# STATE OF NEW YORK

S. 9006--A A. 10006--A

# SENATE - ASSEMBLY

January 21, 2026

IN SENATE -- 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

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- 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, foundation aid, and to apportioning aid for universal prekindergarten; to amend chapter 91 of the laws of 2002 amending the education law and other laws relating to reorganization of the New York city school construction authority, board of education and community boards, in relation to the effectiveness thereof; to amend chapter 345 of the laws of 2009 amending the education law and other laws relating to the New York city board of education, chancellor, community councils, and community superintendents, in relation to the effectiveness thereof; to amend the education law, in relation to state aid adjustments to conditions under which districts are entitled to apportionment; to amend the education law, in relation to the apportionment of moneys for school aid; 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 2026-2027 school year and the maximum contract hours, withholding a portion of employment preparation education aid, and the effectiveness thereof; to amend the education law, in relation to the use of apportionments for the EXCEL program; to amend chapter 61 of the laws of 2006 amending the education law and the public authorities law relating to expanding our children's education and learning, 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;

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

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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 the statewide universal full-day prekindergarten program (Part A); to amend the education law, in relation to evidence-based mathematics instruction (Part B); to amend the education law, in relation to eligibility for the New York opportunity promise scholarship (Part C); to amend the education law, in relation to certificate of residence policies for community colleges (Part D); to amend the education law, in relation to tuition rates of non-resident undergraduate and graduate students at the state university of New York and city university of New York (Part E); to amend the education law, in relation to early childhood educator eligibility for the masters-in-education teacher incentive scholarship program (Part F); to amend the state finance law, in relation to the New York state music grant fund (Part G); to amend the social services law, in relation to child care provider registration and training (Part H); to amend the social services law, in relation to the payment of certain expenses by adoptive parents (Part I); to amend the public health law, in relation to authorizing body scanner utilization in detention and youth justice facilities (Part J); 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 K); 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 L); to utilize reserves in the mortgage insurance fund for various housing purposes (Part M); to amend the not-for-profit corporation law, in relation to the maximum number of land banks that can simultaneously exist in New York state (Part N); to amend the real property tax law, in relation to authorizing a tax abatement for alterations and improvements to multiple dwellings for purposes of preserving habitability in affordable housing (Part O); and to amend the penal law, in relation to the aggravated harassment of a rent regulated tenant (Part P)

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

Section 1. This act enacts into law major components of legislation necessary to implement the state education, labor, housing and family assistance budget for the 2026-2027 state fiscal year. Each component is wholly contained within a Part identified as Parts A through P. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. Paragraph e of subdivision 1 of section 211-d of the education law, as amended by section 1 of part A of chapter 56 of the laws of 2025, is amended to read as follows:

e. Notwithstanding paragraphs a and b of this subdivision, a school district that submitted a contract for excellence for the two thousand eight--two thousand nine school year shall submit a contract for excellence for the two thousand nine--two thousand ten school year in conformity with the requirements of subparagraph (vi) of paragraph a of subdivision two of this section unless all schools in the district are identified as in good standing and provided further that, a school district that submitted a contract for excellence for the two thousand nine--two thousand ten school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand eleven--two thousand twelve school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the product of the amount approved by the commissioner in the contract for excellence for the two thousand nine--two thousand ten school year, multiplied by the district's gap elimination adjustment percentage and provided further that, a school district that submitted a contract for excellence for the two thousand eleven--two thousand twelve school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twelve--two thousand thirteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand eleven--two thousand twelve school year and provided further that, a school district that submitted a contract for excellence for the two thousand twelve--two thousand thirteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand thirteen--two thousand fourteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twelve--two thousand thirteen school year and provided further that, a school district that submitted a contract for excellence for the two thousand thirteen--two thousand fourteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand fourteen--two thousand fifteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand thirteen--two thousand fourteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand fourteen--two thousand fifteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand fifteen--two thousand sixteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two

thousand fourteen--two thousand fifteen school year; and provided further that a school district that submitted a contract for excellence for the two thousand fifteen--two thousand sixteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand sixteen--two thousand seventeen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand fifteen--two thousand sixteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand sixteen--two thousand seventeen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand seventeen--two thousand eighteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand sixteen--two thousand seventeen school year; and provided further that a school district that submitted a contract for excellence for the two thousand seventeen--two thousand eighteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand eighteen--two thousand nineteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand seventeen--two thousand eighteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand eighteen--two thousand nineteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand nineteen--two thousand twenty school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand eighteen--two thousand nineteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand nineteen--two thousand twenty school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty--two thousand twenty-one school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand nineteen--two thousand twenty school year; and provided further that, a school district that submitted a contract for excellence for the two thousand twenty--two thousand twenty-one school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-one--two thousand twenty-two school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty--two

thousand twenty-one school year; and provided further that, a school district that submitted a contract for excellence for the two thousand twenty-one--two thousand twenty-two school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-two--two thousand twenty-three school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty-one--two thousand twenty-two school year; and provided further that, a school district that submitted a contract for excellence for the two thousand twenty-two--two thousand twenty-three school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-three--two thousand twenty-four school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty-two--two thousand twenty-three school year; and provided further that, a school district that submitted a contract for excellence for the two thousand twenty-three--two thousand twenty-four school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-four--two thousand twenty-five school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty-three--two thousand twenty-four school year; and provided further that a school district that submitted a contract for excellence for the two thousand twenty-four--two thousand twenty-five school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-five--two thousand twenty-six school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty-four--two thousand twenty-five school year; **and provided further that a school district that submitted a contract for excellence for the two thousand twenty-five--two thousand twenty-six school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twenty-six--two thousand twenty-seven school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twenty-five--two thousand twenty-six school year;** provided, however, that, in a city school district in a city having a population of one million or more, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, the contract for excellence shall provide for the expenditure as set forth in subparagraph (v) of paragraph a of subdivision two of this section. For purposes of this paragraph, the "gap elimination adjustment percentage" shall be calculated as the sum of one minus the quotient of the sum of the school district's net gap elimination adjustment for two thousand

ten--two thousand eleven computed pursuant to chapter fifty-three of the laws of two thousand ten, making appropriations for the support of government, plus the school district's gap elimination adjustment for two thousand eleven--two thousand twelve as computed pursuant to chapter fifty-three of the laws of two thousand eleven, making appropriations for the support of the local assistance budget, including support for general support for public schools, divided by the total aid for adjustment computed pursuant to chapter fifty-three of the laws of two thousand eleven, making appropriations for the local assistance budget, including support for general support for public schools. Provided, further, that such amount shall be expended to support and maintain allowable programs and activities approved in the two thousand nine--two thousand ten school year or to support new or expanded allowable programs and activities in the current year.

§ 2. Subdivision 4 of section 3602 of the education law is amended by adding a new paragraph g to read as follows:

**g. Foundation aid payable in the two thousand twenty-six--two thousand twenty-seven school year. Notwithstanding any provision of law to the contrary, foundation aid payable in the two thousand twenty-six--two thousand twenty-seven school year shall equal the greater of total foundation aid or the product of one and one hundredth (1.01) multiplied by the foundation aid base.**

§ 3. Paragraph a of subdivision 6 of section 3602 of the education law is amended by adding a new subparagraph 13 to read as follows:

**(13) (a) Renewable energy projects shall be considered part of the cost allowance calculated by the commissioner pursuant to this subparagraph.**

**(b) Renewable energy projects include: (i) solar photovoltaic or thermal systems, whether ground-mounted or roof-mounted; (ii) geothermal systems; and (iii) other commercially proven and cost-effective renewable energy technologies pursuant to regulations of the commissioner. Renewable energy projects may not include capital expenses allowable under subdivision seven of this section.**

**(c) Ground-mounted renewable energy projects shall be sited to minimize impacts on athletic fields, outdoor educational spaces, and natural areas serving the school.**

**(d) The portion of project costs attributable to system capacity that, when combined with other renewable energy projects, if any, exceeds one hundred ten percent of the building's baseline energy consumption shall not constitute an aidable expense. Baseline energy consumption shall be calculated using the historic annual energy consumption as determined by the commissioner.**

§ 4. Paragraphs b and c of subdivision 1 of section 3602-e of the education law, as amended by section 19 of part B of chapter 57 of the laws of 2007, are amended and four new paragraphs c-1, f, g, and h are added to read as follows:

b. "Eligible agencies" shall mean a provider of child care and early education, a day care provider, early childhood program or center, **non-profit organization, charter school, library, museum,** or community-based organization, including but not limited to approved pre-school special education programs, head start, and nursery schools so long as the standards and qualifications set forth pursuant to subdivision twelve of this section have been met.

c. "Eligible **four-year-old** children" shall mean resident children who are four years of age on or before December first of the year in which

they are enrolled or who will otherwise be first eligible to enter public school kindergarten commencing with the following school year.

**c-1. "Eligible three-year-old children" shall mean resident children who are three years of age on or before December first of the year in which they are enrolled or who will otherwise be first eligible to enter public school kindergarten commencing two years from the time of enrollment.**

**f. "Universal access proxy" shall mean the product of eighty-five percent multiplied by the positive difference, if any, between the sum of the public school enrollment and the nonpublic school enrollment of children attending full-day and half-day kindergarten programs in the district in the year prior to the base year less the number of resident children who attain the age of four before December first of the base year, who were served during such school year by a prekindergarten program approved pursuant to section forty-four hundred ten of this chapter, where such services are provided for more than four hours per day.**

**g. "Half-day program" shall mean a program which serves students for at least two and five-tenths hours but less than five hours per day.**

**h. "Full-day program" shall mean a program which serves students for at least five hours per day.**

§ 5. Subdivisions 9, 10, 11, 18, 19, and 20 of section 3602-e of the education law are REPEALED and two new subdivisions 10 and 11 are added to read as follows:

**10. Universal prekindergarten apportionment. School districts shall receive a universal prekindergarten apportionment, in the two thousand twenty-six--two thousand twenty-seven school year and thereafter, equal to the sum of the four-year-old apportionment and the three-year-old apportionment.**

**a. The four-year-old apportionment shall equal the lesser of (i) the product of aid per four-year-old prekindergarten pupil multiplied by four-year-old prekindergarten pupils served, or (ii) total actual grant expenditures incurred by the school district as approved by the commissioner.**

**(1) "Aid per four-year-old prekindergarten pupil" shall equal the greater of (A) the school district's selected foundation aid for the current year projection published as of May fifteenth of the prior school year, calculated pursuant to paragraph four of section thirty-six hundred two of this part, (B) ten thousand dollars, or (C) the amount set forth for such school district as "2025-26 4YO MAX UPK AID" on the school aid computer listing produced by the commissioner in support of the executive budget for the two thousand twenty-six--two thousand twenty-seven fiscal year and entitled "BT262-7" divided by the amount set forth as "2025-26 4YO MAX FTE" on such listing.**

**(2) "Four-year-old prekindergarten pupils served" shall mean the sum of (i) the unduplicated count of all eligible four-year-old children registered to receive educational services in a full-day program, as registered on the date prior to November first that is specified by the commissioner as the enrollment reporting date for the school district, as reported to the commissioner plus (ii) for the two thousand twenty-six--two thousand twenty-seven school year through the two thousand twenty-seven--two thousand twenty-eight school year, the product of five tenths multiplied by the unduplicated count of eligible four-year-old children registered to receive educational services in a half-day program, as registered on such date and reported to the commissioner.**

b. The three-year-old apportionment shall equal the lesser of (i) the product of the three-year-old maximum apportionment and the three-year-old maintenance of effort percentage or (ii) total actual grant expenditures incurred by the school district as approved by the commissioner.

(1) "Three-year-old maximum apportionment" shall equal the greater of the three-year-old maximum apportionment from the base year or the amount set forth for such school district as "2025-26 3YO MAX UPK AID" on the school aid computer listing produced by the commissioner in support of the executive budget for the two thousand twenty-six--two thousand twenty-seven fiscal year and entitled "BT262-7."

(2) "Three-year-old maintenance of effort percentage" shall equal the quotient of three-year-old students served divided by the maximum eligible three-year-old students, but shall not exceed one hundred percent.

(A) "Three-year-old students served" shall equal the sum of (i) the unduplicated count of eligible three-year-old children registered to receive educational services in a full-day program as registered on the date prior to November first that is specified by the commissioner as the enrollment reporting date for the school district, as reported to the commissioner, plus (ii) the product of five-tenths multiplied by the unduplicated count of eligible three-year-old children registered to receive educational services in a half-day program, as registered on such date and reported to the commissioner, (iii) less the three-year-old overage penalty.

(I) "Three-year-old overage penalty" shall equal, for districts with thirty percent fewer three-year-old students served in full-day programs in the current year than the maximum eligible three-year-old full-day students, due to the conversion of the maximum eligible three-year-old full-day students to three-year-old students served in half-day programs in the current year, the difference of the product of seven-tenths multiplied by the maximum eligible three-year-old full-day students, rounded down to the nearest whole number, less the number of three-year-old students served in full-day programs in the current year.

