

STATE OF NEW YORK

S. 9006

A. 10006

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

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

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; 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

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

LBD12672-01-6

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:

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

13 PART A

14 Section 1. Paragraph e of subdivision 1 of section 211-d of the educa-
15 tion law, as amended by section 1 of part A of chapter 56 of the laws of
16 2025, is amended to read as follows:

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

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

1 the district are identified as in good standing, shall submit a contract
2 for excellence for the two thousand twenty-two--two thousand twenty-
3 three school year which shall, notwithstanding the requirements of
4 subparagraph (vi) of paragraph a of subdivision two of this section,
5 provide for the expenditure of an amount which shall be not less than
6 the amount approved by the commissioner in the contract for excellence
7 for the two thousand twenty-one--two thousand twenty-two school year;
8 and provided further that, a school district that submitted a contract
9 for excellence for the two thousand twenty-two--two thousand twenty-
10 three school year, unless all schools in the district are identified as
11 in good standing, shall submit a contract for excellence for the two
12 thousand twenty-three--two thousand twenty-four school year which shall,
13 notwithstanding the requirements of subparagraph (vi) of paragraph a of
14 subdivision two of this section, provide for the expenditure of an
15 amount which shall be not less than the amount approved by the commis-
16 sioner in the contract for excellence for the two thousand twenty-two--
17 two thousand twenty-three school year; and provided further that, a
18 school district that submitted a contract for excellence for the two
19 thousand twenty-three--two thousand twenty-four school year, unless all
20 schools in the district are identified as in good standing, shall submit
21 a contract for excellence for the two thousand twenty-four--two thousand
22 twenty-five school year which shall, notwithstanding the requirements of
23 subparagraph (vi) of paragraph a of subdivision two of this section,
24 provide for the expenditure of an amount which shall be not less than
25 the amount approved by the commissioner in the contract for excellence
26 for the two thousand twenty-three--two thousand twenty-four school year;
27 and provided further that a school district that submitted a contract
28 for excellence for the two thousand twenty-four--two thousand twenty-
29 five school year, unless all schools in the district are identified as
30 in good standing, shall submit a contract for excellence for the two
31 thousand twenty-five--two thousand twenty-six school year which shall,
32 notwithstanding the requirements of subparagraph (vi) of paragraph a of
33 subdivision two of this section, provide for the expenditure of an
34 amount which shall be not less than the amount approved by the commis-
35 sioner in the contract for excellence for the two thousand twenty-four-
36 -two thousand twenty-five school year; and provided further that a
37 school district that submitted a contract for excellence for the two
38 thousand twenty-five--two thousand twenty-six school year, unless all
39 schools in the district are identified as in good standing, shall submit
40 a contract for excellence for the two thousand twenty-six--two thousand
41 twenty-seven school year which shall, notwithstanding the requirements
42 of subparagraph (vi) of paragraph a of subdivision two of this section,
43 provide for the expenditure of an amount which shall be not less than
44 the amount approved by the commissioner in the contract for excellence
45 for the two thousand twenty-five--two thousand twenty-six school year;
46 provided, however, that, in a city school district in a city having a
47 population of one million or more, notwithstanding the requirements of
48 subparagraph (vi) of paragraph a of subdivision two of this section, the
49 contract for excellence shall provide for the expenditure as set forth
50 in subparagraph (v) of paragraph a of subdivision two of this section.
51 For purposes of this paragraph, the "gap elimination adjustment percent-
52 age" shall be calculated as the sum of one minus the quotient of the sum
53 of the school district's net gap elimination adjustment for two thousand
54 ten--two thousand eleven computed pursuant to chapter fifty-three of the
55 laws of two thousand ten, making appropriations for the support of
56 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. Paragraph 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, is amended and four new paragraphs c-1, f, g, and h are added to read as follows:

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 prekin-

dergarten program all eligible four-year-old children whose parent or guardian applies to enroll such child in the district's universal pre-kindergarten 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

1 school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR
2 AIDS" in the school aid computer listing produced by the commissioner in
3 support of the budget for the two thousand nine--two thousand ten school
4 year and entitled "SA0910" or (2) the amount set forth for such school
5 district as "HIGH TAX AID" under the heading "2013-14 ESTIMATED AIDS" in
6 the school aid computer listing produced by the commissioner in support
7 of the executive budget for the 2013-14 fiscal year and entitled
8 "BT131-4".

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

14 § 34. This act shall take effect July 1, 2002; provided, that sections
15 one through twenty, twenty-four, and twenty-six through thirty of this
16 act shall expire and be deemed repealed June 30, [~~2026~~] 2030 provided,
17 further that subdivision 5-a of section 2576 of the education law, as
18 added by section five of this act, shall not expire therewith, and
19 provided, further, that notwithstanding any provision of article 5 of
20 the general construction law, on June 30, [~~2026~~] 2030 the provisions of
21 subdivisions 3, 5, and 8, paragraph b of subdivision 13, subdivision 14,
22 paragraphs b, d, and e of subdivision 15, and subdivisions 17 and 21 of
23 section 2554 of the education law as repealed by section three of this
24 act, subdivision 1 of section 2590-b of the education law as repealed by
25 section six of this act, paragraph (a) of subdivision 2 of section
26 2590-b of the education law as repealed by section seven of this act,
27 section 2590-c of the education law as repealed by section eight of this
28 act, paragraph c of subdivision 2 of section 2590-d of the education law
29 as repealed by section twenty-six of this act, subdivision 1 of section
30 2590-e of the education law as repealed by section twenty-seven of this
31 act, subdivision 28 of section 2590-h of the education law as repealed
32 by section twenty-eight of this act, subdivision 30 of section 2590-h of
33 the education law as repealed by section twenty-nine of this act, subdivi-
34 sion 30-a of section 2590-h of the education law as repealed by
35 section thirty of this act shall be revived and be read as such
36 provisions existed in law on the date immediately preceding the effec-
37 tive date of this act; provided, however, that sections seven and eight
38 of this act shall take effect on November 30, 2003; provided further
39 that the amendments to subdivision 25 of section 2554 of the education
40 law made by section two of this act shall be subject to the expiration
41 and reversion of such subdivision pursuant to section 12 of chapter 147
42 of the laws of 2001, as amended, when upon such date the provisions of
43 section four of this act shall take effect.

