altogether. The attorney for the plain-
28 tiff shall not be liable to the sheriff for such fees. The surety on the
29 undertaking shall not be discharged except upon notice to the sheriff.

30 (e) Damages. [~~The~~] Except where an order of attachment is sought on
31 the ground specified in subdivision six of section 6201, the plaintiff
32 shall be liable to the defendant for all costs and damages, including
33 reasonable attorney's fees, which may be sustained by reason of the
34 attachment if the defendant recovers judgment, or if it is finally
35 decided that the plaintiff was not entitled to an attachment of the
36 defendant's property. Plaintiff's liability shall not be limited by the
37 amount of the undertaking.

38 § 2-e. Paragraph (b) of section 624 of the business corporation law,
39 as amended by chapter 449 of the laws of 1997, is amended to read as
40 follows:

41 (b) Any person who shall have been a shareholder of record of a corpo-
42 ration, or who is or shall have been a laborer, servant or employee,
43 upon at least five days' written demand shall have the right to examine
44 in person or by agent or attorney, during usual business hours, its
45 minutes of the proceedings of its shareholders and record of sharehold-
46 ers and to make extracts therefrom for any purpose reasonably related to
47 such person's interest as a shareholder, laborer, servant or employee,
48 provided the purpose reasonably related to a person's interest as a
49 laborer, servant or employee shall be to obtain the names, addresses,
50 and value of shareholders' interests in the corporation. Holders of
51 voting trust certificates representing shares of the corporation shall
52 be regarded as shareholders for the purpose of this section. Any such
53 agent or attorney shall be authorized in a writing that satisfies the
54 requirements of a writing under paragraph (b) of section 609 (Proxies).
55 A corporation requested to provide information pursuant to this para-
56 graph shall make available such information in written form and in any

1 other format in which such information is maintained by the corporation
2 and shall not be required to provide such information in any other
3 format. If a request made pursuant to this paragraph includes a request
4 to furnish information regarding beneficial owners, the corporation
5 shall make available such information in its possession regarding bene-
6 ficial owners as is provided to the corporation by a registered broker
7 or dealer or a bank, association or other entity that exercises fiduciary
8 powers in connection with the forwarding of information to such
9 owners. The corporation shall not be required to obtain information
10 about beneficial owners not in its possession.

11 § 2-f. Section 630 of the business corporation law, paragraph (a) as
12 amended by chapter 5 of the laws of 2016, paragraph (c) as amended by
13 chapter 746 of the laws of 1963, is amended to read as follows:

14 § 630. Liability of shareholders for wages due to laborers, servants or
15 employees.

16 (a) The ten largest shareholders, as determined by the fair value of
17 their beneficial interest as of the beginning of the period during which
18 the unpaid services referred to in this section are performed, of every
19 domestic corporation or of any foreign corporation, when the unpaid
20 services were performed in the state, no shares of which are listed on a
21 national securities exchange or regularly quoted in an over-the-counter
22 market by one or more members of a national or an affiliated securities
23 association, shall jointly and severally be personally liable for all
24 debts, wages or salaries due and owing to any of its laborers, servants
25 or employees other than contractors, for services performed by them for
26 such corporation. [~~Before such laborer, servant or employee shall charge
27 such shareholder for such services, he shall give notice in writing to
28 such shareholder that he intends to hold him liable under this section.
29 Such notice shall be given within one hundred and eighty days after
30 termination of such services, except that if, within such period, the
31 laborer, servant or employee demands an examination of the record of
32 shareholders under paragraph (b) of section 624 (Books and records,
33 right of inspection, prima facie evidence) of this article, such notice
34 may be given within sixty days after he has been given the opportunity
35 to examine the record of shareholders. An action to enforce such liability
36 shall be commenced within ninety days after the return of an
37 execution unsatisfied against the corporation upon a judgment recovered
38 against it for such services.~~] The provisions of this paragraph shall
39 not apply to an investment company registered as such under an act of
40 congress entitled "Investment Company Act of 1940."

41 (b) For the purposes of this section, wages or salaries shall mean all
42 compensation and benefits payable by an employer to or for the account
43 of the employee for personal services rendered by such employee includ-
44 ing any concomitant liquidated damages, penalties, interest, attorney's
45 fees or costs. These shall specifically include but not be limited to
46 salaries, overtime, vacation, holiday and severance pay; employer
47 contributions to or payments of insurance or welfare benefits; employer
48 contributions to pension or annuity funds; and any other moneys properly
49 due or payable for services rendered by such employee.

50 (c) A shareholder who has paid more than [~~his~~] their pro rata share
51 under this section shall be entitled to contribution pro rata from the
52 other shareholders liable under this section with respect to the excess
53 so paid, over and above [~~his~~] their pro rata share, and may sue them
54 jointly or severally or any number of them to recover the amount due
55 from them. Such recovery may be had in a separate action. As used in
56 this paragraph, "pro rata" means in proportion to beneficial share

1 interest. Before a shareholder may claim contribution from other share-
2 holders under this paragraph, [~~he~~] such shareholder shall [~~, unless they~~
3 ~~have been given notice by a laborer, servant or employee under paragraph~~
4 ~~(a),~~] give them notice in writing that [~~he~~] such shareholder intends to
5 hold them so liable to [~~him~~] them. Such notice shall be given by [~~him~~]
6 them within twenty days after the date that [~~notice was given to him by~~]
7 they became aware that a laborer, servant or employee may seek to hold
8 them liable under paragraph (a).

9 § 2-g. Subdivision (c) of section 609 of the limited liability company
10 law, as amended by chapter 620 of the laws of 2019, is amended to read
11 as follows:

12 (c) Notwithstanding the provisions of subdivisions (a) and (b) of this
13 section, the ten members with the largest percentage ownership interest,
14 as determined as of the beginning of the period during which the unpaid
15 services referred to in this section are performed, of every domestic
16 limited liability company, or of any foreign limited liability company,
17 when the unpaid services were performed in the state, shall jointly and
18 severally be personally liable for all debts, wages or salaries due and
19 owing to any of its laborers, servants or employees, for services
20 performed by them for such limited liability company. [~~Before such~~
21 ~~laborer, servant or employee shall charge such member for such services,~~
22 ~~he or she shall give notice in writing to such member that he or she~~
23 ~~intends to hold such member liable under this section. Such notice shall~~
24 ~~be given within one hundred eighty days after termination of such~~
25 ~~services. An action to enforce such liability shall be commenced within~~
26 ~~ninety days after the return of an execution unsatisfied against the~~
27 ~~limited liability company upon a judgment recovered against it for such~~
28 ~~services.] A member who has paid more than [~~his or her~~] their pro rata
29 share under this section shall be entitled to contribution pro rata from
30 the other members liable under this section with respect to the excess
31 so paid, over and above [~~his or her~~] their pro rata share, and may sue
32 them jointly or severally or any number of them to recover the amount
33 due from them. Such recovery may be had in a separate action. As used
34 in this subdivision, "pro rata" means in proportion to percentage owner-
35 ship interest. Before a member may claim contribution from other members
36 under this section, [~~he or she~~] such member shall give them notice in
37 writing that [~~he or she intends~~] they intend to hold them so liable to
38 [~~him or her~~] them.~~

39 § 2-h. Section 1102 of the limited liability company law is amended by
40 adding a new subdivision (e) to read as follows:

41 (e) Any person who is or shall have been a laborer, servant or employ-
42 ee of a limited liability company, upon at least five days' written
43 demand shall have the right to examine in person or by agent or attor-
44 ney, during usual business hours, records described in paragraph two of
45 subdivision (a) of this section throughout the period of time during
46 which such laborer, servant or employee provided services to such compa-
47 ny. A company requested to provide information pursuant to this subdivi-
48 sion shall make available such records in written form and in any other
49 format in which such information is maintained by the company and shall
50 not be required to provide such information in any other format. Upon
51 refusal by the company or by an officer or agent of the company to
52 permit an inspection of the records described in this subdivision, the
53 person making the demand for inspection may apply to the supreme court
54 in the judicial district where the office of the company is located,
55 upon such notice as the court may direct, for an order directing the
56 company, its members or managers to show cause why an order should not

1 be granted permitting such inspection by the applicant. Upon the return
 2 day of the order to show cause, the court shall hear the parties summar-
 3 ily, by affidavit or otherwise, and if it appears that the applicant is
 4 qualified and entitled to such inspection, the court shall grant an
 5 order compelling such inspection and awarding such further relief as to
 6 the court may seem just and proper. If the applicant is found to be
 7 qualified and entitled to such inspection, the company shall pay all
 8 reasonable attorney's fees and costs of said applicant related to the
 9 demand for inspection of the records.

10 § 2-i. Subdivision 5 of section 218 of the labor law, as added by
 11 chapter 537 of the laws of 2014, is amended to read as follows:

12 5. An employer similar in operation and ownership to a prior employer
 13 which had been found in violation of article six, nineteen or nineteen-A
 14 of this chapter, shall be deemed the same employer for the purposes of
 15 this section and articles six, nineteen, and nineteen-A of this chapter
 16 if the employees of the new employer are engaged in substantially the
 17 same work in substantially the same working conditions under substan-
 18 tially the same supervisors, or if the subsequent employer has substan-
 19 tially the same production process, produces substantially the same
 20 products and has substantially the same body of customers. Such subse-
 21 quent employer shall continue to be subject to this section and liable
 22 for the acts of the prior employer under this section.

23 § 2-j. Subdivision 4 of section 219 of the labor law, as added by
 24 chapter 537 of the laws of 2014, is amended to read as follows:

25 4. An employer similar in operation and ownership to a prior employer
 26 found to be in violation of article six, nineteen or nineteen-A of this
 27 chapter, shall be deemed the same employer for the purposes of this
 28 section and articles six, nineteen, nineteen-A of this chapter if the
 29 employees of the subsequent employer are engaged in substantially the
 30 same work in substantially the same working conditions under substan-
 31 tially the same supervisors, or if the new entity has substantially the
 32 same production process, produces substantially the same products and
 33 has substantially the same body of customers. Such a subsequent employer
 34 will continue to be subject to this section and shall be liable for the
 35 acts of the prior employer under this section.

36 § 3. This act shall take effect immediately; provided, however, that
 37 sections two-a, two-b, two-c, two-d, two-e, two-f, two-g, two-h, two-i
 38 and two-j of this act shall take effect on the thirtieth day after it
 39 shall have become a law. The procedures and rights created in sections
 40 two-a, two-b, two-c, two-d, two-e, two-f, two-g, two-h, two-i and two-j
 41 of this act may be used by employees, laborers or servants in connection
 42 with claims for liabilities that arose prior to the effective date of
 43 such sections of this act.

44

PART W

45 Section 1. Subdivision 1 of section 141 of the labor law, as amended
 46 by chapter 642 of the laws of 1991, is amended to read as follows:

47 1. If the commissioner finds that an employer has violated any
 48 provision of this article or of a rule or regulation promulgated there-
 49 under, the commissioner may by an order which shall describe particular-
 50 ly the nature of the violation, assess the employer a civil penalty of
 51 not more than [~~one~~] ten thousand dollars for the first such violation,
 52 at least two thousand but not more than [~~two~~] thirty thousand dollars
 53 for a second violation, and at least ten thousand but not more than
 54 [~~three~~] seventy-five thousand dollars for a third or subsequent

1 violation. Such penalty shall be paid to the commissioner for deposit in
2 the treasury of the state. In assessing the amount of the penalty, the
3 commissioner shall give due consideration to the size of the employer's
4 business, the good faith of the employer to believe that its conduct was
5 in compliance with the law, the gravity of the violation, the history of
6 previous violations and the failure to comply with record-keeping or
7 other requirements, provided, however, that where such violation
8 involves illegal employment during which a minor is seriously injured or
9 dies, such penalty shall be [~~treble the maximum penalty allowable under~~
10 ~~the law for such violation~~] at least three thousand dollars but not more
11 than thirty thousand dollars for the first such violation, at least six
12 thousand but not more than ninety thousand dollars for the second
13 violation, and at least thirty thousand dollars but not more than two
14 hundred twenty-five thousand dollars for the third or subsequent
15 violation. For the purposes of this subdivision, a minor shall be
16 deemed to be seriously injured if such injury results in a permanent
17 partial or permanent total disability as determined by the workers'
18 compensation board.

19 § 2. Section 145 of the labor law, as added by chapter 660 of the laws
20 of 2005, is amended to read as follows:

21 § 145. Criminal penalties. Any person who knowingly violates any
22 provision of this article and any officer or agent of a corporation who
23 knowingly permits the corporation to violate any such provisions shall
24 be guilty of a [~~misdemeanor~~] felony, and upon conviction therefor shall
25 be punished by a fine of not more than [~~five hundred~~] one thousand
26 dollars or imprisonment for not more than [~~sixty days~~] one year or by
27 both such fine and imprisonment for a first offense, or by a fine of not
28 more than [~~five~~] ten thousand dollars or imprisonment for not more than
29 [~~one year~~] two years, or by both such fine and imprisonment for a second
30 or subsequent offense.

31 § 3. The penal law is amended by adding a new section 125.10-a to read
32 as follows:

33 § 125.10-a Criminally negligent homicide of a child worker.

34 A person is guilty of criminally negligent homicide of a child worker,
35 when acting as the employer of a child under the age of eighteen years
36 old, with criminal negligence, such person causes the death of the child
37 in the course of the employment. For the purposes of this section, the
38 phrase "acting as the employer of a child", shall include, but not be
39 limited to, instances where the defendant has employed a child in
40 violation of section one hundred thirty, one hundred thirty-one, one
41 hundred thirty-two, or one hundred thirty-three of the labor law.

42 Criminally negligent homicide of a child worker is a class D felony.

43 § 4. The penal law is amended by adding a new section 260.12 to read
44 as follows:

45 § 260.12 Endangering the welfare of a child worker.

46 A person is guilty of criminally endangering the welfare of a child
47 worker when such person knowingly employs a child in violation of
48 section one hundred thirty, one hundred thirty-one, one hundred thirty-
49 two, or one hundred thirty-three of the labor law, and in the course of
50 that employment the child suffers physical injury, serious physical
51 injury, or death.

52 Endangering the welfare of a child worker is a class E felony.

53 § 5. This act shall take effect immediately.

1 Section 1. Sections 135, 137 and 139 of the labor law are REPEALED.
2 § 2. The labor law is amended by adding a new section 135 to read as
3 follows:

4 § 135. Database for employment of minors; employee registration; minor
5 employment certificates. 1. Creation of database. The department, in
6 consultation with the department of education, shall create and maintain
7 a database for the employment of minors. All information pertaining to
8 any employer or minor that is submitted to the department under this
9 section shall be confidential and shall not be accessible to the public.
10 Nothing herein shall prevent the commissioner from sharing such informa-
11 tion for civil or criminal law enforcement purposes.

12 2. Employer registration and renewal process. Any employer required to
13 be registered under this section shall provide the department with the
14 information set forth in this section, as well as any additional infor-
15 mation that the department may require, in the form and manner
16 prescribed by the department.

17 3. Employer information. Every employer that hires, employs, or other-
18 wise permits any minor under the age of eighteen to work for the employ-
19 er within the state shall register in the database, in the form and
20 manner prescribed by the department, the following information:

21 (a) the name of the employer;

22 (b) the email address of the employer;

23 (c) any location of the employer's business operations within the
24 state, including any location where a minor will be working;

25 (d) the number and names of minors who are hired, employed, or other-
26 wise permitted to work for the employer;

27 (e) a certified statement from the employer that the employer is
28 hiring, employing, or otherwise permitting minors to work only in posi-
29 tions for the employer as permitted by law, rule, or regulation in order
30 to ensure their health, safety, and well-being; and

31 (f) any other information deemed appropriate by the commissioner.

32 4. Employer recordkeeping. An employer that is required to be regis-
33 tered under this section shall, before employment begins, file at the
34 place of the minor's employment such employment certificate or permit so
35 that it may be readily accessible to any person authorized by law to
36 examine such document. An employer's electronic access to such employ-
37 ment certificate or permit in the database shall meet the requirements
38 of this subdivision.

39 5. Minor registration. Any minor under the age of eighteen who plans
40 to work for an employer within the state shall complete a registration
41 in the database for any employment certificate or permit. All informa-
42 tion pertaining to the minor shall be confidential and shall not be
43 accessible by the public. If the minor plans to work for a different
44 employer, or for an employer in addition to the employer for which the
45 minor first registered, the minor shall update the minor's registration.
46 The minor shall be required to submit documentation for registration in
47 the form and manner prescribed by the department.

48 6. Issuance of employment certificate or permit. Any employment
49 certificate or permit issued pursuant to part one of article sixty-five
50 of the education law shall be issued electronically within the database.
51 Any application for an employment certificate or permit that is made
52 pursuant to part one of article sixty-five of the education law shall be
53 made by a minor on a form prescribed by the commissioner of education
54 and approved by the department.

55 7. Regulations. The commissioner may prescribe regulations necessary
56 to carry out the provisions of this section.

1 § 3. Subdivision 3 of section 3215-a of the education law, as amended
2 by chapter 1017 of the laws of 1971, is amended to read as follows:

3 3. Approval of form and contents. The commissioner of education shall
4 prescribe or approve the form and contents of all certificates, permits,
5 physical examination records, and schooling records required by part one
6 of this article. The form of such certificates and permits shall also be
7 subject to the approval of the [~~industrial~~] commissioner of labor. Any
8 employment certificate or permit issued pursuant to this part shall be
9 issued electronically within the database created and maintained by the
10 department of labor, in consultation with the department, pursuant to
11 section one hundred thirty-five of the labor law.

12 § 4. This act shall take effect two years after it shall have become a
13 law. Effective immediately, the addition, amendment and/or repeal of any
14 rule or regulation necessary for the implementation of this act on its
15 effective date are authorized to be made and completed on or before such
16 date.

17 PART Y

18 Section 1. Paragraphs (a), (b) and (c) of subdivision 1 and paragraphs
19 (a), (b) and (c) of subdivision 2 of section 26 of the veterans'
20 services law are amended to read as follows:

21 (a) A parent, [~~identified in 10 USC 1126 as a gold star parent,~~
22 spouse, or minor child of a [~~veteran~~] service member who [~~heretofore has~~
23 ~~died or a parent of a veteran dying hereafter~~] died while on active
24 duty, shall upon application to the state commissioner, be paid an annu-
25 al annuity out of the treasury of the state for the sum of five hundred
26 dollars for such term as such parent, spouse, or minor child shall be
27 entitled thereto under the provisions of this article. Commencing in the
28 year two thousand nineteen, the amount of any annuity payable under this
29 section shall be the same amount as the annuity payable in the preceding
30 year plus a percentage adjustment equal to the annual percentage
31 increase, if any, for compensation and pension benefits administered by
32 the United States Department of Veterans Affairs in the previous year.
33 Such percentage increase shall be rounded up to the next highest one-
34 tenth of one percent and shall not be less than one percent nor more
35 than four percent. The commissioner of veterans' services, not later
36 than February first of each year, shall publish by any reasonable means,
37 including but not limited to posting on the department's website, the
38 amount of the annuity as adjusted payable under this section. The term
39 "parent" for the purposes of this section includes mother, father, step-
40 mother, stepfather, mother through adoption and father through adoption.
41 The term "spouse" for the purposes of this section includes non-remar-
42 ried spouses and remarried spouses. The term "minor child" for the
43 purposes of this section includes minor biological, step, or adopted
44 children, through the day before the child's eighteenth birthday.

45 (b) The entitlement of any parent, spouse, or minor child to receive
46 the annuity provided by paragraph (a) of this subdivision shall termi-
47 nate upon [~~his or her~~] such parent's, spouse's, or minor child's death
48 or upon [~~his or her~~] such parent's, spouse's, or minor child's ceasing
49 to continue to be a resident of and domiciled in the state of New York,
50 but such entitlement may be reinstated upon application to the state
51 commissioner, if such parent, spouse, or minor child shall thereafter
52 resume [~~his or her~~] such parent's, spouse's, or minor child's residence
53 and domicile in the state.

1 (c) The effective date of an award of the annuity to a parent, spouse,
2 or minor child shall be the day after the date of death of the veteran
3 if the application therefor is received within one year from date of
4 death. If the application is received after the expiration of the first
5 year following the date of the death of the veteran, the effective date
6 of an award of the annuity to a parent, spouse, or minor child shall be
7 the date of receipt of the application by the state commissioner. If the
8 application is denied but is granted at a later date upon an application
9 for reconsideration based upon new evidence, the effective date of the
10 award of the annuity to a parent, spouse, or minor child shall be the
11 date of the receipt of the application for reconsideration by the state
12 commissioner.

13 (a) Any gold star parent, spouse, or minor child, who is the parent,
14 spouse, or minor child of a deceased veteran, and who is a resident of
15 and domiciled in the state of New York, shall make application to the
16 department.

17 (b) No entitlement shall be paid under this section to or for a gold
18 star parent, spouse, or minor child who is in prison in a federal,
19 state, or local penal institution as a result of conviction of a felony
20 or misdemeanor for any part of the period beginning sixty-one days after
21 [~~his or her~~] such parent's, spouse's, or minor child's imprisonment
22 begins and ending with [~~his or her~~] such parent's, spouse's, or minor
23 child's release.

24 (c) Where one or more gold star parents or minor children are disqual-
25 ified for the annuity for a period under paragraph (b) of this subdivi-
26 sion, the state commissioner shall pay the shares of such disqualified
27 parents to the other parents or minor children, if they meet the quali-
28 fications on their own.

29 § 2. This act shall take effect immediately.

30

PART Z

31 Section 1. Subdivision 1 of section 297 of the executive law, as
32 amended by chapter 304 of the laws of 2021, is amended to read as
33 follows:

34 1. Any person claiming to be aggrieved by an unlawful discriminatory
35 practice may, by [~~himself or herself~~] such person or [~~his or her~~] such
36 person's attorney-at-law, make, sign and file with the division a
37 complaint in writing under oath or by declaration which shall state the
38 name and address of the person alleged to have committed the unlawful
39 discriminatory practice complained of and which shall set forth the
40 particulars thereof and contain such other information as may be
41 required by the division. The division may designate a required form
42 and procedures for making, signing, and filing such complaint. The
43 commissioner of labor or the attorney general, or the executive director
44 of the justice center for the protection of people with special needs,
45 or the division on its own motion may, in like manner, make, sign and
46 file such complaint. In connection with the filing of such complaint,
47 the attorney general is authorized to take proof, issue subpoenas and
48 administer oaths in the manner provided in the civil practice law and
49 rules. Any employer whose employees, or some of them, refuse or threaten
50 to refuse to cooperate with the provisions of this article, may file
51 with the division a verified complaint asking for assistance by concil-
52 iation or other remedial action.

1 § 2. Paragraph c of subdivision 3 of section 297 of the executive law,
2 as amended by chapter 166 of the laws of 2000, is amended to read as
3 follows:

4 c. If the division finds that noticing the complaint for hearing would
5 be undesirable, the division may, in its unreviewable discretion, at any
6 time prior to a hearing before a hearing examiner, dismiss the complaint
7 on the grounds of administrative convenience. [~~However, in cases of~~
8 ~~housing discrimination only, an administrative convenience dismissal~~
9 ~~will not be rendered without the consent of the complainant.~~] The divi-
10 sion may, subject to judicial review, dismiss the complaint on the
11 grounds of untimeliness if the complaint is untimely or on the grounds
12 that the election of remedies is annulled.

13 § 3. The state finance law is amended by adding a new section 80-b to
14 read as follows:

15 § 80-b. Discrimination complaints escrow fund. 1. Notwithstanding any
16 other provision of law, rule, regulation, or practice to the contrary,
17 there is hereby established in the sole custody of the division of human
18 rights commissioner a trust and agency fund, to be known as the
19 "discrimination complaints escrow fund" which shall be available without
20 fiscal year limitation.

21 2. The discrimination complaints escrow fund shall consist of concil-
22 iation funds, settlement funds, and any other monetary awards the divi-
23 sion of human rights receives from discrimination complaint respondents
24 for the sole purpose of compensating the corresponding complainants.

25 3. The division of human rights commissioner, or such commissioner's
26 designee, shall only expend discrimination complaints escrow fund monies
27 for the purposes of compensating a complainant whose conciliation,
28 settlement, or award monies were deposited into the escrow fund.

29 § 4. Section 295 of the executive law is amended by adding a new
30 subdivision 19 to read as follows:

31 19. To manage the discrimination complaints escrow fund, including but
32 not limited to authorizing the receipt of funds and payment of monies in
33 accordance with section eighty-b of the state finance law.

34 § 5. This act shall take effect immediately; provided, however, that
35 sections three and four of this act shall take effect on the thirtieth
36 day after it shall have become a law.

37

PART AA

38 Section 1. On or before September 1, 2025, the commissioner of educa-
39 tion shall submit a report to the governor, the speaker of the assembly,
40 and the temporary president of the senate providing information regard-
41 ing usage, budgeting, staffing, assets, and functions of the New York
42 state museum in a form and manner as determined by the director of the
43 budget. Such report shall include but not be limited to the following
44 information:

45 1. Annual statistics for state fiscal years 2004-05 through 2024-25
46 for the following categories:

- 47 (a) visitorship by month;
- 48 (b) philanthropic donations, either monetary or in-kind;
- 49 (c) school student visitorship;
- 50 (d) marketing, advertising, and promotional expenditures;
- 51 (e) staffing levels and expenditures for each office of the museum;
- 52 (f) capital expenditures;
- 53 (g) museum revenue from sources other than state aid; and
- 54 (h) balance of total revenues and operating expenses;

1 2. A summary of current agreements with other cultural institutions
2 regarding loan or exchange of collections;

3 3. Current collections on display and length of time on display;

4 4. Current collections in possession of the museum but not on display;

5 5. New collections scheduled to go on display in the next five years;

6 6. A listing of special events, exhibitions, tours, limited or travel-
7 ing displays, and other events not included in information regarding
8 normal displayed collections over the prior five years;

9 7. A listing of any ancillary services provided at the museum, includ-
10 ing but not limited to food service, retail, or walking tours; and

11 8. Usage over the prior five years of the state museum collection by
12 federal agencies, New York state agencies, local governments, and other
13 governmental entities, whether for display or research purposes.

14 § 2. On or before September 1, 2026 and annually thereafter, the
15 commissioner shall submit a report to the governor, the speaker of the
16 assembly, and the temporary president of the senate including updated
17 information from the prior state fiscal year supplementing the informa-
18 tion provided in the report required by section one of this act.

19 § 3. This act shall take effect immediately.

20

PART BB

21 Section 1. Section 458-a of the real property tax law is amended by
22 adding a new subdivision 11 to read as follows:

23 11. A county, city, town, village or school district may adopt a local
24 law or resolution to include the primary residence of any seriously
25 disabled veteran who:

26 (a)(i) was discharged or released therefrom under honorable condi-
27 tions;

28 (ii) has a qualifying condition, as defined in section one of the
29 veterans' services law, and has received a discharge other than bad
30 conduct or dishonorable from such service; or

31 (iii) is a discharged LGBT veteran, as defined in section one of the
32 veterans' services law, and has received a discharge other than bad
33 conduct or dishonorable from such service; and

34 (b) (i) is considered to be permanently and totally disabled as a
35 result of military service;

36 (ii) is rated one hundred percent disabled by the United States
37 department of veterans affairs;

38 (iii) has been rated by the United States department of veterans
39 affairs as individually unemployable; and

40 (iv) who is eligible for pecuniary assistance from the United States
41 government, or has received pecuniary assistance from the United States
42 government and has applied such assistance toward the acquisition or
43 modification of a suitable housing unit with special features or movable
44 facilities made necessary by the nature of the veteran's disability and
45 the necessary law therefor shall be fully exempt from taxation and
46 special district charges, assessments and special ad valorem levies,
47 provided that such veteran meets all other requirements of this section.

48 § 2. This act shall take effect immediately and shall apply to assess-
49 ment rolls prepared on and after January 2, 2026.

50

PART CC

1 Section 1. Subdivision 14 of section 131-a of the social services law,
2 as amended by section 1 of part ZZ of chapter 59 of the laws of 2018, is
3 amended to read as follows:

4 14. In determining the ~~[need for]~~ amount of aid provided pursuant to
5 public assistance programs, each person living with medically diagnosed
6 HIV infection ~~[as defined by the AIDS institute of the department of~~
7 ~~health in social services districts with a population over five million]~~
8 who applies for or is receiving ~~[services through such district's admin-~~
9 ~~istrative unit providing HIV/AIDS services,]~~ public assistance and has
10 earned and/or unearned income, up to two hundred percent of the federal
11 poverty guidelines, shall not be required to pay more than thirty
12 percent of ~~[his or her]~~ such person's monthly earned and/or unearned
13 income toward the cost of rent that such person has a direct obligation
14 to pay; this provision shall not apply to the amount of payment obli-
15 gations for room and board arrangements attributable to the provision of
16 goods and services other than living space.

17 § 2. Subdivision 15 of section 131-a of the social services law is
18 REPEALED and a new subdivision 15 is added to read as follows:

19 15. Notwithstanding the provisions of this chapter or of any other law
20 or regulation to the contrary, in determining the amount of aid provided
21 pursuant to public assistance programs, social service districts shall,
22 upon application, provide access to emergency shelter, transportation,
23 or nutrition payments which the district determines are necessary to
24 establish or maintain independent living arrangements among persons
25 living with medically diagnosed HIV infection who are homeless or facing
26 homelessness and for whom no viable and less costly alternative to hous-
27 ing is available, including HIV emergency shelter allowance payments in
28 excess of those promulgated by the office of temporary and disability
29 assistance but not exceeding an amount reasonably approximate to one
30 hundred ten percent of fair market rent as determined by the federal
31 department of housing and urban development.

32 § 3. Section 131 of the social services law is amended by adding two
33 new subdivisions 21 and 22 to read as follows:

34 21. When necessary, each local social services district shall assist
35 persons with medically diagnosed HIV infection by (i) helping to secure
36 the required documentation to determine eligibility for assistance, (ii)
37 arranging for required face-to-face interviews to be conducted during
38 home visits or at other appropriate sites, and (iii) providing referrals
39 for services as well as other resources and materials as described in
40 subdivision twenty-two of this section.

41 22. The office, in consultation with the department of health, shall
42 create, maintain, and periodically update information on the office's
43 website regarding resources and services throughout the state, including
44 the location of such services, which shall include but not be limited
45 to, community based supports, employment opportunities, and medical
46 professionals specialized in assisting such persons with medically diag-
47 nosed HIV infection to be utilized by the local social services
48 districts. Such information shall also be made available on the office's
49 website.

50 § 4. Paragraphs f and (g) of subdivision 1 of section 153 of the
51 social services law, paragraph f as amended by chapter 81 of the laws of
52 1995 and paragraph (g) as amended by chapter 471 of the laws of 1980,
53 are amended and a new paragraph h is added to read as follows:

54 f. the full amount expended by any district, city, town or Indian
55 tribe for the costs, including the costs of administration of public
56 assistance and care to eligible needy Indians and members of their fami-

1 lies residing on any Indian reservation in this state, after first
2 deducting therefrom any federal funds properly received or to be
3 received on account thereof[-];

4 [~~g~~] g. fifty per centum of the amount expended for substance abuse
5 services pursuant to this chapter, after first deducting therefrom any
6 federal funds properly received or to be received on account thereof. In
7 the event funds appropriated for such services are insufficient to
8 provide full reimbursement of the total of the amounts claimed by all
9 social services districts pursuant to this section then reimbursement
10 shall be in such proportion as each claim bears to such total[-]; and

11 h. notwithstanding any inconsistent provision of law, one hundred per
12 centum of safety net or family assistance expenditures, in social
13 services districts with a population of five million or fewer, for HIV
14 emergency shelter allowance payments in excess of those promulgated by
15 the office of temporary and disability assistance but not exceeding an
16 amount reasonably approximate to one hundred ten percent of fair market
17 rent as determined by the federal department of housing and urban devel-
18 opment, and for transportation or nutrition payments, which the district
19 determines are necessary to establish or maintain independent living
20 arrangements among persons living with medically diagnosed HIV infection
21 and who are homeless or facing homelessness and for whom no viable and
22 less costly alternative to housing is available, after first deducting
23 therefrom any federal funds properly received or to be received on
24 account thereof.

25 § 5. This act shall take effect January 1, 2026.

26 PART DD

27 Section 1. Section 131-a of the social services law is amended by
28 adding a new subdivision 6 to read as follows:

29 6. Notwithstanding any other provision of law, a social services offi-
30 cial shall, in accordance with the provisions of this section, provide
31 public assistance to persons and families who receive temporary housing
32 assistance and three meals per day, or who reside in a shelter for
33 adults that provides three meals per day, or who reside in a shelter for
34 families that provides three meals per day, or who reside in a public
35 home that provides three meals per day, and are determined to be eligi-
36 ble by the application of the standard of need prescribed by the
37 provisions of subdivision two of this section, less any available income
38 or resources which are not required to be disregarded by other
39 provisions of this chapter, in accordance with the following schedule:

40 Number of Persons in Household

<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>	<u>Five</u>	<u>Six</u>
<u>\$366.20</u>	<u>\$583.00</u>	<u>\$778.00</u>	<u>\$1003.40</u>	<u>\$1237.40</u>	<u>\$1428.40</u>

43 For each additional eligible needy person in the household there shall
44 be an additional allowance of \$195.00 monthly.

45 § 2. This act shall take effect on the first of April next succeeding
46 the date on which it shall have become a law.

47 PART EE

48 Section 1. Subdivision 1 of section 350 of the social services law is
49 amended by adding a new paragraph (c) to read as follows:

50 (c) In accordance with the regulations of the department approved by
51 the director of the budget, allowances granted under the provisions of
52 this title may include the costs of diapers for an eligible child, two

1 years of age or younger. Such allowances shall not exceed eighty
2 dollars, every three months, per eligible child.

3 § 2. This act shall take effect on the first of April next succeeding
4 the date on which it shall have become a law.

5 PART FF

6 Section 1. (a) There is hereby established a fiscal cliff task force
7 to study fiscal cliffs in the state's public assistance programs and
8 make recommendations on how to reduce and eliminate such fiscal cliffs.
9 For the purposes of this section, the term "fiscal cliff" shall mean a
10 sudden decrease in public benefits that can occur with a small increase
11 in earnings.

12 (b) (i) The task force shall consist of nineteen members, each to
13 serve for a term ending December 31, 2027. Such members shall be
14 appointed as follows: two members shall be appointed by the temporary
15 president of the senate; one member shall be appointed by the minority
16 leader of the senate; two members shall be appointed by the speaker of
17 the assembly; one member shall be appointed by the minority leader of
18 the assembly; five members shall be appointed by the governor; three
19 local social services district commissioners or their designees having
20 relevant experience in administering public benefits shall be appointed
21 by the governor, of which one district shall have five million or more
22 inhabitants; the commissioner of the office of temporary and disability
23 assistance or their designee; the commissioner of health or their designee;
24 the commissioner of taxation and finance or their designee; the
25 commissioner of the department of labor or their designee; the commis-
26 sioner of the office of children and family services or their designee.
27 Appointments shall be made within sixty days of the effective date of
28 this section. Vacancies in the task force shall be filled in the manner
29 provided for original appointments.

30 (ii) All appointments shall be coordinated to ensure geographic repre-
31 sentation from the entire state.

32 (iii) The task force shall elect a chair, vice-chair, and other neces-
33 sary officers from among all appointed members.