(II) School districts may apply to the commissioner for a hardship waiver that would allow a district to convert more than thirty percent of three-year-old students served in full-day programs in the current year to three-year-old students served in half-day programs in the current year. Such waiver shall be granted upon a demonstration by the school district that due to a significant change in the resources available to the school district and absent such hardship waiver, the school district would be unable to serve such pupils in prekindergarten programs, without causing significant disruption to other district programming. If a hardship waiver is granted, the three-year-old overage penalty shall be zero for the current school year. No school district shall be eligible for a waiver in three or more consecutive school years.

(B) "Maximum eligible three-year-old students" shall equal the greater of the amount set forth for such school district as "2025-26 3YO MAX UPK FTE" on the school aid computer listing produced by the commissioner in support of the executive budget for the two thousand twenty-six--two thousand twenty-seven fiscal year and entitled "BT262-7" or the sum of (i) the maximum eligible three-year-old students in full-day programs in the base year plus (ii) the product of five-tenths multiplied by the maximum eligible three-year-old students in half-day programs in the base year.

c. School districts shall receive up to fifty percent of the universal prekindergarten apportionment defined in this subdivision upon approval

of the application submitted pursuant to subdivision five of this section, but not earlier than September first. School districts may be eligible for an additional twenty percent of such apportionment after April first of each school year upon completion of a request for funds on a form designated by the commissioner. The remainder of such apportionment shall be paid to each school district upon acceptance of a final expenditure report submitted on a form designated by the commissioner in the following school year.

11. No later than the two thousand twenty-eight--two thousand twenty-nine school year, all school districts shall serve in a full-day prekindergarten program all eligible four-year-old children whose parent or guardian applies to enroll such child in the district's universal prekindergarten program, whether such services are provided directly through the school district, a board of cooperative educational services, or collaborative efforts between the school district and an eligible agency or agencies.

§ 6. For the 2026-2027 school year, notwithstanding any inconsistent provision of law, for purposes of section 3602-e of the education law, for a city school district in a city having a population of one million or more the maximum eligible three-year-old students shall equal 31,561 and the three-year-old maximum apportionment shall equal the product of the maximum eligible three-year-old students multiplied by the quotient of the amount set forth for such school district as "2025-26 3YO MAX UPK AID" on the school aid computer listing produced by the commissioner in support of the executive budget for the 2026-27 fiscal year and entitled "BT262-7" divided by the amount set forth as "2025-26 3YO MAX FTE" on such listing.

§ 7. Section 3602-ee of the education law is REPEALED.

§ 8. Paragraph i of subdivision 12 of section 3602 of the education law, as amended by section 13 of part A of chapter 56 of the laws of 2025, is amended to read as follows:

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

§ 9. The opening paragraph of subdivision 16 of section 3602 of the education law, as amended by section 14 of part A of chapter 56 of the laws of 2025, is amended to read as follows:

Each school district shall be eligible to receive a high tax aid apportionment in the two thousand eight--two thousand nine school year, which shall equal the greater of (i) the sum of the tier 1 high tax aid apportionment, the tier 2 high tax aid apportionment and the tier 3 high tax aid apportionment or (ii) the product of the apportionment received by the school district pursuant to this subdivision in the two thousand seven--two thousand eight school year, multiplied by the due-minimum factor, which shall equal, for districts with an alternate pupil wealth ratio computed pursuant to paragraph b of subdivision three of this section that is less than two, seventy percent (0.70), and for all other districts, fifty percent (0.50). Each school district shall be eligible

to receive a high tax aid apportionment in the two thousand nine--two thousand ten through two thousand twelve--two thousand thirteen school years in the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910". Each school district shall be eligible to receive a high tax aid apportionment in the two thousand thirteen--two thousand fourteen through two thousand [~~twenty-five~~] twenty-six--two thousand [~~twenty-six~~] twenty-seven school year equal to the greater of (1) the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910" or (2) the amount set forth for such school district as "HIGH TAX AID" under the heading "2013-14 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the executive budget for the 2013-14 fiscal year and entitled "BT131-4".

§ 10. Section 34 of chapter 91 of the laws of 2002 amending the education law and other laws relating to reorganization of the New York city school construction authority, board of education and community boards, as amended by section 6 of part ZZ of chapter 56 of the laws of 2024, is amended to read as follows:

§ 34. This act shall take effect July 1, 2002; provided, that sections one through twenty, twenty-four, and twenty-six through thirty of this act shall expire and be deemed repealed June 30, [~~2026~~] 2030 provided, further that subdivision 5-a of section 2576 of the education law, as added by section five of this act, shall not expire therewith, and provided, further, that notwithstanding any provision of article 5 of the general construction law, on June 30, [~~2026~~] 2030 the provisions of subdivisions 3, 5, and 8, paragraph b of subdivision 13, subdivision 14, paragraphs b, d, and e of subdivision 15, and subdivisions 17 and 21 of section 2554 of the education law as repealed by section three of this act, subdivision 1 of section 2590-b of the education law as repealed by section six of this act, paragraph (a) of subdivision 2 of section 2590-b of the education law as repealed by section seven of this act, section 2590-c of the education law as repealed by section eight of this act, paragraph c of subdivision 2 of section 2590-d of the education law as repealed by section twenty-six of this act, subdivision 1 of section 2590-e of the education law as repealed by section twenty-seven of this act, subdivision 28 of section 2590-h of the education law as repealed by section twenty-eight of this act, subdivision 30 of section 2590-h of the education law as repealed by section twenty-nine of this act, subdivision 30-a of section 2590-h of the education law as repealed by section thirty of this act shall be revived and be read as such provisions existed in law on the date immediately preceding the effective date of this act; provided, however, that sections seven and eight of this act shall take effect on November 30, 2003; provided further that the amendments to subdivision 25 of section 2554 of the education law made by section two of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 12 of chapter 147 of the laws of 2001, as amended, when upon such date the provisions of section four of this act shall take effect.

§ 11. Subdivision 12 of section 17 of chapter 345 of the laws of 2009 amending the education law and other laws relating to the New York city board of education, chancellor, community councils, and community super-

intendents, as amended by section 7 of part ZZ of chapter 56 of the laws of 2024, is amended to read as follows:

12. any provision in sections one, two, three, four, five, six, seven, eight, nine, ten and eleven of this act not otherwise set to expire pursuant to section 34 of chapter 91 of the laws of 2002, as amended, or section 17 of chapter 123 of the laws of 2003, as amended, shall expire and be deemed repealed June 30, [~~2026~~] 2030.

§ 12. Paragraph a of subdivision 5 of section 3604 of the education law, as amended by chapter 161 of the laws of 2005, is amended to read as follows:

a. State aid adjustments. All errors or omissions in the apportionment shall be corrected by the commissioner. Whenever a school district has been apportioned less money than that to which it is entitled, the commissioner may allot to such district the balance to which it is entitled. Whenever a school district has been apportioned more money than that to which it is entitled, the commissioner may, by an order, direct such moneys to be paid back to the state to be credited to the general fund local assistance account for state aid to the schools, or may deduct such amount from the next apportionment to be made to said district, provided, however, that, upon notification of excess payments of aid for which a recovery must be made by the state through deduction of future aid payments, a school district may request that such excess payments be recovered by deducting such excess payments from the payments due to such school district and payable in the month of June in (i) the school year in which such notification was received and (ii) the two succeeding school years, provided further that there shall be no interest penalty assessed against such district or collected by the state. Such request shall be made to the commissioner in such form as the commissioner shall prescribe, and shall be based on documentation that the total amount to be recovered is in excess of one percent of the district's total general fund expenditures for the preceding school year. The amount to be deducted in the first year shall be the greater of (i) the sum of the amount of such excess payments that is recognized as a liability due to other governments by the district for the preceding school year and the positive remainder of the district's unreserved fund balance at the close of the preceding school year less the product of the district's total general fund expenditures for the preceding school year multiplied by five percent, or (ii) one-third of such excess payments. The amount to be recovered in the second year shall equal the lesser of the remaining amount of such excess payments to be recovered or one-third of such excess payments, and the remaining amount of such excess payments shall be recovered in the third year. Provided further that, notwithstanding any other provisions of this subdivision, any pending payment of moneys due to such district as a prior year adjustment payable pursuant to paragraph c of this subdivision for aid claims that had been previously paid as current year aid payments in excess of the amount to which the district is entitled and for which recovery of excess payments is to be made pursuant to this paragraph, shall be reduced at the time of actual payment by any remaining unrecovered balance of such excess payments, and the remaining scheduled deductions of such excess payments pursuant to this paragraph shall be reduced by the commissioner to reflect the amount so recovered. [~~The commissioner shall certify no payment to a school district based on a claim submitted later than three years after the close of the school year in which such payment was first to be made. For claims for which payment is first to be made in the nineteen hundred ninety-six--ninety-seven school year,~~

~~the commissioner shall certify no payment to a school district based on a claim submitted later than two years after the close of such school year.~~] For claims for which payment is first to be made [~~in the nineteen hundred ninety-seven--ninety-eight school year and thereafter~~] prior to the two thousand twenty-five--two thousand twenty-six school year, the commissioner shall certify no payment to a school district based on a claim submitted later than one year after the close of such school year. For claims for which payment is first to be made in the two thousand twenty-five--two thousand twenty-six school year and thereafter, the commissioner shall certify no payment to a school district based on a claim submitted later than the first of November of such school year. Provided, however, no payments shall be barred or reduced where such payment is required as a result of a final audit of the state. It is further provided that[~~, until June thirtieth, nineteen hundred ninety-six, the commissioner may grant a waiver from the provisions of this section for any school district if it is in the best educational interests of the district pursuant to guidelines developed by the commissioner and approved by the director of the budget~~] for any apportionments provided pursuant to sections seven hundred one, seven hundred eleven, seven hundred fifty-one, seven hundred fifty-three, nineteen hundred fifty, thirty-six hundred two, thirty-six hundred two-b, thirty-six hundred two-c and forty-four hundred five of this chapter for the two thousand twenty-five--two thousand twenty-six and two thousand twenty-six--two thousand twenty-seven school years, the commissioner shall certify no payment to a school district, other than payments pursuant to subdivisions six-a, eleven, thirteen and fifteen of section thirty-six hundred two of this part, in excess of the payment computed based on an electronic data file used to produce the school aid computer listing produced by the commissioner in support of the executive budget request submitted for the two thousand twenty-six--two thousand twenty-seven state fiscal year and entitled "BT262-7", and further provided that for any apportionments provided pursuant to sections seven hundred one, seven hundred eleven, seven hundred fifty-one, seven hundred fifty-three, nineteen hundred fifty, thirty-six hundred two, thirty-six hundred two-b, thirty-six hundred two-c and forty-four hundred five of this chapter for the two thousand twenty-seven--two thousand twenty-eight school year and thereafter, the commissioner shall certify no payment to a school district, other than payments pursuant to subdivisions six-a, eleven, thirteen and fifteen of section thirty-six hundred two of this part, in excess of the payment computed based on an electronic data file used to produce the school aid computer listing produced by the commissioner in support of the executive budget request submitted for the state fiscal year in which the school year commences.

§ 13. The opening paragraph of section 3609-a of the education law, as amended by section 17 of part A of chapter 56 of the laws of 2025, is amended to read as follows:

For aid payable in the two thousand seven--two thousand eight school year through the two thousand twenty-five--two thousand twenty-six school year, "moneys apportioned" shall mean the lesser of (i) the sum of one hundred percent of the respective amount set forth for each school district as payable pursuant to this section in the school aid computer listing for the current year produced by the commissioner in support of the budget which includes the appropriation for the general support for public schools for the prescribed payments and individualized payments due prior to April first for the current year plus the apportionment payable during the current school year pursuant to subdi-

vision six-a and subdivision fifteen of section thirty-six hundred two of this part minus any reductions to current year aids pursuant to subdivision seven of section thirty-six hundred four of this part or any deduction from apportionment payable pursuant to this chapter for collection of a school district basic contribution as defined in subdivision eight of section forty-four hundred one of this chapter, less any grants provided pursuant to subparagraph two-a of paragraph b of subdivision four of section ninety-two-c of the state finance law, less any grants provided pursuant to subdivision five of section ninety-seven-nnnn of the state finance law, less any grants provided pursuant to subdivision twelve of section thirty-six hundred forty-one of this article, or (ii) the apportionment calculated by the commissioner based on data on file at the time the payment is processed; provided however, that for the purposes of any payments made pursuant to this section prior to the first business day of June of the current year, moneys apportioned shall not include any aids payable pursuant to subdivisions six and fourteen, if applicable, of section thirty-six hundred two of this part as current year aid for debt service on bond anticipation notes and/or bonds first issued in the current year or any aids payable for full-day kindergarten for the current year pursuant to subdivision nine of section thirty-six hundred two of this part. The definitions of "base year" and "current year" as set forth in subdivision one of section thirty-six hundred two of this part shall apply to this section. [~~For aid payable in the two thousand twenty-five--two thousand twenty-six school year, reference to such "school aid computer listing for the current year" shall mean the printouts entitled "SA252-6".~~] For aid payable in the two thousand twenty-six--two thousand twenty-seven school year and thereafter, "moneys apportioned" shall mean the lesser of: (i) the sum of one hundred percent of the respective amount set forth for each school district as payable pursuant to this section in the school aid computer listing for the current year produced by the commissioner in support of the executive budget request which includes the appropriation for the general support for public schools for the prescribed payments and individualized payments due prior to April first for the current year plus the apportionment payable during the current school year pursuant to subdivisions six-a and fifteen of section thirty-six hundred two of this part minus any reductions to current year aids pursuant to subdivision seven of section thirty-six hundred four of this part or any deduction from apportionment payable pursuant to this chapter for collection of a school district basic contribution as defined in subdivision eight of section forty-four hundred one of this chapter, less any grants provided pursuant to subparagraph two-a of paragraph b of subdivision four of section ninety-two-c of the state finance law, less any grants provided pursuant to subdivision five of section ninety-seven-nnnn of the state finance law, less any grants provided pursuant to subdivision twelve of section thirty-six hundred forty-one of this article, or (ii) the apportionment calculated by the commissioner based on data on file at the time the payment is processed; provided however, that for the purposes of any payments made pursuant to this section prior to the first business day of June of the current year, moneys apportioned shall not include any aids payable pursuant to subdivisions six and fourteen, if applicable, of section thirty-six hundred two of this part as current year aid for debt service on bond anticipation notes and/or bonds first issued in the current year or any aids payable for full-day kindergarten for the current year pursuant to subdivision nine of section thirty-six hundred two of this part. For aid

payable in the two thousand twenty-six--two thousand twenty-seven school year, reference to such "school aid computer listing for the current year" shall mean the printouts entitled "BT262-7".

