

# STATE OF NEW YORK

11603

## IN ASSEMBLY

June 5, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Hyndman) --  
read once and referred to the Committee on Labor

AN ACT to amend the public buildings law and the labor law, in relation  
to prevailing wage requirements applicable to leasehold improvements  
in state leases

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

1 Section 1. Subdivision 12 of section 3 of the public buildings law, as  
2 amended by section 47 of part T of chapter 57 of the laws of 2007, is  
3 amended to read as follows:  
4 12. Lease from time to time buildings, rooms or premises in the county  
5 of Albany, and elsewhere as required, for providing space for depart-  
6 ments, commissions, boards and officers of the state government, upon  
7 such terms and conditions as [~~he or she~~] such commissioner deems most  
8 advantageous to the state. Any such lease shall, however, be for a term  
9 not exceeding ten years, except that, the commissioner of general  
10 services may enter into leases for a term not exceeding fifteen years  
11 when, in the judgment of such commissioner, such longer term is in the  
12 best interests of the state. Any such lease may provide for optional  
13 renewals on the part of the state, for terms of ten years or less. Each  
14 such lease shall contain a clause stating that the contract of the state  
15 thereunder shall be deemed executory only to the extent of moneys avail-  
16 able therefor and that no liability shall be incurred by the state  
17 beyond the money available for such purpose. Each such lease shall  
18 contain a clause requiring compliance with section two hundred twenty-  
19 four-g of the labor law. Notwithstanding the provisions of any other  
20 law, except section sixteen hundred seventy-six of the public authori-  
21 ties law relating to use of dormitory authority facilities by the aged,  
22 the commissioner of general services shall have sole and exclusive  
23 authority to lease space for state departments, agencies, commissions,  
24 boards and officers within the county of Albany. Any buildings, rooms or  
25 premises, now or hereafter held by the commissioner of general services  
26 under lease, may be sublet, in part or in whole, provided that in the  
27 judgment of such commissioner, and the occupying department, commission,

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

LBD15928-01-6

1 board, and officers of the state government, such buildings, rooms or  
2 premises are not for a time needed. Notwithstanding any other provision  
3 of law to the contrary, if bonds or notes are issued pursuant to section  
4 sixteen hundred eighty-n of the public authorities law for the purpose  
5 of acquiring a building or other facility previously financed by a lease  
6 or lease-purchase obligation as authorized herein, the state agency  
7 which is the tenant in occupancy shall be authorized to remit tax  
8 payments or payments in lieu of thereof to the appropriate taxing  
9 authority in a manner consistent with the process and term established  
10 under the original lease or lease-purchase for the subject property for  
11 a period coincident with the term of the lease as established at the  
12 commencement of the term thereof. The state may undertake a certiorari  
13 review of assessments that may be imposed from time to time.

14 § 2. Subdivision 12 of section 3 of the public buildings law, as  
15 amended by section 48 of part T of chapter 57 of the laws of 2007, is  
16 amended to read as follows:

17 12. Lease from time to time buildings, rooms or premises in the county  
18 of Albany, and elsewhere as required, for providing space for depart-  
19 ments, commissions, boards and officers of the state government, upon  
20 such terms and conditions as [~~he or she~~] such commissioner deems most  
21 advantageous to the state. Any such lease shall, however, be for a term  
22 not exceeding ten years, but may provide for optional renewals on the  
23 part of the state, for terms of ten years or less. Each such lease shall  
24 contain a clause stating that the contract of the state thereunder shall  
25 be deemed executory only to the extent of moneys available therefor and  
26 that no liability shall be incurred by the state beyond the money avail-  
27 able for such purpose. Each such lease shall contain a clause requiring  
28 compliance with section two hundred twenty-four-g of the labor law.  
29 Notwithstanding the provisions of any other law, except section sixteen  
30 hundred seventy-six of the public authorities law relating to use of  
31 dormitory authority facilities by the aged, the commissioner of general  
32 services shall have sole and exclusive authority to lease space for  
33 state departments, agencies, commissions, boards and officers within the  
34 county of Albany. Any buildings, rooms or premises, now or hereafter  
35 held by the commissioner of general services under lease, may be sublet,  
36 in part or in whole, provided that in the judgment of the commissioner,  
37 and the occupying department, commission, board, and officers of the  
38 state government, such buildings, rooms or premises are not for a time  
39 needed.

40 § 3. The labor law is amended by adding a new section 224-g to read as  
41 follows:

42 § 224-g. Prevailing wage requirements applicable to leasehold improve-  
43 ments in state leases. 1. Subject to the provisions of this section,  
44 covered leasehold improvements in leases entered into by the commis-  
45 sioner of general services pursuant to subdivision twelve of section three  
46 of the public buildings law shall be subject to prevailing wage require-  
47 ments in accordance with sections two hundred twenty-two and two hundred  
48 twenty-b of this article.

49 2. "Covered leasehold improvements" shall include any construction  
50 undertaken pursuant to leases entered into by the commissioner of gener-  
51 al services under section three of the public buildings law, including  
52 structural modifications, new drywall and flooring, updates to lighting,  
53 electrical, and technology systems, addition of rooms, cubicles, or  
54 partitions, and shelving and countertops where such construction costs  
55 are over one hundred thousand dollars.

1 3. This section shall apply to all leases entered into by the commis-  
2 sioner of general services pursuant to section three of the public  
3 buildings law.

4 4. For purposes of this section, "fiscal officer" shall be deemed to  
5 be the commissioner. The enforcement of any covered leasehold improve-  
6 ments shall be subject to the requirements of section two hundred twen-  
7 ty, two hundred twenty-a and two hundred twenty-b of this article, and  
8 section two hundred twenty-seven of this chapter and within the juris-  
9 isdiction of the fiscal officer.

10 5. The fiscal officer may issue rules and regulations governing the  
11 provisions of this section. Violations of this section shall be grounds  
12 for determinations and orders pursuant to section two hundred twenty-b  
13 of this article.

14 § 4. This act shall take effect immediately; provided that the amend-  
15 ments to subdivision 12 of section 3 of the public buildings law made by  
16 section one of this act shall be subject to the expiration and reversion  
17 of such subdivision pursuant to section 27 of chapter 95 of the laws of  
18 2000, as amended, when upon such date the provisions of section two of  
19 this act shall take effect.