34 (iv) A majority of the members of the task force then in office shall
35 constitute a quorum for the transaction of business or the exercise of
36 any power or function of the task force. An act, determination or deci-
37 sion of the majority of the members present during the presence of a
38 quorum shall be held to be the act, determination, or decision of the
39 task force.

40 (v) The task force shall meet at least quarterly at the call of the
41 chair. Meetings may be held via teleconference. Special meetings may be
42 called by the chair at the request of a majority of the members of the
43 task force.

44 (vi) Members of the task force shall receive no compensation for their
45 services but shall be reimbursed for their actual expenses incurred in
46 the performance of their duties in the work of the task force.

47 (c) The task force shall:

48 (i) conduct a study on the fiscal cliffs in the state. Such study
49 shall include, but not be limited to: public assistance programs; the
50 supplemental nutrition assistance program (SNAP); the home energy
51 assistance program (HEAP); housing assistance; the child care tax credit
52 and other tax credits; the school tax relief program (STAR) and other
53 real property tax credits and reductions; Medicaid; NY state of health,
54 the official health plan marketplace; child care subsidies tied to

1 income; cash benefits; effective tax rates; and any other program or
2 service provided by the state or any political subdivision thereof which
3 is tied to income;

4 (ii) study the causes and reasons why fiscal cliffs occur to individ-
5 uals on public benefits, including but not limited to, the impact of
6 current public assistance programs monetary allotments, asset tests,
7 asset limits, and income disregards, as well as how minimum wage and
8 other earnings may impact those receiving public benefits; and

9 (iii) recommend ways to reduce and/or eliminate fiscal cliffs includ-
10 ing, but not limited to, recommending program and policy modifications,
11 amendments to the law, including but not limited to possible changes in
12 calculating and paying the earned income tax credit or other tax cred-
13 its, changes to the New York codes, rules and regulations, and any other
14 recommendation the task force deems appropriate.

15 (d) The task force may, as it deems appropriate, request that studies,
16 surveys, or analyses relating to the task force's powers and duties be
17 performed by any state department, commission, agency or public authori-
18 ty. All state departments, commissions, agencies or public authorities
19 shall provide information and advice in a timely manner and otherwise
20 assist the task force with its work.

21 (e) The office of temporary and disability assistance shall provide
22 staff services to the task force and such other administrative assist-
23 ance as may be necessary for the task force to carry out its duties,
24 functions and powers.

25 (f) The task force shall make a preliminary report to the governor and
26 the legislature of its findings, conclusions, recommendations and activ-
27 ities already undertaken by the task force, not later than January 1,
28 2027, and a final report of its findings, conclusions, recommendations
29 and activities already undertaken by the task force, not later than
30 September 1, 2027 and shall submit with its reports legislative
31 proposals as it deems necessary to implement its recommendations.

32 § 2. This act shall take effect immediately and shall expire three
33 years after it shall have become a law when upon such date the
34 provisions of this act shall be deemed repealed.

35 PART GG

36 Section 1. Section 410-x of the social services law is amended by
37 adding a new subdivision 11 to read as follows:

38 11. A social services district shall provide child care assistance
39 funded under the block grant for additional or different hours than a
40 parent or caretaker spends in work, training, educational activities or
41 other reasons for care designated by the social services district in its
42 consolidated services plan in accordance with paragraph (e) of subdivi-
43 sion one of section four hundred ten-w of this title, including, but not
44 limited to, paying for full-time child care assistance regardless of the
45 hours of the activity of the parent's or caretaker's reason for care.

46 § 2. Section 410-w of the social services law is amended by adding a
47 new subdivision 1-a to read as follows:

48 1-a. For all families eligible for child care assistance pursuant to
49 subdivision one of this section, a social services district shall not
50 limit authorized child care services strictly based on the hours during
51 which the parent or caretaker is engaged in work, education or other
52 activity or the number of hours the parent or caretaker is engaged in
53 any such reasons for care.

54 § 3. This act shall take effect May 30, 2026.

1

PART HH

2 Section 1. Subparagraph (xiii) of paragraph (a) of subdivision 8 of
3 section 131-a of the social services law, as added by section 2 of part
4 X of chapter 56 of the laws of 2023, is amended to read as follows:

5 (xiii) once during the lifetime of a recipient of public assistance,
6 all of the earned income of such recipient will be disregarded following
7 job entry, provided that such exemption of income for purposes of public
8 assistance eligibility shall be for no more than six consecutive months
9 from the initial date of obtaining such employment and that the recipi-
10 ent's total income shall not be more than [~~two~~] four hundred percent of
11 the federal poverty level. In the event a recipient moves from one to
12 another social services district, this disregard shall follow the recipi-
13 ent. The commissioner shall seek any federal waiver necessary to
14 effectuate the one-time earned income disregard pursuant to this subdi-
15 vision.

16 § 2. This act shall take effect January 1, 2026.

17

PART II

18 Section 1. Section 410-w of the social services law is amended by
19 adding a new subdivision 11 to read as follows:

20 11. Notwithstanding any other provision of law, rule or regulation to
21 the contrary, there shall be no minimum earnings requirement for parents
22 and caretakers who are otherwise eligible for child care assistance
23 pursuant to this section to receive such assistance.

24 § 2. This act shall take effect immediately.

25

PART JJ

26 Section 1. Section 996 of the executive law, as added by section 1 of
27 part MM of chapter 57 of the laws of 2024, is amended to read as
28 follows:

29 § 996. Community advisory board for the modernization and revitaliza-
30 tion of SUNY Downstate health sciences university. 1. Advisory board
31 established. (a) There shall be established the advisory board for the
32 modernization and revitalization of SUNY Downstate (hereinafter referred
33 to as "the advisory board"). The advisory board shall review and examine
34 a variety of options to strengthen SUNY Downstate and promote longer
35 term viability for its dual education and healthcare mission. In
36 conducting its study, the advisory board will consider the following
37 factors:

- 38 (i) Overall healthcare service delivery trends and models;
- 39 (ii) Historic and projected financials for the hospital and the
40 campus;
- 41 (iii) Current state of building infrastructure and capital needs;
- 42 (iv) Community healthcare needs, outcomes, and health disparities;
- 43 (v) Existing inpatient and outpatient service offerings and health
44 outcomes;
- 45 (vi) Capacity and availability of inpatient and outpatient services in
46 the broader primary and secondary service areas;
- 47 (vii) Efficiency of operations and quality of healthcare services
48 benchmarking; and
- 49 (viii) Training needs for students and employment outcomes.

50 2. Advisory board members. The advisory board shall consist of the
51 following members: (a) the commissioner of the department of health; (b)

1 one representative of organized labor representing employees at the
2 state university of New York pursuant to article fourteen of the civil
3 service law, who shall be appointed by the governor upon recommendation
4 of the president of the union representing the greatest number of
5 employees at SUNY Downstate; (c) one member appointed by the temporary
6 president of the senate; (d) one member appointed by the speaker of the
7 assembly; (e) three members appointed by the governor; (f) one member
8 appointed by the governor upon the joint recommendation of Brooklyn
9 community boards 9 and 17; and (g) the chancellor of the state universi-
10 ty of New York.

11 3. Outreach. The advisory board shall solicit recommendations from
12 healthcare experts, county health departments, community-based organiza-
13 tions, state and regional healthcare industry associations, labor
14 unions, experts in hospital operations, and other interested parties.
15 The advisory board shall hold no less than three public hearings with
16 requisite public notice to solicit input and recommendations from any
17 interested party. Such public hearings shall be subject to article
18 seven of public officers law.

19 4. Compensation. The members of the advisory board shall receive no
20 compensation for their service as members, but shall be allowed their
21 actual and necessary expenses incurred in the performance of their
22 duties.

23 5. Recommendations and report. (a) The advisory board shall complete a
24 study and provide written recommendations to prioritize healthcare
25 services provided in the SUNY Downstate service area. The written recom-
26 mendations shall include a reasonable, scalable and fiscally responsible
27 plan for the financial health, viability and sustainability of SUNY
28 Downstate; provided, however, that such plan shall incorporate utiliza-
29 tion of all available state and federally available appropriated
30 amounts, and shall not exceed more than two hundred fifty percent of
31 such amounts.

32 (b) A report of the advisory board's recommendations shall be provided
33 to the governor, the temporary president of the senate, and the speaker
34 of the assembly no later than ~~April~~ July first, two thousand twenty-
35 five.

36 6. Certificate of need. The public health and health planning council
37 and the commissioner of health are prohibited from reviewing or approv-
38 ing any certificate of need application related to a reduction in inpa-
39 tient services pursuant to any article of law or regulation that may
40 affect a change to inpatient services at SUNY Downstate health sciences
41 university until at least ~~April~~ July first, two thousand twenty-five.

42 § 2. This act shall take effect immediately.

43 PART KK

44 Section 1. This Part enacts into law major components of legislation
45 which are necessary to implement the New York healthy incentive program.
46 Each component is wholly contained within a Subpart identified as
47 Subparts A through C. The effective date for each particular provision
48 contained within such Subpart is set forth in the last section of such
49 Subpart. Any provision in any section contained within a Subpart,
50 including the effective date of the Subpart, which makes a reference to
51 a section "of this act", when used in connection with that particular
52 component, shall be deemed to mean and refer to the corresponding
53 section of the Subpart in which it is found. Section three of this Part
54 sets forth the general effective date of this Part.

1

SUBPART A

2 Section 1. The social services law is amended by adding a new section
3 95-b to read as follows:

4 § 95-b. New York healthy incentive program (NYHIP). 1. Legislative
5 findings. The legislature hereby finds and declares that healthy food
6 incentive programs provide significant health, educational, social, and
7 economic benefits to the general public, especially for those individ-
8 uals who have historically been excluded from access to fresh produce;
9 in food deserts where access to healthy and affordable food is limited
10 or where there are no grocery stores; and local farmers who struggle to
11 compete with imported goods and produce. Furthermore, it is the artic-
12 ulated public policy of this state to promote and foster growth in the
13 number of farm to consumer entities accepting supplemental nutrition
14 assistance benefits and participate in the healthy food incentive
15 program. The healthy food incentive program provides earned dollars for
16 supplemental nutrition assistance program recipients to spend on local
17 healthy food that is fresh and nutritious for those who may be unable to
18 readily afford or have easy access to fresh fruits and vegetables for
19 themselves or their families; promotes healthier individual lifestyles
20 by incentivizing better eating habits; fosters the retention and expan-
21 sion of farm to consumer entities, particularly in food insecure envi-
22 ronments; engenders a closer relationship between communities and local
23 farmers; increases capacity for local farms; and stimulates local econo-
24 mies. It is therefore the intent of the legislature and the purpose of
25 this section to create a state operated healthy food incentive program,
26 known as the New York healthy incentive program (NYHIP), for all SNAP
27 recipients and local economies across the state.

28 2. Definitions. For the purposes of this section and section ninety-
29 five-c of this title:

30 a. "Office" shall mean the office of temporary and disability assist-
31 ance.

32 b. "Commissioner" shall mean the commissioner of the office of tempo-
33 rary and disability assistance.

34 c. "Farm to consumer entities" shall mean any sort of enterprise that
35 allows local farmers to sell their produce and other products directly
36 to the consumer, such as farmers markets, co-ops, locally sourced commu-
37 nity owned grocery stores, and community supported agriculture, as
38 determined by the commissioner with input from the commissioner of agri-
39 culture and markets.

40 d. "Local" or "locally" shall mean located within the state of New
41 York, however, if neighboring states create their own healthy incentive
42 programs the office may make agreements of reciprocity to allow SNAP
43 beneficiaries to earn dollar rewards for the purchase of healthy foods
44 from such neighboring state and may place a boundary limitation based on
45 distance from state lines.

46 e. "Local healthy food" shall mean any agricultural product that
47 provides nutritional support to humans such as produce, dairy, meat and
48 processed foods that must consist of ingredients that are grown and
49 cultivated in the state of New York, but may be processed elsewhere. For
50 the purposes of this paragraph, "processed foods" shall mean any raw
51 agricultural commodities that have been milled, cut, chopped, heated,
52 pasteurized, blanched, cooked, canned, frozen, dried, dehydrated, or
53 mixed, and shall consist of at least seventy-five percent of local
54 ingredients.

1 f. "Similarly situated entities" shall mean stores of any size that
2 have agreed to and signed a memorandum of understanding detailing how
3 they will prioritize sourcing produce and other healthy foods locally,
4 agree to goal metrics to increase their ability to locally source, and
5 meet those metrics to maintain their healthy food incentive program
6 participation. For the purposes of this paragraph, "stores" shall mean
7 any not farm to consumer produce retailer that is currently authorized
8 as an electronic benefit transfer retailer, such as grocery stores,
9 corner stores, bodegas, food marts, food stores, convenience stores, or
10 markets.

11 g. "SNAP card" or "SNAP benefit card" shall mean any electronic method
12 in which the supplemental nutrition assistance program is administered
13 to beneficiaries on a credit or debit card, including through the elec-
14 tronic benefit transfer system described in section twenty-one-a of this
15 chapter.

16 3. Office powers and duties to promulgate program. a. The office is
17 directed to apply for any necessary grant or waiver to participate in
18 the Gus Schumacher Nutrition Incentive Program or similar grant adminis-
19 tered by the United States Department of Agriculture and the National
20 Institute of Food and Agriculture for approval, and to act for the state
21 in any negotiations relative to the submission and approval of such
22 plan, waiver, or grant, and shall make such arrangements and take such
23 action, not inconsistent with law, as may be required to obtain and
24 retain such approval, to implement such plan, waiver, or grant and to
25 secure for the state the benefits available.

26 b. The office shall actively search for, find and apply for grants and
27 other streams of funding to promulgate this section and fund this
28 program.

29 c. The office shall promulgate rules and regulations and take all
30 other actions necessary for the effective creation and implementation of
31 NYHIP, providing earned dollars for SNAP beneficiaries to spend on local
32 healthy food that is fresh and nutritious, in accordance with this
33 section. Nothing in this section shall prohibit or limit the commis-
34 sioner's ability to expand access to NYHIP to all New Yorkers, so long
35 as it continues to prioritize the earned dollars used to buy locally
36 grown healthy foods. Nothing in this section shall prohibit or limit the
37 office from including New York grown and certified foods, as created by
38 section one hundred fifty-six-h of the agriculture and markets law, from
39 being included in NYHIP. NYHIP shall include the following:

40 i. A fixed earned dollar amount for the purchase of fresh locally
41 grown healthy foods using SNAP;

42 ii. Automation of earned dollar amounts on SNAP cards;

43 iii. Automation of SNAP benefit cards so SNAP beneficiaries are able
44 to participate in local community supported agriculture subscriptions
45 and earn NYHIP dollars;

46 iv. Ensuring NYHIP is available at all farm to consumer entities and
47 similarly situated entities by encouraging them to participate;

48 v. Connecting farm to consumer entities and similarly situated enti-
49 ties with the necessary resources and technology to participate in
50 NYHIP;

51 vi. Regular updates and maintenance of the mobile application and
52 website; and

53 vii. Creation and maintenance of a NYHIP outreach program to ensure
54 all SNAP beneficiaries are aware of the opportunity to participate in
55 such program.

1 d. The office may contract with outside entities to effect the imple-
 2 mentation and promulgation of NYHIP and shall give greater weight to
 3 entities that manage healthy incentive programs in the state when deter-
 4 mining contract award.

5 e. The office shall establish a grant program, for farmers, farmers
 6 markets, and community-supported agriculture partnerships, in attaining
 7 any technology needed to take payment from SNAP beneficiaries and
 8 participate in NYHIP. The office, in consultation with the department of
 9 agriculture and markets, shall establish an outreach program for farm-
 10 ers, farmers markets, and community-supported agriculture partnerships
 11 to be informed of NYHIP and the availability of the technological grant
 12 described above.

13 4. NYHIP mobile application, website and interactive map. a. i. The
 14 office shall establish a mobile application and website to promote NYHIP
 15 and locations available to SNAP recipients across the state and promote
 16 farm to consumer entities that take SNAP. The mobile application and
 17 website shall include, but is not limited to:

18 A. Name, location, hours of operation, contact information, and hyper-
 19 links, as available, to all farm to consumer entities that sell locally
 20 grown healthy food and accept SNAP benefits; and

21 B. Name, location, hours of operation, contact information, and hyper-
 22 links, as available, to all farmers markets, mobile markets, community
 23 supported agriculture, or similarly situated entities that sell locally
 24 grown healthy food that are participants of NYHIP.

25 ii. The mobile application and website should have an interactive map
 26 where a user may find farm to consumer entities that take SNAP and are
 27 NYHIP participants. This information should also be searchable by
 28 town/city, county, region or any other criteria the commissioner deems
 29 relevant.

30 iii. The mobile application and website should make clear distinctions
 31 between farm to consumer entities that just take SNAP and those that are
 32 participants of NYHIP.

33 b. Each commissioner of social services shall provide information
 34 regarding NYHIP on their website and hyperlinks to this interactive
 35 website and where to download the mobile application on the SNAP pages
 36 of all social services websites.

37 c. The office shall establish procedures for farm to consumer entities
 38 that accept SNAP benefits and NYHIP to provide the updated information
 39 detailed above for the mobile application and website. In developing
 40 such procedures, the office shall provide a system in which the informa-
 41 tion required in the mobile application and website is updated monthly
 42 and continuous maintenance is provided.

43 d. The office shall promulgate rules and regulations and take all
 44 other actions necessary for the effective implementation of this
 45 section. Nothing in this section shall prohibit or limit the depart-
 46 ment's ability to expand access to the NYHIP incentive program map to
 47 all New Yorkers.

48 § 2. This act shall take effect January 1, 2026. Effective immediate-
 49 ly, the addition, amendment and/or repeal of any rule or regulation
 50 necessary for the implementation of this act on its effective date are
 51 authorized to be made and completed on or before such date.

52 SUBPART B

53 Section 1. Section 95 of the social services law is amended by adding
 54 a new subdivision 12 to read as follows:

1 12. (a) The office shall promptly seek any necessary approvals from
2 the United States department of agriculture food and nutrition service
3 (USDA) to automate the use of SNAP benefit cards to streamline the proc-
4 ess for potential and current recipients to participate in locally grown
5 fresh food subscription services, such as community supported agricul-
6 ture partnerships, by conducting an automatic deduction on a weekly
7 basis. The office shall also create an automation process for the New
8 York healthy incentive program (NYHIP) as prescribed in section ninety-
9 five-b of this title, by allowing the state to add the accrued incen-
10 tives directly to a SNAP card. Once the office receives the waiver, the
11 office shall work with the USDA and NYHIP to ensure that any incentives
12 accrued are used by SNAP beneficiaries to purchase local food that is
13 fresh and nutritious for those who may be unable to readily afford or
14 have easy access to fresh fruits and vegetables for themselves or their
15 families. The office shall promptly seek any necessary approvals from
16 the USDA in order to maximize availability of NYHIP purchasing options
17 throughout the state.

18 (b) The office shall ensure SNAP beneficiaries and locally grown fresh
19 food subscription services, such as community supported agriculture
20 partnerships, are held harmless under situations in which SNAP benefi-
21 ciaries lose benefits during their subscription contract. The office shall
22 honor the entirety of the subscription service contract at the expense
23 of the state.

24 (c) Within one hundred eighty days after the effective date of this
25 subdivision, the office shall apply for a waiver or any other necessary
26 measure to the USDA to automate the use of SNAP in the state to stream-
27 line NYHIP and increase access to locally grown CSA subscriptions.

28 (d) For the purposes of this subdivision, "community supported agri-
29 culture partnerships" or "CSA" shall mean a system that connects farmers
30 and consumers by allowing the consumer to invest in farmers by subscrib-
31 ing to a harvest of a certain farm or group of farms, usually done by
32 crop season but may be year round.

33 § 2. This act shall take effect January 1, 2026. Effective immediate-
34 ly, the addition, amendment and/or repeal of any rule or regulation
35 necessary for the implementation of this act on its effective date are
36 authorized to be made and completed on or before such date including any
37 actions necessary to prepare or submit a federal waiver or waivers
38 pursuant to this Part.

39 SUBPART C

40 Section 1. The social services law is amended by adding a new section
41 95-c to read as follows:

42 § 95-c. New York healthy incentive program (NYHIP) outreach program.

43 1. In accordance with federal requirements and to the extent that
44 federal matching funds are available, the office shall develop and
45 implement an outreach plan to inform low-income households potentially
46 eligible to receive food stamps and participate in NYHIP to encourage
47 the participation of eligible households that wish to participate.

48 2. In developing and implementing such a plan the office is authorized
49 and empowered, subject to the approval of the director of the budget and
50 provided that federal aid is available therefor, to enter into contrac-
51 tual agreements with public and/or private organizations to develop and
52 implement local, regional, and statewide outreach programs.

53 3. Each commissioner of social services shall develop and submit to
54 the office on an annual basis for its approval, a local outreach plan

1 governing the use of local social services personnel and services
2 provided by federally funded and other agencies and organizations to
3 inform potentially eligible households of the availability and benefits
4 of NYHIP and to encourage and facilitate the participation of eligible
5 households. The office shall provide commissioners of social services
6 with technical assistance as needed to carry out the provisions of this
7 subdivision.

8 4. As part of each local outreach plan, social services officials
9 shall take all steps necessary to maintain a supply of information leaf-
10 lets in public buildings, including but not limited to local unemploy-
11 ment insurance and employment services offices of the department of
12 labor, institutions and facilities under the supervision or control of
13 the department of health, food stores, union halls, community centers,
14 entities participating in NYHIP, and local agencies providing services
15 to the elderly to help ensure that eligible persons are informed of the
16 supplemental nutrition assistance program and NYHIP. Additionally, as
17 part of the local outreach plan, social services officials shall ensure
18 that every new supplemental nutrition assistance program applicant
19 receives information on NYHIP upon submission of an application and
20 shall provide such information in the home language of the applicant
21 pursuant to any federal and state laws, rules and regulations.

22 5. The office shall periodically distribute to all newspapers, and to
23 television and radio stations throughout the state, public service
24 announcements describing NYHIP, including the NYHIP interactive map and
25 website, and shall promptly inform such media of significant changes in
26 the program affecting eligibility requirements and/or the amount of
27 NYHIP earnings.

28 6. The office shall establish procedures in cooperation with the
29 industrial commissioner of the department of labor to ensure that infor-
30 mational leaflets about NYHIP are sent to each local employment services
31 office for distribution pursuant to section five hundred forty of the
32 labor law. Each leaflet shall include, but not be limited to: the phone
33 number for the New York state food stamp hotline; how to access the
34 NYHIP website and interactive map; how SNAP beneficiaries earn NYHIP
35 benefits buying local healthy foods; estimated maximum income eligibil-
36 ity levels by household size for participation in SNAP; and the avail-
37 ability of local social services departments to provide additional
38 information about NYHIP.

39 7. In accordance with applicable federal and state laws, rules and
40 regulations, the office shall make available appropriate translated
41 materials so that potentially eligible non-English speaking individuals
42 may be informed about NYHIP.

43 8. The office shall promulgate rules and regulations and take all
44 other actions necessary for the effective implementation of this
45 section.

46 § 2. This act shall take effect January 1, 2026. Effective immediate-
47 ly, the addition, amendment and/or repeal of any rule or regulation
48 necessary for the implementation of this act on its effective date are
49 authorized to be made and completed on or before such date.

50 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
51 sion, section or part of this act shall be adjudged by any court of
52 competent jurisdiction to be invalid, such judgment shall not affect,
53 impair, or invalidate the remainder thereof, but shall be confined in
54 its operation to the clause, sentence, paragraph, subdivision, section
55 or part thereof directly involved in the controversy in which such judg-
56 ment shall have been rendered. It is hereby declared to be the intent of

1 the legislature that this act would have been enacted even if such
 2 invalid provisions had not been included herein.
 3 § 3. This act shall take effect immediately; provided, however, that
 4 the applicable effective date of Subparts A through C of this act shall
 5 be as specifically set forth in the last section of such Subparts.

6 PART LL

7 Section 1. The social services law is amended by adding a new section
 8 95-b to read as follows:

9 § 95-b. State SNAP minimum benefit program. 1. Notwithstanding any
 10 other provision of law to the contrary, there is hereby established a
 11 state SNAP minimum benefit program. Under such program, the office shall
 12 distribute to each eligible household a monthly state SNAP benefit equal
 13 to the difference between the household's federal SNAP monthly benefit
 14 and fifty dollars, which amount may be increased by the office as deemed
 15 appropriate, subject to available state appropriations. If federal funds
 16 become available for the purposes of this subdivision, the office shall
 17 utilize such federal funds as the primary source for issuing the monthly
 18 state SNAP benefit before state funds, if necessary, are expended. The
 19 state SNAP benefit shall be provided to an eligible household in addi-
 20 tion to the federal SNAP benefit.

21 2. The program shall be subject to the same state rules and procedures
 22 for implementing the federal SNAP to the greatest extent possible,
 23 including, but not limited to, distributing the state SNAP benefit using
 24 the program's electronic benefit transfer system and requiring that
 25 benefits be used solely for the purchase of food as defined in 7 U.S.C.
 26 s.2012. The office shall issue any rules or regulations necessary for
 27 the administration and implementation of the program.

28 3. The office shall apply to the food and nutrition service within the
 29 federal department of agriculture and any other necessary federal
 30 department, division, or office for any necessary waivers or approvals
 31 to implement the provisions of the program set forth in this section.

32 4. As used in this section:

33 (a) "Eligible household" means a household that is certified to
 34 receive a federal SNAP benefit of at least one dollar per month but less
 35 than fifty dollars per month, or a larger amount as deemed appropriate
 36 by the office pursuant to subdivision one of this section, subject to
 37 available state and federal funds.

38 (b) "SNAP" means the supplemental nutrition assistance program author-
 39 ized pursuant to section ninety-five of this title.

40 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
 41 sion, section or part of this act shall be adjudged by any court of
 42 competent jurisdiction to be invalid, such judgment shall not affect,
 43 impair, or invalidate the remainder thereof, but shall be confined in
 44 its operation to the clause, sentence, paragraph, subdivision, section
 45 or part thereof directly involved in the controversy in which such judg-
 46 ment shall have been rendered. It is hereby declared to be the intent of
 47 the legislature that this act would have been enacted even if such
 48 invalid provisions had not been included herein.

49 § 3. This act shall take effect January 1, 2026. Effective immediate-
 50 ly the addition, amendment and/or repeal of any rule or regulation or
 51 any action necessary for the implementation of this act on its effective
 52 date, including seeking any necessary federal waivers, are authorized to
 53 be made and completed on or before such date.

1

PART MM

2 Section 1. The education law is amended by adding a new section 6457
3 to read as follows:

4 § 6457. Mental health educational opportunity program and mental
5 health higher educational opportunity program. 1. To provide additional
6 educational opportunities for students to enroll in academic programs
7 that lead to a degree or degrees required for licensure in any of the
8 mental health professions pursuant to articles one hundred fifty-three,
9 one hundred fifty-four and one hundred sixty-three of this chapter, a
10 participating college or university shall provide special programs for
11 the screening, testing, counseling and tutoring of, and assistance to,
12 residents of the state, (i) who are graduates of an approved high school
13 or individuals who have attained a New York state high school equivalen-
14 cy diploma or its equivalent, as determined by the commissioner, (ii)
15 who have potential for the successful completion of a post-secondary
16 program that leads to a degree or degrees required for licensure in any
17 mental health profession, and (iii) who are economically and educa-
18 tionally disadvantaged.

19 2. For the purposes of this section, for the mental health educational
20 opportunity program, a participating college or university shall be
21 defined as any college or university of the state university of New York
22 or the city university of New York. For the mental health higher educa-
23 tional opportunity program, a participating college or university shall
24 be defined as a non-public college or university incorporated by the
25 regents.

26 3. A non-public college or university that participates in the mental
27 health higher educational opportunity program shall contract with the
28 commissioner to provide the services in this section pursuant to a proc-
29 ess promulgated by the commissioner for such purpose.

30 4. The commissioner, in consultation with the state university of New
31 York, the city university of New York, and non-public colleges and
32 universities chosen by the commissioner, shall formulate a general plan
33 for the organization, development, coordination and operation of the
34 mental health educational opportunity program and the mental health
35 higher educational opportunity program within the amounts made available
36 therefor by law. Such a plan shall include:

- 37 a. Definition of eligibility,
38 b. Procedures for the selection of students from among the eligibles,
39 c. Description of the contents of such proposed program including
40 counseling, tutoring and skill development,
41 d. Estimated costs,
42 e. Objectives,
43 f. Extent of other funds and resources to be utilized in support of
44 the program,
45 g. Procedures for the evaluation of student progress, and
46 h. Periodic reports.

47 5. The general plan shall be transmitted to the board of regents at
48 such time as the regents shall by rule require. Such plan shall be
49 reviewed by the regents and shall guide and determine the operation of
50 such program.

51 6. a. State appropriations made available for this program shall be
52 spent only for the following purposes:

- 53 (i) Special testing, counseling and guidance services in the course of
54 screening potential students,

1 (ii) Remedial courses, developmental and compensatory courses and
 2 summer classes for such students,

3 (iii) Special tutoring, counseling and guidance services for enrolled
 4 students,

5 (iv) Central services including evaluation and administrative costs,
 6 and

7 (v) Any necessary supplemental financial assistance, which may include
 8 the cost of books and necessary maintenance for such students, including
 9 students without lawful immigration status provided that the student
 10 meets the requirements set forth in subparagraph (ii) of paragraph a or
 11 subparagraph (ii) of paragraph b of subdivision five of section six
 12 hundred sixty-one of this chapter, as applicable; provided, however,
 13 that such supplemental financial assistance shall be furnished pursuant
 14 to criteria promulgated by the commissioner and approved by the regents
 15 and the director of the budget.

16 b. No funds pursuant to this section shall be made available to
 17 support the regular academic programs of any college or university
 18 participating in this program, nor shall funds be provided for programs
 19 which are incompatible with the regents plan for the expansion and
 20 development of higher education in the state.

21 7. A participating college or university shall furnish to the commis-
 22 sioner, the regents, the director of the budget, the chair of the senate
 23 finance committee and the chair of the assembly ways and means commit-
 24 tee, at least annually, a report in such form, at such time and contain-
 25 ing such information as the regents and the director of the budget may
 26 require, of the operations of such program. The report shall include:

27 a. A statement of the objectives of the program,

28 b. A description of the program,

29 c. The budgetary expenditures for such program, separately stating
 30 academic credit instructional costs, other instructional costs, tutoring
 31 costs, remediation, counseling, supplemental financial assistance and
 32 central services, including evaluation and administrative costs,

33 d. The extent of other funds and resources used in support of such
 34 program and their sources,

35 e. The progress of students, and

36 f. The extent and nature of the responsibility exercised over such
 37 program by such trustees.

38 8. Contracts made pursuant to this section shall be subject to the
 39 approval of the director of the budget.

40 § 2. This act shall take effect immediately.

41 PART NN

42 Section 1. The opening paragraph of item 1 of clause (A) of subpara-
 43 graph (i) of paragraph a of subdivision 3 of section 667 of the educa-
 44 tion law, as amended by section 1 of part DD of chapter 56 of the laws
 45 of 2021, is amended to read as follows:

46 In the case of students who have not been granted an exclusion of
 47 parental income, who have qualified as an orphan, foster child, [~~or~~]
 48 ward of the court, or homeless for the purposes of federal student
 49 financial aid programs authorized by Title IV of the Higher Education
 50 Act of 1965, as amended, are deemed homeless under the federal McKin-
 51 ney-Vento Homeless Assistance Act, as amended, or had a dependent for
 52 income tax purposes during the tax year next preceding the academic year
 53 for which application is made, except for those students who have been

1 granted exclusion of parental income who have a spouse but no other
2 dependent:

3 § 2. Section 661 of the education law is amended by adding a new
4 subdivision 8 to read as follows:

5 8. Homeless status. The president shall promulgate rules and regu-
6 lations for a uniform verification method of a student's status as home-
7 less to be used for all awards and loans made pursuant to this article.
8 Such rules and regulations shall utilize the same method of verification
9 of homelessness as federal student financial aid programs authorized by
10 Title IV of the Higher Education Act of 1965, as amended, or the federal
11 McKinney-Vento Homeless Assistance Act.

12 § 3. Subdivision 4 of section 663 of the education law, as amended by
13 section 1 of part X of chapter 56 of the laws of 2014, is amended to
14 read as follows:

15 4. Relinquishing of parental control. In determining the amount of an
16 award, the president may, in cases of unusual and exceptional family
17 circumstances warranting such action, recognize an existing condition
18 wherein parental control has in effect been relinquished by the parents
19 or others responsible for the applicant, and notwithstanding the
20 provisions of subdivision three of this section, the applicant has in
21 effect been emancipated. Provided, however, that students who have qual-
22 ified as an orphan, foster child, or ward of the court for the purposes
23 of federal student financial aid programs authorized by Title IV of the
24 Higher Education Act of 1965, as amended, or the federal McKinney-Vento
25 Homeless Assistance Act, as amended, shall not be considered emancipated
26 for the purposes of determining an award pursuant to section six hundred
27 sixty-seven of this article. The criteria used in determining these
28 cases of unusual and exceptional family circumstances shall be estab-
29 lished by the president with the approval of the board of trustees and
30 the director of the division of the budget.

31 § 4. This act shall take effect on the first of July next succeeding
32 the date on which it shall have become a law. Effective immediately, the
33 addition, amendment and/or repeal of any rule or regulation necessary
34 for the implementation of this act on its effective date are authorized
35 to be made and completed on or before such effective date.

36

PART OO

37 Section 1. Paragraph b of subdivision 2 of section 679-e of the
38 education law, as amended by section 1 of part VV of chapter 56 of the
39 laws of 2009, is amended to read as follows:

40 b. "Eligible period" means the [~~six-year~~] eight-year period after
41 completion of the [~~third~~] second year and before the commencement of the
42 [~~tenth~~] eleventh year of employment as an eligible attorney. For
43 purposes of this section, all periods of time during which an admitted
44 attorney was employed as an eligible attorney and all periods of time
45 during which a law school graduate awaiting admission to the New York
46 state bar was employed by a prosecuting [~~or~~] agency, criminal defense
47 agency, or non-profit indigent civil legal services corporation as
48 permitted by section four hundred eighty-four of the judiciary law shall
49 be combined.

50 § 2. Paragraph d of subdivision 2 of section 679-e of the education
51 law, as amended by section 1 of part VV of chapter 56 of the laws of
52 2009, is amended to read as follows:

53 d. "Year of qualified service" means the twelve month period measured
54 from the anniversary of the attorney's employment as an eligible attor-

1 ney, or as a law school graduate awaiting admission to the New York
2 state bar employed by a prosecuting [~~ex~~] agency, criminal defense
3 agency, or non-profit indigent civil legal services corporation as
4 permitted by section four hundred eighty-four of the judiciary law,
5 adjusted for any interruption in employment. Vacation or leave time
6 provided by the employer or leave taken for a condition that is a quali-
7 fying reason for leave under the Family and Medical Leave Act of 1993,
8 29 U.S.C. 2612(a)(1) and (3) shall not be considered an interruption in
9 qualifying employment. Any period of [~~temporary leave from service~~]
10 interruption in qualifying employment taken by an eligible attorney
11 shall not be considered in the calculation of qualified service. Howev-
12 er, the period of [~~temporary leave shall be considered an~~] interrup-
13 tion in qualifying employment and the calculation of the time period of qual-
14 ified service shall recommence when the eligible attorney returns to
15 [~~full time~~] service.