§ 14. Subdivision b of section 2 of 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, as amended by section 18 of part A of chapter 56 of the laws of 2025, is amended to read as follows:

b. Reimbursement for programs approved in accordance with subdivision a of this section for the reimbursement for the 2018--2019 school year shall not exceed 59.4 percent of the lesser of such approvable costs per contact hour or fourteen dollars and ninety-five cents per contact hour, reimbursement for the 2019--2020 school year shall not exceed 57.7 percent of the lesser of such approvable costs per contact hour or fifteen dollars sixty cents per contact hour, reimbursement for the 2020--2021 school year shall not exceed 56.9 percent of the lesser of such approvable costs per contact hour or sixteen dollars and twenty-five cents per contact hour, reimbursement for the 2021--2022 school year shall not exceed 56.0 percent of the lesser of such approvable costs per contact hour or sixteen dollars and forty cents per contact hour, reimbursement for the 2022--2023 school year shall not exceed 55.7 percent of the lesser of such approvable costs per contact hour or sixteen dollars and sixty cents per contact hour, reimbursement for the 2023--2024 school year shall not exceed 54.7 percent of the lesser of such approvable costs per contact hour or seventeen dollars and seventy cents per contact hour, reimbursement for the 2024--2025 school year shall not exceed 56.6 percent of the lesser of such approvable costs per contact hour or eighteen dollars and seventy cents per contact hour, [~~and~~] reimbursement for the 2025--2026 school year shall not exceed 58.2 percent of the lesser of such approvable costs per contact hour or nineteen dollars and fifty-five cents per contact hour, and reimbursement for the 2026--2027 school year shall not exceed 59.3 percent of the lesser of such approvable costs per contact hour or twenty-one dollars and thirty cents per contact hour, and where a contact hour represents sixty minutes of instruction services provided to an eligible adult. Notwithstanding any other provision of law to the contrary, for the 2018--2019 school year such contact hours shall not exceed one million four hundred sixty-three thousand nine hundred sixty-three (1,463,963); for the 2019--2020 school year such contact hours shall not exceed one million four hundred forty-four thousand four hundred forty-four (1,444,444); for the 2020--2021 school year such contact hours shall not exceed one million four hundred six thousand nine hundred twenty-six (1,406,926); for the 2021--2022 school year such contact hours shall not exceed one million four hundred sixteen thousand one hundred twenty-two (1,416,122); for the 2022--2023 school year such contact hours shall not exceed one million four hundred six thousand nine hundred twenty-six (1,406,926); for the 2023--2024 school year such contact hours shall not exceed one million three hundred forty-two thousand nine hundred seventy-five (1,342,975); for the 2024--2025 school year such contact hours shall not exceed one million two hundred twenty-eight thousand seven hundred thirty-three (1,228,733); [~~and~~] for the 2025--2026 school year such contact hours shall not exceed one million one hundred forty-three thousand three hundred fifty-nine (1,143,359); and for the 2026--2027 school year such contact hours shall not exceed nine hundred ten thousand five hundred thirty (910,530). Notwithstanding any other provision of law to the contrary, the apportionment calculated for the city school

district of the city of New York pursuant to subdivision 11 of section 3602 of the education law shall be computed as if such contact hours provided by the consortium for worker education, not to exceed the contact hours set forth herein, were eligible for aid in accordance with the provisions of such subdivision 11 of section 3602 of the education law.

§ 15. Section 4 of 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 is amended by adding a new subdivision ee to read as follows:

**ee. The provisions of this subdivision shall not apply after the completion of payments for the 2026--2027 school year. Notwithstanding any inconsistent provisions of law, the commissioner of education shall withhold a portion of employment preparation education aid due to the city school district of the city of New York to support a portion of the costs of the work force education program. Such moneys shall be credited to the elementary and secondary education fund-local assistance account and shall not exceed eleven million five hundred thousand dollars ($11,500,000).**

§ 16. Section 6 of 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, as amended by section 20 of part A of chapter 56 of the laws of 2025, is amended to read as follows:

§ 6. This act shall take effect July 1, 1992, and shall be deemed repealed June 30, [~~2026~~] **2027**.

§ 17. Paragraph a of subdivision 14 of section 3641 of the education law, as added by section 2 of part I of chapter 61 of the laws of 2006, is amended to read as follows:

a. Establishment of the EXCEL program. There is hereby established the expanding our children's education and learning (EXCEL) program to provide project financing or assistance in the form of grants to eligible school districts, in addition to, or in lieu of, the apportionments made pursuant to subdivisions six, six-a, six-b, six-c, six-d, six-e, six-f and paragraph c of subdivision fourteen of section thirty-six hundred two of this article, and subdivisions ten and twelve of this section, for the costs of EXCEL school facility projects. An apportionment for any such project shall initially be available in the state fiscal year commencing April first, two thousand six. **Such apportionment shall be used to fund projects certified by the commissioner in accordance with subdivision six of section sixteen hundred eighty-nine-i of the public authorities law prior to December thirty-first, two thousand twenty-eight.** Notwithstanding any provision of law to the contrary, the dormitory authority of the state of New York shall be authorized to issue bonds or notes in an aggregate amount not to exceed two billion six hundred million dollars for purposes of the EXCEL program.

§ 18. Subparagraph 1 of paragraph b of subdivision 14 of section 3641 of the education law, as added by section 2 of part I of chapter 61 of the laws of 2006, is amended to read as follows:

(1) "EXCEL project". An EXCEL project **shall be certified by the commissioner prior to December thirty-first, two thousand twenty-eight and** shall include, but not be limited to, the acquisition, design, planning, construction, reconstruction, rehabilitation, preservation, development, improvement or modernization of an EXCEL school facility, where such project:

§ 19. Section 5 of part I of chapter 61 of the laws of 2006 amending the education law and the public authorities law relating to expanding our children's education and learning is amended to read as follows:

§ 5. This act shall take effect on the same date as a chapter of the laws of 2006 enacting into law major components of legislation which are necessary to implement the education, labor, and budget for the 2006-2007 state fiscal year, family assistance budget for the 2006-2007 state fiscal year, as proposed in legislative bill numbers S.6458-C and A.9558-B, takes effect**; provided, however, that sections two, three, and four of this act shall expire and be deemed repealed on December 31, 2029**.

§ 20. Subdivision 6 of section 4402 of the education law, as amended by section 21 of part A of chapter 56 of the laws of 2025, is amended to read as follows:

6. Notwithstanding any other law, rule or regulation to the contrary, the board of education of a city school district with a population of one hundred twenty-five thousand or more inhabitants shall be permitted to establish maximum class sizes for special classes for certain students with disabilities in accordance with the provisions of this subdivision. For the purpose of obtaining relief from any adverse fiscal impact from under-utilization of special education resources due to low student attendance in special education classes at the middle and secondary level as determined by the commissioner, such boards of education shall, during the school years nineteen hundred ninety-five--ninety-six through June thirtieth, two thousand [~~twenty-six~~] **twenty-seven**, be authorized to increase class sizes in special classes containing students with disabilities whose age ranges are equivalent to those of students in middle and secondary schools as defined by the commissioner for purposes of this section by up to but not to exceed one and two tenths times the applicable maximum class size specified in regulations of the commissioner rounded up to the nearest whole number, provided that in a city school district having a population of one million or more, classes that have a maximum class size of fifteen may be increased by no more than one student and provided that the projected average class size shall not exceed the maximum specified in the applicable regulation, provided that such authorization shall terminate on June thirtieth, two thousand. Such authorization shall be granted upon filing of a notice by such a board of education with the commissioner stating the board's intention to increase such class sizes and a certification that the board will conduct a study of attendance problems at the secondary level and will implement a corrective action plan to increase the rate of attendance of students in such classes to at least the rate for students attending regular education classes in secondary schools of the district. Such corrective action plan shall be submitted for approval by the commissioner by a date during the school year in which such board increases class sizes as provided pursuant to this subdivision to be prescribed by the commissioner. Upon at least thirty days notice to the board of education, after conclusion of the school year in which such board increases class sizes as provided pursuant to this subdivision, the commissioner shall be authorized to terminate such authorization upon a finding that the board has failed to develop or implement an approved corrective action plan.

§ 21. Subdivisions 22 and 24 of section 140 of 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, as amended by section 22 of part A of chapter 56 of the laws of 2025, are amended to read as follows:

(22) sections one hundred twelve, one hundred thirteen, one hundred fourteen, one hundred fifteen and one hundred sixteen of this act shall take effect on July 1, 1995; provided, however, that section one hundred thirteen of this act shall remain in full force and effect until July 1, [~~2026~~] 2027 at which time it shall be deemed repealed;

(24) sections one hundred eighteen through one hundred thirty of this act shall be deemed to have been in full force and effect on and after July 1, 1995; provided further, however, that the amendments made pursuant to section one hundred twenty-four of this act shall be deemed to be repealed on and after July 1, [~~2026~~] 2027;

§ 22. Special apportionment for salary expenses. 1. Notwithstanding any other provision of law, upon application to the commissioner of education, not sooner than the first day of the second full business week of June 2027 and not later than the last day of the third full business week of June 2027, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2027, for salary expenses incurred between April 1 and June 30, 2026 and such apportionment shall not exceed the sum of (a) the deficit reduction assessment of 1990--1991 as determined by the commissioner of education, pursuant to paragraph f of subdivision 1 of section 3602 of the education law, as in effect through June 30, 1993, plus (b) 186 percent of such amount for a city school district in a city with a population in excess of 1,000,000 inhabitants, plus (c) 209 percent of such amount for a city school district in a city with a population of more than 195,000 inhabitants and less than 219,000 inhabitants according to the latest federal census, plus (d) the net gap elimination adjustment for 2010--2011, as determined by the commissioner of education pursuant to chapter 53 of the laws of 2010, plus (e) the gap elimination adjustment for 2011--2012 as determined by the commissioner of education pursuant to subdivision 17 of section 3602 of the education law, and provided further that such apportionment shall not exceed such salary expenses. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

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

3. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions 1 and 2 of this section shall first be deducted from the following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph 2 of such paragraph followed by the fixed fall payments payable pursuant to subparagraph 4 of such paragraph and then followed by the district's payments to the teachers' retirement system pursuant to subparagraph 1 of such paragraph, and any remainder to be deducted from the individualized payments due the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

§ 23. Special apportionment for public pension accruals. 1. Notwithstanding any other provision of law, upon application to the commissioner of education, not later than June 30, 2027, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2027 and such apportionment shall not exceed the additional accruals required to be made by school districts in the 2004--2005 and 2005--2006 school years associated with changes for such public pension liabilities. The amount of such additional accrual shall be certified to the commissioner of education by the president of the board of education or the trustees or, in the case of a city school district in a city with a population in excess of 125,000 inhabitants, the mayor of such city. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

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

3. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions 1 and 2 of this section shall first be deducted from the following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph 2 of such paragraph followed

by the fixed fall payments payable pursuant to subparagraph 4 of such paragraph and then followed by the district's payments to the teachers' retirement system pursuant to subparagraph 1 of such paragraph, and any remainder to be deducted from the individualized payments due the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

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

1. for the development, maintenance or expansion of magnet schools or magnet school programs for the 2026--2027 school year. For the city school district of the city of New York there shall be a set-aside of foundation aid equal to forty-eight million one hundred seventy-five thousand dollars ($48,175,000) including five hundred thousand dollars ($500,000) for the Andrew Jackson High School; for the Buffalo city school district, twenty-one million twenty-five thousand dollars ($21,025,000); for the Rochester city school district, fifteen million dollars ($15,000,000); for the Syracuse city school district, thirteen million dollars ($13,000,000); for the Yonkers city school district, forty-nine million five hundred thousand dollars ($49,500,000); for the Newburgh city school district, four million six hundred forty-five thousand dollars ($4,645,000); for the Poughkeepsie city school district, two million four hundred seventy-five thousand dollars ($2,475,000); for the Mount Vernon city school district, two million dollars ($2,000,000); for the New Rochelle city school district, one million four hundred ten thousand dollars ($1,410,000); for the Schenectady city school district, one million eight hundred thousand dollars ($1,800,000); for the Port Chester city school district, one million one hundred fifty thousand dollars ($1,150,000); for the White Plains city school district, nine hundred thousand dollars ($900,000); for the Niagara Falls city school district, six hundred thousand dollars ($600,000); for the Albany city school district, three million five hundred fifty thousand dollars ($3,550,000); for the Utica city school district, two million dollars ($2,000,000); for the Beacon city school district, five hundred sixty-six thousand dollars ($566,000); for the Middletown city school district, four hundred thousand dollars ($400,000); for the Freeport union free school district, four hundred thousand dollars ($400,000); for the Greenburgh central school district, three hundred thousand dollars ($300,000); for the Amsterdam city school district, eight hundred thousand dollars ($800,000); for the Peekskill city school district, two hundred thousand dollars ($200,000); and for the Hudson city school district, four hundred thousand dollars ($400,000).