44 § 11. Subdivision 12 of section 17 of chapter 345 of the laws of 2009
45 amending the education law and other laws relating to the New York city
46 board of education, chancellor, community councils, and community super-
47 intendents, as amended by section 7 of part ZZ of chapter 56 of the laws
48 of 2024, is amended to read as follows:

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

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

1 a. State aid adjustments. All errors or omissions in the apportionment
2 shall be corrected by the commissioner. Whenever a school district has
3 been apportioned less money than that to which it is entitled, the
4 commissioner may allot to such district the balance to which it is enti-
5 tled. Whenever a school district has been apportioned more money than
6 that to which it is entitled, the commissioner may, by an order, direct
7 such moneys to be paid back to the state to be credited to the general
8 fund local assistance account for state aid to the schools, or may
9 deduct such amount from the next apportionment to be made to said
10 district, provided, however, that, upon notification of excess payments
11 of aid for which a recovery must be made by the state through deduction
12 of future aid payments, a school district may request that such excess
13 payments be recovered by deducting such excess payments from the
14 payments due to such school district and payable in the month of June in
15 (i) the school year in which such notification was received and (ii) the
16 two succeeding school years, provided further that there shall be no
17 interest penalty assessed against such district or collected by the
18 state. Such request shall be made to the commissioner in such form as
19 the commissioner shall prescribe, and shall be based on documentation
20 that the total amount to be recovered is in excess of one percent of the
21 district's total general fund expenditures for the preceding school
22 year. The amount to be deducted in the first year shall be the greater
23 of (i) the sum of the amount of such excess payments that is recognized
24 as a liability due to other governments by the district for the preced-
25 ing school year and the positive remainder of the district's unreserved
26 fund balance at the close of the preceding school year less the product
27 of the district's total general fund expenditures for the preceding
28 school year multiplied by five percent, or (ii) one-third of such excess
29 payments. The amount to be recovered in the second year shall equal the
30 lesser of the remaining amount of such excess payments to be recovered
31 or one-third of such excess payments, and the remaining amount of such
32 excess payments shall be recovered in the third year. Provided further
33 that, notwithstanding any other provisions of this subdivision, any
34 pending payment of moneys due to such district as a prior year adjust-
35 ment payable pursuant to paragraph c of this subdivision for aid claims
36 that had been previously paid as current year aid payments in excess of
37 the amount to which the district is entitled and for which recovery of
38 excess payments is to be made pursuant to this paragraph, shall be
39 reduced at the time of actual payment by any remaining unrecovered
40 balance of such excess payments, and the remaining scheduled deductions
41 of such excess payments pursuant to this paragraph shall be reduced by
42 the commissioner to reflect the amount so recovered. ~~[The commissioner~~
43 ~~shall certify no payment to a school district based on a claim submitted~~
44 ~~later than three years after the close of the school year in which such~~
45 ~~payment was first to be made. For claims for which payment is first to~~
46 ~~be made in the nineteen hundred ninety six--ninety seven school year,~~
47 ~~the commissioner shall certify no payment to a school district based on~~
48 ~~a claim submitted later than two years after the close of such school~~
49 ~~year.]~~ For claims for which payment is first to be made ~~[in the nineteen~~
50 ~~hundred ninety seven--ninety eight school year and thereafter]~~ prior to
51 the two thousand twenty-five--two thousand twenty-six school year, the
52 commissioner shall certify no payment to a school district based on a
53 claim submitted later than one year after the close of such school year.
54 For claims for which payment is first to be made in the two thousand
55 twenty-five--two thousand twenty-six school year and thereafter, the
56 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 inter-~~
~~ests of the district pursuant to guidelines developed by the commission-~~
~~er 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 subdivi-
sions six-a, eleven, thirteen and fifteen of section thirty-six hundred
two of this part, in excess of the payment computed based on an elec-
tronic 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 individual-
ized payments due prior to April first for the current year plus the
apportionment payable during the current school year pursuant to subdivi-
sion 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 subdivi-
sion eight of section forty-four hundred one of this chapter, less any
grants provided pursuant to subparagraph two-a of paragraph b of subdivi-
sion 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

1 shall not exceed 59.4 percent of the lesser of such approvable costs per
2 contact hour or fourteen dollars and ninety-five cents per contact hour,
3 reimbursement for the 2019--2020 school year shall not exceed 57.7
4 percent of the lesser of such approvable costs per contact hour or
5 fifteen dollars sixty cents per contact hour, reimbursement for the
6 2020--2021 school year shall not exceed 56.9 percent of the lesser of
7 such approvable costs per contact hour or sixteen dollars and twenty-
8 five cents per contact hour, reimbursement for the 2021--2022 school
9 year shall not exceed 56.0 percent of the lesser of such approvable
10 costs per contact hour or sixteen dollars and forty cents per contact
11 hour, reimbursement for the 2022--2023 school year shall not exceed 55.7
12 percent of the lesser of such approvable costs per contact hour or
13 sixteen dollars and sixty cents per contact hour, reimbursement for the
14 2023--2024 school year shall not exceed 54.7 percent of the lesser of
15 such approvable costs per contact hour or seventeen dollars and seventy
16 cents per contact hour, reimbursement for the 2024--2025 school year
17 shall not exceed 56.6 percent of the lesser of such approvable costs per
18 contact hour or eighteen dollars and seventy cents per contact hour,
19 [and] reimbursement for the 2025--2026 school year shall not exceed 58.2
20 percent of the lesser of such approvable costs per contact hour or nine-
21 teen dollars and fifty-five cents per contact hour, and reimbursement
22 for the 2026--2027 school year shall not exceed 59.3 percent of the
23 lesser of such approvable costs per contact hour or twenty-one dollars
24 and thirty cents per contact hour, and where a contact hour represents
25 sixty minutes of instruction services provided to an eligible adult.
26 Notwithstanding any other provision of law to the contrary, for the
27 2018--2019 school year such contact hours shall not exceed one million
28 four hundred sixty-three thousand nine hundred sixty-three (1,463,963);
29 for the 2019--2020 school year such contact hours shall not exceed one
30 million four hundred forty-four thousand four hundred forty-four
31 (1,444,444); for the 2020--2021 school year such contact hours shall not
32 exceed one million four hundred six thousand nine hundred twenty-six
33 (1,406,926); for the 2021--2022 school year such contact hours shall not
34 exceed one million four hundred sixteen thousand one hundred twenty-two
35 (1,416,122); for the 2022--2023 school year such contact hours shall not
36 exceed one million four hundred six thousand nine hundred twenty-six
37 (1,406,926); for the 2023--2024 school year such contact hours shall not
38 exceed one million three hundred forty-two thousand nine hundred seven-
39 ty-five (1,342,975); for the 2024--2025 school year such contact hours
40 shall not exceed one million two hundred twenty-eight thousand seven
41 hundred thirty-three (1,228,733); [and] for the 2025--2026 school year
42 such contact hours shall not exceed one million one hundred forty-three
43 thousand three hundred fifty-nine (1,143,359); and for the 2026--2027
44 school year such contact hours shall not exceed nine hundred ten thou-
45 sand five hundred thirty (910,530). Notwithstanding any other provision
46 of law to the contrary, the apportionment calculated for the city school
47 district of the city of New York pursuant to subdivision 11 of section
48 3602 of the education law shall be computed as if such contact hours
49 provided by the consortium for worker education, not to exceed the
50 contact hours set forth herein, were eligible for aid in accordance with
51 the provisions of such subdivision 11 of section 3602 of the education
52 law.