16 § 3. Paragraph a of subdivision 3 of section 679-e of the education
17 law, as amended by section 1 of part VV of chapter 56 of the laws of
18 2009, is amended to read as follows:

19 a. An eligible attorney may apply for reimbursement after the
20 completion of each year of qualified service provided however that
21 reimbursement to each eligible attorney shall not exceed [~~three thousand~~
22 ~~four hundred~~] eight thousand dollars, per qualifying year, subject to
23 appropriations available therefor. The president may establish: (i) an
24 application deadline and (ii) a method of selecting recipients if in any
25 given year there are insufficient funds to cover the needs of all the
26 applicants. Awards shall be within the amounts appropriated for such
27 purpose and based on availability of funds.

28 § 4. Paragraph b of subdivision 3 of section 679-e of the education
29 law, as amended by section 1 of part VV of chapter 56 of the laws of
30 2009, is amended to read as follows:

31 b. An eligible attorney may apply after the completion of the [~~fourth~~]
32 second year of qualified service, and annually thereafter after the
33 completion of the [~~fifth~~] third through [~~ninth~~] eleventh year of quali-
34 fied service, and may seek a student loan expense grant for only the
35 previous year of qualified service within the time periods prescribed by
36 the president. An eligible attorney may receive student loan expense
37 grants for no more than [~~six~~] eight years of qualified service within an
38 eligible period.

39 § 5. This act shall take effect April 1, 2026. Nothing in this act
40 shall be implemented in a manner that diminishes the current award or
41 status of eligible attorneys currently participating in the program.

42 PART PP

43 Section 1. Legislative findings. The legislature acknowledges that
44 there is a mental health crisis among our youth, especially in our most
45 vulnerable communities. The legislature also acknowledges that there is
46 a shortage of mental health professionals working in schools across the
47 state. In order to combat the youth mental health crisis, the legisla-
48 ture acknowledges the benefits of a loan repayment program for the
49 professionals working in the most underserved schools.

50 § 2. Section 605 of the education law is amended by adding a new
51 subdivision 13 to read as follows:

52 13. New York state school-based mental health loan repayment program.
53 a. Purpose. The president shall grant loan repayment awards for the
54 purpose of increasing the number of youth mental health professionals

1 employed in underserved schools across New York state. Such awards shall
2 be made on a competitive basis to applicants who have graduated from an
3 institution of higher education approved or registered by the regents.

4 b. Eligibility. (1) To be eligible to receive an award pursuant to
5 this subdivision, an applicant must be a resident of New York state who
6 has graduated from an institution of higher education and has an
7 outstanding student loan debt.

8 (2) For purposes of this subdivision, a youth mental health profes-
9 sional can be a certified or licensed school psychologist, school coun-
10 selor, or social worker.

11 (3) Underserved schools shall be schools with student to mental health
12 professional ratios below the recommended levels promulgated by the
13 president in conjunction with the commissioner for purposes of this
14 subdivision.

15 (4) Such award shall be made annually to eligible applicants who,
16 prior to accepting such award, are committed to at least four years of
17 service as a youth mental health professional in an underserved school,
18 and such award shall not exceed thirty thousand dollars per year and
19 shall be made to applicants pursuant to the following schedule:

20 (i) thirty percent of the total award for the first year;

21 (ii) thirty percent for the second year; and

22 (iii) any unpaid balance of the total award not to exceed the maximum
23 award amount for the third year.

24 (5) Recipients of such awards shall be eligible to apply for other
25 awards established under this chapter.

26 c. Duration. Such award shall be made annually, for no more than four
27 years, to applicants who remain eligible under this subdivision and who
28 are certified as such by the corporation.

29 d. Amount. The corporation shall grant such awards within the amount
30 appropriated for such purpose and based on availability of funds in an
31 amount not to exceed the total cost of the completion of such degree
32 programs. Cost of completion of such degrees shall include tuition at an
33 institution of higher education approved or registered by the regents
34 and other required or reasonable student fees.

35 § 3. This act shall take effect immediately.

36 PART QQ

37 Section 1. Section 602 of the education law is amended by adding a new
38 subdivision 5 to read as follows:

39 5. The commissioner shall promulgate rules and regulations allowing
40 for students enrolled in an approved postsecondary education experience
41 or transition program to receive financial assistance from the tuition
42 assistance program.

43 § 2. Section 667 of the education law is amended by adding a new
44 subdivision 4 to read as follows:

45 4. Postsecondary education experience or transition programs. a.
46 Notwithstanding subdivisions one, two and three of this section, the
47 president shall make awards to students with intellectual disabilities
48 in approved postsecondary education experience or transition programs in
49 the same manner as students enrolled in an approved program at a
50 degree-granting institution including the same income limits and awards
51 for each year.

52 b. An approved postsecondary education experience or transition
53 program shall:

54 (i) serve students with intellectual disabilities;

1 (ii) provide individual supports and services for the academic and
2 social inclusion of students with intellectual disabilities in academic
3 courses, extracurricular activities, and other aspects of the institu-
4 tion of higher education's regular postsecondary program;

5 (iii) provide a focus on:

6 (A) academic enrichment;

7 (B) socialization;

8 (C) independent living skills, including self-advocacy skills; and

9 (D) integrated work experiences and career skills that lead to gainful
10 employment;

11 (iv) integrate person-centered planning in the development of the
12 course of study for each student with an intellectual disability;

13 (v) create and offer a meaningful credential for students with intel-
14 lectual disabilities upon the completion of the postsecondary education
15 experience or transition program; and

16 (vi) be a federally approved comprehensive transition and postsecon-
17 dary program.

18 c. For the purposes of this subdivision, "students with intellectual
19 disabilities" shall mean a student with an impairment of general intel-
20 lectual functioning or adaptive behavior which constitutes a substantial
21 handicap to the student's ability to function normally in society and
22 which has originated at any point in the student's life.

23 § 3. This act shall take effect immediately.

24 PART RR

25 Section 1. Paragraph h of subdivision 2 of section 355 of the educa-
26 tion law is amended by adding a new subparagraph 11 to read as follows:

27 (11) (i) Beginning in the two thousand twenty-six--two thousand twen-
28 ty-seven academic year, all current and future mandatory university
29 fees, with the exclusion of the graduate student association student
30 activity fee, shall be charged to a state university of New York gradu-
31 ate student serving a full-time or half-time appointment as a graduate
32 teaching assistant, graduate assistant, graduate research assistant,
33 graduate research associate, or graduate teaching associate at the rate
34 of twenty-five percent of all mandatory university fees, with the exclu-
35 sion of the graduate student association student activity fee.

36 (ii) Beginning in the two thousand twenty-seven--two thousand twenty-
37 eight academic year and thereafter, no mandatory university fees shall
38 be charged, with the exclusion of the graduate student association
39 student activity fee.

40 § 2. Section 6206 of the education law is amended by adding a new
41 subdivision 24 to read as follows:

42 24. a. Beginning in the two thousand twenty-six--two thousand twenty-
43 seven academic year, all current and future mandatory university fees,
44 with the exclusion of the graduate student association student activity
45 fee, shall be charged to a city university of New York graduate student
46 servicing as a graduate assistant, adjunct instructor, adjunct lecturer,
47 adjunct college laboratory technician or a non-teaching adjunct staff
48 member at the rate of twenty-five percent of all mandatory university
49 fees, with the exclusion of the graduate student association student
50 activity fee.

51 b. Beginning in the two thousand twenty-seven--two thousand twenty-
52 eight academic year and thereafter, no mandatory university fees shall
53 be charged, with the exclusion of the graduate student association
54 student activity fee.

1 § 3. This act shall take effect immediately.

2 PART SS

3 Section 1. Subdivision 2 of section 667 of the education law, as
4 amended by chapter 376 of the laws of 2019, is amended to read as
5 follows:

6 2. Duration. No undergraduate student shall be eligible for more than
7 four academic years of study, or five academic years if the program of
8 study normally requires five years. Students enrolled in a program of
9 remedial study, approved by the commissioner in an institution of higher
10 education and intended to culminate in a degree in undergraduate study
11 shall, for purposes of this section, be considered as enrolled in a
12 program of study normally requiring five years. An undergraduate student
13 enrolled in an eligible two year program of study approved by the
14 commissioner shall be eligible for no more than three academic years of
15 study. An undergraduate student enrolled in an approved two or four-year
16 program of study approved by the commissioner who must transfer to
17 another institution as a result of permanent college closure shall be
18 eligible for up to two additional semesters, or their equivalent, to the
19 extent credits necessary to complete [~~his or her~~] such student's program
20 of study were deemed non-transferable from the closed institution or
21 were deemed not applicable to such student's program of study by the new
22 institution. Any semester, quarter, or term of attendance during which
23 a student receives any award under this article, after the effective
24 date of the former scholar incentive program and prior to academic year
25 nineteen hundred eighty-nine--nineteen hundred ninety, shall be counted
26 toward the maximum term of eligibility for tuition assistance under this
27 section, except that any semester, quarter or term of attendance during
28 which a student received an award pursuant to section six hundred
29 sixty-six of this subpart shall be counted as one-half of a semester,
30 quarter or term, as the case may be, toward the maximum term of eligi-
31 bility under this section. Any semester, quarter or term of attendance
32 during which a student received an award pursuant to section six hundred
33 sixty-seven-a of this subpart shall not be counted toward the maximum
34 term of eligibility under this section. For the purposes of this
35 section, an academic year shall include any optional academic semester,
36 quarter or term and any award made for such optional academic semester,
37 quarter or term shall not reduce the maximum term of eligibility under
38 this section.

39 § 2. This act shall take effect on the first of July next succeeding
40 the date on which it shall have become a law.

41 PART TT

42 Section 1. Section 604 of the education law is amended by adding a new
43 subdivision 1-a to read as follows:

44 1-a. Tuition assistance awards provided for in subdivision one of this
45 section shall be available to students enrolled in approved programs for
46 five academic years in the aggregate.

47 § 2. This act shall take effect on the first of July next succeeding
48 the date on which it shall have become a law.

49 PART UU

1 Section 1. The general business law is amended by adding a new section
2 352-eeee to read as follows:

3 § 352-eeee. Conversions to condominium ownership for the preservation
4 of expiring affordable housing in the city of New York. 1. As used in
5 this section, the following words and terms shall have the following
6 meanings:

7 (a) "Annual update amendment". An annual update amendment is an amend-
8 ment to the preservation plan that shall be submitted to the attorney
9 general every year that a dwelling unit is unsold, with the first such
10 annual update amendment due within forty-five days of the anniversary of
11 the acceptance of the post-closing amendment to the preservation plan.
12 An annual update amendment shall supply the evidence, data and informa-
13 tion required in this section, and such other information as the attor-
14 ney general's regulations shall require, so that the attorney general is
15 satisfied that the preservation plan as amended discloses the informa-
16 tion necessary for a reasonable investor to make their purchase decision
17 and that the preservation plan is otherwise complete, current and accu-
18 rate.

19 (b) "Bona fide purchaser". A bona fide purchaser is either (i) a
20 tenant in occupancy who enters into a purchase agreement for a dwelling
21 unit pursuant to their or its exercise of one of the rights accorded to
22 tenants in occupancy in subdivision five of this section, or (ii) a bona
23 fide non-tenant purchaser.

24 (c) "Bona fide non-tenant purchaser". A bona fide non-tenant purchaser
25 is a purchaser of a dwelling unit who has represented that they or a
26 member or members of their immediate family intend to occupy the dwell-
27 ing unit when it becomes vacant.

28 (d) "Commercially reasonable good faith effort". A commercially
29 reasonable good faith effort on the part of an offeror of a preservation
30 plan shall, at minimum, include (i) the filing of an annual update
31 amendment to the preservation plan; (ii) all of the condominium's dwell-
32 ing units other than any income-restricted rental units as the units
33 being offered for sale under the preservation plan, each at an offering
34 price that is consistent with comparable dwelling units recently sold
35 within the locality; and (iii) entering into a written agreement with a
36 licensed real estate broker or selling agent in connection with the sale
37 of dwelling units offered for sale under the preservation plan. For the
38 avoidance of doubt, a commercially reasonable good faith effort shall
39 not require an offeror to sell dwelling units at a price substantially
40 below the market-rate for comparable units recently sold within the
41 locality, nor shall it require an offeror to offer for sale dwelling
42 units that are occupied by non-purchasing tenants.

43 (e) "Condominium". A condominium shall also include a qualified lease-
44 hold condominium as defined in subdivision twelve of section three
45 hundred thirty-nine-e of the real property law.

46 (f) "Consummation of the preservation plan". Consummation of the pres-
47 ervation plan shall refer to the filing of the declaration for the
48 condominium and the first transfer of title to at least one purchaser
49 under the preservation plan following a declaration of effectiveness by
50 the department of law declaring the preservation plan effective.

51 (g) "Eligible disabled persons". Non-purchasing tenants who have an
52 impairment which results from anatomical, physiological or psychological
53 conditions, other than addiction to alcohol, gambling, or any controlled
54 substance, which are demonstrable by medically acceptable clinical and
55 laboratory diagnostic techniques, and which are expected to be permanent
56 and which prevent the tenant from engaging in any substantial gainful

1 employment on the date the preservation plan is submitted to the depart-
2 ment of law or on the date the attorney general has accepted the preser-
3 vation plan for filing, and the spouses of any such tenants on such
4 date, and who have elected, within sixty days of the date the preserva-
5 tion plan is submitted to the department of law or on the date the
6 attorney general has accepted the preservation plan for filing, on forms
7 promulgated by the attorney general and presented to such tenants by the
8 offeror, to become non-purchasing tenants under the provisions of this
9 section; provided, however, that if the disability first occurs after
10 acceptance of the preservation plan for filing, then such election may
11 be made within sixty days following the onset of such disability unless
12 during the period subsequent to sixty days following the acceptance of
13 the preservation plan for filing but prior to such election, the offeror
14 accepts a written agreement to purchase the apartment from a bona fide
15 purchaser; and provided further that such election shall not preclude
16 any such tenant from subsequently purchasing the dwelling unit if it is
17 not an income-restricted rental unit on the terms then offered to
18 tenants in occupancy.

19 (h) "Eligible project". An eligible project shall refer to a building
20 or group of buildings or development with one hundred or more dwelling
21 units built after nineteen hundred ninety-six that is the subject of a
22 preservation plan under this section, which shall meet the criteria set
23 forth in subdivision three of this section. An eligible project shall
24 not include any building or group of buildings or development owned
25 under article two, four or five of the private housing finance law. For
26 the avoidance of doubt, no building, group of buildings or development
27 other than an eligible project may convert to condominium status under
28 this section, the status of which shall be confirmed by the relevant
29 housing finance agency prior to the date of submission of the preserva-
30 tion plan.

31 (i) "Eligible senior citizens". Non-purchasing tenants who are sixty-
32 two years of age or older on the date the preservation plan is submitted
33 to the department of law or on the date the attorney general has
34 accepted the preservation plan for filing, and the spouses of any such
35 tenants on such date, and who have elected, within sixty days of the
36 date the preservation plan is submitted to the department of law or on
37 the date the attorney general has accepted the preservation plan for
38 filing, on forms promulgated by the attorney general and presented to
39 such tenants by the offeror, to become non-purchasing tenants under the
40 provisions of this section; provided that such election shall not
41 preclude any such tenant from subsequently purchasing the dwelling unit
42 on the terms then offered to tenants in occupancy.

43 (j) "Extended affordability term". The extended affordability term for
44 the income-restricted rental units shall be in perpetuity for so long as
45 the building or group of buildings or development are in existence, and
46 subject to any obligation to rebuild in the event of condemnation,
47 damage or destruction required by the regulatory agreement with the
48 relevant housing finance agency.

49 (k) "Inclusionary housing unit". An inclusionary housing unit is an
50 income-restricted rental unit that is located within a building that
51 received an increase in the maximum permitted floor area pursuant to
52 sections 23-154 and 23-90 of the zoning resolution or is located in a
53 mandatory inclusionary housing area.

54 (l) "Inclusionary housing designated area". An inclusionary housing
55 designated area is a specified area in which the inclusionary housing
56 program (also known as the voluntary inclusionary housing program) is

1 applicable, pursuant to the regulations set forth for such areas in
2 section 23-90 of the zoning resolution. The locations of inclusionary
3 housing designated areas are identified in either (i) appendix "F" of
4 the zoning resolution or (ii) in a special purpose district as described
5 in section 15-011 of the zoning resolution.

6 (m) "Income-restricted rental unit". An income-restricted rental unit
7 shall refer to a dwelling unit located in a building or group of build-
8 ings or development of an eligible project that is the subject of a
9 preservation plan submitted to the attorney general pursuant to this
10 section, and such dwelling unit:

11 (i) meets the definition of a "low-income unit" as such term is
12 defined in section forty-two of the internal revenue code and is subject
13 to a regulatory agreement with a relevant housing finance agency; or

14 (ii) meets the definition of a "low-income unit" as such term is
15 defined in subdivision (d) of section one hundred forty-two of the
16 internal revenue code and is subject to a regulatory agreement with a
17 relevant housing finance agency; or

18 (iii) previously met the definition of "low-income unit" pursuant to
19 subparagraph (i) or (ii) of this paragraph, and notwithstanding the
20 expiration of a regulatory agreement with a relevant housing finance
21 agency, the owner of such dwelling unit affirms, under the penalty of
22 perjury, that it has continuously operated and rented the dwelling unit
23 (A) as if it remained an income-restricted rental unit and (B) as if all
24 of the restrictions of the expired regulatory agreement had continuously
25 been extended or otherwise remained in effect; or

26 (iv) is a dwelling unit located within a building or group of build-
27 ings or development that, in accordance with provisions of subdivision
28 fifteen of section four hundred twenty-one-a of the real property tax
29 law, the local housing agency shall have required to be a unit afforda-
30 ble to families of low and moderate income; or

31 (v) is a dwelling unit that is rented to persons of low income or
32 families of low income as defined in subdivision nineteen of section two
33 of the private housing finance law or as otherwise required by a feder-
34 al, state, or local law or mandate.

35 (n) "Mandatory inclusionary housing area". A mandatory inclusionary
36 housing area is a specified area in which the inclusionary housing
37 program is applicable, pursuant to the regulations set forth for such
38 areas in section 23-90 of the zoning resolution. The locations of manda-
39 tory inclusionary housing areas are identified in either (i) appendix
40 "F" of the zoning resolution or (ii) in a special purpose district as
41 described in section 15-011 of the zoning resolution.

42 (o) "Non-purchasing tenant". A person who has not purchased under the
43 preservation plan from offeror and who is a tenant entitled to
44 possession at the time the preservation plan is declared effective or a
45 person to whom a dwelling unit is rented from offeror after the preser-
46 vation plan was declared effective. A person who sublets a dwelling unit
47 from a purchaser under the preservation plan shall not be deemed a non-
48 purchasing tenant. A tenant entitled to possession of an income-res-
49 tricted rental unit at the time the preservation plan is declared effec-
50 tive is a non-purchasing tenant, notwithstanding that the
51 income-restricted rental units are not offered for sale pursuant to such
52 preservation plan.

53 (p) "Post-closing amendment". A post-closing amendment is an amendment
54 to a preservation plan filed with the attorney general confirming that
55 the preservation plan has been consummated.

1 (q) "Preservation plan". An offering statement or prospectus submitted
2 to the department of law pursuant to this section for the conversion of
3 a building or group of buildings or development of an eligible project
4 from rental status to condominium ownership, wherein the offeror docu-
5 ments that it has agreed to an extended affordability term for the
6 income-restricted rental units with a relevant housing finance agency.

7 (r) "Purchaser under the preservation plan". A purchaser under the
8 preservation plan is a person who purchases a dwelling unit from offeror
9 pursuant to the terms of a preservation plan that has been accepted for
10 filing by the attorney general. A person or entity that acquires dwell-
11 ing units and assumes certain obligations of offeror shall not be
12 considered a purchaser under the preservation plan.

13 (s) "Qualified owner". A qualified owner refers to the entity approved
14 by the relevant housing finance agency on or before the date of
15 submission of a preservation plan to the department of law that will
16 own, operate and maintain the income-restricted rental unit or units
17 that are in the building, group of buildings or development that are the
18 subject of the preservation plan. The entity which is a qualified owner
19 shall only be either: (i) a housing development fund company incorpo-
20 rated pursuant to article eleven of the private finance housing law; or
21 (ii) a community land trust or other charitable corporation organized
22 under the not-for-profit corporation law that has as its primary chari-
23 table purpose the ownership, operation and maintenance of multifamily
24 housing for persons and families of low income as defined by subdivision
25 nineteen of section two of the private finance housing law.

26 (t) "Relevant housing finance agency". Relevant housing finance agency
27 shall refer to a city or state agency with oversight over income-res-
28 tricted rental units due to the receipt of substantial government
29 assistance prior to the date of submission of a preservation plan. For
30 purposes of this section, a relevant housing finance agency shall also
31 refer to the city or state agency that will continue to have oversight
32 of income-restricted rental units after consummation of the preservation
33 plan.

34 (u) "Regulatory agreement". A regulatory agreement shall refer to the
35 written agreement with a relevant housing finance agency that restricts
36 the income and rents of income-restricted rental units that is either:
37 (i) in effect prior to the date of submission of a preservation plan; or
38 (ii) in effect after consummation of the preservation plan.

39 (v) "Rent stabilization". Rent stabilization shall mean, collectively,
40 the rent stabilization law of nineteen sixty-nine, the rent stabiliza-
41 tion code, the emergency tenant protection act of nineteen seventy-
42 four, and the housing stability and tenant protection act of two thou-
43 sand nineteen, together with any other successor statutes thereto.

44 (w) "Substantial government assistance". Substantial government
45 assistance shall refer to either (i) low income housing tax credits
46 under section forty-two of the internal revenue code or (ii) bond
47 financing under section one hundred forty-two of the internal revenue
48 code.

49 (x) "Zoning resolution". Zoning resolution shall refer to the zoning
50 resolution of the city of New York.

51 2. The attorney general shall refuse to accept for submission a pres-
52 ervation plan for the conversion of a building or group of buildings or
53 development if the relevant housing finance agency has not confirmed
54 that the preservation plan is for an eligible project, which shall be
55 defined as a building or group of buildings or development that meets

1 the definition of an eligible project and one or more of the following
2 requirements as of the date of submission of the preservation plan:

3 (a) The preservation plan is for a building or group of buildings or
4 development that (i) receives a partial property tax exemption pursuant
5 to subdivision fifteen of section four hundred twenty-one-a of the real
6 property tax law, (ii) contains income-restricted rental units, and
7 (iii) is not subject to an existing regulatory agreement that prohibits
8 the conversion of the dwelling units to condominium ownership; or

9 (b) The preservation plan is for a building or group of buildings or
10 development that (i) receives low income housing tax credits pursuant to
11 section forty-two of the internal revenue code, (ii) contains income-
12 restricted rental units, (iii) is not subject to any agreement providing
13 for a right of first refusal with a not-for-profit corporation unless
14 evidence deemed satisfactory to the department of law has been provided
15 that such right of first refusal has either expired or that such not-
16 for-profit declined to exercise such right, and (iv) is not subject to
17 an existing regulatory agreement that prohibits the conversion of the
18 dwelling units to condominium ownership; or

19 (c) The preservation plan is for a building or group of buildings or
20 development that (i) receives bond financing under subdivision (d) of
21 section one hundred forty-two of the internal revenue code, (ii)
22 contains income-restricted rental units, and (iii) is not subject to an
23 existing regulatory agreement that prohibits the conversion of the
24 dwelling units to condominium ownership; or

25 (d) The preservation plan is for a building or group of buildings or
26 development, that (i) contains one or more inclusionary housing units,
27 (ii) is not subject to an existing regulatory agreement that prohibits
28 the conversion of the dwelling units to condominium ownership, and (iii)
29 contains a representation that an agreement has been reached with the
30 relevant housing finance agency to increase the total number of income-
31 restricted rental units in the building or group of buildings or devel-
32 opment to thirty percent for the extended affordability term upon
33 consummation of the preservation plan.

34 3. At the time of submission of the preservation plan, the offeror
35 shall confirm that it has reached an agreement with a relevant housing
36 finance agency regarding the income-restricted rental units during the
37 extended affordability term, and shall include the following disclosures
38 in the preservation plan:

39 (a) A list of the proposed income-restricted rental units;

40 (b) The proposed qualified owner of the income-restricted rental
41 units, which qualified owner shall take title to the income-restricted
42 rental units no later than three hundred sixty-five days from the date
43 of consummation of the preservation plan;

44 (c) The operating expenses and revenues applicable to the income-res-
45 tricted rental units, which shall be reflected in the updated Schedule A
46 and Schedule B for the first year of operation of the condominium, the
47 allocation of common interests, projected common charges, estimated real
48 estate taxes, and rents to be collected from each income-restricted
49 rental unit, and the allocation of common expenses under section three
50 hundred thirty-nine-m of the real property law, applicable to the
51 income-restricted rental units, which shall be used to limit certain
52 condominium expenses allocable to the income-restricted rental units and
53 to cover any shortfall in the revenue from rent to cover the costs of
54 operation of the income-restricted rental units;

1 (d) A description of any financing encumbering the income-restricted
2 rental units, and whether a tax exemption or abatement is in place to
3 reduce real estate taxes for the income-restricted rental units;

4 (e) A description of any regulatory agreement or agreements to be
5 recorded against the income-restricted rental units and the term thereof
6 and the relevant housing finance agency or agencies with supervisory
7 oversight;

8 (f) A description of the provisions of the declaration and by-laws for
9 the condominium that provides for the special allocation of common
10 expenses in accordance with section three hundred thirty-nine-m of the
11 real property law, and any specific requirements set forth in a regula-
12 tory agreement requiring unit owners in the condominium to cover any
13 shortfall in the revenue from rent to cover the costs of operation of
14 the income-restricted rental units;

15 (g) A description of the contemplated structure of the board of manag-
16 ers of the condominium, including specifically an explanation as to how
17 the interests of the qualified owner of the income-restricted rental
18 units are to be adequately represented;

19 (h) A description of the building-wide amenities and a representation
20 that the declaration and by-laws for the condominium shall require that
21 tenants of the income-restricted rental units be provided an opportunity
22 to use commonly accessible amenities of the condominium and not unique
23 to an individual unit, including but not limited to: pools, fitness
24 centers, storage spaces, parking, and roofs or gardens accessible on a
25 building-wide basis, and that the tenants of the income-restricted
26 rental units may only be charged a nominal and reasonable fee for such
27 use, which shall not be treated as rent under any rental agreement;

28 (i) The name, address and contact details for the relevant housing
29 finance agency or agencies with supervisory oversight of the income-res-
30 tricted rental units and the occupants within;

31 (j) That the regulatory agreement contains a provision which requires
32 that once a vacancy occurs of an income-restricted rental unit, after
33 consummation of the preservation plan, then said unit may only be leased
34 to low income households whose annual household income is not greater
35 than sixty percent of area median income at the time of the initial
36 lease;

37 (k) A representation by offeror that the regulatory agreement includes
38 and accounts for (i) all of the existing on-site income-restricted
39 rental units in an existing building or group of buildings or develop-
40 ment, or (ii) all of the income-restricted rental units associated with
41 an existing building or group of buildings or development located on a
42 zoning lot where one or more buildings were set aside as affordable
43 housing for purposes of qualifying for a partial property tax exemption
44 pursuant to section four hundred twenty-one-a of the real property tax
45 law;

46 (l) To the extent not already subject thereto prior to the consum-
47 mation of the preservation plan, a representation by offeror that the
48 regulatory agreement shall require all income restricted rental units be
49 subject to rent stabilization during the extended affordability term,
50 and that no income-restricted rental units may be removed from rent
51 stabilization pursuant to the exemption for units owned as a condominium
52 under sections 2520.11 and 2500.9 of the rent stabilization code or
53 section 26-504 of the administrative code of the city of New York; and

54 (m) The recording of the condominium declaration and commencement of
55 condominium operations does not modify the requirement under section

1 four hundred twenty-one-a of the real property tax law that all residen-
2 tial rental apartments are subject to rent stabilization.

3 4. Upon submission of the preservation plan to the department of law,
4 each tenant in the building or group of buildings or development of a
5 dwelling unit being offered for sale shall be provided with a written
6 notice stating that such preservation plan has been submitted to the
7 department of law. Written notice to each tenant in occupancy shall
8 contain or be accompanied by:

9 (a) a copy of the preservation plan;

10 (b) a statement that tenants of the dwelling units being offered for
11 sale pursuant to the preservation plan or their representatives may
12 physically inspect the premises at any time subsequent to the submission
13 of the preservation plan to the department of law, during normal busi-
14 ness hours, upon written request made by them to the offeror, provided
15 such representatives are registered architects or professional engineers
16 licensed by the office of the professions of the education department of
17 the state of New York; and

18 (c) a statement that tenants of the income-restricted rental units are
19 not being offered for sale the dwelling units they occupy, but their
20 tenancies shall continue undisturbed during and after the conversion of
21 the property to condominium ownership. The statement shall also disclose
22 that all income-restricted rental units shall be subject to rent
23 stabilization throughout the extended affordability term.

24 5. The tenants in occupancy of dwelling units being offered for sale
25 on the date the attorney general accepts the preservation plan for
26 filing shall have the exclusive right to purchase their dwelling units
27 for ninety days after the preservation plan has been accepted for filing
28 by the attorney general, during which time the offering price available
29 to the tenant in occupancy may not be increased and a tenant's dwelling
30 unit shall not be shown to a third party unless such tenant has, in
31 writing, waived their right to purchase. Subsequent to the expiration of
32 such ninety-day period, a tenant in occupancy of a dwelling unit who has
33 not purchased shall be given the exclusive right for an additional six
34 months from said expiration date to purchase said dwelling unit on the
35 same terms and conditions as are contained in any executed contract to
36 purchase said dwelling unit entered into by a purchaser under the pres-
37 ervation plan, such exclusive right to be exercisable within fifteen
38 days from the date of mailing by registered mail of notice of the
39 execution of a contract of sale together with a copy of said executed
40 purchase agreement to said tenant.

41 6. The preservation plan shall also disclose that the offeror shall:

42 (a) market and sell all the dwelling units (other than the income-res-
43 tricted rental units) in the building or group of buildings or develop-
44 ment, as each such dwelling unit becomes vacant, to a purchaser under
45 the preservation plan through the use of commercially reasonable good
46 faith efforts;

47 (b) fund the reserve fund and dedicated capital fund in the manner and
48 amounts as provided in section three hundred thirty-nine-mm of the real
49 property law;

50 (c) file an annual update amendment every year which shall include an
51 updated Schedule A of all dwelling units being offered for sale under
52 the preservation plan; and

53 (d) exercise commercially reasonable good faith efforts to sell at
54 least fifty-one percent of the total number of dwelling units offered
55 for sale under the preservation plan (excluding any income-restricted

1 rental units not offered for sale) within five years from the date of
2 the post-closing amendment.

3 7. After the issuance of the letter from the attorney general stating
4 that the preservation plan has been accepted for filing, the offeror
5 shall, on the thirtieth, sixtieth, eighty-eighth and ninetieth day after
6 such date and at least once every thirty days until the preservation
7 plan is declared effective or abandoned, as the case may be, and on the
8 second day before the expiration of any exclusive purchase period
9 provided in a substantial amendment to the preservation plan:

10 (a) file with the attorney general a written statement under oath
11 setting forth the percentage of bona fide tenants in occupancy of all
12 dwelling units in the building or group of buildings or development on
13 the date the preservation plan was accepted for filing by the attorney
14 general who have executed and delivered written agreements to purchase
15 under the preservation plan as of the date of such written statement
16 under oath; and

17 (b) before noon on the day such statement is filed post a copy of such
18 written statement under oath in a prominent place accessible to all
19 tenants in each building covered by the preservation plan.

20 8. A preservation plan may not be declared effective until written
21 purchase agreements have been executed and delivered for at least
22 fifteen percent of all dwelling units offered for sale in the building
23 or group of buildings or development from either (a) bona fide tenants
24 who were in occupancy on the date a letter was issued by the attorney
25 general accepting the preservation plan for filing or (b) bona fide
26 non-tenant purchasers. The purchase agreement shall be executed and
27 delivered pursuant to an offering made in good faith without fraud and
28 discriminatory repurchase agreements or other discriminatory induce-
29 ments. A negotiated reduction from the original offering price extended
30 shall not, by itself, be deemed a discriminatory inducement.

31 9. Those written statements under oath that the offeror is required to
32 file with the attorney general pursuant to subdivision seven of this
33 section shall also include:

34 (a) the total number of written agreements to purchase under the pres-
35 ervation plan received from bona fide non-tenant purchasers;

36 (b) the total number of written agreements to purchase under the pres-
37 ervation plan received from all bona fide tenants in occupancy;

38 (c) the percentage of dwelling units under contract, calculated by
39 adding the number of written purchase agreements for a unit that were
40 received from (i) all bona fide tenants in occupancy plus (ii) all bona
41 fide non-tenant purchasers and then dividing the sum of those two
42 numbers by the total number of dwelling units offered for sale under the
43 preservation plan;

44 (d) whether or not the offeror intends to claim a credit against the
45 mandatory initial contribution the offeror is obligated to deposit into
46 the condominium's reserve fund pursuant to subdivision three of section
47 three hundred thirty-nine-mm of the real property law for the actual
48 cost of capital replacements which the offeror has begun after the pres-
49 ervation plan was submitted for filing to the department of law but
50 before the preservation plan is declared effective, together with their
51 actual or estimated costs which credit shall not exceed the actual cost
52 of the credit;

53 (e) whether or not the offeror shall be making its reserve fund
54 contributions required pursuant to section three hundred thirty-nine-mm
55 earlier or in an amount greater than required; and

1 (f) a representation that no purchaser counted for purposes of declar-
2 ing the preservation plan effective is the offeror, the selling agent or
3 the managing agent, or is a principal of the offeror, the selling agent,
4 or the managing agent or is related to any principal of the offeror, any
5 principal of the selling agent or any principal of the managing agent by
6 blood, marriage, or adoption, or is an affiliate, business associate, an
7 employee, a shareholder, a member, a manager, a director, an officer, a
8 limited partner of the offeror, selling agent or managing agent.

9 10. The preservation plan shall provide that it will be deemed aban-
10 doned, void and of no effect if it does not become effective within
11 fifteen months from the date of issue of the letter of the attorney
12 general stating that the preservation plan has been accepted for filing
13 and, in the event of such abandonment, no new plan for the conversion of
14 such building or group of buildings or development shall be submitted to
15 the attorney general for at least twelve months after such abandonment.

16 11. No closings of title of a dwelling unit to a purchaser under the
17 preservation plan shall take place until the attorney general shall have
18 also accepted for filing an amendment that declares the preservation
19 plan effective. Within forty-five days of the first closing of title of
20 a dwelling unit to a purchaser under the preservation plan, the offeror
21 shall submit to the attorney general its post-closing amendment to the
22 preservation plan. Thereafter, the preservation plan shall continually
23 be updated with the filing of an annual update amendment, no later than
24 thirty days from the anniversary of the date the attorney general
25 accepted the post-closing amendment for filing. An offeror or successor
26 offeror shall only be relieved of its obligation to file an annual
27 update amendment to the preservation plan after the last dwelling unit
28 offered for sale is conveyed to a purchaser under the preservation plan.