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

3. The commissioner of education shall not be authorized to withhold foundation aid from a school district that used such funds in accordance with this paragraph, notwithstanding any inconsistency with a request for proposals issued by such commissioner for the purpose of attendance

improvement and dropout prevention for the 2026--2027 school year, and for any city school district in a city having a population of more than one million, the set-aside for attendance improvement and dropout prevention shall equal the amount set aside in the base year. For the 2026--2027 school year, it is further provided that any city school district in a city having a population of more than one million shall allocate at least one-third of any increase from base year levels in funds set aside pursuant to the requirements of this section to community-based organizations. Any increase required pursuant to this section to community-based organizations must be in addition to allocations provided to community-based organizations in the base year.

4. For the purpose of teacher support for the 2026--2027 school year: for the city school district of the city of New York, sixty-two million seven hundred seven thousand dollars ($62,707,000); for the Buffalo city school district, one million seven hundred forty-one thousand dollars ($1,741,000); for the Rochester city school district, one million seventy-six thousand dollars ($1,076,000); for the Yonkers city school district, one million one hundred forty-seven thousand dollars ($1,147,000); and for the Syracuse city school district, eight hundred nine thousand dollars ($809,000). All funds made available to a school district pursuant to this section shall be distributed among teachers including prekindergarten teachers and teachers of adult vocational and academic subjects in accordance with this section and shall be in addition to salaries heretofore or hereafter negotiated or made available; provided, however, that all funds distributed pursuant to this section for the current year shall be deemed to incorporate all funds distributed pursuant to former subdivision 27 of section 3602 of the education law for prior years. In school districts where the teachers are represented by certified or recognized employee organizations, all salary increases funded pursuant to this section shall be determined by separate collective negotiations conducted pursuant to the provisions and procedures of article 14 of the civil service law, notwithstanding the existence of a negotiated agreement between a school district and a certified or recognized employee organization.

§ 25. Support of public libraries. The moneys appropriated for the support of public libraries by a chapter of the laws of 2026 enacting the aid to localities budget shall be apportioned for the 2026--2027 state fiscal year in accordance with the provisions of sections 271, 272, 273, 282, 284, and 285 of the education law as amended by the provisions of such chapter and the provisions of this section, provided that library construction aid pursuant to section 273-a of the education law shall not be payable from the appropriations for the support of public libraries and provided further that no library, library system or program, as defined by the commissioner of education, shall receive less total system or program aid than it received for the year 2001--2002 except as a result of a reduction adjustment necessary to conform to the appropriations for support of public libraries.

Notwithstanding any other provision of law to the contrary, the moneys appropriated for the support of public libraries for the year 2026--2027 by a chapter of the laws of 2026 enacting the aid to localities budget shall fulfill the state's obligation to provide such aid and, pursuant to a plan developed by the commissioner of education and approved by the director of the budget, the aid payable to libraries and library systems pursuant to such appropriations shall be reduced proportionately to assure that the total amount of aid payable does not exceed the total appropriations for such purpose.

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

§ 27. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2026; provided, however, that:

1. Sections one, two, four, five, six, seven, eight, nine, thirteen, twenty and twenty-four of this act shall take effect July 1, 2026;

2. The amendments to chapter 756 of the laws of 1992 made by sections fourteen and fifteen of this act shall not affect the repeal of such chapter and shall be deemed repealed therewith;

3. The amendments to subdivision 14 of section 3641 of the education law made by sections seventeen and eighteen of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

PART B

Section 1. The education law is amended by adding a new section 819 to read as follows:

**§ 819. Evidence-based mathematics instruction. 1. (a) On or before January first, two thousand twenty-seven, the commissioner shall provide school districts with instructional best practices for numeracy, as defined by the commissioner, and the teaching of mathematics to students in kindergarten through grade five. Instructional best practices for numeracy and the teaching of mathematics shall be evidence-based. Such instructional best practices shall be periodically updated by the commissioner.**

**(b) Every school district shall annually review their curriculum and instructional practices in the subject of mathematics for students in kindergarten through grade five to ensure that they align with the mathematics instructional best practices provided by the commissioner, and that all early mathematics instructional practices and interventions are part of an aligned plan designed to improve student mathematics outcomes in kindergarten through grade five.**

**2. On or before September first, two thousand twenty-seven, each school district shall verify to the commissioner that its curriculum and instructional practices in the subject of mathematics in kindergarten through grade five align with all of the elements of the instructional best practices provided by the commissioner pursuant to this section.**

§ 2. This act shall take effect immediately.

PART C

Section 1. Paragraph (e) of subdivision 1 of section 6311 of the education law, as added by section 1 of part F of chapter 56 of the laws of 2025, is amended to read as follows:

(e) has not already obtained any postsecondary degree, provided that nothing in this paragraph shall be construed to prohibit the eligibility of a student who is already enrolled in an eligible associate degree program on the effective date of this section and who meets all the other eligibility requirements of this subdivision**, and provided further that nothing in this paragraph shall be construed to prohibit the eligibility of a student who, though having previously obtained a postsecondary degree, is enrolled in an approved program leading to an associate's degree in nursing**.

§ 2. This act shall take effect immediately.

PART D

Section 1. Subdivisions 3 and 4 of section 6305 of the education law, subdivision 3 as amended by chapter 542 of the laws of 2022 and subdivision 4 as amended by section 2 of part V of chapter 57 of the laws of 2013, are amended and a new subdivision 4-a is added to read as follows:

3. The chief fiscal officer of each county, as defined in section 2.00 of the local finance law, shall, upon application and submission to such chief fiscal officer of satisfactory evidence in-person or electronically, issue to any person desiring to enroll in a community college as a non-resident student, a certificate of residence form showing that said person is a resident of said county. No such chief fiscal officer shall require a person desiring to enroll in a community college as a non-resident student to disclose or furnish his or her social security number. If the chief fiscal officer of a county refuses to issue such a certificate on the ground that the person applying therefor is not a resident of such county**, or that such person is not subject to rules or regulations promulgated under subdivision four-a of this section**, the person applying may appeal, in writing, electronically or by mail, to the chancellor of the state university. The chancellor of the state university, or such officers or employees thereof as shall be designated by the chancellor in a manner authorized by the state university trustees, shall make a determination after a hearing, upon ten days' notice to such chief fiscal officer of the county, and such determination shall be final and binding on the county. Such person shall, upon registration for each college year, file with the college such a certificate of residence form issued not earlier than two months prior thereto, and such certificate of residence form shall be valid for a period of one year from the date of issuance. The state university trustees shall be authorized to promulgate regulations to effectuate the provisions of this subdivision.

4. If, pursuant to subdivision two of this section, a community college elects to charge to and collect an allocable portion of the operating costs and a further sum on account of capital costs of such college from each county which has issued a certificate form or certificates of residence forms pursuant to subdivision three of this section, on the basis of which non-resident students are attending such community college, the president of such community college shall, within forty-five days after the commencement of each college term or program, **or as otherwise provided by rules or regulations promulgated pursuant to subdivision four-a of this section,** submit to the chief fiscal officer of each county a list of non-resident students attending such college on the basis of such certificates of residence form and a voucher for the amount payable by each county for these students. Such list and voucher shall be determined on the basis of non-resident students enrolled in

the program as of the end (or last day) of the third week of the commencement for a program scheduled for one semester, the end of the second for a program scheduled for an academic quarter and the end of the first week for any program scheduled to be completed in thirty days or less. The chancellor of the state university, or such officers or employees thereof as shall be designated by the chancellor in the manner authorized by the state university trustees, shall notify the chief fiscal officers of each county of the approved annual operating and capital charge-back rate for each community college. The amount billed to the chief fiscal officer of each county by the president of such community college as a charge for the allocable portion of the operating costs and a further sum on account of capital costs of such college for non-resident students shall be paid to the chief fiscal officer of such college by the billed county no later than sixty days after the county receives said billing.

**4-a. Notwithstanding any provision of law, rule, or regulation to the contrary, the state university trustees are authorized and directed to promulgate rules or regulations setting forth: (a) a schedule of late fees and exceptions thereof for a student submitting a certificate of residence form after the deadline otherwise prescribed by subdivision four of this section for such submission, but within the relevant semester or term; and (b) a reconciliation process for valid forms received after the list of non-resident students was sent to a county pursuant to subdivision four of this section.**

§ 2. This act shall take effect immediately.

PART E

Section 1. Subparagraph 4-a-1 of paragraph h of subdivision 2 of section 355 of the education law, as added by section 1 of part B of chapter 56 of the laws of 2023, is amended to read as follows:

(4-a-1) Notwithstanding any law, rule, regulation or practice to the contrary and following the review and approval of the chancellor of the state university or [~~his or her~~] **such chancellor's** designee, the board of trustees may annually impose differential tuition rates on non-resident undergraduate and graduate rates of tuition for state-operated institutions [~~for a three year period~~] commencing with the two thousand twenty-three--two thousand twenty-four academic year and ending in the two thousand [~~twenty-five~~] **twenty-eight**--two thousand [~~twenty-six~~] **twenty-nine** academic year, provided that such rates are competitive with the rates of tuition charged by peer institutions and that the board of trustees annually provide the reason and methodology behind any rate increase to the governor, the temporary president of the senate, and the speaker of the assembly prior to the approval of such increases.

§ 2. Subparagraph (vi) of paragraph (a) of subdivision 7 of section 6206 of the education law, as added by section 2 of part B of chapter 56 of the laws of 2023, is amended to read as follows:

(vi) Notwithstanding any law, rule, regulation or practice to the contrary, commencing with the two thousand twenty-three--two thousand twenty-four academic year and ending in the two thousand [~~twenty-five~~] **twenty-eight**--two thousand [~~twenty-six~~] **twenty-nine** academic year, following the review and approval of the chancellor of the city university or [~~his or her~~] **such chancellor's** designee, the city university of New York board of trustees shall be empowered to annually impose differential tuition rates on non-resident undergraduate and graduate rates of tuition for senior colleges, provided that such rates are competitive

with the rates of tuition charged by peer institutions and that the board of trustees annually provide the reason and methodology behind any rate increase to the governor, the temporary president of the senate, and the speaker of the assembly prior to the approval of such increases.

§ 3. Subparagraph (ii) of paragraph (a) of subdivision 7 of section 6206 of the education law, as amended by section 3 of part B of chapter 56 of the laws of 2023, is amended to read as follows:

(ii) Notwithstanding any law, rule, regulation or practice to the contrary, commencing with the two thousand twenty-three--two thousand twenty-four academic year and ending in the two thousand [~~twenty-five~~] **twenty-eight**--two thousand [~~twenty-six~~] **twenty-nine** academic year, following the review and approval of the chancellor of the city university or [~~his or her~~] **such chancellor's** designee, the city university of New York board of trustees shall be empowered to annually impose differential tuition rates on non-resident undergraduate and graduate rates of tuition for senior colleges, provided that such rates are competitive with the rates of tuition charged by peer institutions and that the board of trustees annually provide the reason and methodology behind any rate increase to the governor, the temporary president of the senate, and the speaker of the assembly prior to the approval of such increases.

§ 4. This act shall take effect immediately; provided, however, that the amendments to paragraph (a) of subdivision 7 of section 6206 of the education law made by section two of this act shall be subject to the expiration and reversion of such paragraph pursuant to section 16 of chapter 260 of the laws of 2011, as amended, when upon such date the provisions of section three of this act shall take effect.

PART F

Section 1. Subdivisions 1, 3 and 5 of section 669-f of the education law, subdivision 1 as amended by chapter 516 of the laws of 2025, and subdivisions 3 and 5 as added by section 1 of subpart A of part EE of chapter 56 of the laws of 2015, are amended to read as follows:

1. Eligibility. Students who are matriculated in an approved master's degree in education program at a New York state college, as defined in subdivision two of section six hundred one of this title, leading to a career as a teacher in public elementary [~~or~~]**,** secondary**, or early childhood** education shall be eligible for an award under this section, provided the applicant: (a) earned an undergraduate degree from a college located in New York state; (b) was a New York state resident while earning such undergraduate degree; (c) achieved academic excellence as an undergraduate student, as defined by the corporation in regulation; (d) enrolls in full-time study in an approved master's degree in education program at a New York state college, as defined in subdivision two of section six hundred one of this title, leading to a career as a teacher in public elementary [~~or~~]**,** secondary **or early childhood** education; (e) signs a contract with the corporation agreeing to teach in a classroom setting on a full-time basis for five years in a school located within New York state providing public elementary [~~or~~]**,** secondary **or early childhood** education recognized by the board of regents or the university of the state of New York, including charter schools authorized pursuant to article fifty-six of this chapter; and (f) complies with the applicable provisions of this article and all requirements promulgated by the corporation for the administration of the program.