53 § 15. Section 4 of chapter 756 of the laws of 1992 relating to funding
54 a program for work force education conducted by the consortium for work-
55 er education in New York city is amended by adding a new subdivision ee
56 to read as follows:

1 ee. The provisions of this subdivision shall not apply after the
2 completion of payments for the 2026--2027 school year. Notwithstanding
3 any inconsistent provisions of law, the commissioner of education shall
4 withhold a portion of employment preparation education aid due to the
5 city school district of the city of New York to support a portion of the
6 costs of the work force education program. Such moneys shall be credited
7 to the elementary and secondary education fund-local assistance account
8 and shall not exceed eleven million five hundred thousand dollars
9 (\$11,500,000).

10 § 16. Section 6 of chapter 756 of the laws of 1992 relating to funding
11 a program for work force education conducted by the consortium for work-
12 er education in New York city, as amended by section 20 of part A of
13 chapter 56 of the laws of 2025, is amended to read as follows:

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

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

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

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

39 (1) "EXCEL project". An EXCEL project shall be certified by the
40 commissioner prior to December thirty-first, two thousand twenty-eight
41 and shall include, but not be limited to, the acquisition, design, plan-
42 ning, construction, reconstruction, rehabilitation, preservation, devel-
43 opment, improvement or modernization of an EXCEL school facility, where
44 such project:

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

48 § 5. This act shall take effect on the same date as a chapter of the
49 laws of 2006 enacting into law major components of legislation which are
50 necessary to implement the education, labor, and budget for the
51 2006-2007 state fiscal year, family assistance budget for the 2006-2007
52 state fiscal year, as proposed in legislative bill numbers S.6458-C and
53 A.9558-B, takes effect; provided, however, that sections two, three, and
54 four of this act shall expire and be deemed repealed on December 31,
55 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

1 on a chronological basis starting with the earliest payment due the
2 district.

3 § 23. Special apportionment for public pension accruals. 1. Notwith-
4 standing any other provision of law, upon application to the commission-
5 er of education, not later than June 30, 2027, a school district eligi-
6 ble for an apportionment pursuant to section 3602 of the education law
7 shall be eligible to receive an apportionment pursuant to this section,
8 for the school year ending June 30, 2027 and such apportionment shall
9 not exceed the additional accruals required to be made by school
10 districts in the 2004--2005 and 2005--2006 school years associated with
11 changes for such public pension liabilities. The amount of such addi-
12 tional accrual shall be certified to the commissioner of education by
13 the president of the board of education or the trustees or, in the case
14 of a city school district in a city with a population in excess of
15 125,000 inhabitants, the mayor of such city. Such application shall be
16 made by a school district, after the board of education or trustees have
17 adopted a resolution to do so and in the case of a city school district
18 in a city with a population in excess of 125,000 inhabitants, with the
19 approval of the mayor of such city.

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

36 3. Notwithstanding the provisions of section 3609-a of the education
37 law, an amount equal to the amount paid to a school district pursuant to
38 subdivisions 1 and 2 of this section shall first be deducted from the
39 following payments due the school district during the school year
40 following the year in which application was made pursuant to subpara-
41 graphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section
42 3609-a of the education law in the following order: the lottery appor-
43 tionment payable pursuant to subparagraph 2 of such paragraph followed
44 by the fixed fall payments payable pursuant to subparagraph 4 of such
45 paragraph and then followed by the district's payments to the teachers'
46 retirement system pursuant to subparagraph 1 of such paragraph, and any
47 remainder to be deducted from the individualized payments due the
48 district pursuant to paragraph b of such subdivision shall be deducted
49 on a chronological basis starting with the earliest payment due the
50 district.

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

54 1. for the development, maintenance or expansion of magnet schools or
55 magnet school programs for the 2026--2027 school year. For the city
56 school district of the city of New York there shall be a set-aside of

1 foundation aid equal to forty-eight million one hundred seventy-five
2 thousand dollars (\$48,175,000) including five hundred thousand dollars
3 (\$500,000) for the Andrew Jackson High School; for the Buffalo city
4 school district, twenty-one million twenty-five thousand dollars
5 (\$21,025,000); for the Rochester city school district, fifteen million
6 dollars (\$15,000,000); for the Syracuse city school district, thirteen
7 million dollars (\$13,000,000); for the Yonkers city school district,
8 forty-nine million five hundred thousand dollars (\$49,500,000); for the
9 Newburgh city school district, four million six hundred forty-five thou-
10 sand dollars (\$4,645,000); for the Poughkeepsie city school district,
11 two million four hundred seventy-five thousand dollars (\$2,475,000); for
12 the Mount Vernon city school district, two million dollars (\$2,000,000);
13 for the New Rochelle city school district, one million four hundred ten
14 thousand dollars (\$1,410,000); for the Schenectady city school district,
15 one million eight hundred thousand dollars (\$1,800,000); for the Port
16 Chester city school district, one million one hundred fifty thousand
17 dollars (\$1,150,000); for the White Plains city school district, nine
18 hundred thousand dollars (\$900,000); for the Niagara Falls city school
19 district, six hundred thousand dollars (\$600,000); for the Albany city
20 school district, three million five hundred fifty thousand dollars
21 (\$3,550,000); for the Utica city school district, two million dollars
22 (\$2,000,000); for the Beacon city school district, five hundred sixty-
23 six thousand dollars (\$566,000); for the Middletown city school
24 district, four hundred thousand dollars (\$400,000); for the Freeport
25 union free school district, four hundred thousand dollars (\$400,000);
26 for the Greenburgh central school district, three hundred thousand
27 dollars (\$300,000); for the Amsterdam city school district, eight
28 hundred thousand dollars (\$800,000); for the Peekskill city school
29 district, two hundred thousand dollars (\$200,000); and for the Hudson
30 city school district, four hundred thousand dollars (\$400,000).