29 12. After the date of acceptance for filing of the post-closing amend-
30 ment, the offeror shall continue to make commercially reasonable good
31 faith efforts to sell the dwelling units it owns.

32 13. The attorney general shall refuse to accept for filing an annual
33 update amendment to the preservation plan unless:

34 (a) The annual update amendment discloses, in addition to the other
35 disclosures required elsewhere in this section or the regulations of the
36 attorney general, the following data and information:

37 (i) an accounting of the dwelling units sold and closed by the offeror
38 in the preceding twelve months, with an indication if the dwelling unit
39 was conveyed to a purchaser under the preservation plan or to a succes-
40 sor offeror;

41 (ii) an inventory of the offeror's unsold dwelling units at the end of
42 the preceding twelve months, in form and substance as shall satisfy the
43 attorney general; and

44 (iii) all the information, data and literature presented by the board
45 of managers in its semi-annual reports on the status of the reserve fund
46 as required under subdivision five of section three hundred thirty-nine-
47 mm of the real property law.

48 (b) The annual update amendment shall be accompanied by an affidavit
49 from a principal of the offeror attesting to the following data and
50 information with respect to all the dwelling units the offeror then
51 owns:

52 (i) the dwelling units' identifying information and general location;

53 (ii) whether, on the date of submission of the annual update amend-
54 ment, the unsold dwelling unit is subject to a fully executed purchase
55 agreement, and if so, whether the purchaser is a purchaser under the
56 preservation plan or otherwise;

1 (iii) whether, on the date of submission of the annual update amend-
2 ment, the dwelling unit is occupied or vacant, and if occupied, an indi-
3 cation that occupancy is:

4 (A) by a rent-regulated tenant;

5 (B) by a market-rate tenant;

6 (C) a month-to-month tenancy;

7 (D) a tenancy at sufferance; or

8 (E) other.

9 (iv) notwithstanding the occupancy status of a dwelling unit on the
10 date of submission of the annual update amendment, an indication if the
11 dwelling unit was vacant for more than one of the twelve preceding
12 months. For each dwelling unit so indicated, the offeror shall also
13 disclose:

14 (A) the date range that the dwelling unit was vacant;

15 (B) the date range for any period of time that the dwelling unit was
16 marketed for sale;

17 (C) date of sale;

18 (D) the date the dwelling unit was leased by a tenant; and

19 (E) the date the lease is set to expire (if applicable).

20 14. No eviction proceedings shall be commenced at any time against
21 non-purchasing tenants for failure to purchase or for any other reason
22 applicable to expiration of tenancy; provided that such proceedings may
23 be commenced for non-payment of rent, illegal use or occupancy of the
24 premises, refusal of reasonable access to the owner or a similar breach
25 by the non-purchasing tenant of their obligations to the owner of the
26 dwelling unit; and provided further that an owner of a unit may not
27 commence an action to recover possession of a dwelling unit from a non-
28 purchasing tenant on the grounds that they seek the dwelling unit for
29 the use and occupancy of themselves or their family's use and occupancy.

30 15. No eviction proceedings shall be commenced, except as provided in
31 this subdivision, at any time against either eligible senior citizens or
32 eligible disabled persons. The rentals of eligible senior citizens and
33 eligible disabled persons who reside in dwelling units not subject to
34 government regulation as to rentals and continued occupancy and eligible
35 senior citizens and eligible disabled persons who reside in dwelling
36 units with respect to which government regulation as to rentals and
37 continued occupancy is eliminated or becomes inapplicable after the
38 preservation plan has been accepted for filing shall not be subject to
39 unconscionable increases beyond ordinary rentals for comparable apart-
40 ments during the period of their occupancy considering, in determining
41 comparability, such factors as building services, level of maintenance
42 and operating expenses; provided that such proceedings may be commenced
43 against such tenants for non-payment of rent, illegal use or occupancy
44 of the premises, refusal of reasonable access to the owner or a similar
45 breach by the tenant of their obligations to the owner of the dwelling
46 unit.

47 16. Eligible senior citizens and eligible disabled persons who reside
48 in dwelling units subject to government regulation as to rentals and
49 continued occupancy shall continue to be subject thereto.

50 17. The rights granted under the preservation plan to eligible senior
51 citizens and eligible disabled persons may not be abrogated or reduced
52 notwithstanding any expiration of, or amendment to, this section.

53 18. Any offeror who disputes the election by a person to be an eligi-
54 ble senior citizen or an eligible disabled person shall apply to the
55 attorney general within thirty days of the receipt of the election forms
56 for a determination by the attorney general of such person's eligibil-

1 ity. The attorney general shall, within thirty days thereafter, issue a
2 determination of eligibility. The foregoing shall, in the absence of
3 fraud, be the sole method for determining a dispute as to whether a
4 person is an eligible senior citizen or an eligible disabled person. The
5 determination of the attorney general shall be reviewable only through a
6 proceeding under article seventy-eight of the civil practice law and
7 rules, which proceeding shall be commenced within thirty days after such
8 determination by the attorney general becomes final.

9 19. Non-purchasing tenants who reside in dwelling units subject to
10 government regulation as to rentals and continued occupancy prior to the
11 conversion of the building or group of buildings or development to
12 condominium ownership shall continue to be subject thereto.

13 20. The rentals of non-purchasing tenants who reside in dwelling units
14 not subject to government regulation as to rentals and continued occu-
15 pancy and non-purchasing tenants who reside in dwelling units with
16 respect to which government regulation as to rentals and continued occu-
17 pancy is eliminated or becomes inapplicable after the preservation plan
18 has been accepted for filing by the attorney general shall not be
19 subject to unconscionable increases beyond ordinary rentals for compara-
20 ble apartments during the period of their occupancy. In determining
21 comparability, consideration shall be given to such factors as building
22 services, level of maintenance and operating expenses.

23 21. The rights granted under the preservation plan to purchasers under
24 the preservation plan and to non-purchasing tenants may not be abrogated
25 or reduced notwithstanding any expiration of, or amendment to, this
26 section.

27 22. Any local legislative body may adopt local laws and any agency,
28 officer or public body may prescribe rules and regulations with respect
29 to the continued occupancy by tenants of dwelling units which are
30 subject to regulation as to rentals and continued occupancy pursuant to
31 law, provided that in the event that any such local law, rule or regu-
32 lation shall be inconsistent with the provisions of this section, the
33 provisions of this section shall control.

34 23. The attorney general shall refuse to accept for filing a preserva-
35 tion plan when the attorney general determines: (a) that one or more of
36 the income-restricted rental units within the building, group of build-
37 ings or development was vacant on the date of submission; or (b) of the
38 dwelling units that are not income-restricted rental units, an excessive
39 number of long-term vacancies did not exist on the date that the preser-
40 vation plan was first submitted to the department of law. For purposes
41 of this subdivision, "long-term vacancies" shall mean dwelling units not
42 leased or occupied by bona fide tenants for more than five months prior
43 to the date of such submission to the department of law; and "excessive"
44 shall mean a vacancy rate in excess of the greater of (i) ten percent
45 and (ii) a percentage that is double the normal average vacancy rate for
46 the building or group of buildings or development for two years prior to
47 the January preceding the date the preservation plan was first submitted
48 to the department of law.

49 24. All dwelling units occupied by non-purchasing tenants shall be
50 managed by the same managing agent who manages all other dwelling units
51 in the building or group of buildings or development. Such managing
52 agent shall provide to non-purchasing tenants all services and facili-
53 ties required by law on a non-discriminatory basis. The offeror shall
54 guarantee the obligation of the managing agent to provide all such
55 services and facilities until such time as the offeror surrenders
56 control of the board of managers, at which time the board of managers of

1 the condominium shall assume responsibility for the provision of all
2 services and facilities required by law on a non-discriminatory basis.

3 25. It shall be unlawful for any person to engage in any course of
4 conduct, including, but not limited to, interruption or discontinuance
5 of essential services, which substantially interferes with or disturbs
6 the comfort, repose, peace or quiet of any tenant in their use or occu-
7 pancy of their dwelling unit or the facilities related thereto. The
8 attorney general may apply to a court of competent jurisdiction for an
9 order restraining such conduct and, if they deem it appropriate, an
10 order restraining the owner from selling the dwelling unit itself or
11 from proceeding with the preservation plan of conversion; provided that
12 nothing contained herein shall be deemed to preclude the tenant from
13 applying on their own behalf for similar relief.

14 26. Any provision of a lease or other rental agreement which purports
15 to waive a tenant's rights under this section or rules and regulations
16 promulgated pursuant hereto shall be void as contrary to public policy.

17 27. Notwithstanding the requirements of this section regarding the
18 preservation of an income-restricted rental unit or units as permanently
19 affordable, and to the extent permitted under existing law as it relates
20 to the income-restricted rental unit or units, the income-restricted
21 rental unit or units in a building or group of buildings or development
22 of an eligible project may be converted to a limited equity housing
23 cooperative pursuant to article eleven of the private housing finance
24 law under a separate offering statement or prospectus, if the relevant
25 housing finance agency ensures that the proposed offering statement or
26 prospectus discloses that the regulatory agreement provides as follows:

27 (a) the offering prices are affordable to the existing tenants and/or
28 the qualified low-income purchasers who meet the definition of persons
29 of low income or families of low income as defined by subdivision nine-
30 teen of section two of the private housing finance law;

31 (b) any tenant of an income-restricted rental unit that chooses not to
32 buy the income-restricted rental unit such tenant occupies shall contin-
33 ue to be protected under rent stabilization throughout the process of
34 conversion to a limited equity housing cooperative and thereafter, and
35 that no existing tenant of an income-restricted rental unit shall be
36 evicted solely due to such tenant's decision not to purchase their
37 income-restricted rental unit;

38 (c) the regulatory agreement and certificate of incorporation of the
39 limited equity housing cooperative shall ensure that the income-res-
40 tricted rental units converted to a limited equity housing cooperative
41 shall be reserved for occupancy by persons of low income and families of
42 low income in perpetuity;

43 (d) the relevant housing finance agency shall have oversight authority
44 over the limited equity housing cooperative in the regulatory agreement,
45 condominium declaration, condominium by-laws and certificate of incorpo-
46 ration of the limited equity housing cooperative, including the ability
47 to appoint a new board of directors of the limited equity housing coop-
48 erative in the event of a violation of a term of, or an event of default
49 by the limited equity housing cooperative under any of its governing
50 documents; and

51 (e) that the ownership of the dedicated capital account by the quali-
52 fied owner, and the funding of the dedicated capital account by the
53 offeror of the preservation plan, shall each be subject to the oversight
54 authority of the relevant housing finance agency as provided in section
55 three hundred thirty-nine-mm of the real property law.

1 28. It shall be unlawful for an offeror, its designees and/or succes-
2 sors to have or exercise voting control of the condominium's board of
3 managers for more than ninety days from the fifth anniversary date of
4 the first closing of title to a dwelling unit, or whenever the unsold
5 dwelling units constitute less than fifty percent of the common inter-
6 ests appurtenant to all dwelling units, whichever is sooner.

7 29. The attorney general may, in their discretion, waive the require-
8 ment in paragraph (d) of subdivision six of this section that an offeror
9 sell at least fifty-one percent of the dwelling units offered for sale
10 under the preservation plan when the offeror provides proof satisfactory
11 to the attorney general that five years of commercially reasonable good
12 faith efforts did not result in the sale of fifty-one percent of the
13 dwelling units. If such waiver is granted, the offeror shall be required
14 to disclose the new date by which it will sell at least fifty-one
15 percent of the dwelling units offered for sale under the preservation
16 plan in its subsequent annual update amendment. Any waiver granted here-
17 under shall not alleviate an offeror, its designees and/or successors of
18 the obligation set forth in subdivision twenty-eight of this section.

19 30. Within ninety days of the effective date of this section, the
20 attorney general shall submit a notice of proposed rulemaking for publi-
21 cation in the state register which shall contain the suitable rules
22 necessary to carry out the provisions of this section. The authority of
23 the attorney general to promulgate, adopt, publish, notify, review,
24 amend, modify, reconsider, or rescind any rule or regulation as may be
25 conferred anywhere within this section shall comply with the state
26 administrative procedure act in all respects.

27 31. For any offering statement or prospectus (including, without limi-
28 tation, a preservation plan and any amended filings thereto), submitted
29 to the department of law pursuant to this section, the filing fees set
30 forth in paragraph (a) of subdivision seven of section three hundred
31 fifty-two-e of this article shall not apply. Instead, an offeror shall
32 tender the following filing fee with and for its submission:

33 (a) seven hundred fifty dollars for every offering not in excess of
34 two hundred fifty thousand dollars;

35 (b) for every offering in excess of two hundred fifty thousand
36 dollars, four-tenths of one percent of the total amount of the offering
37 but not in excess of sixty thousand dollars, of which one-half of said
38 amount shall be a nonrefundable deposit paid at the time of submitting
39 the preservation plan to the department of law for review and the
40 balance payable upon the attorney general's issuance of a letter of
41 acceptance of the preservation plan for filing;

42 (c) two hundred twenty-five dollars for each price change amendment to
43 a preservation plan;

44 (d) seven hundred fifty dollars for any other amendment to a preserva-
45 tion plan; and

46 (e) seven hundred fifty dollars for each such application, and an
47 additional seven hundred fifty dollars for each and every amendment
48 submitted in furtherance of such an application to permit an offeror to
49 solicit public interest prior to the filing of a preservation plan to
50 the department of law.

51 § 2. Section 339-e of the real property law is amended by adding nine
52 new subdivisions 1-a, 6-a, 7-a, 8-a, 10-a, 11-a, 12-a, 12-b and 13-a to
53 read as follows:

54 1-a. "Capital replacement" means a building-wide replacement of a
55 major component of any of the following systems:

56 (a) elevator;

1 (b) heating, ventilation and air conditioning;
2 (c) environmental and sustainability upgrades;
3 (d) plumbing;
4 (e) wiring;
5 (f) window; or
6 (g) a major structural replacement to the building; provided, however,
7 that major structural replacements made to cure code violations of
8 record shall not be included.

9 6-a. "Consummation of the preservation plan" means, in the context of
10 a preservation plan for the conversion of residential rental property to
11 condominium ownership that has been accepted for filing by the depart-
12 ment of law pursuant to section three hundred fifty-two-eeeeee of the
13 general business law and subsequently amended to disclose that said
14 preservation plan has been declared effective, (i) the recording of the
15 declaration for the condominium and (ii) the closing of title to a
16 dwelling unit with a purchaser under the preservation plan.

17 7-a. "Income-restricted rental unit", as used in section three hundred
18 thirty-nine-mm of this article, means a unit that also meets the defi-
19 nition of "income-restricted rental unit" set forth in section three
20 hundred fifty-two-eeeeee of the general business law.

21 8-a. "Offeror", as used in section three hundred thirty-nine-mm of
22 this article, means the offeror of a preservation plan to convert resi-
23 dential rental property to condominium ownership pursuant to section
24 three hundred fifty-two-eeeeee of the general business law, together with
25 their or its nominees, assignees and successors in interest.

26 10-a. "Preservation plan", as used in section three hundred thirty-
27 nine-mm of this article, means an offering statement or prospectus
28 submitted to the department of law pursuant to section three hundred
29 fifty-two-eeeeee of the general business law for the conversion of a
30 building or group of buildings or development from rental status to
31 condominium ownership, wherein the offeror documents that it has agreed
32 to an extended affordability term for the income-restricted rental units
33 with a relevant housing finance agency.

34 11-a. "Purchaser under the preservation plan", when used in section
35 three hundred thirty-nine-mm of this article, means a purchaser under
36 the preservation plan shall refer to a person who purchases a dwelling
37 unit from the offeror pursuant to the terms of a preservation plan that
38 has been accepted for filing by the attorney general. A person or entity
39 that acquires dwelling units and assumes certain obligations of the
40 offeror shall not be considered a purchaser under the preservation plan.

41 12-a. "Qualified owner", as used in section three hundred thirty-nine-
42 mm of this article, shall refer to a unit owner that also meets the
43 definition of "qualified owner" as set forth in section three hundred
44 fifty-two-eeeeee of the general business law.

45 12-b. "Relevant housing finance agency", as used in section three
46 hundred thirty-nine-mm of this article, shall have the same meaning as
47 set forth in section three hundred fifty-two-eeeeee of the general busi-
48 ness law.

49 13-a. "Total price", when used in section three hundred thirty-nine-mm
50 of this article, means the sum of the cost of all units in the offering,
51 but excluding any income-restricted rental units owned or to be trans-
52 ferred to a qualified owner, at the last price which was offered to
53 tenants in occupancy prior to the effective date of the preservation
54 plan regardless of the number of sales made.

55 § 3. The real property law is amended by adding a new section 339-mm
56 to read as follows:

1 § 339-mm. Establishment of reserve fund and dedicated capital fund for
2 buildings converting to condominium ownership under section three
3 hundred fifty-two-eeeeee of the general business law. 1. Within thirty
4 days after the consummation of a preservation plan, the offeror thereof
5 (and/or its designee or designees and/or successor or successors) shall
6 establish and transfer:

7 (a) to the condominium board of managers a reserve fund to be used
8 exclusively for making capital repairs, replacements and improvements
9 necessary for the health and safety of the residents (including resi-
10 dents of the income-restricted rental units) of such building or group
11 of buildings or development. Such reserve fund shall be exclusive of
12 any other funds required to be reserved under the preservation plan or
13 applicable law or regulation of the attorney general, except a fund for
14 capital repairs, replacements and improvements substantially similar in
15 purpose to and in an amount not less than the reserve fund mandated by
16 this section. Such reserve fund shall also be exclusive of any working
17 capital fund or dedicated capital fund and shall not be subject to
18 reduction for closing apportionments.

19 (b) to the qualified owner of the income-restricted rental units, and
20 subject to the oversight of the relevant housing finance agency set
21 forth in a regulatory agreement, a dedicated capital fund to be used
22 exclusively for making unit repairs, replacements and improvements
23 necessary for the health and safety of the residents of an income-res-
24 tricted rental unit or units of such building or group of buildings or
25 development. Such dedicated capital fund shall be exclusive and supple-
26 mental of any other funds required to be reserved under the preservation
27 plan or applicable law or regulation. Such dedicated capital fund shall
28 also be exclusive and supplemental of any reserve fund or working capi-
29 tal fund and shall not be subject to reduction for closing apportion-
30 ments. The dedicated capital fund shall not be used towards any build-
31 ing-wide capital replacement, and instead shall be used solely for unit
32 repairs, replacements and improvements of the income-restricted rental
33 units.

34 2. (a) Such reserve fund shall be established in an amount equal to
35 either (i) three percent of the total price or, (ii) (A) three percent
36 of the actual sales price of all condominium units sold by the offeror
37 at the time the preservation plan is declared effective, provided,
38 however, that if such amount is less than one percent of the total
39 price, then the fund shall be established as a minimum of one percent of
40 the total price; plus (B) supplemental contributions to be made by the
41 offeror at a rate of three percent of the actual sales price of condo-
42 minium units for each unit held by the offeror and sold to bona fide
43 purchasers subsequent to the effective date of the preservation plan and
44 within five years of the consummation of the preservation plan, notwith-
45 standing that the total amount contributed may exceed three percent of
46 the total price; and provided, further, that if five years from thirty
47 days after the consummation of the preservation plan the total contrib-
48 utions by the offeror to the fund are less than three percent of the
49 total price the offeror shall pay the difference between the amount
50 contributed and three percent of the total price. Supplemental contrib-
51 utions shall be made within thirty days of each sale.

52 (b) Such dedicated capital fund shall be established in an amount
53 equal to one-half of one percent of the total price, and shall be trans-
54 ferred in full within thirty days of the date of consummation of the
55 preservation plan into an account at a financial institution regulated
56 by the department of financial services of the state of New York that

1 shall have been opened by, and shall at all times be subject to the
2 oversight authority of the relevant housing finance agency of the quali-
3 fied owner of the income-restricted rental unit or units.

4 3. The contributions required pursuant to this section may be made
5 earlier or in an amount greater than so provided. An offeror may claim
6 and receive credit against the mandatory initial contribution to the
7 reserve fund for the actual cost of capital replacements which such
8 offeror has begun after the preservation plan is submitted for filing to
9 the department of law and before the preservation plan is declared
10 effective; provided, however, that any such replacements shall be set
11 forth in the preservation plan together with their actual or estimated
12 costs and further provided, that such credit shall not exceed the lesser
13 of the actual cost of the capital replacements or one and a half percent
14 of the total price.

15 4. Any building, construction of which was completed within three
16 years prior to the consummation of the preservation plan, shall be
17 exempt from the reserve fund requirements of this section but not the
18 dedicated capital fund requirements of this section.

19 5. The condominium board of managers shall report to unit owners on a
20 semi-annual basis with respect to all deposits into and withdrawals from
21 the reserve fund mandated by paragraph (a) of subdivision two of this
22 section.

23 6. The offeror, not later than the thirtieth day following the accept-
24 ance of a preservation plan for filing by the department of law pursuant
25 to section three hundred fifty-two-eeeeee of the general business law and
26 until the consummation of the preservation plan, shall post and maintain
27 in a prominent place, accessible to all tenants in each building covered
28 by the preservation plan, a listing of all violations of record against
29 such buildings as determined by the department of buildings of the city
30 of New York and the department of housing preservation and development
31 of the city of New York. All newly issued violations shall be posted
32 within forty-eight hours of their issuance and maintained as described
33 in this subdivision. The offeror may satisfy the requirements of this
34 section by designating an agent on the premises with whom such listing
35 shall be made available for inspection by the tenants.

36 7. Any provision purporting to waive the provisions of this section in
37 any contract to purchase, any agreement between an offeror and a unit
38 purchaser, any agreement between an offeror and the condominium board of
39 managers created under a preservation plan, any agreement between an
40 offeror and the owner of the income-restricted rental unit or units
41 shall be void as against public policy.

42 8. (a) Except as otherwise provided in paragraph (b) of this subdivi-
43 sion, any person who knowingly violates or assists in the violation of
44 any provision of this section shall be subject to a civil penalty of one
45 hundred dollars per day per unit for each day that a building is not in
46 compliance with the provisions of such section; provided, however, that
47 such civil penalty shall not exceed one thousand dollars per unit.

48 (b) Any person who violates or assists in the violation of subdivision
49 two of this section shall also be subject to a civil penalty of one
50 thousand dollars per day for each day that the reserve fund required by
51 subdivision two of this section is not established; provided, however,
52 that such civil penalty shall not exceed the amount required to be
53 reserved pursuant to subdivision two of this section.

54 (c) Any other action or proceeding in any court of competent jurisdic-
55 tion that may be appropriate or necessary for the enforcement of the
56 provisions of this section may be brought in the name of the people of

1 the state of New York by the attorney general, including actions to
2 secure permanent injunctions enjoining any acts or practices which
3 constitute a violation of any provision of this section, mandating
4 compliance with the provisions of this section or for such other relief
5 as may be appropriate. In any such action or proceeding, the attorney
6 general may apply to any court of competent jurisdiction, or to a judge
7 or justice thereof, for a temporary restraining order or preliminary
8 injunction enjoining and restraining all persons from violating any
9 provision of this section, mandating compliance with the provisions of
10 this section, or for such other relief as may be appropriate, until the
11 hearing and determination of such action or proceeding and the entry of
12 final judgment or order therein. The court, or judge or justice thereof,
13 to whom such application is made, is hereby authorized to make any or
14 all of the orders specified in this paragraph, as may be required in
15 such application, with or without notice, and to make such other or
16 further orders or directions as may be necessary to render the same
17 effectual. No undertaking shall be required as a condition of the grant-
18 ing or issuing of such order, or by reason thereof.

19 (d) Nothing contained in this section shall impair any rights, reme-
20 di- es or causes of action accrued or accruing to purchasers of condomin-
21 ium units with regard to the funding of the reserve fund and capital
22 fund under this section.

23 (e) The attorney general is empowered to enforce the provisions of
24 this section.

25 § 4. Subdivision 2, subparagraph (i) of paragraph (a) of subdivision
26 2-a, and paragraphs (a) and (c) of subdivision 7 of section 352-e of the
27 general business law, subdivision 2 as amended by chapter 1042 of the
28 laws of 1981, subparagraph (i) of paragraph (a) of subdivision 2-a as
29 added by chapter 771 of the laws of 1983, paragraph (a) of subdivision 7
30 as amended by section 1 of part BBB-1 of chapter 57 of the laws of 2008,
31 and paragraph (c) of subdivision 7 as amended by chapter 637 of the laws
32 of 1989, are amended to read as follows:

33 2. Unless otherwise provided by regulation issued by the attorney
34 general, the offering statement or statements or prospectus required in
35 subdivision one of this section shall be filed with the department of
36 law at its office in the city of New York, prior to the public offering
37 of the security involved. No offer, advertisement or sale of such secu-
38 rities shall be made in or from the state of New York until the attorney
39 general has issued to the issuer or other [~~offerer~~ offeror] a letter
40 stating that the offering has been filed. The attorney general, not
41 later than thirty days after the submission of such filing, shall issue
42 such a letter or, in the alternative, a notification in writing indicat-
43 ing deficiencies in the offering statement, statements or prospectus;
44 provided, however, that in the case of a building or group of buildings
45 to be converted to cooperative or condominium ownership which is occu-
46 pied in whole or in part for residential purposes and which is not the
47 subject of a preservation plan submitted pursuant to section three
48 hundred fifty-two-eeeeee of this article, such letter or notification
49 shall be issued in not sooner than four months and not later than six
50 months from the date of submission of such filing. The attorney general
51 may also refuse to issue a letter stating that the offering statement or
52 statements or prospectus has been filed whenever it appears that the
53 offering statement or statements or prospectus does not clearly set
54 forth the specific property or properties to be purchased, leased, mort-
55 gaged, or otherwise to be acquired, financed or the subject of specific
56 investment with a substantial portion of the offering proceeds.

1 (i) "Plan". Every offering statement or prospectus submitted to the
2 department of law for the conversion of a building or group of buildings
3 or development from residential rental status to cooperative or condo-
4 minium ownership, other than a plan governed by the provisions of either
5 section three hundred fifty-two-eee [~~ex~~], three hundred fifty-two-eeee
6 or section three hundred fifty-two-eeee of this [~~chapter~~] article, or a
7 plan for such conversion pursuant to article two, eight or eleven of the
8 private housing finance law.

9 (a) The department of law shall collect the following fees for the
10 filing of each offering statement or prospectus as described in subdivi-
11 sion one of this section: seven hundred fifty dollars for every offering
12 not in excess of two hundred fifty thousand dollars; for every offering
13 in excess of two hundred fifty thousand dollars, four-tenths of one
14 percent of the total amount of the offering but not in excess of [~~thir-~~
15 ~~ty~~] fifty thousand dollars of which one-half of said amount shall be a
16 nonrefundable deposit paid at the time of submitting the offering state-
17 ment to the department of law for review and the balance payable upon
18 the issuance of a letter of acceptance for filing said offering state-
19 ment. The department of law shall, in addition, collect a fee of two
20 hundred twenty-five dollars for each price change amendment to an offer-
21 ing statement and seven hundred fifty dollars for any other amendment to
22 an offering statement. For each application granted by the department of
23 law, which permits the applicant to solicit public interest or public
24 funds preliminary to the filing of an offering statement or for the
25 issuance of a "no-filing required" letter and any amendment thereto, the
26 department of law shall collect a fee of [~~two~~] seven hundred [~~twenty-~~
27 ~~five~~] fifty dollars. [~~In the event the sponsor thereafter files an~~
28 ~~offering statement, the fee paid for the preliminary application shall~~
29 ~~be credited against the balance of the fee due and payable on filing.~~]
30 For each application granted pursuant to section three hundred fifty-
31 two-g of this article, the department of law shall collect a fee of
32 two-tenths of one percent of the amount of the offering of securities;
33 however, the minimum fee shall be seven hundred fifty dollars, and the
34 maximum fee shall be [~~thirty~~] fifty thousand dollars. All revenue from
35 that portion of any fee imposed pursuant to this paragraph, which
36 exceeds twenty thousand dollars for offering statements, and five
37 hundred twenty-five dollars for all other filings, shall be paid by the
38 department of law to the state comptroller to be deposited in and cred-
39 ited to the real estate finance bureau fund, established pursuant to
40 section eighty of the state finance law.

41 (c) Notwithstanding the provisions of paragraph (a) of this subdivi-
42 sion, the department of law shall not collect any fees for the filing of
43 an offering statement or prospectus or any amended filings thereto as
44 described in subdivision one of this section whenever: (i) a conversion
45 of a mobile home park, building or group of buildings or development
46 from residential rental status to cooperative or condominium ownership
47 is being made pursuant to article eleven, eighteen, nineteen or twenty
48 of the private housing finance law; or (ii) the offering statement or
49 prospectus or amendment thereto is submitted to the department of law
50 pursuant to section three hundred fifty-two-eeee of this article. For
51 submissions made pursuant to section three hundred fifty-two-eeee of
52 this article, the department of law shall instead collect the fees set
53 forth in subdivision thirty-one of such section. All revenue from that
54 portion of any fee imposed pursuant to subdivision thirty-one of section
55 three hundred fifty-two-eeee of this article shall be paid by the
56 department of law to the state comptroller to be deposited in and cred-

1 ited to the real estate finance bureau fund, established pursuant to
2 section eighty of the state finance law.

3 § 5. Paragraph (a) of subdivision 1 of section 352-eeee of the general
4 business law, as amended by section 1 of part N of chapter 36 of the
5 laws of 2019, is amended to read as follows:

6 (a) "Plan". Every offering statement or prospectus submitted to the
7 department of law pursuant to section three hundred fifty-two-e of this
8 article for the conversion of a building or group of buildings or devel-
9 opment from residential rental status to cooperative or condominium
10 ownership or other form of cooperative interest in realty, other than an
11 offering statement or prospectus for such conversion pursuant to section
12 three hundred fifty-two-eeee of this article or article two, eight or
13 eleven of the private housing finance law.

14 § 6. This act shall take effect on the one hundred eightieth day after
15 it shall have become a law and shall expire and be deemed repealed 4
16 years after such date.

17 PART VV

18 Section 1. The veterans' services law is amended by adding a new
19 section 29-e to read as follows:

20 § 29-e. Veteran-owned business directory. 1. As used in this section
21 the following terms shall have the following meanings:

22 (a) "Business owned and controlled by veterans" means a business (i)
23 not less than fifty-one percent of which is owned by one or more veter-
24 ans, or, in the case of any publicly owned business, not less than
25 fifty-one percent of the stock of which is owned by one or more veter-
26 ans; (ii) the management and daily business operations of which are
27 controlled by one or more veterans; and (iii) authorized to do business
28 in the state and which is independently owned and operated.

29 (b) "Veteran" means a person, as defined in section one of this arti-
30 cle, who served on active duty and has been discharged or released ther-
31 efrom under conditions other than dishonorable, or has a qualifying
32 condition as defined in section one of this article and has received a
33 discharge other than bad conduct or dishonorable, or is a discharged
34 LGBT veteran as defined in section one of this article and has received
35 a discharge other than bad conduct or dishonorable;

36 (c) "Service-disabled veteran" shall have the same meaning as defined
37 in section forty of this chapter;

38 (d) "Certified service-disabled veteran-owned business enterprise"
39 shall have the same meaning as defined in section forty of this chapter;
40 and

41 (e) "Veteran-owned business enterprises" shall mean businesses owned
42 and controlled by veterans, and service-disabled veteran-owned business
43 enterprises.

44 2. The department, with the aid and assistance of the division of
45 small business, the department of labor, the division of service-disa-
46 bled veterans' business development, and the office of general services,
47 shall develop, regularly update, and make available to state agencies
48 and the public a directory of veteran-owned business enterprises which
49 shall, wherever practicable, be divided into categories of labor,
50 services, supplies, equipment, materials and recognized construction
51 trades and which shall indicate areas or locations of the state where
52 such enterprises are available to perform services. Such directory
53 shall use an asterisk or other special mark to denote any veteran-owned
54 business enterprises which are service-disabled veteran-owned business

1 enterprises. Such directory shall be posted on the department's
2 website.

3 3. The office of general services shall also use this information to
4 create and regularly update an internet based, searchable centralized
5 state database to promote veteran-owned business enterprises to the
6 public and shall post such database on the office of general services'
7 website.

8 4. The department with the office of general services shall conduct
9 outreach to notify veteran-owned business enterprises of such directory
10 and database.

11 5. The department shall develop a registration process with the office
12 of general services for veteran-owned business enterprises to complete
13 in order to compile information for inclusion in the directory and data-
14 base. The department shall be responsible for verifying businesses as
15 being a business owned and controlled by veterans as defined in this
16 section including the development of rules and regulations governing the
17 approval, denial, or revocation of a business's status as a business
18 owned and controlled by veterans.

19 § 2. Subdivision 7 of section 4 of the veterans' services law is
20 amended to read as follows:

21 7. To provide in cooperation with the office of general services and
22 the office of the comptroller a series of seminars, that shall be
23 conducted four or more times per year at regional sites located through-
24 out the state of New York for the purpose of advising veteran-owned
25 businesses regarding the opportunities available for obtaining procure-
26 ment contracts from New York state agencies, municipalities, and author-
27 ities. ~~Furthermore the~~ The seminars shall provide requirements and
28 training that will enable veteran-owned businesses to successfully
29 participate in the procurement process. Furthermore, the seminars shall
30 provide registration information regarding the veteran-owned business
31 directory and database pursuant to section twenty-nine-e of this arti-
32 cle.

33 § 3. This act shall take effect on the first of April next succeeding
34 the date upon which it shall have become a law. Effective immediately,
35 the addition, amendment and/or repeal of any rule or regulation neces-
36 sary for the implementation of this act on its effective date are
37 authorized to be made and completed on or before such effective date.

38 PART WW

39 Section 1. The state finance law is amended by adding a new section
40 89-gg to read as follows:

41 § 89-gg. Youth justice innovation fund. 1. A fund to be known as the
42 "youth justice innovation fund" is hereby established in the custody of
43 the state comptroller and the commissioner of taxation and finance.

44 2. The fund shall consist of fifty million dollars transferred to such
45 account pursuant to a plan developed by the director of the budget from
46 funds made available for the purposes of funding services for youth
47 through the age of twenty-five, and any interest earnings which may
48 accrue from the investment of monies in the fund. Nothing contained
49 herein shall prevent the state from receiving grants, gifts or bequests
50 for the purposes of the fund as defined in this section and depositing
51 them into the fund according to law.

52 3. Monies of the fund shall be available to the division of criminal
53 justice services and shall be provided to community-based organizations
54 to be expended for services and programs with the purpose of youth

1 development and preventing youth arrest and incarceration, including,
2 but not limited to, those providing violence-prevention services for
3 youth, alternatives to detention, placement and incarceration programs
4 for youth, and reentry, education, and employment training and placement
5 programs for youth through the age of twenty-five.

6 4. On or before the first day of March of each year, the director of
7 the division of criminal justice services shall provide a written report
8 to the temporary president of the senate, the speaker of the assembly,
9 the minority leader of the senate, the minority leader of the assembly,
10 the chair of the senate finance committee, the chair of the assembly
11 ways and means committee, the chair of the senate committee on codes,
12 the chair of the assembly committee on codes, the state comptroller, and
13 the public. Such report shall include how the monies of the fund were
14 utilized during the preceding calendar year, and shall include:

15 (a) the amount of money disbursed from the fund and the award process
16 used for such disbursements;

17 (b) recipients of awards from the fund;

18 (c) the amount awarded to each recipient;

19 (d) the purposes for which such awards were granted; and

20 (e) a summary financial plan for such monies which shall include esti-
21 mates of all receipts and all disbursements for the current and succeed-
22 ing fiscal years, along with the actual results from the prior fiscal
23 year.