3. An award shall entitle the recipient to annual payments for not more than two academic years of full-time graduate study leading to certification as an elementary [~~or~~], secondary [~~classroom~~] or early childhood teacher.

5. The corporation shall convert to a student loan the full amount of the award granted pursuant to this section, plus interest, according to a schedule to be determined by the corporation if: (a) two years after the completion of the degree program and receipt of initial certification it is found that a recipient is [~~not~~] neither teaching in a public school located within New York state providing elementary or secondary education recognized by the board of regents or the university of the state of New York, including charter schools authorized pursuant to article fifty-six of this chapter, nor employed by an eligible agency as defined by paragraph b of subdivision one of section thirty-six hundred two-e of this chapter; (b) a recipient has [~~not~~] neither taught in a public school located within New York state providing elementary or secondary education recognized by the board of regents or the university of the state of New York, including charter schools authorized pursuant to article fifty-six of this chapter, nor been employed by an eligible agency as defined by paragraph b of subdivision one of section thirty-six hundred two-e of this chapter, for five of the seven years after the completion of the graduate degree program and receipt of initial certification; (c) a recipient fails to complete [~~his or her~~] their graduate degree program in education; (d) a recipient fails to receive or maintain [~~his or her~~] their teaching certificate or license in New York state for the required period; or (e) a recipient fails to respond to requests by the corporation for the status of [~~his or her~~] their academic or professional progress. The terms and conditions of this subdivision shall be deferred for any interruption in graduate study or employment as established by the rules and regulations of the corporation. Any obligation to comply with such provisions as outlined in this section shall be cancelled upon the death of the recipient. Notwithstanding any provisions of this subdivision to the contrary, the corporation is authorized to promulgate rules and regulations to provide for the waiver or suspension of any financial obligation which would involve extreme hardship.

§ 2. This act shall take effect July 1, 2026.

## PART G

Section 1. Section 97-v of the state finance law, as added by chapter 851 of the laws of 1983 and subdivision 3 as amended by chapter 83 of the laws of 1995, is amended to read as follows:

§ 97-v. New York state [~~musical instrument revolving~~] music grant fund. 1. There is hereby established in the custody of the state comptroller and the commissioner of taxation and finance, a special fund to be known as the "New York state [~~musical instrument revolving~~] music grant fund".

2. The fund shall consist of all monies appropriated for its purpose, all monies transferred to such fund pursuant to law and all monies required by the provisions of this section or any other law to be paid into or credited to this fund, including all monies received by the fund or donated to it. The total of monies deposited as a result of appropriations from state funds into this fund shall not exceed the sum of five hundred thousand dollars. Monies in the fund shall be kept separate and

shall not be commingled with any other monies otherwise appropriated or received except as hereby provided.

3. Monies of the fund, when allocated, shall be available to the New York state council on the arts for the purpose of providing assistance, excluding administrative costs, for [~~the loan, lease and purchase of musical instruments and other related property and equipment, as herein provided, by~~] **grants to** not-for-profit symphony orchestras and/or other not-for-profit musical entities incorporated in the state and organized for the purpose of the presentation of performing arts for the benefit of the public and which have been approved pursuant to guidelines established by the council. Such monies shall also be available for administrative costs of the council pursuant to approval by the director of the budget. [~~Notwithstanding any other inconsistent provisions of this chapter, should the council determine that there is a compelling need for the loan, lease or purchase of property or equipment other than musical instruments by not-for-profit symphony orchestras and/or other not-for-profit musical entities incorporated in the state and organized for the purpose of the presentation of performing arts for the benefit of the public, and upon approval of the director of the budget, the council may assist such organization in acquiring such equipment in accordance with guidelines established by the council. The council shall contract with one or more not-for-profit entities which shall distribute such monies, however, in no case shall monies of the fund be distributed nor shall a contract to distribute such monies be approved unless the fund shall have sufficient monies to effectuate all such approved distributions and contracts.~~

~~Purchases, leases and loans of musical instruments and other equipment shall not be approved or effected if such purchases, leases or loans are eligible for financing from any other state assistance program.~~]

4. [~~The state council on the arts shall establish guidelines necessary to administer the fund. Guidelines shall include, but not be limited to: qualifications and conditions for assistance, which may require public service performances, terms of lease or installment sale payments and finance charges on installment sales at rates of interest which, notwithstanding any other provision of law, shall not be less than three per cent per annum nor more than ten per cent per annum, provisions for insurance of the instrument or other equipment, provisions for necessary security agreement arrangements, and any other terms and conditions the council may require as necessary to properly effectuate the provisions of this section.~~

~~5. The not-for-profit entity of entities with whom the state council on the arts has contracted pursuant to subdivision three of this section shall enter into contractual arrangements with applicants approved by the council. All contracts must be approved by the state council on the arts and the comptroller prior to the distribution of any monies thereunder. Such contracts shall assure that the not-for-profit entity or entities retain title to the instrument or equipment until the provisions and intent of this section are satisfied.~~

~~6. Notwithstanding any other provisions of law, should a default in payment of monies for the purchase or lease of an instrument or other equipment occur, the council shall so notify the comptroller and the attorney general who shall take such steps as may be necessary. The not-for-profit entity or entities, after such notification is made, shall take steps to effect repossession regardless of whether any note, memorandum, instrument or other writing has been recorded or regardless of whether any other person has notice of such possessory rights to the~~

~~instrument or equipment. Any contract between the not-for-profit agency or agencies and a not-for-profit symphony orchestra or other musical entity authorized by this article, shall assure the right and provide guarantees for such repossession. Subsequent to the taking of possession of the instrument or equipment, the comptroller or not-for-profit agency or agencies may offer the same for sale at public auction to the highest bidder pursuant to guidelines established by the comptroller.~~

~~7. The comptroller is authorized to deduct the difference between the purchaser's or lessee's outstanding obligation at the time of the auction provided for in subdivision five of this section, and the amount realized from that auction, after deductions for all necessary and proper costs of the auction are made, from any other grant or other assistance approved by the council on the arts for that purchaser. The difference deducted by the comptroller and the net amount realized from the auction shall be deposited in the New York state musical instrument revolving fund.~~

~~8.~~] Nothing contained herein shall prevent the council from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

[~~9. The state council on the arts shall provide by September first of each year, to the governor, the temporary president of the senate, the speaker of the assembly, the chairman of the senate finance committee and the chairman of the assembly ways and means committee, a report containing guidelines and amendments established by the state council on the arts and a complete financial statement including, but not limited to, monies allocated, collected, transferred or otherwise paid or credited to the fund. A projected schedule of disbursements, receipts and needs of the fund for the next fiscal year shall be included in each report. In addition, any amendments to the guidelines shall be provided to the above listed individuals within thirty days of their establishment by the state council on the arts.~~

~~10.~~] **5.** No monies shall be payable from this fund, except on the audit and warrant of the comptroller on vouchers certified and submitted by the [~~chairman of the~~] state council on the arts.

§ 2. This act shall take effect immediately.

## PART H

Section 1. Paragraph (a) of subdivision 2 of section 390 of the social services law, as amended by section 3 of part H of chapter 56 of the laws of 2019, is amended to read as follows:

(a) Child day care centers caring for seven or more children and group family day care programs, as defined in subdivision one of this section, shall obtain a license from the office of children and family services and shall operate in accordance with the terms of such license and the regulations of such office. Initial licenses and subsequent licenses shall be valid for a period of up to [~~four~~] **six** years so long as the provider remains substantially in compliance with applicable law and regulations during such period.

§ 2. Clause (A) of subparagraph (ii) of paragraph (d) of subdivision 2 of section 390 of the social services law, as amended by section 4 of part H of chapter 56 of the laws of 2019, is amended to read as follows:

(A) Initial registrations and subsequent registrations shall be valid for a period of up to [~~four~~] **six** years so long as the provider remains substantially in compliance with applicable law and regulations during such period.

§ 3. Paragraphs (a) and (c) of subdivision 3 of section 390-a of the social services law, as amended by section 7 of part H of chapter 56 of the laws of 2019, are amended to read as follows:

(a) The office of children and family services shall promulgate regulations requiring operators, program directors, employees [~~and~~], assistants, and volunteers who have the potential for regular and substantial contact with children, of family day care homes, group family day care homes, school-age child care programs and child day care centers to receive pre-service and annual training, as applicable. [~~Provided however that such providers shall be required to receive thirty hours of training every two years; provided, however, any individual or provider who is already in compliance with this subdivision, prior to the effective date of the chapter of the laws of two thousand nineteen that amended this subdivision, shall only be required to complete any additional federal training requirements which they have not already completed in order to be deemed in compliance with this subdivision. Fifteen hours of such training must be received within the first six months of the initial licensure, registration or employment. Such training requirements shall also apply to any volunteer in such day care homes, programs or centers who has the potential for regular and substantial contact with children. The thirty hours of training required during the first biennial cycle after initial licensure or registration shall include training received while an application for licensure or registration pursuant to section three hundred ninety of this title is pending.~~] The office of children and family services may provide this training through purchase of services.

(c) For the [~~thirty hours of biennial~~] training required after the initial period of licensure or registration, each provider who can demonstrate basic competency shall determine in which of the specified topics [~~he or she~~] such provider needs further study, based on the provider's experience and the needs of the children in the provider's care, subject to approval by the office of children and family services.

§ 4. This act shall take effect one year after it shall have become a law.

PART I

Section 1. Subdivision 6 of section 374 of the social services law, as amended by chapter 305 of the laws of 2008, is amended to read as follows:

6. (a) An authorized agency, as defined in paragraphs (a) and (c) of subdivision ten of section three hundred seventy-one of this title, may charge or accept a fee or other compensation to or from a person or persons with whom it has placed out a child, for the reasonable and necessary expenses of such placement; and no agency, association, corporation, institution, society or organization, except such an authorized agency, and no person may or shall request, accept or receive any compensation or thing of value, directly or indirectly, in connection with the placing out or adoption of a child or for assisting a birth parent, relative or guardian of a child in arranging for the placement of the child for the purpose of adoption; and no person may or shall pay or give to any person or to any agency, association, corporation, institution, society or organization, except such an authorized agency, any compensation or thing of value in connection with the placing out or adoption of a child or for assisting a birth parent, relative or guardian of a child in arranging for the placement of the child for the

purpose of adoption. The prohibition set forth in this section applies to any adoptive placement activity involving a child born in New York state or brought into this state or involving a New York resident seeking to bring a child into New York state for the purpose of adoption.

**(b)** This subdivision shall not be construed to prevent the payment of salaries or other compensation by an authorized agency to the officers or employees thereof; nor shall it be construed to prevent the payment by a person with whom a child has been placed out of reasonable and actual medical fees or hospital charges for services rendered in connection with the birth of such child or of other necessary expenses incurred by the birth mother in connection with or as a result of her pregnancy or the birth of the child, or of reasonable and actual nursing, medical or hospital fees for the care of such child, if such payment is made to the physician, nurse or hospital who or which rendered the services or to the birth mother of the child, or to prevent the receipt of such payment by such physician, nurse, hospital or birth mother. This subdivision shall not be construed to prevent the payment by an adoptive parent, as defined in section one hundred nine of the domestic relations law, of the birth mother's reasonable and actual expenses for housing, maternity clothing, clothing for the child and transportation for a reasonable period not to exceed [~~sixty~~] **one hundred eighty** days prior to the birth and the later of [~~thirty~~] **forty-five** days after the birth or [~~thirty~~] **forty-five** days after the parental consent to the adoption, unless a court determines, in writing, that [~~exceptional~~] circumstances exist which require the payment of the birth mother's expenses beyond the time periods stated in this sentence. This subdivision shall not be construed to prevent the payment by an adoptive parent, as defined in section one hundred nine of the domestic relations law, of reasonable and actual legal fees charged for consultation and legal advice, preparation of papers and representation and other legal services rendered in connection with an adoption proceeding or of necessary disbursements incurred for or in an adoption proceeding. No attorney or law firm shall serve as the attorney for, or provide any legal services to both the birth parent and adoptive parent in regard to the placing out of a child for adoption or in an adoption proceeding. No attorney or law firm shall serve as the attorney for, or provide any legal services to, both an authorized agency and adoptive parent or both an authorized agency and birth parent where the authorized agency provides adoption services to such birth parent or adoptive parent, where the authorized agency provides foster care for the child, or where the authorized agency is directly or indirectly involved in the placing out of such child for adoption.