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

40 3. The commissioner of education shall not be authorized to withhold
41 foundation aid from a school district that used such funds in accordance
42 with this paragraph, notwithstanding any inconsistency with a request
43 for proposals issued by such commissioner for the purpose of attendance
44 improvement and dropout prevention for the 2026--2027 school year, and
45 for any city school district in a city having a population of more than
46 one million, the set-aside for attendance improvement and dropout
47 prevention shall equal the amount set aside in the base year. For the
48 2026--2027 school year, it is further provided that any city school
49 district in a city having a population of more than one million shall
50 allocate at least one-third of any increase from base year levels in
51 funds set aside pursuant to the requirements of this section to communi-
52 ty-based organizations. Any increase required pursuant to this section
53 to community-based organizations must be in addition to allocations
54 provided to community-based organizations in the base year.

55 4. For the purpose of teacher support for the 2026--2027 school year:
56 for the city school district of the city of New York, sixty-two million

1 seven hundred seven thousand dollars (\$62,707,000); for the Buffalo city
2 school district, one million seven hundred forty-one thousand dollars
3 (\$1,741,000); for the Rochester city school district, one million seven-
4 ty-six thousand dollars (\$1,076,000); for the Yonkers city school
5 district, one million one hundred forty-seven thousand dollars
6 (\$1,147,000); and for the Syracuse city school district, eight hundred
7 nine thousand dollars (\$809,000). All funds made available to a school
8 district pursuant to this section shall be distributed among teachers
9 including prekindergarten teachers and teachers of adult vocational and
10 academic subjects in accordance with this section and shall be in addi-
11 tion to salaries heretofore or hereafter negotiated or made available;
12 provided, however, that all funds distributed pursuant to this section
13 for the current year shall be deemed to incorporate all funds distrib-
14 uted pursuant to former subdivision 27 of section 3602 of the education
15 law for prior years. In school districts where the teachers are repres-
16 ented by certified or recognized employee organizations, all salary
17 increases funded pursuant to this section shall be determined by sepa-
18 rate collective negotiations conducted pursuant to the provisions and
19 procedures of article 14 of the civil service law, notwithstanding the
20 existence of a negotiated agreement between a school district and a
21 certified or recognized employee organization.

22 § 25. Support of public libraries. The moneys appropriated for the
23 support of public libraries by a chapter of the laws of 2026 enacting
24 the aid to localities budget shall be apportioned for the 2026--2027
25 state fiscal year in accordance with the provisions of sections 271,
26 272, 273, 282, 284, and 285 of the education law as amended by the
27 provisions of such chapter and the provisions of this section, provided
28 that library construction aid pursuant to section 273-a of the education
29 law shall not be payable from the appropriations for the support of
30 public libraries and provided further that no library, library system or
31 program, as defined by the commissioner of education, shall receive less
32 total system or program aid than it received for the year 2001--2002
33 except as a result of a reduction adjustment necessary to conform to the
34 appropriations for support of public libraries.

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

44 § 26. Severability. The provisions of this act shall be severable, and
45 if the application of any clause, sentence, paragraph, subdivision,
46 section or part of this act to any person or circumstance shall be
47 adjudged by any court of competent jurisdiction to be invalid, such
48 judgment shall not necessarily affect, impair or invalidate the applica-
49 tion of any such clause, sentence, paragraph, subdivision, section, or
50 part of this act or remainder thereof, as the case may be, to any other
51 person or circumstance, but shall be confined in its operation to the
52 clause, sentence, paragraph, subdivision, section or part thereof
53 directly involved in the controversy in which such judgment shall have
54 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 certifies 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

1 New York board of trustees shall be empowered to annually impose differ-
2 ential tuition rates on non-resident undergraduate and graduate rates of
3 tuition for senior colleges, provided that such rates are competitive
4 with the rates of tuition charged by peer institutions and that the
5 board of trustees annually provide the reason and methodology behind any
6 rate increase to the governor, the temporary president of the senate,
7 and the speaker of the assembly prior to the approval of such increases.

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

14 PART F

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

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

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

45 5. The corporation shall convert to a student loan the full amount of
46 the award granted pursuant to this section, plus interest, according to
47 a schedule to be determined by the corporation if: (a) two years after
48 the completion of the degree program and receipt of initial certif-
49 ication it is found that a recipient is ~~[not]~~ neither teaching in a
50 public school located within New York state providing elementary or
51 secondary education recognized by the board of regents or the university
52 of the state of New York, including charter schools authorized pursuant
53 to article fifty-six of this chapter, nor employed by an eligible agency
54 as defined by paragraph b of subdivision one of section thirty-six

1 hundred two-e of this chapter; (b) a recipient has ~~[not]~~ neither taught
2 in a public school located within New York state providing elementary or
3 secondary education recognized by the board of regents or the university
4 of the state of New York, including charter schools authorized pursuant
5 to article fifty-six of this chapter, nor been employed by an eligible
6 agency as defined by paragraph b of subdivision one of section thirty-
7 six hundred two-e of this chapter, for five of the seven years after the
8 completion of the graduate degree program and receipt of initial certif-
9 ication; (c) a recipient fails to complete ~~[his or her]~~ their graduate
10 degree program in education; (d) a recipient fails to receive or main-
11 tain ~~[his or her]~~ their teaching certificate or license in New York
12 state for the required period; or (e) a recipient fails to respond to
13 requests by the corporation for the status of ~~[his or her]~~ their academ-
14 ic or professional progress. The terms and conditions of this subdivi-
15 sion shall be deferred for any interruption in graduate study or employ-
16 ment as established by the rules and regulations of the corporation. Any
17 obligation to comply with such provisions as outlined in this section
18 shall be cancelled upon the death of the recipient. Notwithstanding any
19 provisions of this subdivision to the contrary, the corporation is
20 authorized to promulgate rules and regulations to provide for the waiver
21 or suspension of any financial obligation which would involve extreme
22 hardship.