24 5. Monies shall be payable from the fund on the audit and warrant of
25 the comptroller on vouchers approved and certified by the director of
26 the division of criminal justice services.

27 § 2. This act shall take effect immediately and shall apply to expend-
28 itures made on and after April 1, 2025.

29 PART XX

30 Section 1. Paragraph (a) of subdivision 2 of section 6401 of the
 31 education law, as amended by chapter 717 of the laws of 1981, the open-
 32 ing paragraph as amended by section 1 and subparagraph (vi) as added by
 33 section 2 of part D of chapter 56 of the laws of 2024, is amended to
 34 read as follows:

35 (a) Notwithstanding the provisions of any other law, in order to qual-
 36 ify for state aid apportionments pursuant to this section, any institu-
 37 tion of higher education must meet either the requirements set forth in
 38 subparagraphs (i) through [~~(vi)~~] (v) of this paragraph or, in the alter-
 39 native, the requirements set forth in paragraph (b) of this subdivision:

40 (i) The institution must be a non-profit college or university incor-
 41 porated by the regents or by the legislature, or a school of medicine,
 42 dentistry or osteopathy authorized by the regents to confer the degree
 43 of doctor of medicine, doctor of medical science, doctor of dental
 44 surgery or doctor of osteopathy.

45 (ii) The institution must maintain one or more earned degree programs,
 46 culminating in an associate or higher degree.

47 (iii) The institution must meet such standards of educational quality
 48 applicable to comparable public institutions of higher education, as may
 49 be from time to time established by the regents.

50 (iv) The institution must be eligible for state aid under the
 51 provisions of the constitution of the United States and the constitution
 52 of the state of New York.

1 (v) The institution must submit a financial statement which shall
2 include total assets and liabilities, in such form as may be approved by
3 the commissioner.

4 [~~(vi) The institution must have total endowment assets of less than
5 seven hundred fifty million dollars (\$750,000,000), based on the most
6 recent academic year data collected in the Integrated Postsecondary
7 Education Data System, as required under Title IV of the Higher Educa-
8 tion Act of 1965, as amended, and reported by the Department of
9 Education's National Center for Education Statistics.~~]

10 § 2. Subparagraph (vi) of paragraph (b) of subdivision 2 of section
11 6401 of the education law is REPEALED.

12 § 3. This act shall take effect immediately.

13 PART YY

14 Section 1. The private housing finance law is amended by adding a new
15 article 17-C to read as follows:

16 ARTICLE XVII-C

17 SMALL RENTAL HOUSING DEVELOPMENT INITIATIVE

18 Section 1060. Legislative findings and statement of policy.

19 1061. Definitions.

20 1062. Small rental housing development initiative.

21 § 1060. Legislative findings and statement of policy. The legislature
22 hereby finds and declares that there exists in many rural areas of the
23 state a substantial need for affordable rental housing of a size that is
24 suitable to small communities with limited infrastructure. The findings
25 set forth in article seventeen of this chapter, with respect to the
26 special needs and problems of such areas and the significant potential
27 role of locally based not-for-profit organizations in helping to meet
28 such needs, are hereby reaffirmed. The legislature hereby determines
29 that, in addition to the program of state support to help meet the
30 administrative expenses of such organizations under article seventeen of
31 this chapter, a further public need exists for state funding for the
32 development of affordable rental housing of twenty units or less. It is
33 the purpose of this article to encourage the construction of affordable
34 rental housing in the rural areas of the state by establishing a dedi-
35 cated program of such funding.

36 § 1061. Definitions. For the purposes of this article, the following
37 terms shall have the following meanings:

38 1. "Small rental housing developments" shall mean affordable rental
39 apartment buildings of twenty units or less for low to moderate income
40 households.

41 2. "Eligible area" shall mean a town or city with a population of
42 thirty thousand or less.

43 3. "Eligible applicant" shall mean a non-profit housing agency such as
44 a rural preservation or neighborhood company or other similar non-profit
45 entity chartered by the state.

46 4. "Low to moderate-income household" shall mean a household with up
47 to one hundred twenty percent of area median income.

48 5. "Period of affordability" shall mean the required length of time a
49 project must meet affordability requirements pursuant to 24 CFR
50 92.252(e) and to be specified in the project note and mortgage.

51 § 1062. Small rental housing development initiative. 1. Applicants
52 constructing small rental housing developments in eligible areas shall
53 be eligible for state funding in the form of deferred loans at zero
54 percent interest loans, due on sale. Such zero interest loans may be

1 subject to forgiveness in accordance with the provisions of subdivision
2 two of this section.

3 (a) The eligible applicant shall choose a payback period for such loan
4 of between ten and twenty years.

5 (b) The maximum per-unit subsidy shall be determined by the commis-
6 sioner.

7 (c) Funds shall be used for the construction of residential units and
8 may be used for the construction of community rooms or common areas used
9 for the benefit of residents.

10 2. (a) Zero interest loans issued in accordance with subdivision one
11 of this section shall be deferred for the period of affordability. If
12 the eligible applicant, who is the recipient of a zero interest loan,
13 remains in compliance with all program requirements for the entirety of
14 the period of affordability, the zero interest loan may be forgiven and
15 the mortgage lien placed against the property may be satisfied.

16 (b) If the property of an eligible applicant is sold during the period
17 of affordability, the sum of any outstanding mortgage must be re-paid.
18 The mortgage lien may be assumed by a new purchaser only if approved by
19 the housing trust fund corporation, subject to any conditions or
20 requirements set by the housing trust fund corporation.

21 (c) The rental management requirements of the small rental housing
22 initiative shall run with the property throughout the entirety of the
23 period of affordability, regardless of any change in ownership.

24 (d) Awards made under this program shall be pursuant to a regulatory
25 agreement, including rent setting and any and all rent increases during
26 the affordability period.

27 3. The division of housing and community renewal shall notify, in
28 writing, all applicants who were not selected for funding of the reasons
29 why the proposal was not funded, including the design, underwriting,
30 legal or program deficiencies, deficiencies of any documents and/or the
31 basis upon which the application was determined to be ineligible for
32 funding.

33 4. The division of housing and community renewal shall provide for the
34 review, at periodic intervals not less than annually, of the performance
35 of applicants receiving grants or loans pursuant to this article. Such
36 review shall, among other things, be for the purposes of ascertaining
37 the conformity to agreement provisions, and adherence to regulations.
38 Agreements entered into pursuant to this article may be terminated and
39 funds may be withheld or recaptured by the division of housing and
40 community renewal upon a finding of substantial nonperformance or breach
41 by such applicant under its agreement.

42 5. The division of housing and community renewal shall develop addi-
43 tional procedures and requirements related to the application and award
44 of funding for projects pursuant to this article as deemed necessary or
45 appropriate to implement the purposes and provisions of this article.

46 § 2. This act shall take effect immediately.

47 PART ZZ

48 Section 1. The private housing finance law is amended by adding a new
49 article 33 to read as follows:

50 ARTICLE XXXIII

51 MOBILE AND MANUFACTURED HOME REPLACEMENT PROGRAM

52 Section 1300. Statement of legislative findings and purpose.

53 1301. Definitions.

54 1302. Mobile and manufactured home replacement contracts.

1 § 1300. Statement of legislative findings and purpose. The legislature
2 hereby finds and declares that there exists in New York state a serious
3 need to eliminate older, dilapidated mobile and manufactured homes and
4 replace them with new manufactured, modular or site-built homes. Older
5 mobile or manufactured home units with rusted, leaking metal roofs,
6 metal-framed windows with interior take-out storms, and metal siding,
7 are just some of the examples of those that most need replacement. No
8 matter the amount of rehabilitation investment, the end result is unsat-
9 isfactory in terms of longevity, energy efficiency and affordability.
10 The legislature therefore finds that the state should establish a
11 program to fund the replacement of mobile or manufactured homes with new
12 affordable and energy efficient manufactured, modular or site-built
13 homes.

14 § 1301. Definitions. For the purposes of this article the following
15 terms shall have the following meanings:

16 1. "Corporation" shall mean the housing trust fund corporation estab-
17 lished in section forty-five-a of this chapter.

18 2. "Dilapidated" shall mean a housing unit that does not provide safe
19 and adequate shelter, and in its present condition endangers the health,
20 safety or well-being of the occupants. Such a housing unit shall have
21 one or more critical defects, or a combination of intermediate defects
22 in sufficient number or extent to require considerable repair or
23 rebuilding. Such defects may involve original construction, or they may
24 result from continued neglect or lack of repair or from serious damage
25 to the structure.

26 3. "Eligible applicant" shall mean a unit of local government or a
27 not-for-profit corporation in existence for a period of one or more
28 years prior to application, which is, or will be at the time of award,
29 incorporated under the not-for-profit corporation law and has substan-
30 tial experience in affordable housing.

31 4. "Eligible property" shall mean a mobile or manufactured home that
32 is the primary residence of a homeowner with a total household income
33 that does not exceed eighty percent of area median income for the county
34 in which a project is located as calculated by the United States depart-
35 ment of housing and urban development.

36 5. "Manufactured home" shall have the same meaning as is set forth for
37 such term in subdivision seven of section six hundred one of the execu-
38 tive law.

39 6. "Mobile and manufactured home replacement program" or "program"
40 shall mean a proposal by an eligible applicant for the replacement of a
41 dilapidated mobile or manufactured home with a new manufactured, modular
42 or site-built home. All replacement homes shall be energy star rated for
43 energy efficiency.

44 7. "Modular home" shall have the same meaning as is set forth for such
45 term in paragraph thirty-three of subdivision (b) of section eleven
46 hundred one of the tax law.

47 8. "Site-built home" shall mean a structure built on-site using build-
48 ing materials delivered to the site, even if some of such materials were
49 manufactured, produced or assembled off-site such as, by way of example
50 and not by way of limitation, concrete blocks, windows, door units, wall
51 or roof panels, trusses and dormers.

52 § 1302. Mobile and manufactured home replacement contracts. 1. Grants.
53 Within the limit of funds available in the mobile and manufactured home
54 replacement program, the corporation is hereby authorized to enter into
55 contracts with eligible applicants to provide grants, which shall be

1 used to establish programs to provide assistance to eligible property
2 owners to replace dilapidated mobile or manufactured homes in the state.

3 2. Program criteria. The corporation shall develop procedures, crite-
4 ria and requirements related to the application and award of projects
5 pursuant to this section which shall include: eligibility, market
6 demand, feasibility and funding criteria; the funding determination
7 process; supervision and evaluation of contracting applicants; report-
8 ing, budgeting and record-keeping requirements; provisions for modifica-
9 tion and termination of contracts; and such other matters not inconsis-
10 ent with the purposes and provisions of this article as the corporation
11 shall deem necessary or appropriate.

12 3. Contract limitations. The total contract pursuant to any one eligi-
13 ble applicant in a specified region shall not exceed seven hundred fifty
14 thousand dollars and the contract shall provide for completion of the
15 program within a reasonable period, as specified therein, which shall
16 not in any event exceed four years from commencement of the program.
17 Upon request, the corporation may extend the term of the contract for up
18 to an additional one year period for good cause shown by the eligible
19 applicant.

20 4. Planning and administrative costs. The corporation shall authorize
21 the eligible applicant to spend ten percent of the contract amount for
22 approved planning and administrative costs associated with administering
23 the program.

24 5. The corporation shall require that, in order to receive a grant
25 pursuant to this article, the eligible property owner shall have no
26 liens on the land after closing the grant other than the new home
27 financing and currently existing mortgage or mortgages, and all property
28 taxes and insurances must be current.

29 6. Assistance. Financial assistance to eligible property owners shall
30 be one hundred percent grants in the form of deferred payment loans
31 (hereinafter referred to in this subdivision as "DPL"). A ten year
32 declining balance lien using a security instrument as required by the
33 corporation, will be utilized for replacement projects. No interest or
34 payments will be required on the DPL unless the property is sold or
35 transferred before the regulatory term expires. In such cases funds will
36 be recaptured from the proceeds of the sale of the home, on a declining
37 balance basis, unless an income-eligible immediate family member accepts
38 ownership of, and resides in the new replacement home for the remainder
39 of the regulatory term. In addition the mobile and manufactured home
40 replacement program established by this article shall: (a) provide funds
41 for relocation assistance to homeowners who are unable to voluntarily
42 relocate during the demolition and construction phases of the project;
43 and (b) provide funding for the costs of demolishing and disposing of
44 the dilapidated home.

45 7. Homeownership training. The eligible property owner must agree to
46 attend an approved homeownership training program for post-purchase,
47 credit/budget, and home maintenance counseling as part of the applica-
48 tion process.

49 8. Funding criteria. The total payment pursuant to any one grant
50 contract shall not exceed two hundred thousand dollars and the contract
51 shall provide for completion of the program within a reasonable period,
52 as specified therein, not to exceed four years.

53 9. Funding and annual report. The corporation in its sole discretion
54 shall authorize all funding decisions and make all award announcements.
55 The corporation shall, on or before December thirty-first in each year
56 submit a report to the legislature on the implementation of this arti-

1 cle. Such report shall include, but not be limited to, for each award
2 made to a grantee under this article: a description of such award;
3 contract amount and cumulative total; and such other information as the
4 corporation deems pertinent.

5 § 2. This act shall take effect immediately.

6 PART AAA

7 Section 1. Paragraph (b) of subdivision 2 of section 576-d of the
8 private housing finance law, as amended by section 1 of part S of chap-
9 ter 56 of the laws of 2020, is amended to read as follows:

10 (b) the total amount of loans made to any single agricultural producer
11 shall not exceed [~~two~~] four hundred thousand dollars per annum;

12 § 2. This act shall take effect immediately.

13 PART BBB

14 Section 1. Short title. This act shall be known and may be cited as
15 the "Home Ownership Market Expansion Act" or "HOME Act".

16 § 2. The private housing finance law is amended by adding a new arti-
17 cle 33 to read as follows:

18 ARTICLE 33

19 NEW YORK STATE FIRST HOME GRANT PROGRAM

20 Section 1300. Program established.

21 1301. Definitions.

22 1302. Functions of the commissioner.

23 1303. Program requirements.

24 § 1300. Program established. Within amounts appropriated or otherwise
25 available therefor, the division of homes and community renewal shall
26 establish a first home grant program.

27 § 1301. Definitions. As used in this article, the following terms
28 shall have the following meanings:

29 1. "First time home buyer" shall mean an individual or individuals, at
30 least one of whom has not had an ownership interest in a principal resi-
31 dence at any time, including residences owned in the United States or
32 abroad. No such individual shall own any other home including vacation
33 or investment residences, including residences owned in the United
34 States or abroad, except as otherwise provided in this subdivision. If
35 an individual's only potentially disqualifying present ownership inter-
36 est is ownership of a mobile or manufactured home, the individual shall
37 be considered a first time home buyer. For the purposes of this article
38 a "mobile or manufactured home" shall mean a structure that is valued as
39 personal property and not real property. If, due to such individual's
40 ownership of a mobile or manufactured home, such individual has claimed
41 a real estate tax or home mortgage deduction on such individual's
42 personal income tax returns, such individual shall not be considered a
43 first time home buyer regardless of whether the mobile or manufactured
44 home was considered personal or real property.

45 2. "Ownership interest" shall mean a fee simple interest, a joint
46 tenancy, a tenancy in common, a tenancy by the entirety, the interest of
47 a tenant-share holder in a cooperative, a life estate or a land
48 contract. Interests which do not constitute ownership interests include
49 the following: (a) remainder interests, (b) a lease with or without an
50 option to purchase, (c) a mere expectancy to inherit an interest in a
51 residence, (d) the interest that a purchaser of a residence acquires on

1 the execution of a purchase contract and (e) an interest in real estate
2 other than a residence.

3 3. "Program" shall mean the New York first home grant program estab-
4 lished pursuant to this article.

5 § 1302. Functions of the commissioner. 1. The commissioner, in consul-
6 tation with the state comptroller, shall implement the program under the
7 terms and conditions established by this article.

8 2. In furtherance of such implementation the commissioner shall:

9 (a) develop and implement the program in a manner consistent with the
10 provisions of this article through rules and regulations established in
11 accordance with the state administrative procedure act;

12 (b) engage the services of consultants on a contract basis for render-
13 ing professional and technical assistance and advice;

14 (c) make changes to the program required for the participants in the
15 program to obtain the state benefits or treatment provided by this arti-
16 cle;

17 (d) charge, impose and collect administrative fees and service charges
18 in connection with any agreement, contract or transaction relating to
19 the program;

20 (e) develop marketing plans and promotion materials;

21 (f) establish the methods by which the grants be dispersed;

22 (g) establish the method by which funds shall be allocated to pay for
23 administrative costs; and

24 (h) do all things necessary and proper to carry out the purposes of
25 this article.

26 § 1303. Program requirements. 1. Amounts from a grant under this arti-
27 cle shall be used only to provide assistance:

28 (a) on behalf of a first time home buyer qualified under this article;
29 and

30 (b) for:

31 (i) costs in connection with the acquisition, involving an eligible
32 mortgage loan, of an eligible home, including downpayment costs, closing
33 costs, and costs to reduce the rates of interest on eligible mortgage
34 loans;

35 (ii) subsidies to make shared equity homes affordable to home buyers
36 by discounting the price for which the home will be sold and to preserve
37 the affordability of the home for subsequent home buyers; and

38 (iii) pre-occupancy home modifications required to accommodate quali-
39 fied home buyers or members of the home buyer's household with disabili-
40 ties.

41 2. Any grant awarded pursuant to this article:

42 (a) may be provided on behalf of any first time home buyer only once;
43 and

44 (b) shall be in the total amount of ten thousand dollars.

45 3. Grant amounts received by a first time home buyer pursuant to this
46 article shall be considered to supplement any other state or federal
47 assistance provided to such home buyer for the acquisition of such home.

48 4. Any first time home buyer awarded a grant pursuant to this article
49 shall maintain primary residence at such property for a five year period
50 following acquisition of such property. The commissioner shall require
51 that any first time home buyer awarded a grant pursuant to this article
52 who fails or ceases to occupy the property acquired using such assist-
53 ance as the primary residence of such home buyer, except in the case of
54 assistance provided in connection with the purchase of a principal resi-
55 dence through a shared equity homeownership program, such home buyer
56 shall repay to the commissioner a proportional amount of the assistance

1 such home buyer receives based on the number of years the home buyer has
2 occupied the eligible home.

3 § 3. Subsection (c) of section 612 of the tax law is amended by adding
4 a new paragraph 48 to read as follows:

5 (48) The amount of any grant to any first time home buyer awarded
6 pursuant to article thirty-three of the private housing finance law or
7 any federal first time home buyer grant program shall not be considered
8 taxable income for the purpose of calculating New York adjusted gross
9 income, irrespective of whether it is considered taxable income for
10 federal income tax purposes.

11 § 4. This act shall take effect on the one hundred eightieth day after
12 it shall have become a law. Effective immediately, the commissioner of
13 the division of housing and community renewal and the comptroller are
14 authorized to promulgate any rules or regulations necessary to implement
15 the provisions of this act on its effective date on or before such
16 effective date.

17 PART CCC

18 Section 1. The public housing law is amended by adding a new article
19 14-A to read as follows:

20 ARTICLE 14-A

21 HOUSING ACCESS VOUCHER PROGRAM

22 Section 605. Legislative findings.

23 606. Definitions.

24 607. Housing access voucher program.

25 608. Eligibility.

26 609. Funding allocation and distribution.

27 610. Payment of housing vouchers.

28 611. Leases and tenancy.

29 612. Rental obligation.

30 613. Monthly assistance payment.

31 614. Inspection of units.

32 615. Rent.

33 616. Vacated units.

34 617. Leasing of units owned by a housing access voucher local
35 administrator.

36 618. Verification of income.

37 619. Division of an assisted family.

38 620. Maintenance of effort.

39 621. Vouchers statewide.

40 622. Applicable codes.

41 623. Housing choice.

42 § 605. Legislative findings. The legislature finds that it is in the
43 public interest of the state to ensure that individuals and families are
44 not rendered homeless because of an inability to pay the cost of hous-
45 ing, and to aid individuals and families who are homeless or face an
46 imminent loss of housing in obtaining and maintaining suitable permanent
47 housing in accordance with the provisions of this article.

48 § 606. Definitions. For the purposes of this article, the following
49 terms shall have the following meanings:

50 1. "Homeless" means lacking a fixed, regular, and adequate nighttime
51 residence; having a primary nighttime residence that is a public or
52 private place not designed for or ordinarily used as a regular sleeping
53 accommodation for human beings, including a car, park, abandoned build-
54 ing, bus or train station, airport, campground, or other place not meant

1 for human habitation; living in a supervised publicly or privately oper-
2 ated shelter designated to provide temporary living arrangements
3 (including hotels and motels paid for by federal, state or local govern-
4 ment programs for low-income individuals or by charitable organizations,
5 congregate shelters, or transitional housing); exiting an institution
6 where an individual or family has resided and lacking a regular fixed
7 and adequate nighttime residence upon release or discharge; individuals
8 released or scheduled to be released from incarceration and lacking a
9 regular fixed and adequate nighttime residence upon release or
10 discharge; being a homeless family with children or unaccompanied youth
11 defined as homeless under 42 U.S.C. § 11302(a); having experienced a
12 long-term period without living independently in permanent housing or
13 having experienced persistent instability as measured by frequent moves
14 and being reasonably expected to continue in such status for an extended
15 period of time because of chronic disabilities, chronic physical health
16 or mental health conditions, substance addiction, histories of domestic
17 violence or childhood abuse, the presence of a child or youth with a
18 disability, multiple barriers to employment, or other dangerous or life-
19 threatening conditions, including conditions that relate to violence
20 against an individual or a family member.

21 2. "Imminent loss of housing" means having received a verified rent
22 demand or a petition for eviction; having received a court order result-
23 ing from an eviction action that notifies the individual or family that
24 they must leave their housing; facing loss of housing due to a court
25 order to vacate the premises due to hazardous conditions, which may
26 include but not be limited to asbestos, lead exposure, mold, and radon;
27 having a primary nighttime residence that is a room in a hotel or motel
28 and lacking the resources necessary to stay; facing loss of the primary
29 nighttime residence, which may include living in the home of another
30 household, where the owner or renter of the housing will not allow the
31 individual or family to stay, provided further, that an assertion from
32 an individual or family member alleging such loss of housing or home-
33 lessness shall be sufficient to establish eligibility; or fleeing or
34 attempting to flee domestic violence, dating violence, sexual assault,
35 stalking, human trafficking or other dangerous or life-threatening
36 conditions that relate to violence against the individual or a family
37 member, provided further that an assertion from an individual or family
38 member alleging such abuse and loss of housing shall be sufficient to
39 establish eligibility.

40 3. "Public housing agency" means any county, municipality, or other
41 governmental entity or public body that is authorized to administer any
42 public housing program (or an agency or instrumentality of such an enti-
43 ty), and any other public or private non-profit entity that administers
44 any other public housing program or assistance.

45 4. "Section 8 local administrator" means a public housing agency that
46 administers the Section 8 Housing Choice Voucher program under section 8
47 of the United States housing act of 1937 within a community, county or
48 region, or statewide, on behalf of and under contract with the housing
49 trust fund corporation.

50 5. "Housing access voucher local administrator" means a public housing
51 agency, as defined in subdivision three of this section, or Section 8
52 local administrator designated to administer the housing access voucher
53 program within a community, county or region, or statewide, on behalf of
54 and under contract with the housing trust fund corporation. In the city
55 of New York, the housing access voucher local administrator shall be the

1 New York city department of housing preservation and development, or the
2 New York city housing authority, or both.

3 6. "Family" means a group of persons residing together. Such group
4 includes, but is not limited to a family with or without children (a
5 child who is temporarily away from the home because of placement in
6 foster care is considered a member of the family) or any remaining
7 members of a tenant family. The commissioner shall have the discretion
8 to determine if any other group of persons qualifies as a family.

9 7. "Owner" means any private person or any entity, including a cooper-
10 ative, an agency of the federal government, or a public housing agency,
11 having the legal right to lease or sublease dwelling units.

12 8. "Dwelling unit" means a single-family dwelling, including attached
13 structures such as porches and stoops; or a single-family dwelling unit
14 in a structure that contains more than one separate residential dwelling
15 unit, and in which each such unit is used or occupied, or intended to be
16 used or occupied, in whole or in part, as the residence of one or more
17 persons.

18 9. "Income" shall mean the same as it is defined by 24 CFR § 5.609 and
19 any amendments thereto.

20 10. "Adjusted income" shall mean the same as it is defined by 24 CFR §
21 5.611 and any amendments thereto.

22 11. "Reasonable rent" means rent not more than the rent charged on
23 comparable units in the private unassisted market and rent charged for
24 comparable unassisted units in the premises.

25 12. "Fair market rent" means the fair market rent for each rental area
26 as promulgated annually by the United States department of housing and
27 urban development pursuant to 42 U.S.C. 1437f.

28 13. "Voucher" means a document issued by the housing trust fund corpo-
29 ration pursuant to this article to an individual or family selected for
30 admission to the housing access voucher program, which describes such
31 program and the procedures for approval of a unit selected by the family
32 and states the obligations of the individual or family under the
33 program.

34 14. "Lease" means a written agreement between an owner and a tenant
35 for the leasing of a dwelling unit to the tenant. The lease establishes
36 the conditions for occupancy of the dwelling unit by an individual or
37 family with housing assistance payments under a contract between the
38 owner and the housing access voucher local administrator.

39 15. "Dependent" means any member of the family who is neither the head
40 of household, nor the head of the household's spouse, and who is:

- 41 (a) under the age of eighteen;
42 (b) a person with a disability; or
43 (c) a full-time student.

44 16. "Elderly" means a person sixty-two years of age or older.

45 17. "Child care expenses" means expenses relating to the care of chil-
46 dren under the age of thirteen.

47 18. "Severely rent burdened" means those individuals and families who
48 pay more than fifty percent of their income in rent as defined by the
49 United States census bureau.

50 19. "Disability" means:

51 (a) the inability to engage in any substantial gainful activity by
52 reason of any medically determinable physical or mental impairment which
53 can be expected to result in death or which has lasted or can be
54 expected to last for a continuous period of not less than twelve months;
55 or

1 (b) in the case of an individual who has attained the age of fifty-
2 five and is blind, the inability by reason of such blindness to engage
3 in substantial gainful activity requiring skills or abilities comparable
4 to those of any gainful activity in which they have previously engaged
5 with some regularity and over a substantial period of time; or

6 (c) a physical, mental, or emotional impairment which:

7 (i) is expected to be of long-continued and indefinite duration;

8 (ii) substantially impedes his or her ability to live independently;
9 and

10 (iii) is of such a nature that such ability could be improved by more
11 suitable housing conditions; or

12 (d) a developmental disability that is a severe, chronic disability of
13 an individual that:

14 (i) is attributable to a mental or physical impairment or combination
15 of mental and physical impairments;

16 (ii) is manifested before the individual attains age twenty-two;

17 (iii) is likely to continue indefinitely;

18 (iv) results in substantial functional limitations in three or more of
19 the following areas of major life activity:

20 (A) self-care;

21 (B) receptive and expressive language;

22 (C) learning;

23 (D) mobility;

24 (E) self-direction;

25 (F) capacity for independent living; or

26 (G) economic self-sufficiency; and

27 (v) reflects the individual's need for a combination and sequence of
28 special, interdisciplinary, or generic services, individualized
29 supports, or other forms of assistance that are of lifelong or extended
30 duration and are individually planned and coordinated.

31 § 607. Housing access voucher program. The commissioner, subject to
32 the appropriation of funds for this purpose, shall implement a program
33 of rental assistance in the form of housing vouchers for eligible indi-
34 viduals and families who are homeless or who face an imminent loss of
35 housing in accordance with the provisions of this article. The housing
36 trust fund corporation shall issue vouchers pursuant to this article,
37 subject to appropriation of funds for this purpose, and may contract
38 with the division of housing and community renewal to administer any
39 aspect of this program in accordance with the provisions of this arti-
40 cle. The commissioner shall designate housing access voucher local
41 administrators in the state to make vouchers available to such individ-
42 uals and families and to administer other aspects of the program in
43 accordance with the provisions of this article.

44 § 608. Eligibility. The commissioner shall promulgate standards for
45 determining eligibility for assistance under this program. Individuals
46 and families who meet the standards shall be eligible regardless of
47 immigration status. Eligibility shall be limited to individuals and
48 families who are homeless or facing imminent loss of housing. Housing
49 access voucher local administrators may rely on a certification from a
50 social services provider serving homeless individuals, including, but
51 not limited to, homeless shelters to determine whether an applicant
52 qualifies as a homeless individual or family.

53 1. An individual or family shall be eligible for this program if they
54 are homeless or facing imminent loss of housing and have an income of no
55 more than fifty percent of the area median income, as defined by the
56 United States department of housing and urban development.

1 2. An individual or family in receipt of rental assistance pursuant to
2 this program shall be no longer financially eligible for such assistance
3 under this program when thirty percent of the individual's or family's
4 adjusted income is greater than or equal to the total rent for the
5 dwelling unit.

6 3. When an individual or family becomes financially ineligible for
7 rental assistance under this program pursuant to subdivision two of this
8 section, the individual or family shall retain rental assistance for a
9 period no shorter than one year, subject to appropriation of funds for
10 this purpose.

11 4. Income eligibility shall be verified prior to a housing access
12 voucher local administrator's initial determination to provide rental
13 assistance for this program and upon determination of such eligibility,
14 an individual or family shall annually certify their income for the
15 purpose of determining continued eligibility and any adjustments to such
16 rental assistance.

17 5. The commissioner may collaborate with the office of temporary and
18 disability assistance and other state and city agencies to allow a hous-
19 ing access voucher local administrator to access income information for
20 the purpose of determining an individual's or family's initial and
21 continued eligibility for the program.

22 6. Reviews of income shall be made no less frequently than annually.

23 § 609. Funding allocation and distribution. 1. Subject to appropri-
24 ation, funding shall be allocated by the commissioner in each county
25 except for those counties located within the city of New York, the
26 initial allocation shall be in proportion to the number of households in
27 each county or the city of New York who are severely rent burdened based
28 on data published by the United States census bureau. Funding for coun-
29 ties located within the city of New York shall be allocated directly to
30 the New York city department of housing preservation and development
31 and/or the New York city housing authority, as appropriate, in propor-
32 tion to the number of households in New York city as compared to the
33 rest of the state of New York who are severely rent burdened based on
34 data published by the United States census bureau.

35 2. The commissioner shall be responsible for distributing the funds
36 allocated in each county not located within the city of New York among
37 housing access voucher local administrators operating in each county or
38 in the city of New York.

39 3. Priority shall be given to applicants who are homeless. The commis-
40 sioner shall have the discretion to establish further priorities as
41 appropriate.

42 4. Up to ten percent of the funds allocated may be used by the commis-
43 sioner and the housing access voucher local administrator for adminis-
44 trative expenses attributable to administering the housing access vouch-
45 er program.

46 § 610. Payment of housing vouchers. 1. The housing voucher shall be
47 paid directly to any owner under a contract between the owner of the
48 dwelling unit to be occupied by the voucher recipient and the appropri-
49 ate housing access voucher local administrator. The commissioner shall
50 determine the form of the housing assistance payment contract and the
51 method of payment. A housing assistance payment contract entered into
52 pursuant to this section shall establish the payment standard (including
53 utilities and all maintenance and management charges) which the owner is
54 entitled to receive for each dwelling unit with respect to which such
55 assistance payments are to be made. The payment standard shall not
56 exceed one hundred twenty percent nor be less than ninety percent of the

1 fair market rent for the rental area in which it is located. Fair
2 market rent shall be determined pursuant to the procedures and standards
3 as set forth in the Federal Housing Choice voucher program, as set forth
4 in the applicable sections of Part 888 of Title 24 of the Code of Feder-
5 al Regulations. Fair market rent for a rental area shall be published
6 not less than annually by the commissioner and shall be made available
7 on the website of New York state homes and community renewal.

8 2. A housing assistance payment contract entered into pursuant to
9 subdivision one of this section may provide for an initial payment of up
10 to five months of rent arrears that have accrued during prior occupancy
11 of a dwelling unit by a voucher recipient if such payment of arrears is
12 necessary to continue such voucher recipient's occupancy of such dwell-
13 ing unit, and thereby prevent imminent loss of housing.

14 § 611. Leases and tenancy. Each housing assistance payment contract
15 entered into by a housing access voucher local administrator and the
16 owner of a dwelling unit shall provide:

17 1. that the lease between the tenant and the owner shall be for a term
18 of not less than one year, except that the housing access voucher local
19 administrator may approve a shorter term for an initial lease between
20 the tenant and the dwelling unit owner if the housing access voucher
21 local administrator determines that such shorter term would improve
22 housing opportunities for the tenant and if such shorter term is consid-
23 ered to be a prevailing local market practice;

24 2. that the dwelling unit owner shall offer leases to tenants assisted
25 under this article that:

26 (a) are in a standard form used in the locality by the dwelling unit
27 owner; and

28 (b) contain terms and conditions that:

29 (i) are consistent with state and local law; and

30 (ii) apply generally to tenants in the property who are not assisted
31 under this article;

32 (c) shall provide that during the term of the lease, the owner shall
33 not terminate the tenancy except for serious or repeated violation of
34 the terms and conditions of the lease, for violation of applicable state
35 or local law, or for other good cause, including, but not limited to,
36 the non-payment of the tenant's portion of the rent owed, and in the
37 case of an owner who is an immediate successor in interest pursuant to
38 foreclosure during the term of the lease vacating the property prior to
39 sale shall not constitute other good cause, except that the owner may
40 terminate the tenancy effective on the date of transfer of the unit to
41 the owner if the owner:

42 (i) will occupy the unit as a primary residence; and

43 (ii) has provided the tenant a notice to vacate at least ninety days
44 before the effective date of such notice;

45 (d) shall provide that any termination of tenancy under this section
46 shall be preceded by the provision of written notice by the owner to the
47 tenant specifying the grounds for that action, and any relief shall be
48 consistent with applicable state and local law;

49 3. that any unit under an assistance contract originated under this
50 article shall only be occupied by the individual or family designated in
51 said contract and shall be the designated individual or family's primary
52 residence. Contracts shall not be transferable between units and shall
53 not be transferable between recipients. A family or individual may
54 transfer their voucher to a different unit under a new contract pursuant
55 to this article;

1 4. that an owner shall not charge more than a reasonable rent as
2 defined in section six hundred six of this article.

3 § 612. Rental obligation. The monthly rental obligation for an indi-
4 vidual or family receiving housing assistance pursuant to the housing
5 access voucher program shall be the greater of:

6 1. thirty percent of the monthly adjusted income of the family or
7 individual; or

8 2. If the family or individual is receiving payments for welfare
9 assistance from a public agency and a part of those payments, adjusted
10 in accordance with the actual housing costs of the family, is specif-
11 ically designated by that agency to meet the housing costs of the fami-
12 ly, the portion of those payments that is so designated. These payments
13 include, but are not limited to any shelter assistance or housing
14 assistance administered by any federal, state or local agency.