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

## PART J

Section 1. Subdivision 6 of section 3502 of the public health law, as added by chapter 313 of the laws of 2018, subparagraph (i) of paragraph (a) as amended by chapter 486 of the laws of 2022, and subparagraphs (ii) and (iii) of paragraph (a), paragraph (b), subparagraphs (i), (ii), (iii) and (v) of paragraph (c), paragraph (e), and the opening paragraph and subparagraphs (i) and (ii) of paragraph (f) as amended by section 1

of part LL of chapter 56 of the laws of 2023, is amended to read as follows:

6. (a) (i) Notwithstanding the provisions of this section or any other provision of law, rule or regulation to the contrary, licensed practitioners, persons licensed under this article and unlicensed personnel employed at a local correctional facility **or secure or specialized secure detention facility** may, in a manner permitted by the regulations promulgated pursuant to this subdivision, utilize body imaging scanning equipment that applies ionizing radiation to humans for purposes of screening incarcerated individuals committed to such **local correctional facility, or individuals detained in or committed to, visiting or employed in a secure or specialized secure detention** facility, in connection with the implementation of such facility's security program.

(ii) Notwithstanding the provisions of this section or any other provision of law, rule or regulation to the contrary, licensed practitioners, persons licensed under this article and unlicensed personnel employed at a state correctional facility **or facility for youth placed with or committed to the office of children and family services** may, in a manner permitted by the regulations promulgated pursuant to this subdivision, utilize body imaging scanning equipment that applies ionizing radiation to humans for purposes of screening individuals detained in, committed to, visiting, or employed in such facility, in connection with the implementation of such facility's security program.

(iii) The utilization of such body imaging scanning equipment shall be in accordance with regulations promulgated by the department, or for local correctional facilities in cities having a population of two million or more, such utilization shall be in accordance with regulations promulgated by the New York city department of health and mental hygiene. The state commission of correction, in consultation with the department of corrections and community supervision **and the office of children and family services**, shall promulgate regulations establishing when body imaging scanning equipment will be used to screen visitors and [~~incarcerated~~] individuals **detained** in **or committed to** state correctional facilities**, secure or specialized secure detention facilities, or facilities for youth placed with or committed to the office of children and family services**. Such regulations shall include provisions establishing that alternative methods of screening may be used to accommodate individuals who decline or are unable to be screened by body imaging scanning equipment for medical reasons and that alternative methods of screening may be used to accommodate individuals who decline to be screened for other reasons, unless security considerations warrant otherwise. Such regulations shall also ensure that no person shall be subjected to any form of harassment, intimidation, or disciplinary action for choosing to be searched by an alternative method of screening in lieu of body imaging scanning.

The department of corrections and community supervision **and the office of children and family services** shall promulgate regulations establishing when body imaging scanning equipment will be used to screen employees of the department of corrections and community supervision **and the office of children and family services**, provided, however that such regulations shall be consistent with the policies and procedures of the department of corrections and community supervision **and the office of children and family services** governing the search of employees. Such regulations shall include provisions establishing that alternative methods of screening may be used to accommodate individuals who decline or are unable to be screened by body imaging scanning equipment for medical

or other reasons. Such regulations shall also ensure that no person shall be subjected to any form of harassment, intimidation, or disciplinary action for choosing to be searched by an alternative method of screening in lieu of body imaging scanning. An employee's request to be searched by an alternative method of screening in lieu of body imaging scanning shall not, in itself, be grounds for disciplinary action against such employee.

(b) Prior to establishing, maintaining or operating **any body imaging scanning equipment** in a state or local correctional facility, [~~any body imaging scanning equipment~~] **secure or specialized secure detention facility, or facility for youth placed with or committed to the office of children and family services**, the chief administrative officer of the facility shall ensure that such facility is in compliance with the regulations promulgated pursuant to this subdivision and otherwise applicable requirements for the installation, registration, maintenance, operation and inspection of body imaging scanning equipment.

(c) The regulations promulgated pursuant to subparagraph (ii) of paragraph (a) of this subdivision shall include, but not be limited to:

(i) A requirement that prior to operating body imaging scanning equipment, unlicensed personnel employed at state or local correctional facilities**, secure or specialized secure detention facilities, or facilities for youth placed with or committed to the office of children and family services** shall have successfully completed a training course approved by the department, or for local correctional facilities in cities of two million or more, approved by the New York city department of health and mental hygiene, and that such personnel receive additional training on an annual basis;

(ii) Limitations on exposure which shall be no more than fifty percent of the annual exposure limits for non-radiation workers as specified by applicable regulations, except that individuals under the age of eighteen shall not be subject to more than five percent of such annual exposure limits, and pregnant [~~women~~] **persons** shall not be subject to such scanning at any time. Procedures for identifying pregnant [~~women~~] **persons** shall be set forth in the regulations;

(iii) Registration with the department of each body imaging scanning machine purchased or installed at a state or local correctional facility**, secure or specialized secure detention facility, or facility for youth placed with or committed to the office of children and family services**;

(iv) Inspection and regular reviews of the use of body imaging scanning equipment by the department or the New York city department of health and mental hygiene, as applicable; and

(v) A requirement that records be kept regarding each use of body imaging scanning equipment by the state or local correctional facility**, secure or specialized secure detention facility, or facility for youth placed with or committed to the office of children and family services**.

(d) For the purpose of this subdivision, "body imaging scanning equipment" or "equipment" means equipment that utilizes a low dose of ionizing radiation to produce an anatomical image capable of detecting objects placed on, attached to or secreted within a person's body.

(e) For the purposes of this subdivision:

(i) "Local correctional facility" shall have the same meaning as found in subdivision sixteen of section two of the correction law.

(ii) "State correctional facility" shall mean a "correctional facility" as defined in subdivision four of section two of the correction law.

(iii) "Secure detention facility" shall mean a secure detention facility certified by the office of children and family services pursuant to section five hundred three of the executive law.

(iv) "Specialized secure detention facility" shall mean a facility for adolescent offenders certified by the office of children and family services in consultation with the state commission of correction pursuant to subdivision nine of section five hundred three of the executive law.

(v) "Facility for youth placed with or committed to the office of children and family services" shall mean a facility operated pursuant to section five hundred four of the executive law.

(f) Any local government agency that utilizes body imaging scanning equipment in a local correctional, or secure or specialized secure detention facility under its jurisdiction shall submit an annual report to the department, the speaker of the assembly, and the temporary president of the senate. If body imaging scanning equipment is utilized in one or more state correctional facilities or facilities for youth placed with or committed to the office of children and family services, the department of corrections and community supervision or the office of children and family services, as applicable, shall submit an annual report to the department, the speaker of the assembly, and the temporary president of the senate. Such report by [~~either~~] the local government agency [~~or~~], the department of corrections and community supervision or the office of children and family services shall be submitted within eighteen months after the initial date of registration of such equipment with the department, and annually thereafter, and shall contain the following information as to each such facility:

(i) [~~For~~] for local correctional facilities, the number of times the equipment was used on incarcerated individuals, or for secure or specialized secure detention facilities, the number of times the equipment was used on individuals placed with, committed to, visiting or employed in such facility, upon intake, after visits, and upon the suspicion of contraband, as well as any other event that triggers the use of such equipment, and the average, median, and highest number of times the equipment was used on any [~~incarcerated~~] such individual, with corresponding exposure levels; [~~and~~]

(ii) [~~For~~] for state correctional facilities or facilities for youth placed with or committed to the office of children and family services, the number of times the equipment was used on individuals detained in, committed to, working in, or visiting the facility upon intake, before work shift, after work shift, before visits, after visits, and upon the suspicion of contraband, as well as any other event that triggers the use of such equipment, and the average, median, and highest number of times the equipment was used on any individual detained in, committed to, working in, or visiting the facility, with corresponding exposure levels[~~.~~];

(iii) the number of times the use of the equipment detected the presence of drug contraband, weapon contraband, and any other illegal or impermissible object or substance;

(iv) incidents or any injuries or illness resulting from the use of such equipment or reported by persons scanned by such equipment; and

(v) any other information the department may reasonably require.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that the amendments to subdivision 6 of section 3502 of the public health law made by section one of this act shall not affect the repeal of such subdivision and

shall be deemed repealed therewith. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART K

Section 1. Section 3 of part N of chapter 56 of the laws of 2020, amending the social services law relating to restructuring financing for residential school placements, as amended by section 1 of part O of chapter 56 of the laws of 2025, is amended to read as follows:

§ 3. This act shall take effect immediately [~~and shall expire and be deemed repealed April 1, 2026~~]; provided however that the amendments to subdivision 10 of section 153 of the social services law made by section one of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2026.

PART L

Section 1. Paragraphs (a), (b), (c) and (d) of subdivision 1 of section 131-o of the social services law, as amended by section 1 of part R of chapter 56 of the laws of 2025, are amended to read as follows:

(a) in the case of each individual receiving family care, an amount equal to at least [~~$186.00~~] $191.00 for each month beginning on or after January first, two thousand [~~twenty-five~~] twenty-six.

(b) in the case of each individual receiving residential care, an amount equal to at least [~~$213.00~~] $219.00 for each month beginning on or after January first, two thousand [~~twenty-five~~] twenty-six.

(c) in the case of each individual receiving enhanced residential care, an amount equal to at least [~~$255.00~~] $262.00 for each month beginning on or after January first, two thousand [~~twenty-five~~] twenty-six.

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

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

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

§ 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of section 209 of the social services law, as amended by section 2 of part R of chapter 56 of the laws of 2025, are amended to read as follows:

(a) On and after January first, two thousand [~~twenty-five~~] twenty-six, for an eligible individual living alone, [~~$1,054.00~~] $1,081.00; and for an eligible couple living alone, [~~$1,554.00~~] $1,595.00.

(b) On and after January first, two thousand [~~twenty-five~~] twenty-six, for an eligible individual living with others with or without in-kind income, [~~$990.00~~] $1,017.00; and for an eligible couple living with others with or without in-kind income, [~~$1,496.00~~] $1,537.00.

(c) On and after January first, two thousand [~~twenty-five~~] twenty-six, (i) for an eligible individual receiving family care, [~~$1,233.48~~] $1,260.48 if such individual is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving family care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, [~~$1,195.48~~] $1,222.48; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(d) On and after January first, two thousand [~~twenty-five~~] twenty-six, (i) for an eligible individual receiving residential care, [~~$1,402.00~~] $1,429.00 if such individual is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving residential care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, [~~$1,372.00~~] $1,399.00; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(e) On and after January first, two thousand [~~twenty-five~~] twenty-six, (i) for an eligible individual receiving enhanced residential care, [~~$1,661.00~~] $1,688.00; and (ii) for an eligible couple receiving enhanced residential care, two times the amount set forth in subparagraph (i) of this paragraph.

(f) The amounts set forth in paragraphs (a) through (e) of this subdivision shall be increased to reflect any increases in federal supplemental security income benefits for individuals or couples which become effective on or after January first, two thousand [~~twenty-six~~] twenty-seven but prior to June thirtieth, two thousand [~~twenty-six~~] twenty-seven.

§ 3. This act shall take effect December 31, 2026.

PART M

Section 1. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the neighborhood preservation program, a sum not to exceed $12,830,000 for the fiscal year ending March 31, 2027. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with neighborhood preservation program contracts authorized by this section, a total sum not to exceed $12,830,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2025-2026 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the

purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than June 30, 2026.

§ 2. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural preservation program, a sum not to exceed $5,360,000 for the fiscal year ending March 31, 2027. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural preservation program contracts authorized by this section, a total sum not to exceed $5,360,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2025-2026 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than June 30, 2026.

§ 3. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural rental assistance program pursuant to article 17-A of the private housing finance law, a sum not to exceed $25,382,000 for the fiscal year ending March 31, 2027. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural rental assistance program contracts authorized by this section, a total sum not to exceed $25,382,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2025-2026 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating, as determined by the state of New York mortgage agency, required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer shall be made as soon as practicable but no later than June 30, 2026.

§ 4. Notwithstanding any other provision of law, the homeless housing and assistance corporation may provide, for purposes of the New York state supportive housing program, the solutions to end homelessness program or the operational support for AIDS housing program, or to qualified grantees under such programs, in accordance with the requirements of such programs, a sum not to exceed $74,181,000 for the fiscal year

ending March 31, 2027. The homeless housing and assistance corporation may enter into an agreement with the office of temporary and disability assistance to administer such sum in accordance with the requirements of such programs. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the homeless housing and assistance corporation, a total sum not to exceed $74,181,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2025-2026 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating as determined by the state of New York mortgage agency, required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer shall be made as soon as practicable but no later than March 31, 2027.

§ 5. This act shall take effect immediately.

PART N

Section 1. Paragraph (g) of section 1603 of the not-for-profit corporation law, as amended by chapter 508 of the laws of 2018, is amended to read as follows:

(g) Nothing in this article shall be construed to authorize the existence of more than [~~thirty-five~~] **forty-five** land banks located in the state at one time, provided further that each foreclosing governmental unit or units proposing to create a land bank shall submit such local law, ordinance or resolution as required by paragraph (a) of this section, to the urban development corporation, for its review and approval. The creation of a land bank shall be conditioned upon approval of the urban development corporation.

§ 2. This act shall take effect immediately.