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

24 PART G

25 Section 1. Section 97-v of the state finance law, as added by chapter
26 851 of the laws of 1983 and subdivision 3 as amended by chapter 83 of
27 the laws of 1995, is amended to read as follows:

28 § 97-v. New York state ~~[musical instrument revolving]~~ music grant
29 fund. 1. There is hereby established in the custody of the state comp-
30 troller, a special fund to be known as the "New York state ~~[musical~~
31 ~~instrument revolving]~~ music grant fund".

32 2. The fund shall consist of all monies appropriated for its purpose,
33 all monies transferred to such fund pursuant to law and all monies
34 required by the provisions of this section or any other law to be paid
35 into or credited to this fund, including all monies received by the fund
36 or donated to it. The total of monies deposited as a result of appropri-
37 ations from state funds into this fund shall not exceed the sum of five
38 hundred thousand dollars. Monies in the fund shall be kept separate and
39 shall not be commingled with any other monies otherwise appropriated or
40 received except as hereby provided.

41 3. Monies of the fund, when allocated, shall be available to the New
42 York state council on the arts for the purpose of providing assistance,
43 excluding administrative costs, for ~~[the loan, lease and purchase of~~
44 ~~musical instruments and other related property and equipment, as herein~~
45 ~~provided, by]~~ grants to not-for-profit symphony orchestras and/or other
46 not-for-profit musical entities incorporated in the state and organized
47 for the purpose of the presentation of performing arts for the benefit
48 of the public and which have been approved pursuant to guidelines estab-
49 lished by the council. Such monies shall also be available for adminis-
50 trative costs of the council pursuant to approval by the director of the
51 budget. ~~[Notwithstanding any other inconsistent provisions of this chap-~~
52 ~~ter, should the council determine that there is a compelling need for~~
53 ~~the loan, lease or purchase of property or equipment other than musical~~
54 ~~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.~~

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

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

16 ~~10.]~~ 5. No monies shall be payable from this fund, except on the audit
17 and warrant of the comptroller on vouchers certified and submitted by
18 the ~~[chairman of the]~~ state council on the arts.

19 § 2. This act shall take effect immediately.

20 PART H

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

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

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

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

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

42 (a) The office of children and family services shall promulgate regu-
43 lations requiring operators, program directors, employees ~~[and]~~, assist-
44 ants, and volunteers who have the potential for regular and substantial
45 contact with children, of family day care homes, group family day care
46 homes, school-age child care programs and child day care centers to
47 receive pre-service and annual training, as applicable. ~~[Provided howev-~~
48 ~~er that such providers shall be required to receive thirty hours of~~
49 ~~training every two years; provided, however, any individual or provider~~
50 ~~who is already in compliance with this subdivision, prior to the effec-~~
51 ~~tive date of the chapter of the laws of two thousand nineteen that~~
52 ~~amended this subdivision, shall only be required to complete any addi-~~
53 ~~tional federal training requirements which they have not already~~
54 ~~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

1 mother. This subdivision shall not be construed to prevent the payment
2 by an adoptive parent, as defined in section one hundred nine of the
3 domestic relations law, of the birth mother's reasonable and actual
4 expenses for housing, maternity clothing, clothing for the child and
5 transportation for a reasonable period not to exceed [~~sixty~~] one hundred
6 eighty days prior to the birth and the later of [~~thirty~~] forty-five days
7 after the birth or [~~thirty~~] forty-five days after the parental consent
8 to the adoption, unless a court determines, in writing, that [~~excep-~~
9 ~~tional~~] circumstances exist which require the payment of the birth moth-
10 er's expenses beyond the time periods stated in this sentence. This
11 subdivision shall not be construed to prevent the payment by an adoptive
12 parent, as defined in section one hundred nine of the domestic relations
13 law, of reasonable and actual legal fees charged for consultation and
14 legal advice, preparation of papers and representation and other legal
15 services rendered in connection with an adoption proceeding or of neces-
16 sary disbursements incurred for or in an adoption proceeding. No attor-
17 ney or law firm shall serve as the attorney for, or provide any legal
18 services to both the birth parent and adoptive parent in regard to the
19 placing out of a child for adoption or in an adoption proceeding. No
20 attorney or law firm shall serve as the attorney for, or provide any
21 legal services to, both an authorized agency and adoptive parent or both
22 an authorized agency and birth parent where the authorized agency
23 provides adoption services to such birth parent or adoptive parent,
24 where the authorized agency provides foster care for the child, or where
25 the authorized agency is directly or indirectly involved in the placing
26 out of such child for adoption.

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

32 PART J

33 Section 1. Subdivision 6 of section 3502 of the public health law, as
34 added by chapter 313 of the laws of 2018, subparagraph (i) of paragraph
35 (a) as amended by chapter 486 of the laws of 2022, and subparagraphs
36 (ii) and (iii) of paragraph (a), paragraph (b), subparagraphs (i), (ii),
37 (iii) and (v) of paragraph (c), paragraph (e), and the opening paragraph
38 and subparagraphs (i) and (ii) of paragraph (f) as amended by section 1
39 of part LL of chapter 56 of the laws of 2023, is amended to read as
40 follows:

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

52 (ii) Notwithstanding the provisions of this section or any other
53 provision of law, rule or regulation to the contrary, licensed practi-
54 tioners, persons licensed under this article and unlicensed personnel

1 employed at a state correctional facility or facility for youth placed
2 with or committed to the office of children and family services may, in
3 a manner permitted by the regulations promulgated pursuant to this
4 subdivision, utilize body imaging scanning equipment that applies ioniz-
5 ing radiation to humans for purposes of screening individuals detained
6 in, committed to, visiting, or employed in such facility, in connection
7 with the implementation of such facility's security program.