15 § 613. Monthly assistance payment. 1. The amount of the monthly
16 assistance payment with respect to any dwelling unit shall be the
17 difference between the maximum monthly rent which the contract provides
18 that the owner is to receive for the unit and the rent the individual or
19 family is required to pay under section six hundred twelve of this arti-
20 cle.

21 2. The commissioner shall establish maximum rent levels for different
22 sized rentals in each rental area in a manner that promotes the use of
23 the program in all localities based on the fair market rent of the
24 rental area. Rental areas shall be determined by the commissioner. The
25 commissioner may rely on data or other information promulgated by any
26 other state or federal agency in determining the rental areas and fair
27 market rent.

28 3. The payment standard for each size of dwelling unit in a rental
29 area shall not be less than ninety percent and shall not exceed one
30 hundred twenty percent of the fair market rent established in section
31 six hundred six of this article for the same size of dwelling unit in
32 the same rental area, except that the commissioner shall not be required
33 as a result of a reduction in the fair market rent to reduce the payment
34 standard applied to a family continuing to reside in a unit for which
35 the family was receiving assistance under this article at the time the
36 fair market rent was reduced.

37 § 614. Inspection of units. Inspection of units shall be conducted
38 pursuant to the procedures and standards of the Federal Housing Choice
39 voucher program, as set forth in the applicable sections of Part 982 of
40 Title 24 of the Code of Federal Regulations.

41 § 615. Rent. 1. The rent for dwelling units for which a housing
42 assistance payment contract is established under this article shall be
43 reasonable in comparison with rents charged for comparable dwelling
44 units in the private, unassisted local market.

45 2. A housing access voucher local administrator (or other entity, as
46 provided in section six hundred seventeen of this article) may, at the
47 request of an individual or family receiving assistance under this arti-
48 cle, assist that individual or family in negotiating a reasonable rent
49 with a dwelling unit owner. A housing access voucher local administrator
50 (or other such entity) shall review the rent for a unit under consider-
51 ation by the individual or family (and all rent increases for units
52 under lease by the individual or family) to determine whether the rent
53 (or rent increase) requested by the owner is reasonable. If a housing
54 access voucher local administrator (or other such entity) determines
55 that the rent (or rent increase) for a dwelling unit is not reasonable,
56 the housing access voucher local administrator (or other such entity)

1 shall not make housing assistance payments to the owner under this
2 subdivision with respect to that unit.

3 3. If a dwelling unit for which a housing assistance payment contract
4 is established under this article is exempt from local rent control
5 provisions during the term of that contract, the rent for that unit
6 shall be reasonable in comparison with other units in the rental area
7 that are exempt from local rent control provisions.

8 4. Each housing access voucher local administrator shall make timely
9 payment of any amounts due to a dwelling unit owner under this section,
10 subject to appropriation of funds for this purpose.

11 § 616. Vacated units. If an assisted family vacates a dwelling unit
12 for which rental assistance is provided under a housing assistance
13 payment contract before the expiration of the term of the lease for the
14 unit, rental assistance pursuant to such contract may not be provided
15 for the unit after the month during which the unit was vacated.

16 § 617. Leasing of units owned by a housing access voucher local admin-
17 istrator. 1. If an eligible individual or family assisted under this
18 article leases a dwelling unit (other than a public housing dwelling
19 unit) that is owned by a housing access voucher local administrator
20 administering assistance to that individual or family under this
21 section, the commissioner shall require the unit of general local
22 government or another entity approved by the commissioner, to make
23 inspections required under section six hundred fourteen of this article
24 and rent determinations required under section six hundred fifteen of
25 this article. The housing access voucher local administrator shall be
26 responsible for any expenses of such inspections and determinations,
27 subject to the appropriation of funds for this purpose.

28 2. For purposes of this section, the term "owned by a housing access
29 voucher local administrator" means, with respect to a dwelling unit,
30 that the dwelling unit is in a project that is owned by such administra-
31 tor, by an entity wholly controlled by such administrator, or by a
32 limited liability company or limited partnership in which such adminis-
33 trator (or an entity wholly controlled by such administrator) holds a
34 controlling interest in the managing member or general partner. A dwell-
35 ing unit shall not be deemed to be owned by a housing access voucher
36 local administrator for purposes of this section because such adminis-
37 trator holds a fee interest as ground lessor in the property on which
38 the unit is situated, holds a security interest under a mortgage or deed
39 of trust on the unit, or holds a non-controlling interest in an entity
40 which owns the unit or in the managing member or general partner of an
41 entity which owns the unit.

42 § 618. Verification of income. The commissioner shall establish proce-
43 dures which are appropriate and necessary to assure that income data
44 provided to the housing access voucher local administrator and owners by
45 individuals and families applying for or receiving assistance under this
46 article is complete and accurate. In establishing such procedures, the
47 commissioner shall randomly, regularly, and periodically select a sample
48 of families to authorize the commissioner to obtain information on these
49 families for the purpose of income verification, or to allow those fami-
50 lies to provide such information themselves. Such information may
51 include, but is not limited to, data concerning unemployment compen-
52 sation and federal income taxation and data relating to benefits made
53 available under the social security act, 42 U.S.C. 301 et seq., the food
54 and nutrition act of 2008, 7 U.S.C. 2011 et seq., or title 38 of the
55 United States Code. Any such information received pursuant to this
56 section shall remain confidential and shall be used only for the purpose

1 of verifying incomes in order to determine eligibility of individuals
2 and families for benefits (and the amount of such benefits, if any)
3 under this article.

4 § 619. Division of an assisted family. 1. In those instances where a
5 family assisted under this article becomes divided into two otherwise
6 eligible individuals or families due to divorce, legal separation or the
7 division of the family, where such individuals or families cannot agree
8 as to which such individual or family should continue to receive the
9 assistance, and where there is no determination by a court, the housing
10 access voucher local administrator shall consider the following factors
11 to determine which of the individuals or families will continue to be
12 assisted:

13 (a) which of such individuals or families has custody of dependent
14 children;

15 (b) which such individual was the head of household when the voucher
16 was initially issued as listed on the initial application;

17 (c) the composition of such individuals and families and which such
18 family includes elderly or disabled members;

19 (d) whether domestic violence was involved in the breakup of such
20 family;

21 (e) which family members remain in the unit; and

22 (f) recommendations of social services professionals.

23 2. Documentation of these factors will be the responsibility of the
24 requesting parties. If documentation is not provided, the housing access
25 voucher local administrator will terminate assistance on the basis of
26 failure to provide information necessary for a recertification.

27 § 620. Maintenance of effort. Any funds made available pursuant to
28 this article shall not be used to offset or reduce the amount of funds
29 previously expended for the same or similar programs in a prior year in
30 any county or in the city of New York, but shall be used to supplement
31 any prior year's expenditures. The commissioner may grant an exception
32 to this requirement if any county, municipality, or other governmental
33 entity or public body can affirmatively show that such amount of funds
34 previously expended is in excess of the amount necessary to provide
35 assistance to all individuals and families within the area in which the
36 funds were previously expended who are homeless or facing an imminent
37 loss of housing.

38 § 621. Vouchers statewide. Notwithstanding section six hundred eleven
39 of this article, any voucher issued pursuant to this article may be used
40 for housing anywhere in the state. The commissioner shall inform voucher
41 holders that a voucher may be used anywhere in the state and, to the
42 extent practicable, the commissioner shall assist voucher holders in
43 finding housing in the area of their choice. Provided further, however,
44 that a voucher must be used in the county in which it was issued, or
45 within the city of New York, if the voucher was issued within the city
46 of New York, for no less than one year before it can be used in a
47 different jurisdiction, unless the issuing housing access voucher local
48 administrator grants a waiver, or the voucher holder, or a family member
49 thereof, is or has been the victim of domestic violence, dating
50 violence, sexual assault, or stalking.

51 § 622. Applicable codes. Housing eligible for participation in the
52 housing access voucher program shall comply with applicable state and
53 local health, housing, building and safety codes.

54 § 623. Housing choice. 1. The commissioner shall administer the hous-
55 ing access voucher program under this article to promote housing choice

1 for voucher holders. The commissioner shall affirmatively promote fair
2 housing to the extent possible under this program.

3 2. Nothing in this article shall lessen or abridge any fair housing
4 obligations promulgated by municipalities, localities, or any other
5 applicable jurisdiction.

6 § 2. This act shall take effect on the ninetieth day after it shall
7 have become a law. Effective immediately, the addition, amendment and/or
8 repeal of any rule, regulation, plan or guidance document necessary for
9 the implementation of this act on its effective date are authorized to
10 be made and completed on or before such effective date; provided further
11 that any rule, regulation, plan or guidance document shall apply only to
12 those counties located outside of the city of New York. The New York
13 city department of housing preservation and development and the New York
14 city housing authority, as applicable, shall promulgate or release
15 rules, regulations, plans or guidance documents as necessary for the
16 implementation of this act within the city of New York.

17 PART DDD

18 Section 1. Section 200 of the workers' compensation law, as amended by
19 section 1 of part SS of chapter 54 of the laws of 2016, is amended to
20 read as follows:

21 § 200. Short title. This article shall be known and may be cited as
22 the "disability [~~benefits law~~] and [~~the~~] paid family leave benefits
23 law."

24 § 2. Subdivisions 14, 15 and 22 of section 201 of the workers' compen-
25 sation law, subdivision 14 as amended and subdivisions 15 and 22 as
26 added by section 2 of part SS of chapter 54 of the laws of 2016, are
27 amended to read as follows:

28 14. "A day of disability" means any day on which the employee was
29 prevented from performing work because of disability[~~, including any day~~
30 ~~which the employee uses for family leave,~~] and for which the employee
31 has not received [~~his or her~~] the employee's regular remuneration.

32 15. "Family leave" shall mean any leave taken by an employee from
33 work: (a) to participate in providing care, including physical or
34 psychological care, for a family member of the employee made necessary
35 by a serious health condition of the family member; or (b) to bond with
36 the employee's child during the first twelve months after the child's
37 birth, or the first twelve months after the placement of the child for
38 adoption or foster care with the employee or on or after January first,
39 two thousand twenty-six until January first, two thousand thirty, for
40 the six weeks immediately following a stillbirth; or (c) because of any
41 qualifying exigency as interpreted under the family and medical leave
42 act, 29 U.S.C.S § 2612(a)(1)(e) and 29 C.F.R. S.825.126[~~(a)(1)-(8)~~],
43 arising out of the fact that the spouse, domestic partner, child, or
44 parent of the employee is on active duty (or has been notified of an
45 impending call or order to active duty) in the armed forces of the
46 United States.

47 22. "Health care provider" shall mean for the purpose of [~~family~~
48 ~~leave~~] this article, a person licensed under article one hundred thir-
49 ty-one, one hundred thirty-one-B, one hundred thirty-two, one hundred
50 thirty-three, one hundred thirty-six, one hundred thirty-nine, one
51 hundred forty-one, one hundred forty-three, one hundred forty-four, one
52 hundred fifty-three, one hundred fifty-four, one hundred fifty-six or
53 one hundred fifty-nine of the education law or a person licensed under

1 the public health law, article one hundred forty of the education law or
2 article one hundred sixty-three of the education law.

3 § 3. Section 203-a of the workers' compensation law, as added by
4 section 4 of part SS of chapter 54 of the laws of 2016, is amended to
5 read as follows:

6 § 203-a. Retaliatory action prohibited for [~~family~~] leave. 1. The
7 provisions of section one hundred twenty of this chapter and section two
8 hundred forty-one of this article shall be applicable to family and
9 disability leave.

10 2. Nothing in this section shall be deemed to diminish the rights,
11 privileges, or remedies of any employee under any collective bargaining
12 agreement or employment contract.

13 § 4. Section 203-b of the workers' compensation law, as added by
14 section 4 of part SS of chapter 54 of the laws of 2016, is amended to
15 read as follows:

16 § 203-b. Reinstatement following [~~family~~] leave. Any eligible employee
17 of a covered employer who takes leave under this article shall be enti-
18 tled, on return from such leave, to be restored by the employer to the
19 position of employment held by the employee when the leave commenced, or
20 to be restored to a comparable position with comparable employment bene-
21 fits, pay and other terms and conditions of employment. The taking of
22 family or disability leave shall not result in the loss of any employ-
23 ment benefit accrued prior to the date on which the leave commenced.
24 Nothing in this section shall be construed to entitle any restored
25 employee to the accrual of any seniority or employment benefits during
26 any period of leave, or any right, benefit or position to which the
27 employee would have been entitled had the employee not taken the leave.

28 § 5. Section 203-c of the workers' compensation law, as added by
29 section 4 of part SS of chapter 54 of the laws of 2016, is amended to
30 read as follows:

31 § 203-c. Health insurance during [~~family~~] leave. In accordance with
32 the Family and Medical Leave Act (29 U.S.C. §§ 2601-2654), during any
33 period of family or disability leave the employer shall maintain any
34 existing health benefits of the employee in force for the duration of
35 such leave as if the employee had continued to work from the date [~~he or~~
36 ~~she~~] the employee commenced family or disability leave until the date
37 [~~he or she~~] the employee returns to employment.

38 § 6. Section 204 of the workers' compensation law, as amended by
39 section 5 of part SS of chapter 54 of the laws of 2016, is amended to
40 read as follows:

41 § 204. Disability and family leave during employment. 1. Disability
42 benefits shall be payable to an eligible employee for disabilities,
43 beginning with the eighth day of disability and thereafter during the
44 continuance of disability, subject to the limitations as to maximum and
45 minimum amounts and duration and other conditions and limitations in
46 this section and in sections two hundred five and two hundred six of
47 this article. Family leave benefits shall be payable to an eligible
48 employee for the first full day when family leave is required and there-
49 after during the continuance of the need for family leave, subject to
50 the limitations as to maximum and minimum amounts and duration and other
51 conditions and limitations in this section and in sections two hundred
52 five and two hundred six of this article. Successive periods of disabil-
53 ity or family leave caused by the same or related injury or sickness or
54 qualifying event shall be deemed a single period of disability or family
55 leave only if separated by less than three months.

1 2. (a) The weekly benefit for family leave that occurs (i) on or after
2 January first, two thousand eighteen shall not exceed eight weeks during
3 any fifty-two week calendar period and shall be fifty percent of the
4 employee's average weekly wage but shall not exceed fifty percent of the
5 state average weekly wage, (ii) on or after January first, two thousand
6 nineteen shall not exceed ten weeks during any fifty-two week calendar
7 period and shall be fifty-five percent of the employee's average weekly
8 wage but shall not exceed fifty-five percent of the state average weekly
9 wage, (iii) on or after January first, two thousand twenty shall not
10 exceed ten weeks during any fifty-two week calendar period and shall be
11 sixty percent of the employee's average weekly wage but shall not exceed
12 sixty percent of the state average weekly wage, and (iv) on or after
13 January first of each succeeding year, shall not exceed twelve weeks
14 during any fifty-two week calendar period and shall be sixty-seven
15 percent of the employee's average weekly wage but shall not exceed
16 sixty-seven percent of the New York state average weekly wage in effect.
17 The superintendent of financial services shall have discretion to delay
18 the increases in the family leave benefit level provided in subpara-
19 graphs (ii), (iii), and (iv) of this paragraph by one or more calendar
20 years. In determining whether to delay the increase in the family leave
21 benefit for any year, the superintendent of financial services shall
22 consider: (1) the current cost to employees of the family leave benefit
23 and any expected change in the cost after the benefit increase; (2) the
24 current number of insurers issuing insurance policies with a family
25 leave benefit and any expected change in the number of insurers issuing
26 such policies after the benefit increase; (3) the impact of the benefit
27 increase on employers' business and the overall stability of the program
28 to the extent that information is readily available; (4) the impact of
29 the benefit increase on the financial stability of the disability and
30 family leave insurance market and carriers; and (5) any additional
31 factors that the superintendent of financial services deems relevant. If
32 the superintendent of financial services delays the increase in the
33 family leave benefit level for one or more calendar years, the family
34 leave benefit level that shall take effect immediately following the
35 delay shall be the same benefit level that would have taken effect but
36 for the delay. The weekly benefits for family leave that occurs on or
37 after January first, two thousand eighteen shall not be less than one
38 hundred dollars per week except that if the employee's wages at the time
39 of family leave are less than one hundred dollars per week, the employee
40 shall receive [~~his or her~~] the employee's full wages. Benefits may be
41 payable to employees for paid family leave taken intermittently or for
42 less than a full work week in increments of one full day or one fifth of
43 the weekly benefit.

44 (b) The weekly benefit which the disabled employee is entitled to
45 receive for the first twelve weeks of disability commencing: (i) on or
46 after January first, two thousand twenty-seven shall be fifty-five
47 percent of the employee's average weekly wage but shall not exceed fifty
48 percent of the state average weekly wage; (ii) on or after January
49 first, two thousand twenty-eight shall be sixty percent of the employ-
50 ee's average weekly wage but shall not exceed fifty-five percent of the
51 state average weekly wage; (iii) on or after January first, two thousand
52 twenty-nine shall be sixty-seven percent of the employee's weekly aver-
53 age wage but shall not exceed sixty percent of the state average weekly
54 wage; and (iv) on or after January first of each succeeding year, shall
55 be sixty-seven percent of the employee's average weekly wage but shall
56 not exceed sixty-seven percent of the state average weekly wage. The

1 weekly benefit which the disabled employee is entitled to receive for
2 the periods of disability after the twelfth week of disability and
3 through the twenty-sixth week of disability on or after January first,
4 two thousand twenty-seven and each succeeding year shall be thirty
5 percent of the employee's average weekly wage but shall not exceed thir-
6 ty percent of the state average weekly wage. The chair of the workers'
7 compensation board, in consultation with the superintendent of financial
8 services, shall have discretion to increase the benefit level for the
9 period of disability after the twelfth week of disability through the
10 twenty-sixth week of disability, provided that such benefit shall not
11 exceed sixty-seven percent of the state average weekly wage. In deter-
12 mining whether to increase the disability benefit for any year, the
13 chair of the workers' compensation board in consultation with the super-
14 intendent of financial services shall consider factors including but not
15 limited to utilization of the current benefit, the expected utilization
16 of any increase, the need for a benefit increase, the current contrib-
17 ution cost to employees and employers and the expected cost after any
18 such benefit increase; the current number of insurers issuing insurance
19 policies with a disability benefit and any expected change in the
20 number of insurers issuing such policies after the benefit increase;
21 and any additional factors that the chair of the workers' compensation
22 board and the superintendent of financial services deems relevant. The
23 weekly benefit which the disabled employee is entitled to receive for
24 disability leave that occurs on or after January first, two thousand
25 twenty-seven shall not be less than one hundred dollars per week except
26 that if the employee's wages at the time of disability leave are less
27 than one hundred dollars per week, the employee shall receive the
28 employee's full wages. The weekly benefit which the disabled employee is
29 entitled to receive for disability commencing on or after May first,
30 nineteen hundred eighty-nine and prior to January first, two thousand
31 twenty-seven shall be one-half of the employee's weekly wage, but in no
32 case shall such benefit exceed one hundred seventy dollars; except that
33 if the employee's average weekly wage is less than twenty dollars, the
34 benefit shall be such average weekly wage. The weekly benefit which the
35 disabled employee is entitled to receive for disability commencing on or
36 after July first, nineteen hundred eighty-four shall be one-half of the
37 employee's weekly wage, but in no case shall such benefit exceed one
38 hundred forty-five dollars; except that if the employee's average weekly
39 wage is less than twenty dollars, the benefit shall be such average
40 weekly wage. The weekly benefit which the disabled employee is entitled
41 to receive for disability commencing on or after July first, nineteen
42 hundred eighty-three and prior to July first, nineteen hundred eighty-
43 four shall be one-half of the employee's average weekly wage, but in no
44 case shall such benefit exceed one hundred thirty-five dollars nor be
45 less than twenty dollars; except that if the employee's average weekly
46 wage is less than twenty dollars the benefit shall be such average week-
47 ly wage. The weekly benefit which the disabled employee is entitled to
48 receive for disability commencing on or after July first, nineteen
49 hundred seventy-four, and prior to July first, nineteen hundred eighty-
50 three, shall be one-half of the employee's average weekly wage, but in
51 no case shall such benefit exceed ninety-five dollars nor be less than
52 twenty dollars; except that if the employee's average weekly wage is
53 less than twenty dollars, the benefit shall be such average weekly wage.
54 The weekly benefit which the disabled employee is entitled to receive
55 for disability commencing on or after July first, nineteen hundred
56 seventy and prior to July first, nineteen hundred seventy-four shall be

1 one-half of the employee's average weekly wage, but in no case shall
2 such benefit exceed seventy-five dollars nor be less than twenty
3 dollars; except that if the employee's average weekly wage is less than
4 twenty dollars the benefit shall be such average weekly wage. [~~For any~~
5 ~~period of disability less than a full week, the benefits payable shall~~
6 ~~be calculated by dividing the weekly benefit by the number of the~~
7 ~~employee's normal work days per week and multiplying the quotient by the~~
8 ~~number of normal work days in such period of disability.~~] Benefits may
9 be payable to employees for disability leave taken intermittently or for
10 less than a full work week in increments of one full day or one-fifth of
11 the weekly benefit. The weekly benefit for a disabled employee who is
12 concurrently eligible for benefits in the employment of more than one
13 covered employer shall, within the maximum and minimum herein provided,
14 be one-half of the total of the employee's average weekly wages received
15 from all such covered employers, and shall be allocated in the propor-
16 tion of [~~their~~] the employee's respective average weekly wage payments.

17 (c) Provided that the provisions of paragraph (b) of this subdivision
18 concerning benefits on or after January first, two thousand twenty-seven
19 and subparagraphs (i) and (ii) of paragraph (a) of subdivision three of
20 section two hundred nine of this article may be waived by a covered
21 employer subject to a collective bargaining agreement with a bona fide
22 labor organization in effect on January first, two thousand twenty-seven
23 for employees subject to such collective bargaining agreement for a
24 disability commencing between January first, two thousand twenty-seven
25 and until January first, two thousand thirty; and provided that for such
26 waiver to be valid, it shall explicitly reference this section and be
27 agreed to by the bona fide labor organization. Nothing herein shall
28 prevent a collective bargaining agreement from providing temporary disa-
29 bility benefits greater than the benefits required herein.

30 § 7. Subdivision 2 of section 206 of the workers' compensation law, as
31 amended by section 7 of part SS of chapter 54 of the laws of 2016, is
32 amended to read as follows:

33 2. If an employee who is eligible for disability benefits under
34 section two hundred three or two hundred seven of this article is disa-
35 bled and has claimed or subsequently claims workers' compensation bene-
36 fits under this chapter or benefits under the volunteer firefighters'
37 benefit law or the volunteer ambulance workers' benefit law, and such
38 claim is controverted on the ground that the employee's disability was
39 not caused by an accident that arose out of and in the course of [~~his~~]
40 the employee's employment or by an occupational disease, or by an injury
41 in line of duty as a volunteer firefighter or volunteer ambulance work-
42 er, the employee shall be entitled in the first instance to receive
43 benefits under this article for [~~his or her~~] the employee's disability.
44 If benefits have been paid under this article in respect to a disability
45 alleged to have arisen out of and in the course of the employment or by
46 reason of an occupational disease, or in line of duty as a volunteer
47 firefighter or a volunteer ambulance worker, the employer or carrier or
48 the chair making such payment may, at any time before award of workers'
49 compensation benefits, or volunteer firefighters' benefits or volunteer
50 ambulance workers' benefits, is made, file with the board a claim for
51 reimbursement out of the proceeds of such award to the employee for the
52 period for which disability benefits were paid to the employee under
53 this article, and shall have a lien against the full award for
54 reimbursement, notwithstanding the provisions of section thirty-three of
55 this chapter or section twenty-three of the volunteer firefighters'
56 benefit law or section twenty-three of the volunteer ambulance workers'

1 benefit law provided the insurance carrier liable for payment of the
2 award receives, before such award is made, a copy of the claim for
3 reimbursement from the employer, carrier or chair who paid disability
4 benefits, or provided the board's decision and award directs such
5 reimbursement therefrom.

6 § 8. Paragraph (a) of subdivision 3 of section 209 of the workers'
7 compensation law, as amended by section 10 of part SS of chapter 54 of
8 the laws of 2016, is amended to read as follows:

9 (a) Disability benefits. (i) The contribution of each such employee to
10 the cost of disability benefits provided by this article shall be one-
11 half of one per centum of the employee's wages paid to [~~him or her~~] the
12 employee on and after July first, nineteen hundred fifty, but not in
13 excess of sixty cents per week.

14 (ii) Beginning January first, two thousand twenty-seven, the maximum
15 employee contribution that a covered employer is authorized to collect
16 from each employee for the cost of disability benefits provided by this
17 article shall be one-half of one per centum of the employee's wages but
18 shall not exceed two dollars and twenty cents per week provided, howev-
19 er, that the employee contribution shall be pursuant to subparagraph (i)
20 of this paragraph where such employee is covered under paragraph (c) of
21 subdivision two of section two hundred four of this article.

22 (iii) Beginning January first, two thousand thirty, the maximum
23 employee contribution that a covered employer is authorized to collect
24 from each employee for the cost of disability benefits provided by this
25 article shall be one-half of one per centum of the employee's wages, but
26 shall not exceed forty percent of the average of the combination of all
27 employee and employer contributions to disability benefits provided
28 pursuant to paragraph (b) of subdivision two of section two hundred four
29 of this article during the prior calendar year, as determined annually
30 by the superintendent of financial services pursuant to subsection (n)
31 of section four thousand two hundred thirty-five of the insurance law.
32 A self-insurer shall submit reports to the superintendent of financial
33 services for the purpose of determining forty percent of the average of
34 the combination of all employee and employer contributions to disability
35 benefits provided pursuant to paragraph (b) of subdivision two of
36 section two hundred four of this article during the prior calendar year,
37 pursuant to subsection (n) of section four thousand two hundred thirty-
38 five of the insurance law.

39 § 9. The opening paragraph of section 211 of the workers' compensation
40 law, as amended by section 12 of part SS of chapter 54 of the laws of
41 2016, is amended to read as follows:

42 A covered employer, unless provided with a waiver pursuant to section
43 204(2)(c), shall, with [~~his or her~~] such employer's own contributions
44 and the contributions of [~~his~~] such employer's employees, provide disa-
45 bility and after January first, two thousand eighteen, family leave
46 benefits to [~~his or her~~] such employer's employees in one or more of the
47 following ways:

48 § 10. The opening paragraph and subdivision 1 of section 214 of the
49 workers' compensation law, as amended by section 26 of part GG of chap-
50 ter 57 of the laws of 2013, are amended to read as follows:

51 There is hereby created a fund which shall be known as the special
52 fund for disability benefits to provide for the payment of [~~disability~~]
53 benefits under sections two hundred seven, two hundred thirteen and
54 attendance fees under section two hundred thirty-two of this article.

55 1. As promptly as practicable after April first, in each year, the
56 [~~chairman~~] chair shall ascertain the condition of the fund, and if as of

1 any such date the net assets of the fund shall be one million dollars or
2 more below the sum of twelve million dollars, the [~~chairman~~] chair shall
3 assess and collect an amount sufficient to restore the fund to an amount
4 equal to twelve million dollars.[-] Such assessment shall be included in
5 the assessment rate established pursuant to subdivision two of section
6 one hundred fifty-one of this chapter. Such assessments shall be depos-
7 ited with the commissioner of taxation and finance and transferred to
8 the benefit of such fund upon payment of debt service, if any, pursuant
9 to section one hundred fifty-one of this chapter.

10 § 11. Subdivision 1 of section 217 of the workers' compensation law,
11 as amended by section 16 of part SS of chapter 54 of the laws of 2016,
12 is amended to read as follows:

13 1. Written notice and proof of disability or proof of need for family
14 leave shall be furnished to the employer by or on behalf of the employee
15 claiming benefits or, in the case of a claimant under section two
16 hundred seven of this article, to the chair, within thirty days after
17 commencement of the period of disability. Additional proof shall be
18 furnished thereafter from time to time as the employer or carrier or
19 chair may require but not more often than once each week. Such proof
20 shall include a statement of disability by the employee's [~~attending~~
21 ~~physician or attending podiatrist or attending chiropractor or attending~~
22 ~~dentist or attending psychologist or attending certified nurse midwife~~
23 ~~or family leave care recipient's health care provider, or in the case of~~
24 ~~an employee who adheres to the faith or teachings of any church or~~
25 ~~denomination, and who in accordance with its creed, tenets or principles~~
26 ~~depends for healing upon prayer through spiritual means alone in the~~
27 ~~practice of religion, by an accredited practitioner,~~] health care
28 provider containing facts and opinions as to such disability in compli-
29 ance with regulations of the chair. Failure to furnish notice or proof
30 within the time and in the manner above provided shall not invalidate
31 the claim but no benefits shall be required to be paid for any period
32 more than two weeks prior to the date on which the required proof is
33 furnished unless it shall be shown to the satisfaction of the chair not
34 to have been reasonably possible to furnish such notice or proof and
35 that such notice or proof was furnished as soon as possible; provided,
36 however, that no benefits shall be paid unless the required proof [~~of~~
37 ~~disability~~] is furnished within the period of actual disability or fami-
38 ly leave that does not exceed the statutory maximum period permitted
39 under section two hundred four of this article. No limitation of time
40 provided in this section shall run as against any disabled employee who
41 is mentally incompetent, or physically incapable of providing such
42 notice as a result of a serious medical condition, or a minor so long as
43 such person has no guardian of the person and/or property.

44 § 12. Section 218 of the workers' compensation law, as added by chap-
45 ter 600 of the laws of 1949, subdivision 2 as amended by chapter 809 of
46 the laws of 1985, is amended to read as follows:

47 § 218. [~~Disability benefit~~] Benefit rights inalienable. 1. Any agree-
48 ment by an employee to waive [~~his~~] the employee's rights under this
49 article shall be void.

50 2. Disability or family leave benefits payable under this article
51 shall not be assigned or released, except as provided in this article,
52 and shall be exempt from all claims of creditors and from levy,
53 execution and attachment or other remedy for recovery or collection of a
54 debt, which exemption may not be waived provided, however, that such
55 benefits shall be subject to an income execution or order for support

1 enforcement pursuant to section fifty-two hundred forty-one or fifty-two
2 hundred forty-two of the civil practice law and rules.

3 § 13. Section 221 of the workers' compensation law, as amended by
4 section 19 of part SS of chapter 54 of the laws of 2016, is amended to
5 read as follows:

6 § 221. Determination of contested claims for disability and family
7 leave benefits. In accordance with regulations adopted by the chair,
8 within twenty-six weeks of written notice of rejection of claim, the
9 employee may file with the chair a notice that [~~his or her~~] the employ-
10 ee's claim for disability or family leave benefits has not been paid,
11 and the employee shall submit proof of disability or entitlement to
12 family leave and of [~~his or her~~] the employee's employment, wages and
13 other facts reasonably necessary for determination of the employee's
14 right to such benefits. Failure to file such notice within the time
15 provided, may be excused if it can be shown not to have been reasonably
16 possible to furnish such notice and that such notice was furnished as
17 soon as possible. On demand the employer or carrier shall forthwith
18 deliver to the board the original or a true copy of the health care
19 provider's report, wage and employment data and all other documentation
20 in the possession of the employer or carrier with respect to such claim.

21 The chair or designee, shall have full power and authority to deter-
22 mine all issues in relation to every such claim for disability benefits
23 required or provided under this article, and shall file its decision in
24 the office of the [~~chairman~~] chair. Upon such filing, the [~~chairman~~]
25 chair shall send to the parties a copy of the decision. Either party may
26 present evidence and be represented by counsel at any hearing on such
27 claim. The decision of the board shall be final as to all questions of
28 fact and, except as provided in section twenty-three of this chapter, as
29 to all questions of law. Every decision shall be complied with in
30 accordance with its terms within ten days thereafter except as permitted
31 by law upon the filing of a request for review, and any payments due
32 under such decision shall draw simple interest from thirty days after
33 the making thereof at the rate provided in section five thousand four of
34 the civil practice law and rules. The chair shall adopt rules and regu-
35 lations to carry out the provisions of this article including but not
36 limited to resolution of contested claims and requests for review there-
37 of, and payment of costs for resolution of disputed claims by carriers.
38 Any designated process shall afford the parties the opportunity to pres-
39 ent evidence and to be represented by counsel in any such proceeding.
40 The chair shall have the authority to provide for alternative dispute
41 resolution procedures for claims arising under disability and family
42 leave, including but not limited to referral and submission of disputed
43 claims to a neutral arbitrator under the auspices of an alternative
44 dispute resolution association pursuant to article seventy-five of the
45 civil practice law and rules. Neutral arbitrator shall mean an arbitra-
46 tor who does not have a material interest in the outcome of the arbi-
47 tration proceeding or an existing and substantial relationship, includ-
48 ing but not limited to pecuniary interests, with a party, counsel or
49 representative of a party. Any determination made by alternative dispute
50 resolution shall not be reviewable by the board and the venue for any
51 appeal shall be to a court of competent jurisdiction.

52 § 14. Section 228 of the workers' compensation law, as added by
53 section 27 of part GG of chapter 57 of the laws of 2013, is amended to
54 read as follows:

55 § 228. Administrative expenses. 1. The estimated annual expenses
56 necessary for the workers' compensation board to administer the

1 provisions of the disability and paid family leave benefits law shall be
2 borne by all affected employers and included as part of the assessment
3 rate generated pursuant to subdivision two of section one hundred
4 fifty-one of this chapter.

5 2. Annually, as soon as practicable after the first day of April, the
6 chair and department of audit and control shall ascertain the total
7 amount of actual expenses.

8 § 15. Subsection (n) of section 4235 of the insurance law is amended
9 by adding a new paragraph 4 to read as follows:

10 (4)(A) The superintendent shall establish by September first of each
11 year the maximum employee contribution that a covered employer, as
12 defined in section two hundred two of the workers' compensation law, is
13 authorized to collect from each employee for the cost of disability
14 benefits provided pursuant to article nine of the workers' compensation
15 law through a group accident and health insurance policy or through a
16 self-funded employer for its employees. Beginning January first, two
17 thousand twenty-seven, the maximum employee contribution amount shall be
18 two dollars and twenty cents per week, and beginning January first, two
19 thousand thirty, the maximum employee contribution shall be one-half of
20 one percent of the employee's wages but shall not exceed forty percent
21 of the average of the combination of all employee and employer contrib-
22 utions to disability benefits provided pursuant to paragraph (b) of
23 subdivision two of section two hundred four of the workers' compensation
24 law during the prior calendar year, which the superintendent shall
25 determine and publish on the department's website.

26 (B) A self-funded employer shall submit reports to the superintendent
27 for the purpose of determining forty percent of the average of the
28 combination of all employee and employer contributions to disability
29 benefits provided pursuant to paragraph (b) of subdivision two of
30 section two hundred four of the workers' compensation law. A self-fund-
31 ed employer shall submit a report to the superintendent by July first,
32 two thousand twenty-six that sets forth employee and employer contrib-
33 utions to disability benefits provided pursuant to paragraph (b) of
34 subdivision two of section two hundred four of the workers' compensation
35 law for the year ending two thousand twenty-five, in a format determined
36 by the superintendent. Beginning April first, two thousand twenty-sev-
37 en, and annually thereafter, a self-funded employer shall submit a
38 report to the superintendent that sets forth employee and employer
39 contributions to disability benefits provided pursuant to paragraph (b)
40 of subdivision two of section two hundred four of the workers' compen-
41 sation law for the prior calendar year, in a format determined by the
42 superintendent.