PART O

Section 1. Section 489 of the real property tax law is amended by adding a new subdivision 22 to read as follows:

**22. (a) Definitions. For the purposes of this subdivision:**

**(1) "Affordable rent" shall mean the maximum rent within the marketing band that is allowed for an affordable rental unit as such rent is established by the local housing agency.**

**(2) "Affordable rental unit" shall mean a dwelling unit in an eligible rental building that, as of the filing of an application for a certificate of eligibility and reasonable cost, has a rent at or below the affordable rent.**

**(3) "Area median income" shall mean the income limits as defined annually by the United States department of housing and urban development for the New York city area.**

**(4) "Certificate of eligibility and reasonable cost" shall mean a document issued by the local housing agency that establishes that a property is eligible for rehabilitation program benefits and sets forth**

the certified reasonable cost of the eligible construction for which such benefits shall be received.

(5) "Certified reasonable cost schedule" shall mean a table providing maximum dollar limits for specified alterations and improvements, established, and updated at least every three years, by the local housing agency.

(6) "Checklist" shall mean a document that the local housing agency issues requesting additional information or documentation that is necessary for further assessment of an application for a certificate of eligibility and reasonable cost where such application contained all information and documentation required at the initial filing.

(7) "Commencement date" shall mean, with respect to eligible construction, the date on which any physical operation undertaken for the purpose of performing such eligible construction lawfully begins.

(8) "Completion date" shall mean, with respect to eligible construction, the date on which:

(A) every physical operation undertaken for the purpose of all eligible construction has concluded; and

(B) all such eligible construction has been completed to a reasonable and customary standard that renders such eligible construction capable of use for the purpose for which such eligible construction was intended.

(9) "Dwelling unit" shall mean any residential accommodation in a class A multiple dwelling that:

(A) is arranged, designed, used or intended for use by one or more persons living together and maintaining a common household;

(B) contains at least one room; and

(C) contains within such accommodation lawful sanitary and kitchen facilities reserved for its occupants.

(10) "Eligible building" shall mean an eligible rental building, an eligible homeownership building, or an eligible regulated homeownership building, provided that such building contains three or more dwelling units.

(11) "Eligible construction" shall mean alterations or improvements to an eligible building that:

(A) are specifically identified on the certified reasonable cost schedule;

(B) meet the minimum scope of work threshold;

(C) have a completion date that is on or after June thirtieth, two thousand twenty-six and prior to June thirtieth, two thousand thirty-six that is not more than thirty months after their commencement date; and

(D) are not attributable to any increased cubic content in such eligible building.

(12) "Eligible homeownership building" shall mean an existing building that:

(A) is a class A multiple dwelling operated as condominium or cooperative housing;

(B) is not operating in whole or in part as a hotel; and

(C) has an average assessed valuation, including the valuation of the land, that as of the commencement date does not exceed the homeownership average assessed valuation limitation.

(13) "Eligible regulated homeownership building" shall mean an existing building that is a class A multiple dwelling owned and operated by either:

(A) a mutual company that continues to be organized and operated as a mutual company and that has entered into and recorded a mutual company regulatory agreement; or

(B) a mutual redevelopment company that continues to be organized and operated as a mutual redevelopment company and that has entered into and recorded a mutual redevelopment company regulatory agreement.

(14) "Eligible rental building" shall mean an existing building that:

(A) is a class A multiple dwelling in which all of the dwelling units are operated as rental housing;

(B) is not operating in whole or in part as a hotel; and

(C) satisfies one of the following conditions:

(i) not less than fifty percent of the dwelling units in such building are affordable rental units;

(ii) such building is owned and operated by a limited-profit housing company; or

(iii) such building is the recipient of substantial governmental assistance.

(15) "Existing building" shall mean an enclosed structure which:

(A) is permanently affixed to the land;

(B) has one or more floors and a roof;

(C) is bounded by walls;

(D) has at least one principal entrance utilized for day-to-day pedestrian ingress and egress;

(E) has a certificate of occupancy or equivalent document that is in effect prior to the commencement date; and

(F) exclusive of the land, has an assessed valuation of more than one thousand dollars for the fiscal year immediately preceding the commencement date.

(16) "Homeownership average assessed valuation limitation" shall mean an average assessed valuation of sixty thousand dollars per dwelling unit.

(17) "Limited-profit housing company" shall have the same meaning as "company" as defined in section twelve of the private housing finance law.

(18) "Market rental unit" shall mean a dwelling unit in an eligible rental building other than an affordable rental unit.

(19) "Marketing band" shall mean maximum rent amounts ranging from twenty percent of eighty percent of the area median income, adjusted for family size, to thirty percent of eighty percent of the area median income, adjusted for family size.

(20) "Minimum scope of work threshold" shall mean a total amount of certified reasonable cost established by rules, regulations, and guidance documents of the local housing agency, provided that such amount shall be no less than one thousand five hundred dollars for each dwelling unit in existence on the completion date.

(21) "Multiple dwelling" shall have the meaning as such term is defined in section four of the multiple dwelling law.

(22) "Mutual company" shall have the meaning as such term is defined in section twelve of the private housing finance law.

(23) "Mutual company regulatory agreement" shall mean a binding and irrevocable agreement between a mutual company and the commissioner of housing, the mutual company supervising agency, the New York city housing development corporation, or the New York state housing finance agency prohibiting the dissolution or reconstitution of such mutual company pursuant to section thirty-five of the private housing finance law for not less than fifteen years from the commencement of rehabilitation

program benefits for the existing building owned and operated by such mutual company.

(24) "Mutual company supervising agency" shall have the same meaning, with respect to any mutual company, as "supervising agency" as defined in section two of the private housing finance law.

(25) "Mutual redevelopment company" shall have the same meaning as "mutual company" when applied to a redevelopment company as defined in section one hundred two of the private housing finance law.

(26) "Mutual redevelopment company regulatory agreement" shall mean a binding and irrevocable agreement between a mutual redevelopment company and the commissioner of housing, the redevelopment company supervising agency, the New York city housing development corporation, or the New York state housing finance agency prohibiting the dissolution or reconstitution of such mutual redevelopment company pursuant to section one hundred twenty-three of the private housing finance law until the earlier of:

(A) fifteen years from the commencement of rehabilitation program benefits for the existing building owned and operated by such mutual redevelopment company; or

(B) the expiration of any tax exemption granted to such mutual redevelopment company pursuant to section one hundred twenty-five of the private housing finance law.

(27) "Redevelopment company" shall have the same meaning as such term is defined in section one hundred two of the private housing finance law.

(28) "Redevelopment company supervising agency" shall have the same meaning, with respect to any redevelopment company, as "supervising agency" as defined in section one hundred two of the private housing finance law.

(29) "Rehabilitation program benefits" shall mean abatement of real property taxes pursuant to this subdivision.

(30) "Rent regulation" shall mean, collectively, the emergency housing rent control law, any local law enacted pursuant to the local emergency housing rent control act, the rent stabilization law of nineteen hundred sixty-nine, the rent stabilization code, and the emergency tenant protection act of nineteen seventy-four, all as in effect as of the effective date of this subdivision, or as any such statute is amended thereafter, together with any successor statutes or regulations addressing substantially the same subject matter.

(31) "Restriction period" shall mean, notwithstanding any termination or revocation of rehabilitation program benefits prior to such period, fifteen years from the initial receipt of rehabilitation benefits, or such additional period of time as may be imposed pursuant to clause (A) of subparagraph five of paragraph (e) of this subdivision.

(32) "Substantial governmental assistance" shall mean grants, loans, or subsidies from any federal, state, or local government agency or instrumentality in furtherance of a program for the development of affordable housing approved by the local housing agency, provided that such grants, loans, or subsidies are provided in accordance with a regulatory agreement entered into with such agency or instrumentality that is in effect as of the filing date of the application for a certificate of eligibility and reasonable cost.

(33) "Substantial interest" shall mean an ownership interest of ten percent or more.

(b) Abatement. Notwithstanding the provisions of any other subdivision of this section or of any general, special, or local law to the contra-

ry, in a city with a population of one million persons or more, real property taxes on an eligible building in which eligible construction has been completed may be abated by an aggregate amount that shall not exceed one hundred percent of the total certified reasonable cost of such construction, as determined under rules, regulations, and guidance documents of the local housing agency, provided that:

(1) Such abatement shall not be effective for more than twenty years;

(2) The annual abatement of real property taxes on such eligible building shall not exceed eight and one-third percent of the total certified reasonable cost of such eligible construction;

(3) The annual abatement of real property taxes on such eligible building in any consecutive twelve-month period shall in no event exceed the amount of real property taxes payable in such twelve-month period for such building, provided, however, that such abatement shall not exceed fifty percent of the amount of real property taxes payable in such twelve-month period for any of the following:

(A) an eligible rental building owned by a limited-profit housing company or a redevelopment company;

(B) an eligible homeownership building; and

(C) an eligible regulated homeownership building; and

(4) Such abatement shall become effective beginning with the first quarterly tax bill immediately following the date of issuance of the certificate of eligibility and reasonable cost.

(c) Guidance and rulemaking. Each agency or department to which functions are assigned by this subdivision may adopt and promulgate rules, regulations, and guidance documents for the effectuation of the purpose of this subdivision.

(d) Application. (1) An application for a certificate of eligibility and reasonable cost pursuant to this subdivision shall be made after the completion date and on or before the later of (A) four months from the effective date of this subdivision; or (B) four months from such completion date.

(2) Such application shall include evidence of eligibility for rehabilitation program benefits and evidence of reasonable cost as shall be satisfactory to the local housing agency including, but not limited to, evidence showing the cost of eligible construction.

(3) The local housing agency shall require a non-refundable filing fee that shall be paid by a certified check or cashier's check upon the filing of an application for a certificate of eligibility and reasonable cost. Such fee shall be (A) one thousand dollars, plus (B) seventy-five dollars for each dwelling unit in excess of six dwelling units in the eligible building that is the subject of such application.

(4) Any application that is filed pursuant to this paragraph that is missing any of the information and documentation required at initial filing by any rules, regulations, and guidance documents of the local housing agency shall be denied, provided that a new application for the same eligible construction, together with a new non-refundable filing fee, may be filed within fifteen days of the date of issuance of such denial. If such second application is also missing any such required information and documentation, it shall be denied and no further applications for the same eligible construction shall be permitted.

(5) The failure of an applicant to respond to any checklist within thirty days of the date of its issuance by the local housing agency shall result in denial of such application, and no further applications for the same eligible construction shall be permitted. The local housing agency shall issue not more than three checklists per application. An

application for a certificate of eligibility and reasonable cost shall be denied when the local housing agency does not have a sufficient basis to issue a certificate of eligibility and reasonable cost after the timely response of an applicant to the third checklist concerning such application. After the local housing agency has denied an application for the reason described in the preceding sentence, such agency shall permit no further applications for the same eligible construction.

(6) An application for a certificate of eligibility and reasonable cost shall also include an affidavit of no harassment.

(A) Such affidavit shall set forth the following information:

(i) the name of every owner of record and owner of a substantial interest in the eligible building or entity owning the eligible building or sponsoring the eligible construction; and

(ii) a statement that none of such persons had, within the five years prior to the completion date, been found to have harassed or unlawfully evicted tenants by judgment or determination of a court or agency, including a non-governmental agency having appropriate legal jurisdiction under the penal law, any state or local law regulating rents, or any state or local law relating to harassment of tenants or unlawful eviction.

(B) No eligible building shall be eligible for an abatement pursuant to paragraph (b) of this subdivision where:

(i) any affidavit required under this subparagraph has not been filed; or

(ii) any such affidavit contains a willful misrepresentation or omission of any material fact; or

(iii) any owner of record or owner of a substantial interest in the eligible building or entity owning the eligible building or sponsoring the eligible construction has been found, by judgment or determination of a court or agency, including a non-governmental agency having appropriate legal jurisdiction under the penal law, any state or local law regulating rents, or any state or local law relating to harassment of tenants or unlawful eviction, to have, within the five years prior to the completion date, harassed or unlawfully evicted tenants, until and unless the finding is reversed on appeal.

(C) Notwithstanding the provisions of any general, special, or local law to the contrary, the corporation counsel or other legal representative of a city having a population of one million or more or the district attorney of any county located in a city with a population of one million or more, may institute an action or proceeding in any court of competent jurisdiction that may be appropriate or necessary to determine whether any owner of record or owner of a substantial interest in the eligible building or entity owning the eligible building or sponsoring the eligible construction has harassed or unlawfully evicted tenants as described in this subparagraph.

(7) Notwithstanding the provisions of any general, special, or local law to the contrary, the local housing agency may require by rules, regulations, and guidance documents that an application for a certificate of eligibility and reasonable cost be filed electronically.

(8) The local housing agency may require an applicant to demonstrate compliance with the housing maintenance code. If hazardous or immediately hazardous violations exist, the local housing agency may require the applicant to remediate such violations and may impose a penalty in an amount set forth in rules, regulations, and guidance documents if the applicant fails to clear the violation.

(e) Additional requirements for an eligible rental building other than one owned and operated by a limited-profit housing company. In addition to all other conditions of eligibility for rehabilitation program benefits set forth in this subdivision, an eligible rental building, other than one owned and operated by a limited-profit housing company, shall also comply with all provisions of this paragraph. Notwithstanding the foregoing, an eligible rental building that is the recipient of substantial governmental assistance shall not be required to comply with the provisions of subparagraph two of this paragraph.