8 (iii) The utilization of such body imaging scanning equipment shall be
9 in accordance with regulations promulgated by the department, or for
10 local correctional facilities in cities having a population of two
11 million or more, such utilization shall be in accordance with regu-
12 lations promulgated by the New York city department of health and mental
13 hygiene. The state commission of correction, in consultation with the
14 department of corrections and community supervision and the office of
15 children and family services, shall promulgate regulations establishing
16 when body imaging scanning equipment will be used to screen visitors and
17 ~~[incarcerated]~~ individuals detained in or committed to state correction-
18 al facilities, secure or specialized secure detention facilities, or
19 facilities for youth placed with or committed to the office of children
20 and family services. Such regulations shall include provisions estab-
21 lishing that alternative methods of screening may be used to accommodate
22 individuals who decline or are unable to be screened by body imaging
23 scanning equipment for medical reasons and that alternative methods of
24 screening may be used to accommodate individuals who decline to be
25 screened for other reasons, unless security considerations warrant
26 otherwise. Such regulations shall also ensure that no person shall be
27 subjected to any form of harassment, intimidation, or disciplinary
28 action for choosing to be searched by an alternative method of screening
29 in lieu of body imaging scanning.

30 The department of corrections and community supervision and the office
31 of children and family services shall promulgate regulations establish-
32 ing when body imaging scanning equipment will be used to screen employ-
33 ees of the department of corrections and community supervision and the
34 office of children and family services, provided, however that such
35 regulations shall be consistent with the policies and procedures of the
36 department of corrections and community supervision and the office of
37 children and family services governing the search of employees. Such
38 regulations shall include provisions establishing that alternative meth-
39 ods of screening may be used to accommodate individuals who decline or
40 are unable to be screened by body imaging scanning equipment for medical
41 or other reasons. Such regulations shall also ensure that no person
42 shall be subjected to any form of harassment, intimidation, or discipli-
43 nary action for choosing to be searched by an alternative method of
44 screening in lieu of body imaging scanning. An employee's request to be
45 searched by an alternative method of screening in lieu of body imaging
46 scanning shall not, in itself, be grounds for disciplinary action
47 against such employee.

48 (b) Prior to establishing, maintaining or operating any body imaging
49 scanning equipment in a state or local correctional facility, ~~[any body~~
50 ~~imaging scanning equipment]~~ secure or specialized secure detention
51 facility, or facility for youth placed with or committed to the office
52 of children and family services, the chief administrative officer of the
53 facility shall ensure that such facility is in compliance with the regu-
54 lations promulgated pursuant to this subdivision and otherwise applica-
55 ble requirements for the installation, registration, maintenance, opera-
56 tion 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

1 with or committed to the office of children and family services, the
2 department of corrections and community supervision or the office of
3 children and family services, as applicable, shall submit an annual
4 report to the department, the speaker of the assembly, and the temporary
5 president of the senate. Such report by ~~[either]~~ the local government
6 agency ~~[or]~~, the department of corrections and community supervision or
7 the office of children and family services shall be submitted within
8 eighteen months after the initial date of registration of such equipment
9 with the department, and annually thereafter, and shall contain the
10 following information as to each such facility:

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

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

30 (iii) the number of times the use of the equipment detected the pres-
31 ence of drug contraband, weapon contraband, and any other illegal or
32 impermissible object or substance;

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

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

36 § 2. This act shall take effect on the one hundred twentieth day after
37 it shall have become a law; provided, however, that the amendments to
38 subdivision 6 of section 3502 of the public health law made by section
39 one of this act shall not affect the repeal of such subdivision and
40 shall be deemed repealed therewith. Effective immediately, the addition,
41 amendment and/or repeal of any rule or regulation necessary for the
42 implementation of this act on its effective date are authorized to be
43 made and completed on or before such effective date.

44 PART K

45 Section 1. Section 3 of part N of chapter 56 of the laws of 2020,
46 amending the social services law relating to restructuring financing for
47 residential school placements, as amended by section 1 of part 0 of
48 chapter 56 of the laws of 2025, is amended to read as follows:

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

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

3 PART L

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

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

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

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

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

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

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

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

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

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

39 (c) On and after January first, two thousand [~~twenty-five~~] twenty-six,
40 (i) for an eligible individual receiving family care, [~~\$1,233.48~~]
41 \$1,260.48 if such individual is receiving such care in the city of New
42 York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii)
43 for an eligible couple receiving family care in the city of New York or
44 the county of Nassau, Suffolk, Westchester or Rockland, two times the
45 amount set forth in subparagraph (i) of this paragraph; or (iii) for an
46 eligible individual receiving such care in any other county in the
47 state, [~~\$1,195.48~~] \$1,222.48; and (iv) for an eligible couple receiving
48 such care in any other county in the state, two times the amount set
49 forth in subparagraph (iii) of this paragraph.

50 (d) On and after January first, two thousand [~~twenty-five~~] twenty-six,
51 (i) for an eligible individual receiving residential care, [~~\$1,402.00~~]
52 \$1,429.00 if such individual is receiving such care in the city of New
53 York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii)
54 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

1 certified by the state of New York mortgage agency for the fiscal year
2 2025-2026 in accordance with section 2429-b of the public authorities
3 law, if any, and/or (ii) provided that the reserves in the project pool
4 insurance account of the mortgage insurance fund created pursuant to
5 section 2429-b of the public authorities law are sufficient to attain
6 and maintain the credit rating (as determined by the state of New York
7 mortgage agency) required to accomplish the purposes of such account,
8 the project pool insurance account of the mortgage insurance fund, such
9 transfer to be made as soon as practicable but no later than June 30,
10 2026.

11 § 3. Notwithstanding any other provision of law, the housing trust
12 fund corporation may provide, for purposes of the rural rental assist-
13 ance program pursuant to article 17-A of the private housing finance
14 law, a sum not to exceed \$25,382,000 for the fiscal year ending March
15 31, 2027. Notwithstanding any other provision of law, and subject to
16 the approval of the New York state director of the budget, the board of
17 directors of the state of New York mortgage agency shall authorize the
18 transfer to the housing trust fund corporation, for the purposes of
19 reimbursing any costs associated with rural rental assistance program
20 contracts authorized by this section, a total sum not to exceed
21 \$25,382,000, such transfer to be made from (i) the special account of
22 the mortgage insurance fund created pursuant to section 2429-b of the
23 public authorities law, in an amount not to exceed the actual excess
24 balance in the special account of the mortgage insurance fund, as deter-
25 mined and certified by the state of New York mortgage agency for the
26 fiscal year 2025-2026 in accordance with section 2429-b of the public
27 authorities law, if any, and/or (ii) provided that the reserves in the
28 project pool insurance account of the mortgage insurance fund created
29 pursuant to section 2429-b of the public authorities law are sufficient
30 to attain and maintain the credit rating, as determined by the state of
31 New York mortgage agency, required to accomplish the purposes of such
32 account, the project pool insurance account of the mortgage insurance
33 fund, such transfer shall be made as soon as practicable but no later
34 than June 30, 2026.