43 § 16. Section 2605 of the insurance law is amended to read as follows:

44 § 2605. Penalty for violating workers' compensation law. The super-
45 intendent may impose a penalty not to exceed twenty-five hundred dollars
46 per violation upon any insurer required to be licensed under the
47 provisions of this chapter, if, after notice to and a hearing of such
48 insurer, [~~he~~] the superintendent finds it has unreasonably failed to
49 comply with the workers' compensation law.

50 § 17. This act shall take effect immediately and shall apply to all
51 policies issued, renewed, modified, altered, or amended on or after
52 January 1, 2027.

1 Section 1. Subdivisions 1, 2 and 3 of section 20 of the workers'
2 compensation law are renumbered subdivisions 2, 3 and 4 and a new subdivi-
3 sion 1 is added to read as follows:

4 1. The board shall index a claim for workers' compensation immediately
5 upon the receipt of a medical report in addition to either a claim filed
6 by the injured worker or an employer's report of injury or illness.

7 § 2. Subdivision 2 of section 20 of the workers' compensation law,
8 as amended by chapter 635 of the laws of 1996 and as renumbered by
9 section one of this act, is amended to read as follows:

10 2. [~~At any time after the expiration of the first seven days of disa-~~
11 ~~bility on the part of an injured employee, or at any time after the~~
12 ~~employee's death, a claim for compensation may be presented to the~~
13 ~~employer or to the chair. The] Within sixty days after a claim for
14 compensation has been indexed, the board shall hold an initial hearing
15 for each claim in which the injured worker asserts lost wages or lost
16 time due to injury and shall have full power and authority to determine
17 all questions in relation to the payment of claims presented to it for
18 compensation under the provisions of this chapter. The chair or board
19 shall thereafter make or cause to be made such investigation as it deems
20 necessary, and upon application of either party or an attorney repres-
21 enting either party, shall order a hearing before a referee to take
22 place within forty-five calendar days of the application from either
23 party, and within thirty days after a claim for compensation is submit-
24 ted under this section, or such hearing closed, shall make or deny an
25 award, determining such claim for compensation, and file the same in the
26 office of the chair. No application for a hearing made by a party or an
27 attorney pursuant to this section shall be subject to limitations,
28 prerequisites, or penalties imposed by the board. Immediately after such
29 filing the chair shall send to the parties a copy of the decision. Upon
30 a hearing pursuant to this section either party may present evidence and
31 be represented by counsel. The decision of the board shall be final as
32 to all questions of fact, and, except as provided in section twenty-
33 three of this article, as to all questions of law. Except as provided
34 in section twenty-seven of this article, all awards of the board shall
35 draw simple interest from thirty days after the making thereof at the
36 rate provided in section five thousand four of the civil practice law
37 and rules. Whenever a hearing or proceeding for the determination of a
38 claim for compensation is begun before a referee, pursuant to the
39 provisions of this chapter, such hearing or proceeding or any adjourned
40 hearing thereon shall continue before the same referee until a final
41 determination awarding or denying compensation, except in the absence,
42 inability or disqualification to act of such referee, or for other good
43 cause, in which event such hearing or proceeding may be continued before
44 another referee by order of the chair or board.~~

45 § 3. Paragraph (c) of subdivision 3 of section 25 of the workers'
46 compensation law, as amended by chapter 61 of the laws of 1986, is
47 amended to read as follows:

48 (c) The board shall keep an accurate record of all hearings held. All
49 decisions shall be issued to the injured worker in their native
50 language. Whenever a hearing must be continued or adjourned because the
51 carrier or employer has engaged in dilatory tactics or exhibited unjusti-
52 fied lack of preparedness, the board shall impose a penalty of twenty-
53 five dollars to be paid to the fund created by subdivision two of
54 section one hundred fifty-one of this chapter and shall in addition make
55 an award of seventy-five dollars payable to the injured worker or [~~his~~
56 ~~or her dependants~~] their dependents. Dilatory tactics may include but

1 shall not be limited to: failing to subpoena medical witnesses or to
2 secure an order to show cause as directed by the referee, failing to
3 bring proper files, failing to appear, failing to produce witnesses or
4 documents after they have been requested by the referee or examiner or
5 as directed by the hearing notice, unnecessarily protracting the
6 production of evidence, or engaging in a pattern of delay which unduly
7 delays resolution, except that no penalty shall be imposed nor award
8 made under this subdivision if the carrier or employer produces evidence
9 sufficient to excuse its conduct to the satisfaction of the referee.

10 § 4. This act shall take effect immediately.

11 PART FFF

12 Section 1. The state finance law is amended by adding a new section
13 99-ss to read as follows:

14 § 99-ss. New York state worker protection and labor law enforcement
15 fund. 1. There is hereby established in the joint custody of the state
16 comptroller and the commissioner of taxation and finance a special fund
17 to be known as the New York state worker protection and labor law
18 enforcement fund.

19 2. Such fund shall consist of all monetary damages and penalties
20 recovered by the department of labor for employer violations, unless
21 otherwise designated, of articles two, five, six, eight, nine, nineteen,
22 nineteen-B, twenty-C, twenty-five-A, twenty-five-B, and twenty-five-C of
23 the labor law or with any regulations related thereto and all other
24 moneys appropriated thereto from any other fund or source pursuant to
25 law; provided, however that no monies due and owing to any other party
26 shall be dedicated to the fund. Nothing contained in this section shall
27 prevent the state from receiving grants, gifts or bequests for the
28 purposes of the fund as defined in this section and depositing them into
29 the fund according to law.

30 3. The monies in the fund, after appropriation by the legislature,
31 shall be available to the commissioner of labor for the sole purpose of
32 supplementing the department's labor law enforcement duties; provided,
33 however, that such funding shall be appropriated in addition to any
34 other monies appropriated to the department for the state fiscal year in
35 effect on the effective date of this section.

36 4. On or before January first of each year, the department of labor
37 shall provide a written report detailing how the monies of the fund were
38 utilized during the preceding fiscal year. Such report shall be provided
39 to the temporary president of the senate, the speaker of the assembly,
40 the chair of the senate finance committee, the chair of the assembly
41 ways and means committee, the chair of the senate committee on labor,
42 the chair of the assembly labor committee, and the state comptroller.
43 Such report shall be posted on the department's website and shall
44 include:

45 (a) the number of enforcement proceedings initiated for employer
46 violations of articles two, five, six, eight, nine, nineteen, nine-
47 teen-B, twenty-C, twenty-five-A, twenty-five-B, and twenty-five-C of the
48 labor law or any regulations related thereto, the name of the entity
49 against which such proceeding was initiated and the amount collected for
50 each such proceeding, if any;

51 (b) the amount of money available and dispersed from the fund over the
52 previous twelve months;

53 (c) a description on how such monies were used, including the number
54 of enforcement personnel hired or supported by such monies; and

1 (d) a summary financial plan for such monies which shall include esti-
2 mates of all receipts and all disbursements for the next fiscal year.

3 § 2. This act shall take effect April 1, 2026.

4 PART GGG

5 Section 1. Subdivisions 3, 4, and 5 of section 27-b of the labor law,
6 as added by chapter 82 of the laws of 2006, are amended to read as
7 follows:

8 3. Risk evaluation and determination. Every employer shall evaluate
9 its workplace or workplaces to determine the presence of factors or
10 situations in such workplace or workplaces that might place employees at
11 risk of occupational assaults and homicides. Examples of such factors
12 shall include, but not be limited to:

13 a. working in public settings (e.g., social services or other govern-
14 mental workers, police officers, firefighters, teachers, public trans-
15 portation drivers, health care workers, and service workers);

16 b. working late night or early morning hours;

17 c. exchanging money with the public;

18 d. working alone or in small numbers;

19 e. abusive conduct and bullying in the workplace;

20 f. uncontrolled access to the workplace; and

21 [~~f.~~] g. areas of previous security problems.

22 4. Written workplace violence prevention program. Every employer with
23 at least twenty full time permanent employees shall develop and imple-
24 ment a written workplace violence prevention program for its workplace
25 or workplaces that includes the following:

26 a. a list of the risk factors identified in subdivision three of this
27 section that are present in such workplace or workplaces;

28 b. the methods the employer will use to prevent incidents of occupa-
29 tional assaults and homicides at such workplace or workplaces, including
30 but not limited to the following:

31 (1) making high-risk areas more visible to more people;

32 (2) installing good external lighting;

33 (3) using drop safes or other methods to minimize cash on hand;

34 (4) posting signs stating that limited cash is on hand;

35 (5) providing training in conflict resolution and nonviolent self-de-
36 fense responses; and

37 (6) establishing and implementing reporting systems for incidents of
38 aggressive behavior, abusive conduct, and bullying.

39 5. Employee information and training. a. Every employer with at least
40 twenty permanent full time employees shall make the written workplace
41 violence prevention program available, upon request, to its employees,
42 their designated representatives and the department.

43 b. Every employer shall provide its employees with [~~the following~~]
44 information and training on preventing and reporting workplace bullying
45 and abusive conduct and the risks of occupational assaults and homicides
46 in their workplace or workplaces at the time of their initial assignment
47 and annually thereafter:

48 (1) employees shall be informed of the requirements of this section,
49 the risk factors in their workplace or workplaces, and the location and
50 availability of the written workplace violence prevention program
51 required by this section; and

52 (2) employee training shall include at least: (a) how to identify and
53 report workplace bullying and abusive conduct and the measures employees
54 can take to protect themselves from such risks, including specific

1 procedures the employer has implemented to protect employees, such as
2 appropriate work practices, emergency procedures, use of security alarms
3 and other devices, and (b) the details of the written workplace violence
4 prevention program developed by the employer.

5 § 2. This act shall take effect on the one hundred eightieth day after
6 it shall have become a law.

7

PART HHH

8 Section 1. Subdivisions 1 and 3 of section 592 of the labor law, as
9 amended by chapter 20 of the laws of 2020, are amended to read as
10 follows:

11 1. Industrial controversy. (a) The accumulation of benefit rights by a
12 claimant shall be suspended during a period of [~~two consecutive weeks~~
13 one week beginning with the day after such claimant lost [~~his or her~~
14 their employment because of a strike or other industrial controversy
15 except for lockouts, including concerted activity not authorized or
16 sanctioned by the recognized or certified bargaining agent of the claim-
17 ant, and other concerted activity conducted in violation of any existing
18 collective bargaining agreement, in the establishment in which [~~he or~~
19 she] such claimant was employed, except that benefit rights may be accu-
20 mulated before the expiration of such [~~two~~ one week period beginning
21 with the day after such strike or other industrial controversy was
22 terminated.

23 (b) Benefits shall not be suspended under this section if:

24 (i) The employer hires a permanent replacement worker for the employ-
25 ee's position. A replacement worker shall be presumed to be permanent
26 unless the employer certifies in writing that the employee will be able
27 to return to [~~his or her~~ such employee's prior position upon conclusion
28 of the strike, in the event the strike terminates prior to the conclu-
29 sion of the employee's eligibility for benefit rights under this chap-
30 ter. In the event the employer does not permit such return after such
31 certification, the employee shall be entitled to recover any benefits
32 lost as a result of the [~~two~~ one week suspension of benefits, and the
33 department may impose a penalty upon the employer of up to seven hundred
34 fifty dollars per employee per week of benefits lost. The penalty
35 collected shall be paid into the unemployment insurance control fund
36 established pursuant to section five hundred fifty-two-b of this arti-
37 cle; or

38 (ii) The commissioner determines that the claimant:

39 (A) is not employed by an employer that is involved in the industrial
40 controversy that caused [~~his or her~~ such claimant's unemployment and is
41 not participating in the industrial controversy; or

42 (B) is not in a bargaining unit involved in the industrial controversy
43 that caused [~~his or her~~ such claimant's unemployment and is not partic-
44 ipating in the industrial controversy.

45 3. Terms of suspension. [~~No~~ The waiting period [~~may~~ and suspension
46 period shall be served [~~during a suspension period~~ concurrently.

47 The suspension of accumulation of benefit rights shall not be termi-
48 nated by subsequent employment of the claimant irrespective of when the
49 claim is filed except as provided in subdivision one of this section and
50 shall not be confined to a single benefit year.

51 A "week" as used in subdivision one of this section means any seven
52 consecutive calendar days.

53 § 2. This act shall take effect immediately.

1

PART III

2 Section 1. Short title. This act shall be known and may be cited as
3 the "shelter arrears eviction forestallment act".

4 § 2. The social services law is amended by adding a new section 131-cc
5 to read as follows:

6 § 131-cc. Shelter arrears eviction forestallment program. 1. (a) With-
7 in amounts appropriated therefor, the office of temporary and disability
8 assistance shall establish the shelter arrears eviction forestallment
9 program to provide emergency assistance for rent arrears for the
10 prevention of eviction due to nonpayment of rent or mortgage arrears,
11 homeowners' association fees, legal fees, or late fees if an applicant
12 can establish that such expenses are necessary to retain their housing.
13 Funds shall be allocated to social services districts with a population
14 of five million or fewer, for services and expenses related to the
15 payment of rent arrears necessary to retain housing and to households
16 that are in receipt of or who would be eligible for ongoing or emergency
17 public assistance pursuant to section one hundred thirty-one-a of this
18 title but have exhausted the allowable frequency of such payments
19 through the emergency safety net assistance or emergency assistance to
20 families programs. Each social services district to which funds are
21 allocated pursuant to this section shall use best efforts to make such
22 funds available to households for the purposes set forth in this
23 section.

24 (b) The office of temporary and disability assistance shall allocate
25 funding to social services districts with a population of five million
26 or fewer, with a methodology that shall consider the rate of eviction
27 filings and other indicators of need as determined by the office of
28 temporary and disability assistance.

29 (c) The office shall establish rules for the administration of the
30 program, including but not limited to:

31 (i) requiring payments shall not exceed a total of six months of
32 arrears in addition to payments previously made through the emergency
33 safety net assistance or emergency assistance to families programs;

34 (ii) providing that such payments shall not be limited by the shelter
35 allowance amount set forth in section one hundred thirty-one-a of this
36 title and shall not be part of the standard of need pursuant to such
37 section;

38 (iii) providing that funding allocated to social services districts
39 pursuant to this section shall not replace or reduce any other emergency
40 assistance allocations such districts would otherwise receive;

41 (iv) requiring program payments be made directly to the landlord or
42 property owner on behalf of a tenant. Tenants, landlords and property
43 managers shall be notified of any assistance provided under the program;

44 (v) providing that program payments may be issued to households who
45 are unable to reasonably demonstrate an ability to pay future shelter
46 expenses;

47 (vi) providing that districts may establish local criteria regarding
48 the use of their allocations and will maintain responsibility for not
49 exceeding their allocation issued pursuant to this section; and

50 (vii) providing that districts may elect to delegate the adminis-
51 tration of the program established pursuant to this section, in full or
52 in part, to another public agency, contractor or non-profit organiza-
53 tion.

54 2. In a form and manner prescribed by the office of temporary and
55 disability assistance, social services districts with a population of

1 five million or fewer shall submit annual reports to the office includ-
 2 ing but not limited to the following information:

3 (a) the criteria used by such social services district to determine
 4 program eligibility;

5 (b) the dollar value of arrears issued under the program; and

6 (c) basic demographic information on the households served including
 7 but not limited to the:

8 (i) number of households served;

9 (ii) number of households served for multiple periods;

10 (iii) number and percentage of households with and without children;

11 (iv) number and percentage of households with an open public assist-
 12 ance (PA) case;

13 (v) age distribution of the primary tenant;

14 (vi) distribution of the number of children;

15 (vii) distribution of total payment amount; and

16 (viii) distribution of race and ethnicity.

17 3. The office of temporary and disability assistance shall submit a
 18 report to the governor, the temporary president of the senate, and the
 19 speaker of the assembly by the thirty-first of December of each year.
 20 Such report shall cover the twelve-month period ending on the thirtieth
 21 of September immediately preceding the date the report is due and shall
 22 include but not be limited to the information submitted pursuant to
 23 subdivision two of this section, in the aggregate for the state and for
 24 each county.

25 § 3. This act shall take effect immediately.

26 PART JJJ

27 Section 1. Subdivision 3 of section 469 of the real property tax law,
 28 as added by chapter 377 of the laws of 2000, is amended to read as
 29 follows:

30 3. Such exemption shall be applicable [~~only to construction or recon-~~
 31 ~~struction which occurred subsequent to the effective date of this~~
 32 ~~section and shall only apply~~] during taxable years during which at least
 33 one such parent or grandparent maintains a primary place of residence in
 34 such living quarters.

35 § 2. This act shall take effect immediately.

36 PART KKK

37 Section 1. The real property law is amended by adding a new section
 38 265-c to read as follows:

39 § 265-c. Homeowner protection program. 1. Legislative intent. The
 40 legislature declares that the establishment of the homeowner protection
 41 program (HOPP) is necessary to ensure continuation of New York's invest-
 42 ment in its statewide network of non-profit civil legal services provid-
 43 ers and housing counseling agencies offering a range of homeownership
 44 retention and preservation services to homeowners in every county in the
 45 state. The program is also necessary to ensure that the statutory
 46 mandates of sections thirteen hundred three and thirteen hundred four of
 47 the real property actions and proceedings law and rule thirty-four
 48 hundred eight of the civil practice law and rules are fulfilled, so that
 49 free housing counseling and legal services are available to homeowners
 50 as provided for by sections thirteen hundred three and thirteen hundred
 51 four of the real property actions and proceedings law in every county,
 52 and so that legal services are available to assist homeowners answering

1 complaints and participating in mandatory settlement conferences pursu-
2 ant to rule thirty-four hundred eight of the civil practice law and
3 rules.

4 2. Counseling and legal representation of individuals who are facing
5 loss of their home or threats to homeownership. (a) Within one year of
6 the effective date of this section, the department of law shall estab-
7 lish the homeowner protection program to ensure the availability of free
8 housing counseling and legal services to homeowners for the purposes of
9 mitigating threats to homeownership including, but not limited to,
10 homeownership retention, home preservation, estate planning, as a tool
11 for preventing theft of real property and other scams targeted to home-
12 owners, preventing avoidable foreclosures and displacement, preserving
13 home equity, preserving homeownership, especially in communities of
14 color, and for any other purposes related to preserving homeownership.
15 Such program shall be funded by annual appropriation by the legislature.

16 (b) The department of law shall provide grants to eligible not-for-
17 profit housing counseling organizations and legal services organizations
18 to provide services under the program. Such services shall include, but
19 not be limited to, assistance with loss mitigation and loan and workout
20 applications and negotiations; assistance in applying for assistance
21 programs for homeowners; assistance with resolving property tax, utility
22 and building code violation debts and liens; representation in mortgage
23 and tax and utility lien foreclosure litigation, limited scope represen-
24 tation at settlement conferences pursuant to rule thirty-four hundred
25 eight of the civil practice law and rules; assistance to unrepresented
26 litigants with answers and motions in judicial foreclosure proceedings
27 and brief advice; assistance to homeowners victimized by deed fraud,
28 distressed property consultant, partition and other scammers; and
29 redress of predatory and discriminatory lending, abusive mortgage
30 servicing, and property flipping, including affirmative litigation and
31 administrative complaints with federal, state and local fair housing
32 agencies; and for whatever other purpose deemed necessary by the depart-
33 ment of law to preserve homeownership.

34 3. Program administration. (a) The department of law shall establish
35 criteria for selection of grant applications, review applications and
36 make awards, and exercise and perform such other functions as are
37 related to the purposes of this section.

38 (b) The department of law shall make one-year grants, within the
39 amounts appropriated for that purpose, to not-for-profit housing coun-
40 seling organizations serving homeowners at risk of losing their homes,
41 and legal services organizations, to provide counseling services and
42 legal representation of persons who reside in the state of New York who
43 are facing threats to homeownership.

44 (c) The department of law shall make one-year grants, within the
45 amounts appropriated for that purpose, to ensure that housing counseling
46 and legal services are available free of charge to homeowners in every
47 county of the state and to ensure that the statutory mandates of
48 sections thirteen hundred three and thirteen hundred four of the real
49 property actions and proceedings law and rule thirty-four hundred eight
50 of the civil practice law and rules are fulfilled.

51 (d) The department of law shall make one-year grants, within the
52 amounts appropriated for that purpose, to ensure adequate training,
53 technical assistance and support is provided to the not-for-profit hous-
54 ing counseling and legal services organizations providing services under
55 this section, and to ensure the management of grants and supportive
56 services including, but not limited to, toll-free hotlines, dedicated

1 outreach, technical expertise and other assistance is made available to
2 the organizations providing services.

3 4. Reporting. Each not-for-profit housing counseling organization and
4 legal services organization receiving a grant under this section shall
5 at a minimum report to the attorney general no later than sixty days
6 after the end of each one-year grant. Such report shall include an
7 accounting of the funds received by the grant and the services provided.

8 § 2. This act shall take effect immediately.

9 PART LLL

10 Section 1. The private housing finance law is amended by adding a new
11 article 33 to read as follows:

12 ARTICLE XXXIII

13 VACANT RENTAL IMPROVEMENT PROGRAM

14 Section 1300. Statement of legislative findings and purpose.

15 1301. Vacant rental improvement program.

16 § 1300. Statement of legislative findings and purpose. It is hereby
17 declared and found that there exists across upstate New York a shortage
18 of safe and affordable rental units. It is further found that stable
19 housing is tied to positive employment, education, and health outcomes,
20 and that the state therefore has an interest in promoting safe and
21 affordable housing opportunities. In order, further, to promote such
22 opportunities, it is hereby declared that additional provisions should
23 be made to provide public monies for the purpose of grants to owners of
24 buildings with five or fewer units to make necessary improvements to
25 rental units on the condition that renovated units will be leased at a
26 reasonable rate for ten years. The necessity in the public interest for
27 the provisions of this article is hereby declared as a matter of legis-
28 lative determination.

29 § 1301. Vacant rental improvement program. 1. (a) The housing trust
30 fund corporation shall, subject to appropriation, make capital grants of
31 up to seventy-five thousand dollars per unit to owners of buildings with
32 five or fewer units for the purpose of making necessary improvements to
33 rental units located outside of a city with a population of one million
34 or more. The housing trust fund corporation, to the extent practicable,
35 shall prioritize funding for units that are currently vacant or have
36 outstanding code violations.

37 (b) Receipt of such capital grants shall be conditioned upon a regula-
38 tory agreement by such owners to lease such renovated units at a rate
39 affordable to persons earning no more than eighty percent of area median
40 income, as calculated by the United States department of housing and
41 urban development, for the ten-year period commencing at the start of
42 the first lease agreement following a renovation or rehabilitation
43 completed pursuant to this article. Upon a finding by the housing trust
44 fund corporation that an owner who has received a grant to renovate a
45 rental unit pursuant to this section has violated the regulatory agree-
46 ment, any grants received by such owner shall be subject to recoupment
47 in full. Rental restrictions shall not expire if the unit is trans-
48 ferred or sold to a new owner. The housing trust fund corporation shall
49 promulgate rules and regulations to ensure compliance with this section.

50 2. The chief executive officer of the housing trust fund corporation
51 shall promulgate rules and regulations deemed necessary and appropriate
52 to establish and administer the vacant rental improvement program pursu-
53 ant to this article, including but not limited to the application proc-
54 ess, eligibility requirements, disbursement of grants, determination of

1 a reasonable lease rate, and any other rules, regulations, or defini-
2 itions necessary to carry out the provisions of this article.

3 § 2. The state finance law is amended by adding a new section 99-ss to
4 read as follows:

5 § 99-ss. Rental improvement fund. 1. There is hereby established in
6 the joint custody of the state comptroller and the commissioner of hous-
7 ing and community renewal a fund to be known as the "rental improvement
8 fund".

9 2. Such fund shall consist of all moneys collected therefor, or moneys
10 credited, appropriated or transferred thereto from any other fund or
11 source pursuant to law, or any other moneys made available for the
12 purposes of the fund.

13 3. Moneys of the fund, following appropriation by the legislature and
14 allocation by the director of the budget, shall be available only for
15 purposes of the vacant rental improvement program, as set forth in arti-
16 cle thirty-three of the private housing finance law.

17 § 3. This act shall take effect on the sixtieth day after it shall
18 have become a law. Effective immediately, the addition, amendment and/or
19 repeal of any rule or regulation necessary for the implementation of
20 this act on its effective date are authorized to be made and completed
21 on or before such effective date.

22 PART MMM

23 Section 1. The private housing finance law is amended by adding a new
24 article 33 to read as follows:

25 ARTICLE XXXIII

26 BLOCK BY BLOCK HOMEOWNERSHIP PROGRAM

27 Section 1300. Legislative purpose.

28 1301. Block by block homeownership program.

29 § 1300. Legislative purpose. It is hereby declared and found that
30 there exists across upstate New York, and particularly in the cities of
31 Buffalo, Rochester, Syracuse, Albany, and Binghamton, a shortage of
32 affordable housing units available for purchase. It is further found
33 that homeownership is essential for building generational wealth, and
34 that the state therefore has an interest in promoting homeownership. In
35 order, further, to promote homeownership, it is hereby declared that
36 additional provisions should be made to provide public monies for the
37 purposes of constructing, preserving, and rehabilitating one- to two-fa-
38 family dwellings on underutilized land throughout the state, with an
39 emphasis on the cities of Buffalo, Rochester, Syracuse, Albany, and
40 Binghamton for purchase by low and moderate income buyers. The necessi-
41 ty in the public interest for the provisions of this article is hereby
42 declared as a matter of legislative determination.

43 § 1301. Block by block homeownership program. 1. The division of
44 housing and community renewal shall, subject to appropriation, develop a
45 program to make capital subsidies available for the purpose of
46 constructing, preserving, and rehabilitating one- to two-family dwell-
47 ings outside of a city with a population of one million or more. The
48 commissioner shall promulgate rules and regulations sufficient for the
49 creation of a new program for the purpose of constructing, preserving,
50 and rehabilitating such one- to two-family dwellings.

51 2. Funding for the program created pursuant to this article shall, to
52 the extent practicable, be prioritized in the cities of Buffalo, Roches-
53 ter, Syracuse, Albany, and Binghamton for development on vacant, aban-
54 doned, or underutilized land owned by the municipality.

1 3. Dwellings created pursuant to this program shall be sold to a not-
2 for-profit corporation for the purpose of resale or individuals or fami-
3 lies who are low or moderate income, as determined by the division of
4 housing and community renewal, at the time of sale, who own no other
5 real property, and who intend to use the dwelling as their primary resi-
6 dence.

7 4. The division of housing and community renewal shall restrict any
8 subsequent deed of sale to an individual or family of low or moderate
9 income, as determined by the division of housing and community renewal,
10 who intends to make the dwelling their primary residence.

11 5. Nothing in this article shall preclude the use of additional loans
12 or grants in conjunction with this program.

13 § 2. This act shall take effect immediately.

14 PART NNN

15 Section 1. The opening paragraph of subdivision 10 of section 590 of
16 the labor law, as amended by chapter 734 of the laws of 2004, is amended
17 to read as follows:

18 Benefits based on professional employment with educational insti-
19 tutions, including the state university of New York, the city university
20 of New York and any public community colleges. If a claimant was
21 employed in an instructional, research, or principal administrative
22 capacity by an institution of education, including the state university
23 of New York, the city university of New York and any public community
24 colleges, or performed services in such an institution in such capacity
25 while employed by an educational service agency, the following shall
26 apply to any week commencing during the period between two successive
27 academic years or terms, or during a similar period between two regular
28 but not successive terms when the contract provides therefor instead,
29 provided the claimant has a contract to perform services, or there is a
30 reasonable assurance that the claimant will perform services, [~~services~~]
31 in such capacity for any such institution or institutions for both of
32 such academic years or such terms, and to any week commencing during an
33 established and customary vacation period or holiday recess, not between
34 such academic terms or years, provided the claimant performed services
35 for such institution immediately before such vacation period or holiday
36 recess and there is a reasonable assurance that the claimant will
37 perform any services described in this subdivision or subdivision eleven
38 of this section in the period immediately following such vacation period
39 or holiday recess:

40 § 2. Subdivision 11 of section 590 of the labor law is REPEALED and a
41 new subdivision 11 is added to read as follows:

42 11. (a) For purposes of subdivision ten of this section, a "contract
43 to perform services" shall refer only to an enforceable, non-contingent
44 agreement that provides for compensation: for the entire academic year;
45 or on an annual basis, provided, however, that the contract terms
46 describing compensation need not be expressed specifically as an annual
47 salary. A "contract to perform services" must satisfy all of the
48 following conditions:

49 (1) The educational institution has made a written, oral or implied
50 offer of employment, which must be genuine, to the claimant for either
51 the second academic year or term or for the period following an estab-
52 lished or customary vacation period or holiday recess;

53 (2) Such offer was made by an employee of the educational institution
54 with authority to make such offer;

1 (3) Such offer is for services in the same capacity as the services
2 the claimant performed for the educational institution in the prior
3 academic year or term or in the period before an established or custom-
4 ary vacation period or holiday recess; and

5 (4) The wages or salary in such offer are in an amount not less than
6 ninety percent of the amount paid to the claimant during the first
7 academic year or term or during the period before an established or
8 customary vacation period or holiday recess.

9 (b) For purposes of subdivision ten of this section, a determination
10 that there is a "reasonable assurance" shall require meeting all of the
11 requirements set forth in subparagraphs one through four of paragraph
12 (a) of this subdivision and the following conditions:

13 (1) Such offer is not contingent on factors within the control of such
14 educational institution including, but not limited to, course program-
15 ming, allocation of available funding, program modifications, or facili-
16 ty availability; and

17 (2) Based on the totality of the circumstances, it is highly probable
18 that there is a job available for the claimant in the same capacity
19 during the second academic year or term or during the period following
20 an established or customary vacation period or holiday recess, includ-
21 ing, but not limited to, availability of funding, enrollment levels, the
22 claimant's level of seniority, budgeting and assignment practices at the
23 educational institution, the number of offers made in relation to the
24 number of potential assignments, the period of student registration, and
25 any other contingencies in the offer. When considering whether funding
26 shall be available, the following criteria shall be considered: (i) the
27 history of the educational institution's funding, and the likelihood
28 that the educational institution will receive such funding, for a
29 specific course; and (ii) the claimant's likelihood of receiving an
30 assignment.

31 (c) Reasonable assurance shall be determined on a case-by-case basis
32 by the total weight of evidence rather than the existence of any one
33 factor. Primary weight shall be given to the contingent nature of an
34 offer of employment based on enrollment, funding and program changes;
35 provided, however, that in any unemployment insurance proceeding, a
36 written letter from an educational institution to a claimant which makes
37 employment conditional shall not be prima facie evidence of reasonable
38 assurance to be used to deny a claim for unemployment. The educational
39 institution shall supply specific documentation to support its objection
40 that it has provided a contract to perform services and/or reasonable
41 assurance. If the educational institution fails to supply such specific
42 documentation, the objection shall be deemed invalid.

43 (d) (1) The provisions of subdivision ten of this section shall not be
44 interpreted, implemented, or otherwise construed in any way to apply to
45 services in a nonprofessional capacity.

46 (2) For the purposes of this subdivision and subdivision ten of this
47 section:

48 (i) "Professional capacity" shall strictly apply to services performed
49 in an instructional, research, or principal administrative capacity with
50 educational institutions, including the state university of New York,
51 the city university of New York and any public community college.

52 (ii) "Services in a nonprofessional capacity" shall apply to services
53 in any capacity other than a professional capacity and encompasses any
54 services other than an instructional, research, or principal administra-
55 tive capacity, regardless of the legal or educational requirements to
56 perform such services.

1 § 3. This act shall take effect immediately.

2 PART 000

3 Section 1. Section 224-a of the labor law, as added by section 1 of
4 part FFF of chapter 58 of the laws of 2020, paragraphs c and d of subdivi-
5 sion 2 as amended and paragraph e of subdivision 2 as added by section
6 1 of part R and paragraphs f and g of subdivision 3 as amended and para-
7 graph h of subdivision 3 as added by section 2 of part U of chapter 56
8 of the laws of 2024, and paragraph b of subdivision 4 as amended by
9 section 3 of part AA of chapter 56 of the laws of 2021, is amended to
10 read as follows:

11 § 224-a. Prevailing wage requirements applicable to construction
12 projects performed under private contract. 1. Subject to the provisions
13 of this section, each "covered project" as defined in this section shall
14 be subject to prevailing wage requirements in accordance with section
15 two hundred twenty and two hundred twenty-b of this article. A "covered
16 project" shall mean construction work done under contract which is paid
17 for in whole or in part out of public funds as such term is defined in
18 this section where the amount of all such public funds, when aggregated,
19 is at least [~~thirty~~] twenty percent of the total construction [~~project~~]
20 costs and where such project costs are over five million dollars except
21 as provided for by [~~section two hundred twenty-four e of this article~~]
22 the department.

23 2. For purposes of this section, "paid for in whole or in part out of
24 public funds" shall mean any of the following:

25 a. The payment of money, by a public entity, or a third party acting
26 on behalf of and for the benefit of a public entity, directly to or on
27 behalf of the contractor, subcontractor, developer or owner that is not
28 subject to repayment;

29 b. The savings achieved from fees, rents, interest rates, or other
30 loan costs, or insurance costs that are lower than market rate costs;
31 savings from reduced taxes as a result of tax credits, tax abatements,
32 tax exemptions or tax increment financing; savings from payments in lieu
33 of taxes; and any other savings from reduced, waived, or forgiven costs
34 that would have otherwise been at a higher or market rate but for the
35 involvement of the public entity;

36 c. Money loaned by the public entity that is to be repaid on a contin-
37 gent basis;

38 d. Credits that are applied by the public entity against repayment of
39 obligations to the public entity; or

40 e. Benefits under section four hundred sixty-seven-m of the real prop-
41 erty tax law.

42 3. For purposes of this section, "paid for in whole or in part out of
43 public funds" shall not include:

44 a. Benefits under section four hundred twenty-one-a of the real prop-
45 erty tax law;

46 b. Funds that are not provided primarily to promote, incentivize, or
47 ensure that construction work is performed, which would otherwise be
48 captured in subdivision two of this section;

49 c. Funds used to incentivize or ensure the development of a comprehen-
50 sive sewage system, including connection to existing sewer lines or
51 creation of new sewage lines or sewer capacity, provided, however, that
52 such work shall be deemed to be a public work covered under the
53 provisions of this article;

1 d. tax benefits provided for projects the length or value of which are
2 not able to be calculated at the time the work is to be performed;

3 e. tax benefits related to brownfield remediation or brownfield rede-
4 velopment pursuant to section twenty-one, twenty-two, one hundred eight-
5 y-seven-g or one hundred eighty-seven-h of the tax law, subdivision
6 seventeen or eighteen of section two hundred ten-B of the tax law,
7 subsection (dd) or (ee) of section six hundred six of the tax law, or
8 subdivision (u) or (v) of section fifteen hundred eleven of the tax law;

9 f. funds provided pursuant to subdivision three of section twenty-
10 eight hundred fifty-three of the education law;

11 g. any other public monies, credits, savings or loans, determined by
12 the [~~public subsidy board created in section two hundred twenty-four e~~
13 ~~of this article~~] ~~department~~ as exempt from this definition; and

14 h. benefits under section four hundred eighty-five-x of the real prop-
15 erty tax law.