(1) Notwithstanding any provision of rent regulation to the contrary, any market rental unit within such eligible rental building subject to rent regulation as of the filing date of the application for a certificate of eligibility and reasonable cost and any affordable rental unit within such eligible rental building shall be subject to rent regulation until such unit first becomes vacant after the expiration of the restriction period at which time such unit, unless it would be subject to rent regulation for reasons other than the provisions of this subdivision, shall be deregulated, provided, however, that during the restriction period, no exemption or exclusion from any requirement of rent regulation shall apply to such dwelling units.

(2) Additional requirements for an eligible rental building that is not a recipient of substantial governmental assistance.

(A) Not less than fifty percent of the dwelling units in such eligible rental building shall be designated as affordable rental units.

(B) The owner of such eligible rental building shall ensure that no affordable rental unit is held off the market for a period that is longer than reasonably necessary.

(C) The owner of such eligible rental building shall waive the collection of any major capital improvement rent increase granted by the New York state division of housing and community renewal pursuant to rent regulation that is attributable to eligible construction for which such eligible rental building receives rehabilitation program benefits, and shall file a declaration with the New York state division of housing and community renewal providing such waiver. The local housing agency shall not require an owner to file such waiver until the application for rehabilitation program benefits has been approved.

(D) An affordable rental unit shall not be rented on a temporary, transient or short-term basis. Every lease and renewal thereof for an affordable rental unit shall be for a term of one or two years, at the option of the tenant, and shall include a notice in at least twelve-point type informing such tenant of their rights pursuant to this subdivision, including an explanation of the restrictions on rent increases that may be imposed on such affordable rental unit.

(E) The local housing agency may establish by rules, regulations, and guidance documents such requirements as the local housing agency deems necessary or appropriate for designating affordable rental units, including, but not limited to, designating the unit mix and distribution requirements of such affordable rental units in an eligible building.

(3) The owner of such eligible rental building shall not engage in or cause any harassment of the tenants of such eligible rental building or unlawfully evict any such tenants during the restriction period.

(4) No dwelling units within such eligible rental building shall be converted to cooperative or condominium ownership during the restriction period.

(5) Any non-compliance of an eligible rental building with the provisions of this paragraph shall permit the local housing agency to take the following action:

(A) extend the restriction period;

(B) increase the number of affordable rental units in such eligible rental building;

(C) impose a penalty of not more than the product of one thousand dollars per instance of non-compliance and the number of dwelling units contained in such eligible rental building; and

(D) terminate or revoke any rehabilitation program benefits in accordance with paragraph (p) of this subdivision.

(f) Compliance with applicable law. Rehabilitation program benefits shall not be allowed for any eligible building unless and until such eligible building complies with all applicable provisions of law. Rehabilitation program benefits shall not be allowed if the local housing agency determines that eligible construction was not carried out in conformity with all applicable provisions of law.

(g) Tenant notification. Notwithstanding any provision of this section to the contrary, no rehabilitation program benefits shall be granted for any eligible construction with a commencement date on or after the effective date of this subdivision unless the applicant provides to tenants, if any, of such eligible building not more than one hundred eighty days nor less than thirty days prior to the commencement date, notice of the following information:

(1) The proposed work;

(2) The identity and contact information of the eligible building's representative; and

(3) The tenants' rights under applicable law with respect to such work; provided that, in the case of a loan program supervised by the local housing agency, such agency may provide the required notice to the tenants.

(h) Notice of intent. An applicant for rehabilitation program benefits for any eligible construction with a commencement date on or after the effective date of this subdivision shall file with the local housing agency a form supplied by such agency which:

(1) States an intention to file for rehabilitation program benefits;

(2) Describes the work for which rehabilitation program benefits will be claimed;

(3) Estimates the cost of such work which will be eligible for rehabilitation program benefits; and

(4) Provides proof of the notice required under paragraph (g) of this subdivision. Such form shall be filed prior to the commencement date. If the scope of such work or the estimated cost thereof changes materially, such applicant shall file a revised notice of intent. An applicant who fails to comply with the requirements of this subdivision shall be subject to a penalty not to exceed one hundred percent of the filing fee otherwise payable pursuant to subparagraph three of paragraph (d) of this subdivision.

(i) Implementation of rehabilitation program benefits. Upon issuance of a certificate of eligibility and reasonable cost and payment of outstanding fees, the local housing agency shall be authorized to transmit such certificate of eligibility and reasonable cost to the local agency responsible for real property tax assessment. Upon receipt of a certificate of eligibility and reasonable cost, the local agency responsible for real property tax assessment shall certify the amount of taxes to be abated pursuant to paragraph (b) of this subdivision and pursuant

to such certificate of eligibility and reasonable cost provided by the local housing agency.

(j) Outstanding taxes and charges. Rehabilitation program benefits shall not be allowed for an eligible building in either of the following cases:

(1) there are outstanding real estate taxes or water and sewer charges or payments in lieu of taxes that are due and owing as of the last day of the tax period preceding the date of the receipt of the certificate of eligibility and reasonable cost by the local agency responsible for real property tax assessment; or

(2) real estate taxes or water and sewer charges due at any time during the authorized term of such benefits remain unpaid for one year after the same are due and payable.

(k) Additional limitations on eligibility. (1) Rehabilitation program benefits shall not be allowed for any eligible building receiving tax exemption or abatement concurrently for rehabilitation or new construction under any other provision of state or local law or ordinance, including any other subdivision of this section, with the exception of any eligible construction to an eligible building receiving a tax exemption or abatement under the provisions of the private housing finance law;

(2) Rehabilitation program benefits shall not be allowed for any item of eligible construction in an eligible building if such eligible building is receiving tax exemption or abatement for the same or a similar item of eligible construction as of the December thirty-first preceding the date of application for a certificate of eligibility and reasonable cost for such rehabilitation program benefits;

(3) Where the eligible construction includes or benefits a portion of an eligible building that is not occupied for dwelling purposes, the assessed valuation of such eligible building and the cost of the eligible construction shall be apportioned so that rehabilitation program benefits shall not be provided for eligible construction made for other than dwelling purposes; and

(4) Rehabilitation program benefits shall not be applied to abate the taxes upon the land portion of real property, which shall continue to be taxed based upon the assessed valuation of the land and the applicable tax rate at the time such taxes are levied.

(l) Re-inspection penalty. If the local housing agency cannot verify the eligible construction claimed by an applicant upon the first inspection by the local housing agency of the eligible building, such applicant shall be required to pay ten times the actual cost of any additional inspection needed to verify such eligible construction.

(m) Strict liability for inaccurate applications. If the local housing agency determines that an application for a certificate of eligibility and reasonable cost contains a material misstatement of fact or omission of fact, the local housing agency may reject such application and bar the submission of any other application pursuant to this subdivision with respect to such eligible building for a period not to exceed three years. An applicant shall not be relieved from liability under this paragraph because it submitted its application under a mistaken belief of fact. Furthermore, any person or entity that files more than six applications containing such a material misstatement of fact or omission of fact within any twelve-month period shall be barred from submitting any new application for rehabilitation program benefits on behalf of any eligible building for a period not to exceed five years.

(n) False statements. Any person who shall knowingly and willfully make any false statement or omission as to any material matter in any application for a certificate of eligibility and reasonable cost shall be guilty of an offense punishable by a fine of not more than five hundred dollars, or imprisonment for not more than ninety days, or both.

(o) Investigatory authority. The local housing agency may require such certifications and consents necessary to access records, including other tax records, as may be deemed appropriate to enforce the eligibility requirements of this subdivision. For purposes of determining and certifying eligibility for rehabilitation program benefits and the reasonable cost of any eligible construction, the local housing agency shall be authorized to:

(1) administer oaths to and take the testimony of any person, including, but not limited to, the owner of such eligible building;

(2) issue subpoenas requiring the attendance of such persons and the production of any bills, books, papers or other documents as it may deem necessary;

(3) make preliminary estimates of the maximum reasonable cost of such eligible construction;

(4) establish maximum allowable costs of specified units, fixtures or work in such eligible construction;

(5) require the submission of plans and specifications of such eligible construction before the commencement thereof;

(6) require physical access to inspect the eligible building; and

(7) on an annual basis, require the submission of leases for any dwelling unit in a building granted a certificate of eligibility and reasonable cost.

(p) Termination or revocation. Failure to comply with the provisions of this subdivision, any rules, regulations, and guidance documents promulgated thereunder, or any mutual company regulatory agreement or mutual redevelopment company regulatory agreement entered into thereunder, may result in termination or revocation of any rehabilitation program benefits retroactive to the commencement thereof. Such termination or revocation shall not exempt such eligible building from continued compliance with the requirements of this subdivision, such rules, regulations, and guidance documents, and such mutual company regulatory agreement or mutual redevelopment company regulatory agreement.

(q) Criminal liability for unauthorized uses. In the event that any recipient of rehabilitation program benefits uses any dwelling unit in such eligible building in violation of the requirements of any rules and regulations promulgated pursuant to this subdivision, such recipient shall be guilty of an unclassified misdemeanor punishable by a fine in an amount equivalent to double the value of the gain of such recipient from such unlawful use or imprisonment for not more than ninety days, or both.

(r) Private right of action. Any prospective, present, or former tenant of an eligible rental building may sue to enforce the requirements and prohibitions of this subdivision, or any rules and regulations promulgated thereunder, in the supreme court of New York. Any such individual harmed by reason of a violation of such requirements and prohibitions may sue therefor in the supreme court of New York on behalf of themselves, and shall recover threefold the damages sustained and the cost of the suit, including a reasonable attorney's fee. The local housing agency may use any court decision under this paragraph that is adverse to the owner of an eligible building as the basis for further

enforcement action. Notwithstanding any other provision of law, an action by a tenant of an eligible rental building under this paragraph shall be commenced within six years from the date of the latest violation.

(s) Appointment of receiver. In addition to the remedies for non-compliance provided for in subparagraph five of paragraph (e) of this subdivision, the local housing agency may make application for the appointment of a receiver in accordance with the procedures contained in applicable rules, regulations, and guidance documents of the local housing agency. Any receiver appointed pursuant to this paragraph shall be authorized, in addition to any other powers conferred by law, to effect compliance with the provisions of this subdivision and rules, regulations, and guidance documents of the local housing agency. Any expenditures incurred by the receiver to effect such compliance shall constitute a debt of the owner and a lien upon the property, and upon the rents and income thereof, in accordance with the procedures contained in such rules, regulations, and guidance documents. The local housing agency in its discretion may provide funds to be expended by the receiver, and such funds shall constitute a debt recoverable from the owner in accordance with applicable local laws or ordinances.

(t) Reporting. No later than two years after the effective date of this subdivision, and annually thereafter, the local housing agency, in consultation with the department of finance, shall submit to the mayor and the speaker of the council and post on its website a report on the actions by the local housing agency in the preceding fiscal year related to rehabilitation program benefits. Such report shall include, but not be limited to:

(1) The total amount of the rehabilitation program benefits approved for each eligible building, the number of eligible buildings in each community district, neighborhood tabulation area, council district, New York state assembly district, and New York state senate district, the building classification, in accordance with section three hundred two of the New York city building code, of each such eligible building, the number of dwelling units in each such eligible building, and the number of qualifying rental units in each such eligible building; and

(2) The number of eligible buildings whose rehabilitation program benefits were terminated or revoked and the number of eligible buildings against which actions were taken, pursuant to clauses (A), (B) and (C) of subparagraph five of paragraph (e) of this subdivision, to address noncompliance with the provisions of such subdivision, and the street address of each such eligible building.

(u) Updates to the certified reasonable cost schedule. When updating the certified reasonable cost schedule, the local housing agency shall consider the factors such agency deems relevant, such as the requirements imposed on eligible buildings by local law, including, but not limited to, articles three hundred two, three hundred twenty and three hundred twenty-one of chapter three of title twenty-eight of the administrative code of the city of New York, and the effects of inflation on such costs since the prior date the certified reasonable cost schedule was updated. The local housing agency shall publish the certified reasonable cost schedule on its website.

§ 2. This act shall take effect immediately.

PART P

Section 1. The penal law is amended by adding a new section 241.07 to read as follows:

**§ 241.07 Aggravated harassment of a rent regulated tenant.**

**An owner is guilty of aggravated harassment of a rent regulated tenant when:**

**1. With intent to induce two or more rent regulated tenants occupying different housing accommodations in two or more residential buildings to vacate such housing accommodations, such owner intentionally engages in a systematic ongoing course of conduct that:**

**(a) impairs the habitability of such housing accommodations; or**

**(b) creates or maintains a condition which endangers the safety or health of one or more of the dwellings' rent regulated tenants; or**

**(c) is reasonably likely to interfere with or disturb, and does interfere with or disturb, the comfort, repose, peace or quiet of one or more of such rent regulated tenants in their use and occupancy of such housing accommodation including, but not limited to, the interruption or discontinuance of essential services.**

**2. Such owner commits the crime of harassment of a rent regulated tenant in the first degree as defined in section 241.05 of this article and has previously been convicted within the preceding five years of such crime.**

**The good faith commencement and pursuit of a lawful eviction action by an owner against a rent regulated tenant in a court of competent jurisdiction shall not, by itself, constitute a "systematic ongoing course of conduct" in violation of paragraph (c) of subdivision one of this section.**

**Aggravated harassment of a rent regulated tenant is a class D felony.**

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

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

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through P of this act shall be as specifically set forth in the last section of such Parts.