35 § 4. Notwithstanding any other provision of law, the homeless housing
36 and assistance corporation may provide, for purposes of the New York
37 state supportive housing program, the solutions to end homelessness
38 program or the operational support for AIDS housing program, or to qual-
39 ified grantees under such programs, in accordance with the requirements
40 of such programs, a sum not to exceed \$74,181,000 for the fiscal year
41 ending March 31, 2027. The homeless housing and assistance corporation
42 may enter into an agreement with the office of temporary and disability
43 assistance to administer such sum in accordance with the requirements of
44 such programs. Notwithstanding any other provision of law, and subject
45 to the approval of the New York state director of the budget, the board
46 of directors of the state of New York mortgage agency shall authorize
47 the transfer to the homeless housing and assistance corporation, a total
48 sum not to exceed \$74,181,000, such transfer to be made from (i) the
49 special account of the mortgage insurance fund created pursuant to
50 section 2429-b of the public authorities law, in an amount not to exceed
51 the actual excess balance in the special account of the mortgage insur-
52 ance fund, as determined and certified by the state of New York mortgage
53 agency for the fiscal year 2025-2026 in accordance with section 2429-b
54 of the public authorities law, if any, and/or (ii) provided that the
55 reserves in the project pool insurance account of the mortgage insurance
56 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:

1 (A) every physical operation undertaken for the purpose of all eligi-
2 ble construction has concluded; and

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

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

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

11 (B) contains at least one room; and

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

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

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

20 (A) are specifically identified on the certified reasonable cost sche-
21 dule;

22 (B) meet the minimum scope of work threshold;

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

26 (D) are not attributable to any increased cubic content in such eligi-
27 ble building.

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

30 (A) is a class A multiple dwelling operated as condominium or cooper-
31 ative housing;

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

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

36 (13) "Eligible regulated homeownership building" shall mean an exist-
37 ing building that is a class A multiple dwelling owned and operated by
38 either:

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

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

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

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

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

49 (C) satisfies one of the following conditions:

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

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

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

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

1 (A) is permanently affixed to the land;
2 (B) has one or more floors and a roof;
3 (C) is bounded by walls;
4 (D) has at least one principal entrance utilized for day-to-day pedestrian ingress and egress;

5
6 (E) has a certificate of occupancy or equivalent document that is in effect prior to the commencement date; and

7
8 (F) exclusive of the land, has an assessed valuation of more than one thousand dollars for the fiscal year immediately preceding the commencement date.

9
10
11 (16) "Homeownership average assessed valuation limitation" shall mean an average assessed valuation of sixty thousand dollars per dwelling unit.

12
13 (17) "Limited-profit housing company" shall have the same meaning as "company" as defined in section twelve of the private housing finance law.

14
15 (18) "Market rental unit" shall mean a dwelling unit in an eligible rental building other than an affordable rental unit.

16
17 (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.

18
19 (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.

20
21 (21) "Multiple dwelling" shall have the meaning as such term is defined in section four of the multiple dwelling law.

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

24
25 (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.

26
27 (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.

28
29 (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.

30
31 (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:
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

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

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

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

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

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

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

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

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

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

39 (b) Abatement. Notwithstanding the provisions of any other subdivision
40 of this section or of any general, special, or local law to the contra-
41 ry, in a city with a population of one million persons or more, real
42 property taxes on an eligible building in which eligible construction
43 has been completed may be abated by an aggregate amount that shall not
44 exceed one hundred percent of the total certified reasonable cost of
45 such construction, as determined under rules, regulations, and guidance
46 documents of the local housing agency, provided that:

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

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

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

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

3 (B) an eligible homeownership building; and

4 (C) an eligible regulated homeownership building; and

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

8 (c) Guidance and rulemaking. Each agency or department to which func-
9 tions are assigned by this subdivision may adopt and promulgate rules,
10 regulations, and guidance documents for the effectuation of the purpose
11 of this subdivision.

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

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

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

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

36 (5) The failure of an applicant to respond to any checklist within
37 thirty days of the date of its issuance by the local housing agency
38 shall result in denial of such application, and no further applications
39 for the same eligible construction shall be permitted. The local housing
40 agency shall issue not more than three checklists per application. An
41 application for a certificate of eligibility and reasonable cost shall
42 be denied when the local housing agency does not have a sufficient basis
43 to issue a certificate of eligibility and reasonable cost after the
44 timely response of an applicant to the third checklist concerning such
45 application. After the local housing agency has denied an application
46 for the reason described in the preceding sentence, such agency shall
47 permit no further applications for the same eligible construction.

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

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

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

54 (ii) a statement that none of such persons had, within the five years
55 prior to the completion date, been found to have harassed or unlawfully
56 evicted tenants by judgment or determination of a court or agency,

1 including a non-governmental agency having appropriate legal jurisdic-
2 tion under the penal law, any state or local law regulating rents, or
3 any state or local law relating to harassment of tenants or unlawful
4 eviction.

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

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

9 (ii) any such affidavit contains a willful misrepresentation or omis-
10 sion of any material fact; or

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

20 (C) Notwithstanding the provisions of any general, special, or local
21 law to the contrary, the corporation counsel or other legal represen-
22 tative of a city having a population of one million or more or the
23 district attorney of any county located in a city with a population of
24 one million or more, may institute an action or proceeding in any court
25 of competent jurisdiction that may be appropriate or necessary to deter-
26 mine whether any owner of record or owner of a substantial interest in
27 the eligible building or entity owning the eligible building or sponsor-
28 ing the eligible construction has harassed or unlawfully evicted tenants
29 as described in this subparagraph.

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

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

40 (e) Additional requirements for an eligible rental building other than
41 one owned and operated by a limited-profit housing company. In addition
42 to all other conditions of eligibility for rehabilitation program bene-
43 fits set forth in this subdivision, an eligible rental building, other
44 than one owned and operated by a limited-profit housing company, shall
45 also comply with all provisions of this paragraph. Notwithstanding the
46 foregoing, an eligible rental building that is the recipient of substan-
47 tial governmental assistance shall not be required to comply with the
48 provisions of subparagraph two of this paragraph.