16 4. For purposes of this section "covered project" shall not include
17 any of the following:

18 a. Construction work on one or two family dwellings where the property
19 is the owner's primary residence, or construction work performed on
20 property where the owner of the property owns no more than four dwelling
21 units;

22 b. Construction work performed under a contract with a not-for-profit
23 corporation as defined in section one hundred two of the not-for-profit
24 corporation law, other than a not-for-profit corporation formed exclu-
25 sively for the purpose of holding title to property and collecting
26 income thereof or any public entity as defined in this section, where
27 the not-for-profit corporation has gross annual revenue and support less
28 than five million dollars;

29 c. Construction work performed on a multiple residence and/or ancil-
30 lary amenities or installations that is wholly privately owned in any of
31 the following circumstances except as provided for by [~~section two~~
32 ~~hundred twenty-four e of this article~~] ~~the department~~:

33 (i) where no less than twenty-five percent of the residential units
34 are affordable and shall be retained subject to an anticipated regulato-
35 ry agreement with a local, state, or federal governmental entity, or a
36 not-for-profit entity with an anticipated formal agreement with a local,
37 state, or federal governmental entity for purposes of providing afforda-
38 ble housing in a given locality or region provided that the period of
39 affordability for a residential unit deemed affordable under the
40 provisions of this paragraph shall be for no less than fifteen years
41 from the date of construction; or

42 (ii) where no less than thirty-five percent of the residential units
43 involves the provision of supportive housing services for vulnerable
44 populations provided that such units are subject to an anticipated regu-
45 latory agreement with a local, state, or federal governmental entity; or

46 (iii) any newly created programs for affordable or subsidized housing
47 as determined by the [~~public subsidy board established by section two~~
48 ~~hundred twenty-four e of this article~~] ~~department~~.

49 d. Construction work performed on a manufactured home park as defined
50 in paragraph three of subdivision a of section two hundred thirty-three
51 of the real property law where the manufactured home park is subject to
52 a regulatory agreement with a local, state, or federal governmental
53 entity for no less than fifteen years;

54 e. Construction work performed under a pre-hire collective bargaining
55 agreement between an owner or contractor and a bona fide building and
56 construction trade labor organization which has established itself as

1 the collective bargaining representative for all persons who will
2 perform work on such a project, and which provides that only contractors
3 and subcontractors who sign a pre-negotiated agreement with the labor
4 organization can perform work on such a project, or construction work
5 performed under a labor peace agreement, project labor agreement, or any
6 other construction work performed under an enforceable agreement between
7 an owner or contractor and a bona fide building and construction trade
8 labor organization;

9 f. Construction work performed on projects funded by section sixteen-n
10 of the urban development corporation act or the downtown revitalization
11 initiative;

12 g. Construction work and engineering and consulting services performed
13 in connection with the installation of a renewable energy system, renew-
14 able heating or cooling system, or energy storage system, with a capaci-
15 ty equal to or under five megawatts alternating current;

16 h. Construction work performed on supermarket retail space built or
17 renovated with tax incentives provided under the food retail expansion
18 to support health (FRESH) program through the New York city industrial
19 development agency;

20 i. Construction work performed for interior fit-outs and improvements
21 under ten thousand square feet through small business incubation
22 programs operated by the New York city economic development corporation;
23 or

24 j. Construction work on space to be used as a school under sixty thou-
25 sand square feet, pursuant to a lease from a private owner to the New
26 York city department of education and the school construction authority;
27 or

28 k. Construction work performed on projects that received tax benefits
29 related to historic rehabilitation pursuant to subdivision twenty-six of
30 section two hundred ten-B of the tax law, subsection (oo) or (pp) of
31 section six hundred six of the tax law, or subdivision (y) of section
32 fifteen hundred eleven of the tax law.

33 5. For purposes of this section, "public entity" shall include, but
34 shall not be limited to, the state, a local development corporation as
35 defined in subdivision eight of section eighteen hundred one of the
36 public authorities law or section fourteen hundred eleven of the not-
37 for-profit corporation law, a municipal corporation as defined in
38 section one hundred nineteen-n of the general municipal law, an indus-
39 trial development agency formed pursuant to article eighteen-A of the
40 general municipal law or industrial development authorities formed
41 pursuant to article eight of the public authorities law, and any state,
42 local or interstate or international authorities as defined in section
43 two of the public authorities law; and shall include any trust created
44 by any such entities.

45 6. For purposes of this section, "construction" means work which shall
46 be as defined by the [~~public subsidy board~~] department to require
47 payment of prevailing wage, and which may involve the employment of
48 laborers, workers, or mechanics.

49 7. For purposes of this section and section two hundred twenty-four-b
50 of this article, the "fiscal officer" shall be deemed to be the commis-
51 sioner.

52 8. The enforcement of any construction work deemed to be a covered
53 project pursuant to this section, and any additional requirements, shall
54 be subject, in addition to this section, only to the requirements of
55 sections two hundred twenty, two hundred twenty-four-b, two hundred
56 twenty-four-c, and two hundred twenty-b of this article and within the

1 jurisdiction of the fiscal officer; provided, however, nothing contained
2 in this section shall be deemed to construe any covered project as
3 otherwise being considered public work pursuant to this article; and
4 further provided:

5 a. The owner or developer of such covered project shall certify under
6 penalty of perjury within five days of commencement of construction work
7 whether the project at issue is subject to the provisions of this
8 section through the use of a standard form developed by the fiscal offi-
9 cer.

10 b. The owners or developers of a property who are undertaking a
11 project under private contract, may seek guidance from the [~~public~~
12 ~~subsidy board contained in section two hundred twenty four c of this~~
13 ~~article, and such board~~] department which may render an opinion as to
14 whether or not the project is a covered project within the meaning of
15 this article. Any such determination shall not be reviewable by the
16 fiscal officer[~~, nor shall it be reviewable by the department pursuant~~
17 ~~to section two hundred twenty of this article~~].

18 c. The owner or developer of a covered project shall be responsible
19 for retaining original payroll records in accordance with section two
20 hundred twenty of this article for a period of six years from the
21 conclusion of such work. All payroll records maintained by an owner or
22 developer pursuant to this section shall be subject to inspection on
23 request of the fiscal officer. Such owner or developer may authorize the
24 prime contractor of the construction project to take responsibility for
25 retaining and maintaining payroll records, but will be held jointly and
26 severally liable for any violations of such contractor. All records
27 obtained by the fiscal officer shall be subject to the Freedom of Infor-
28 mation Law.

29 d. (i) Each public entity providing any of the public funds listed in
30 subdivision two of this section to an owner, developer, contractor or
31 subcontractor of a project shall [identify] provide a certification, on
32 a form provided by the department, to both the department and recipient
33 which identifies the nature and dollar value of such funds and whether
34 any such funds are excluded under subdivision three of this section and
35 shall so notify the recipient of such funds of such determination and of
36 their obligations under paragraph a of this subdivision. Such certif-
37 ication shall be filed with the department within two days of the date
38 in which the recipient and public entity executed the agreement for the
39 issuance of such public funds. The department shall maintain a list of
40 all certifications received pursuant to this paragraph, which shall be
41 available to the public upon request. The department is authorized to
42 refer any failure by a public entity to comply with this paragraph to
43 the comptroller or attorney general, or both, for further investigation.

44 (ii) For public funds that provide the recipient with a future benefit
45 or incentives in future years, the certification provided to the recipi-
46 ent by the public entity shall identify the estimated future value of
47 the funds and the methodology used by the public entity to determine the
48 future value. Such future value shall not be less than any calculations
49 made by the recipient in public or private financing documents related
50 to the project. The department, upon investigation, may reject this
51 estimation and calculate a future value in accordance with subparagraph
52 (iii) of this paragraph.

53 (iii) Where the public entity fails to provide an estimated future
54 value of funds based on a reasonable methodology, the department shall
55 determine the estimated future value of funds by applying to the present

1 value of the funds an annual growth of not less than two percent and a
2 discounted present value rate of not more than seven percent.

3 (iv) The department shall issue guidance on this subdivision, includ-
4 ing the certification form and future benefit calculations, within thir-
5 ty days of the effective date of the chapter of the laws of two thousand
6 twenty-five that amended this paragraph.

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

11 9. Each owner and developer subject to the requirements of this
12 section shall comply with the objectives and goals of minority and
13 women-owned business enterprises pursuant to article fifteen-A of the
14 executive law and service-disabled veteran-owned businesses pursuant to
15 article [~~seventeen-B of the executive law~~] three of the veterans'
16 services law. The department in consultation with the directors of the
17 division of minority and women's business development and of the divi-
18 sion of service-disabled veterans' business development shall make
19 training and resources available to assist minority and women-owned
20 business enterprises and service-disabled veteran-owned business enter-
21 prises on covered projects achieve and maintain compliance with prevail-
22 ing wage requirements. The department shall make such training and
23 resources available online and shall afford minority and women-owned
24 business enterprises and service-disabled veteran-owned business enter-
25 prises an opportunity to submit comments on such training.

26 10. a. The fiscal officer shall report to the governor, the temporary
27 president of the senate, and the speaker of the assembly by July first,
28 two thousand twenty-two, and annually thereafter, on the participation
29 of minority and women-owned business enterprises in relation to covered
30 projects and contracts for public work subject to the provisions of this
31 section and section two hundred twenty of this article respectively as
32 well as the diversity practices of contractors and subcontractors
33 employing laborers, workers, and mechanics on such projects.

34 b. Such reports shall include aggregated data on the utilization and
35 participation of minority and women-owned business enterprises, the
36 employment of minorities and women in construction-related jobs on such
37 projects, and the commitment of contractors and subcontractors on such
38 projects to adopting practices and policies that promote diversity with-
39 in the workforce. The reports shall also examine the compliance of
40 contractors and subcontractors with other equal employment opportunity
41 requirements and anti-discrimination laws, in addition to any other
42 employment practices deemed pertinent by the commissioner.

43 c. The fiscal officer may require any owner or developer to disclose
44 information on the participation of minority and women-owned business
45 enterprises and the diversity practices of contractors and subcontrac-
46 tors involved in the performance of any covered project. It shall be the
47 duty of the fiscal officer to consult and to share such information in
48 order to effectuate the requirements of this section.

49 11. If construction work is not deemed to be a covered project, wheth-
50 er by virtue of an exclusion of such project under subdivision four of
51 this section, or by virtue or not receiving sufficient public money to
52 be deemed "paid for in whole or in part out of public funds", such
53 project shall not be subject to the requirements of sections two hundred
54 twenty and two hundred twenty-b of this article.

55 § 2. Section 224-c of the labor law is REPEALED.

1 § 3. This act shall take effect on the one hundred twentieth day after
2 it shall have become a law.

3 PART PPP

4 Section 1. Statement of legislative findings and purpose. It is hereby
5 declared that there exists in this state a lack of property and liabil-
6 ity insurance for affordable housing developments; that lack of insurers
7 available for affordable housing fosters premiums that are so costly as
8 to drive up operating expenses for developments significantly; that
9 operating expenses threaten the long-term financial viability of afford-
10 able housing developments in this state; that insurance captives may
11 lower insurance costs for affordable housing developments; that further
12 study is required to determine the feasibility and the value of estab-
13 lishing insurance captives for affordable housing subject to government
14 regulatory agreements; and the necessity in the public interest for the
15 provisions hereinafter enacted is hereby declared as a matter of legis-
16 lative determination.

17 § 2. (a) The division of housing and community renewal, in consulta-
18 tion with the department of financial services, shall conduct an analy-
19 sis of the feasibility and risk of establishing group insurance captives
20 in the state of New York for the purpose of insuring affordable housing
21 that has a regulatory agreement with a city, state, or federal entity.
22 The division of housing and community renewal shall contract with a
23 third-party consultant to conduct such analysis, provided that such
24 study shall be completed by a qualified independent actuary. Such analy-
25 sis shall include, but not be limited to, the following:

26 1. The actuarial risks and feasibility associated with the creation of
27 such insurance captives in the state, excluding a city with a population
28 of one million or more;

29 2. A measurement of value of such insurance captives relative to
30 financing risk utilizing commercial insurance or self-financing, in
31 aggregate and broken out by type of insurance, such as general liabil-
32 ity, property, automotive, workers' compensation, and flood insurance;

33 3. The advantages and disadvantages of potential insurance captive
34 structures; and

35 4. A domicile analysis.

36 (b) Such analysis may include the actuarial risks and feasibility
37 associated with the creation of such insurance captives in the state
38 that consolidate with or also include a city with a population of one
39 million or more.

40 (c) Such analysis shall be made public by the division of housing and
41 community renewal on its website no later than one year from the effec-
42 tive date of this act. A copy of such analysis shall be provided to the
43 governor, the temporary president of the senate, and the speaker of the
44 assembly.

45 § 3. This act shall take effect immediately and shall expire and be
46 deemed repealed 1 year after such date.

47 PART QQQ

48 Section 1. The public housing law is amended by adding a new section
49 20-a to read as follows:

50 § 20-a. Public reporting. 1. The commissioner shall, on or before
51 October first in each year beginning in the year two thousand twenty-
52 five, publish data pertaining to capital programs and/or projects of the

1 division and any amendments to such programs as required by this section
2 on the division's website in a common, machine readable format.

3 2. At a minimum, individual capital project data for projects that are
4 committed for construction shall be included in a public reporting dash-
5 board maintained by the division on its website. Any summary views
6 provided on the website shall include the original budgets at the time
7 of project commitment when scope and budget are defined, project scopes,
8 and schedules, in addition to current or amended budgets, project
9 scopes, and schedules. Data pertaining to individual projects shall
10 include, but not be limited to:

11 (a) the capital project identification number delineated by the divi-
12 sion, category, element and project as used in the capital program;

13 (b) the capital plan years;

14 (c) the agency or entity undertaking the project;

15 (d) the project description;

16 (e) the project location, including county;

17 (f) the construction start date for each project;

18 (g) the real or projected date of occupancy for the project following
19 completion;

20 (h) the number of units created and/or preserved in each project;

21 (i) the number of supportive units, affordable units, and unrestricted
22 units created and/or preserved in each project;

23 (j) the income eligibility requirements for the project;

24 (k) the sources of public funding utilized to finance the project;

25 (l) the approximate amount of public funding utilized to finance the
26 project, broken down by source;

27 (m) the approximate amount of private funding utilized to finance the
28 project;

29 (n) the capital needs code of the project, such as state of good
30 repair, normal replacement, system improvement, system expansion or
31 other category; and

32 (o) budget information including the original budget at the time of
33 project commitment when scope and budget are defined, all amendments,
34 the current budget and planned annual allocations.

35 3. The status of projects shall be provided and state the current
36 phase of the project, such as planning, design, construction or
37 completion, and shall state how far the project has progressed as meas-
38 ured in percentage by expenditure. The dashboard shall measure progress
39 based on original budgets at the time of project commitment when scope
40 and budget are defined. At a minimum, all changes to planned budgets of
41 greater than ten percent, significant project scope or a three-month or
42 more change in schedule shall be provided in narrative form and describe
43 the reason for each change or amendment. The dashboard shall include a
44 glossary or data dictionary which contains plain language descriptions
45 of the data, including individual project data, and any other informa-
46 tion provided on the dashboard. The dashboard shall be updated, at a
47 minimum, on a quarterly basis, and all data fields available on the
48 dashboard shall be made available for download on the division's website
49 in a single tabular data file in a common, machine-readable format.
50 Capital dashboard data shall also be made accessible in accordance with
51 the provisions of subdivision four of this section.

52 4. The data required to be published pursuant to this section shall be
53 made in tabular data file or files in a common, machine readable format
54 and shall be accessible on the division's website and the website
55 data.ny.gov or such other successor website maintained by, or on behalf
56 of, the state, as deemed appropriate by the New York state office of

1 information technology services under executive order number ninety-five
2 of two thousand thirteen, or any successor agency or order.

3 § 2. This act shall take effect on the thirtieth day after it shall
4 have become a law.

5 PART RRR

6 Section 1. The private housing finance law is amended by adding a new
7 article 33 to read as follows:

8 ARTICLE 33

9 GREEN AFFORDABLE PRE-ELECTRIFICATION PROGRAM

10 Section 1300. Short title.

11 1301. Legislative intent.

12 1302. Green affordable pre-electrification program.

13 1303. Severability.

14 § 1300. Short title. This article shall be known and may be cited as
15 the "green affordable pre-electrification fund" (GAP fund).

16 § 1301. Legislative intent. The legislature finds that a significant
17 portion of the state's residential buildings are old and in disrepair.
18 This limits the suitability and eligibility of low- and moderate-income
19 households for residential energy efficiency, electrification, weatherti-
20 zation, installation of insulation, and resiliency programs. There is a
21 critical need to identify and remediate environmental hazards like mold,
22 lead-based paint, and friable asbestos, water intrusion, indoor air
23 pollution, and other hazards before insulation and air sealing to ensure
24 that any renovations to the home do not create or exacerbate toxic
25 conditions. These programs often do not cover the costs associated with
26 renovations that would make such homes eligible for such programs.
27 Given the limitation of these programs to help make these homes eligi-
28 ble, there is a critical need to fund such improvements if the state is
29 to comprehensively reduce emissions from residential buildings and
30 achieve our climate goals. This need was recognized by the state climate
31 action council in their two thousand twenty-two final scoping plan,
32 which stated: "The state should create a new retrofit and electrifica-
33 tion readiness fund for LMI (low-moderate income) households, affordable
34 housing, rent regulated housing, public housing, and residential build-
35 ings in disadvantaged communities to cover costs of non-energy building
36 improvements that are necessary to install energy measures and broadband
37 installation costs when funding energy projects."

38 § 1302. Green affordable pre-electrification program. 1. Definitions.
39 For the purposes of this article:

40 (a) "Residential building" shall mean a residential dwelling which is
41 owner or tenant occupied.

42 (b) "Eligible applicant" shall mean an owner or tenant of a residen-
43 tial building who would be ineligible for, or who has been denied, any
44 local, state or federal incentives, assistance, subsidies, grants or
45 loans for improvements or projects relating to energy savings, green-
46 house gas emissions reductions, climate change adaptation and resiliency
47 due to structural deficiencies, health hazards, or code violations which
48 make the building or property ineligible or unsuitable for such improve-
49 ments or projects. The division may also include as an eligible appli-
50 cant; a city, town or village; a housing development fund company incor-
51 porated pursuant to article eleven of this chapter which has as one of
52 its primary purposes the improvement of housing; a municipal housing
53 authority created pursuant to the public housing law; a public benefit
54 corporation formed to assist particular municipalities with their hous-

1 ing, community development or renewal needs; or a county, provided,
2 however, that the county acts as an administrator of a program under
3 which projects are constructed, rehabilitated or improved by other
4 eligible applicants or acts in any other capacity as permitted by law.

5 (c) "Financial awards" shall mean incentives, grants or loans, as
6 determined appropriate by the division.

7 (d) "Eligible rehabilitation projects" shall mean any work necessary
8 to bring a complete structure or unit of a structure, where appropriate,
9 into compliance with applicable building codes and regulations or other
10 improvements, including but not limited to repairs, upgrades, removal or
11 mitigation of health hazards, such as mold, lead, asbestos, radon or
12 tests, replacement of insulation, air sealing, ventilation systems,
13 septic and plumbing systems, roof repairs or replacements, water intru-
14 sion mitigation, foundation repair, wall repair, moisture control, elec-
15 trical upgrades, correcting potential electrical hazards, and safe
16 repair or removal of fossil fuel systems which are needed to enable
17 participation in local, state, or federal programs, incentives, grants,
18 or loans for implementing home improvements regarding climate change
19 adaptation, mitigation and resiliency or economic efficiency, including,
20 but not limited to, energy efficiency, electrification, weatherization,
21 or the installation of insulation. Projects under this section may also
22 include measures needed to make the dwelling accessible to individuals
23 with disabilities when those measures are combined with other qualifying
24 measures. Projects under this section shall not include the installa-
25 tion, or updating of equipment which uses fossil fuels including, but
26 not limited to, gasoline, natural gas, diesel, home heating oil, or
27 coal.

28 (e) "Division" means the division of housing and community renewal.

29 2. General and administrative provisions. The division shall promul-
30 gate rules and regulations for the administration of this section, in
31 consultation with the New York state energy research and development
32 authority, to provide financial and technical assistance for the
33 completion of eligible rehabilitation projects. Such rules and regu-
34 lations shall include provisions concerning the eligibility of grantees
35 for state financial awards; funding criteria and the funding determi-
36 nation process; supervision and evaluation of the awardees; and such
37 other matters not inconsistent with the purposes and provisions of this
38 section as the division shall deem necessary. The rules and regulations
39 shall require awardees to conduct an inspection and risk assessment to
40 determine if the home contains any hazardous condition due to the pres-
41 ence of lead-based paint, mold, or friable asbestos. The inspection and
42 risk assessment may be paid for with the financial award if the official
43 reports are provided to the division. The division may provide techni-
44 cal services and assistance, or contract to provide technical services
45 and assistance, to awardees to facilitate compliance with the provisions
46 and intent of this section which may include, but shall not be limited
47 to, construction skills training, home inspection, financial packaging,
48 and engineering and architectural services necessary for the preparation
49 of proposals for entering into contracts or for the continued operation
50 of projects.

51 3. Green rehabilitation contracts. (a) Subject to appropriations from
52 the sustainable future program and any other source identified by the
53 division, the division is hereby authorized to enter into contracts with
54 eligible applicants to provide financial awards for the completion of
55 eligible rehabilitation projects, subject to the terms and conditions of
56 this section. Any financial award received by a municipality hereunder

1 shall not be deemed to be municipal funds. Recipients of financial
2 awards shall utilize funds provided pursuant to this section solely to
3 cover or reduce the cost of eligible rehabilitation projects. Such
4 funds as may be appropriated shall be equitably divided across the
5 state's ten regions, including western New York, the finger lakes, the
6 southern tier, central New York, the Mohawk valley, the capital region,
7 mid-Hudson region, New York City, Long Island, and the north country.
8 Awards shall be made with the goal of prioritizing disadvantaged commu-
9 nities, as defined in section 75-0101 of the environmental conservation
10 law and using criteria developed by the climate justice working group
11 pursuant to section 75-0111 of the environmental conservation law, to
12 receive no less than forty percent of the overall amount awarded.

13 (b) The division shall streamline the application process by incorpo-
14 rating the green affordable pre-electrification program into the eligi-
15 bility section of existing program applications offered by the division.

16 (c) Applicants may apply to the green affordable pre-electrification
17 program concurrently with other existing programs upon the applicant's
18 provision of information detailing eligible rehabilitation projects that
19 would cause the applicant to be denied funding under other existing
20 programs. Notwithstanding any section of law to the contrary, such
21 concurrent application or the provision of a financial award by the
22 division shall not be cause to deny the application for funding under
23 other existing programs.

24 (d) Financial awards provided pursuant to this section shall cover one
25 hundred percent of associated costs for owners or tenants with incomes
26 up to eighty percent of the state median income or area median income,
27 whichever is greater, and seventy-five percent of associated costs for
28 owners or tenants with incomes between eighty-one and one hundred fifty
29 percent of the state median income or area median income, whichever is
30 greater. Notwithstanding the foregoing, the authority may cap total
31 financial awards for each project pursuant to the following schedule:

32 (i) For a residential building with up to four dwelling units: (A) a
33 maximum award of forty thousand dollars multiplied by the number of
34 units in the building where owners or tenants have incomes up to eighty
35 percent of the state or the area median income, whichever is greater;
36 and (B) a maximum award of thirty-five thousand dollars multiplied by
37 the number of units in the building where owners or tenants have incomes
38 between eighty-one and one hundred fifty percent of the state or the
39 area median income, whichever is greater;

40 (ii) For a residential building with more than four but less than
41 fifty dwelling units: (A) a maximum award of twenty-five thousand
42 dollars multiplied by the number of units in the building where owners
43 or tenants have incomes up to eighty percent of the state or the area
44 median income, whichever is greater; and (B) a maximum award of twenty
45 thousand dollars multiplied by the number of units in the building where
46 owners or tenants have incomes between eighty-one and one hundred fifty
47 percent of the state or the area median income, whichever is greater;
48 and

49 (iii) For a residential building with more than fifty dwelling units a
50 maximum award of fifteen thousand dollars multiplied by the number of
51 units in the building where owners or tenants have incomes up to one
52 hundred fifty percent of the state or the area median income, whichever
53 is greater.

54 (e) The division may cap total financial awards for each project or
55 each individual improvement within a project to ensure that each neces-

1 sary improvement is made, as long as the cap does not create a singular
2 obstacle to the completion of an eligible rehabilitation project.

3 (f) The division shall provide an answer to the applicant within sixty
4 days after it receives an application, stating whether or not the appli-
5 cant is eligible for funding, if more information is needed to determine
6 eligibility, and whether such funding has been awarded. The division
7 shall also state the cap amounts for each project or each improvement
8 within each project in its response.

9 (g) The eligible applicant shall be responsible to secure all neces-
10 sary descriptions of expenses for eligible projects and associated
11 costs.

12 (h) Eligible rehabilitation projects, if not completed by a not-for-
13 profit corporation, may be completed by a division-approved private
14 contractor headquartered in New York state or within ten miles of the
15 border of New York state with another state. The division shall estab-
16 lish cost control measures such as per-measure payment formulas to
17 ensure prices charged by contractors are reasonable.

18 (i) The division shall prioritize the contracting of financial awards
19 to projects located within an area which is a disadvantaged community as
20 defined in section 75-0101 of the environmental conservation law,
21 blighted, deteriorated or deteriorating, or has a blighting influence on
22 the surrounding area, or is in danger of becoming a slum or a blighted
23 area because of the existence of substandard, unsanitary, deteriorating
24 or deteriorated conditions, aged housing stock, or vacant non-residen-
25 tial property, or other factors indicating an inability or unwillingness
26 of the private sector unaided to cause the rehabilitation of homes for
27 which financial awards under this section are provided.

28 (j) The division shall compile a list of eligible contractors organ-
29 ized by region to facilitate projects under this program.

30 (k) The division shall provide applicants with a list of conditions
31 that shall be met prior to entering into a contract pursuant to this
32 section. Within fifteen working days of receipt by the division of all
33 documents in satisfaction of the list, the division shall notify the
34 applicant of the sufficiency or insufficiency of the documentation.
35 After satisfaction by the applicant of all conditions required by the
36 division, and a determination of eligibility for the award, the division
37 shall enter into the contract within forty-five working days of satis-
38 faction of such conditions provided, however, that sufficient funding is
39 available.

40 (l) In the case of projects that receive financial awards of over
41 forty thousand dollars, the division may establish restrictions on the
42 sale of the residence or its subunits to qualified low-income homebuyers
43 for a period of at least sixty years, but no more than ninety-nine
44 years, and the division may ensure this restriction by use of deed
45 restrictions, community land trusts, or limited-equity cooperative
46 ownership structures.

47 (m) For all projects that receive financial awards, the following
48 restrictions shall apply and be in force for a period of not less than
49 five years: (i) the owner of a building assisted with GAP funds shall
50 not raise the rent of any units more than three percent annually in the
51 building or, where applicable, the maximum rate of rent adjustment
52 provided for in section four of the emergency tenant protection act of
53 nineteen hundred seventy-four or section four of the emergency housing
54 rent control law, whichever is lower; and (ii) an owner of a building
55 assisted with GAP funds may not evict, harass, or involuntarily remove
56 any tenant in a building whose owner has entered into an agreement with

1 the state pursuant to this article, except for causes provided in
2 section two hundred sixteen of the real property law.

3 (n) The owner and the division shall be jointly responsible for
4 informing tenants in a building about any upcoming project for which GAP
5 funds have been awarded and which may impact them and of informing
6 tenants about the building owner agreement with the state made pursuant
7 to the award of GAP funds for the project. The division shall provide
8 owners with templates for a tenant synopsis and notification to be
9 placed in common areas of the building. The notification shall summarize
10 work that shall occur in the building, any specific work to be performed
11 in the tenant's unit, the timing of the work and the owner agreement
12 with the state. The tenant synopsis shall explain that rent increases
13 are restricted for five years following the granting of the award of GAP
14 funds, and that such restrictions apply regardless of whether the prop-
15 erty changes ownership. The tenant synopsis shall list the conditions
16 under which the owner may increase the rent and other rights tenants
17 have, including the ability to file a claim in court against improper
18 rent increases and the right to view a copy of the owner agreement for
19 the building where the tenant resides. The owner shall be required to
20 attest, in writing that they have provided a tenant synopsis to each
21 tenant and posted appropriate notices in common areas of the building,
22 and shall provide a list of tenant addresses to the division so that the
23 division may send a copy of the tenant synopsis to all residents of the
24 building.

25 (o) In determining financial awards pursuant to this section, the
26 division shall give preference to applications based upon the extent to
27 which the proposed rehabilitation project may:

28 (i) serve the lowest income households in disadvantaged communities or
29 communities in which buildings are deteriorated or deteriorating, or
30 have an injurious influence on the surrounding area, or are in danger of
31 becoming a deteriorating area because of the existence of substandard,
32 unsanitary, aged housing stock or vacant non-residential properties or
33 other factors indicating an inability or unwillingness of the private
34 sector, unaided, to cause the rehabilitation of homes, and which are
35 designed to continue to be affordable to such households for a substan-
36 tial period of time;

37 (ii) leverage private and other public investment so as to reduce the
38 amount of assistance appropriated pursuant to this section which is
39 necessary to complete such projects;

40 (iii) contribute to the rehabilitation of the neighborhood or communi-
41 ty in which the program is located;

42 (iv) not directly displace current low- and moderate-income residents
43 of such neighborhood or community;

44 (v) be undertaken and completed in a timely fashion; and

45 (vi) utilize innovative, cost-effective design techniques and building
46 materials which enable the deconstruction of structures and reuse or
47 recycling of such deconstructed materials, and which reduce
48 construction, rehabilitation, or operating costs.

49 (p) No more than five percent of funds under this program shall be
50 allocated to any single building per year.

51 (q) The division shall provide for the review, at periodic intervals
52 not less than annually, of the performance of contracted applicants and
53 related rehabilitation projects receiving financial awards pursuant to
54 this section. Such review shall, among other things, be for the purposes
55 of ascertaining conformity to contractual provisions, the financial
56 integrity and efficiency of awardees and the evaluation of their activ-

1 ities. Contracts entered into pursuant to this section may be termi-
2 nated, funds may be withheld and unspent funds recaptured by the author-
3 ity upon a finding of substantial nonperformance or breach by the
4 awardee of its obligations under its contract.

5 4. Reporting. No later than September first following the first fiscal
6 year commencing after the effective date of this section, and each
7 September first thereafter, the division shall prepare a report on the
8 green affordable pre-electrification program pursuant to this section
9 and submit such report to the governor, the temporary president of the
10 senate, and the speaker of the assembly. Such report shall include, but
11 not be limited to: (a) the total number of applicants to relevant
12 programs for which eligible applicants under this section would apply,
13 as defined under paragraph (b) of subdivision one of this section; (b)
14 the number of applications pending for that fiscal year; (c) the total
15 number and value of financial awards disbursed and the nonprofits and
16 private contractors which received such award, including the number of
17 awarded projects completed; (d) the number of recipients of funds under
18 this program who entered into and completed other relevant programs; (e)
19 complaints by tenants and homeowners relating to projects completed
20 under this program, along with a summary of the issues identified from
21 all the complaints received; and (f) the identification of barriers to
22 the utilization of financial awards and proposed solutions for the
23 removal of those barriers to effectuate disbursement of financial awards.

24 5. Standards. The division shall establish a quality control, correc-
25 tive action, and inspection process to ensure that work quality is
26 acceptable and durable.

27 6. Funding. Funding for the green affordable pre-electrification
28 program shall consist of funding appropriated from the sustainable
29 future program for such a purpose as well as any other funding source or
30 sources which the commissioner may determine are suitable to support
31 such a program.

32 § 1303. Severability. If any clause, sentence, paragraph, subdivision
33 or section of this article shall be adjudged by any court of competent
34 jurisdiction to be invalid, such judgment shall not affect, impair, or
35 invalidate the remainder thereof, but shall be confined in its operation
36 to the clause, sentence, paragraph, subdivision or section thereof
37 directly involved in the controversy in which such judgment shall have
38 been rendered. It is hereby declared to be the intent of the legislature
39 that this article would have been enacted even if such invalid
40 provisions had not been included herein.

41 § 2. This act shall take effect immediately.

42 PART SSS

43 Section 1. Section 355 of the education law is amended by adding a new
44 subdivision 22 to read as follows:

45 22. The state university trustees shall adopt a policy for the
46 provision of emergency contraception available for purchase through at
47 least one vending machine, existing or new, located on each state-oper-
48 ated institution in the state university offering in-person student
49 instruction. The vending machine shall be located in a secure and
50 accessible area of campus. The location of the vending machine shall be
51 included on the institution's website.

52 (a) Emergency contraception made available through each vending
53 machine shall satisfy, at a minimum, all of the following requirements:

1 (i) The emergency contraception shall be sold only in the manufactur-
2 er's clearly labeled, original, unbroken, tamper-proof, and expiration-
3 dated packaging.

4 (ii) The emergency contraception may not be older than the manufactur-
5 er's expiration date.

6 (iii) The emergency contraception shall be stored in accordance with
7 manufacturer recommendations.

8 (b) For the purposes of this subdivision, the term "emergency contra-
9 ception" means over-the-counter medication to be self-administered that
10 is approved by the federal Food and Drug Administration that can signif-
11 icantly reduce the risk of pregnancy if taken within seventy-two hours
12 after unprotected sexual intercourse.

13 § 2. Section 6206 of the education law is amended by adding a new
14 subdivision 24 to read as follows:

15 24. The board of trustees shall adopt a policy requiring the provision
16 of emergency contraception available for purchase through at least one
17 vending machine, existing or new, located on each institution of the
18 city university of New York offering in-person student instruction. The
19 vending machine shall be located in a secure and accessible area of
20 campus. The location of the vending machine shall be included on the
21 institution's website.

22 (a) Emergency contraception made available through each vending
23 machine shall satisfy, at a minimum, all of the following requirements:

24 (i) The emergency contraception shall be sold only in the manufactur-
25 er's clearly labeled, original, unbroken, tamper-proof, and expiration-
26 dated packaging.

27 (ii) The emergency contraception may not be older than the manufactur-
28 er's expiration date.

29 (iii) The emergency contraception shall be stored in accordance with
30 manufacturer recommendations.

31 (b) For the purposes of this subdivision, the term "emergency contra-
32 ception" means over-the-counter medication to be self-administered that
33 is approved by the federal Food and Drug Administration that can signif-
34 icantly reduce the risk of pregnancy if taken within seventy-two hours
35 after unprotected sexual intercourse.

36 § 3. This act shall take effect April 1, 2026. The boards of trustees
37 for the state university of New York and the city university of New York
38 shall adopt policies to implement the provisions of this act within 60
39 days after this act shall have become a law.

40 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
41 sion, section or part of this act shall be adjudged by any court of
42 competent jurisdiction to be invalid, such judgment shall not affect,
43 impair, or invalidate the remainder thereof, but shall be confined in
44 its operation to the clause, sentence, paragraph, subdivision, section
45 or part thereof directly involved in the controversy in which such judg-
46 ment shall have been rendered. It is hereby declared to be the intent of
47 the legislature that this act would have been enacted even if such
48 invalid provisions had not been included herein.

49 § 3. This act shall take effect immediately provided, however, that
50 the applicable effective date of Parts A through SSS of this act shall
51 be as specifically set forth in the last section of such Parts.