49 (1) Notwithstanding any provision of rent regulation to the contrary,
50 any market rental unit within such eligible rental building subject to
51 rent regulation as of the filing date of the application for a certifi-
52 cate of eligibility and reasonable cost and any affordable rental unit
53 within such eligible rental building shall be subject to rent regulation
54 until such unit first becomes vacant after the expiration of the
55 restriction period at which time such unit, unless it would be subject
56 to rent regulation for reasons other than the provisions of this subdivi-

1 vision, shall be deregulated, provided, however, that during the
2 restriction period, no exemption or exclusion from any requirement of
3 rent regulation shall apply to such dwelling units.

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

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

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

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

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

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

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

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

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

41 (A) extend the restriction period;

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

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

47 (D) terminate or revoke any rehabilitation program benefits in accord-
48 ance with paragraph (m) of this subdivision.

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

55 (g) Tenant notification. Notwithstanding any provision of this section
56 to the contrary, no rehabilitation program benefits shall be granted for

1 any eligible construction with a commencement date on or after the
2 effective date of this subdivision unless the applicant provides to
3 tenants, if any, of such eligible building not more than one hundred
4 eighty days nor less than thirty days prior to the commencement date,
5 notice of the following information:

6 (1) The proposed work;

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

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

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

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

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

20 (3) Estimates the cost of such work which will be eligible for reha-
21 bilitation program benefits; and

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

30 (i) Implementation of rehabilitation program benefits. Upon issuance
31 of a certificate of eligibility and reasonable cost and payment of
32 outstanding fees, the local housing agency shall be authorized to trans-
33 mit such certificate of eligibility and reasonable cost to the local
34 agency responsible for real property tax assessment. Upon receipt of a
35 certificate of eligibility and reasonable cost, the local agency respon-
36 sible for real property tax assessment shall certify the amount of taxes
37 to be abated pursuant to paragraph (b) of this subdivision and pursuant
38 to such certificate of eligibility and reasonable cost provided by the
39 local housing agency.

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

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

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

51 (k) Additional limitations on eligibility. (1) Rehabilitation program
52 benefits shall not be allowed for any eligible building receiving tax
53 exemption or abatement concurrently for rehabilitation or new
54 construction under any other provision of state or local law or ordi-
55 nance, including any other subdivision of this section, with the excep-
56 tion of any eligible construction to an eligible building receiving a

1 tax exemption or abatement under the provisions of the private housing
2 finance law;

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

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

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

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

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

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

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

49 (1) administer oaths to and take the testimony of any person, includ-
50 ing, but not limited to, the owner of such eligible building;

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

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

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

3 (5) require the submission of plans and specifications of such eligi-
4 ble construction before the commencement thereof;

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

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

9 (p) Termination or revocation. Failure to comply with the provisions
10 of this subdivision, any rules, regulations, and guidance documents
11 promulgated thereunder, or any mutual company regulatory agreement or
12 mutual redevelopment company regulatory agreement entered into there-
13 under, may result in termination or revocation of any rehabilitation
14 program benefits retroactive to the commencement thereof. Such termi-
15 nation or revocation shall not exempt such eligible building from
16 continued compliance with the requirements of this subdivision, such
17 rules, regulations, and guidance documents, and such mutual company
18 regulatory agreement or mutual redevelopment company regulatory agree-
19 ment.

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

28 (r) Private right of action. Any prospective, present, or former
29 tenant of an eligible rental building may sue to enforce the require-
30 ments and prohibitions of this subdivision, or any rules and regulations
31 promulgated thereunder, in the supreme court of New York. Any such indi-
32 vidual harmed by reason of a violation of such requirements and prohibi-
33 tions may sue therefor in the supreme court of New York on behalf of
34 themselves, and shall recover threefold the damages sustained and the
35 cost of the suit, including a reasonable attorney's fee. The local hous-
36 ing agency may use any court decision under this paragraph that is
37 adverse to the owner of an eligible building as the basis for further
38 enforcement action. Notwithstanding any other provision of law, an
39 action by a tenant of an eligible rental building under this paragraph
40 shall be commenced within six years from the date of the latest
41 violation.

42 (s) Appointment of receiver. In addition to the remedies for non-com-
43 pliance provided for in subparagraph five of paragraph (e) of this
44 subdivision, the local housing agency may make application for the
45 appointment of a receiver in accordance with the procedures contained in
46 applicable rules, regulations, and guidance documents of the local hous-
47 ing agency. Any receiver appointed pursuant to this paragraph shall be
48 authorized, in addition to any other powers conferred by law, to effect
49 compliance with the provisions of this subdivision and rules, regu-
50 lations, and guidance documents of the local housing agency. Any expend-
51 itures incurred by the receiver to effect such compliance shall consti-
52 tute a debt of the owner and a lien upon the property, and upon the
53 rents and income thereof, in accordance with the procedures contained in
54 such rules, regulations, and guidance documents. The local housing agen-
55 cy in its discretion may provide funds to be expended by the receiver,

1 and such funds shall constitute a debt recoverable from the owner in
2 accordance with applicable local laws or ordinances.

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

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

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

24 (u) Updates to the certified reasonable cost schedule. When updating
25 the certified reasonable cost schedule, the local housing agency shall
26 consider the factors such agency deems relevant, such as the require-
27 ments imposed on eligible buildings by local law, including, but not
28 limited to, articles three hundred two, three hundred twenty and three
29 hundred twenty-one of chapter three of title twenty-eight of the admin-
30 istrative code of the city of New York, and the effects of inflation on
31 such costs since the prior date the certified reasonable cost schedule
32 was updated. The local housing agency shall publish the certified
33 reasonable cost schedule on its website.

34 § 2. This act shall take effect immediately.

35 PART P

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

38 § 241.07 Aggravated harassment of a rent regulated tenant.

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

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

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

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

48 (c) is reasonably likely to interfere with or disturb, and does inter-
49 fere with or disturb, the comfort, repose, peace or quiet of one or more
50 of such rent regulated tenants in their use and occupancy of such hous-
51 ing accommodation including, but not limited to, the interruption or
52 discontinuance of essential services.

53 2. Such owner commits the crime of harassment of a rent regulated
54 tenant in the first degree as defined in section 241.05 of this article

1 and has previously been convicted within the preceding five years of
2 such crime.

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

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

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

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

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