

# STATE OF NEW YORK

6695

2025-2026 Regular Sessions

## IN ASSEMBLY

March 7, 2025

Introduced by M. of A. WALKER, DAVILA, SIMON -- read once and referred to the Committee on Housing

AN ACT to amend the public housing law, in relation to low income housing tax credit eligibility

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

1 Section 1. Paragraph (b) of subdivision 5 and subdivision 6 of section  
2 21 of the public housing law, as added by section 1 of part CC of chap-  
3 ter 63 of the laws of 2000, are amended to read as follows:

4 (b) would be a qualified low-income building under such section if the  
5 20-50 test specified in subsection (g)(1) of such section were disre-  
6 garded and the 40-60 test specified in such subsection (requiring that  
7 at least forty percent of residential units be both rent-restricted and  
8 occupied by individuals whose income is sixty percent or less of area  
9 median gross income) were a [~~40-90~~ 60-125 test.

10 6. "Qualified basis" of an eligible low-income building means the  
11 qualified basis of such building determined under section 42(c) of the  
12 internal revenue code, or which would be determined under such section  
13 if the [~~40-90~~ 60-125 test specified in paragraph (b) of subdivision  
14 five of this section applied under such section 42 to determine if such  
15 building were part of a qualified low-income housing project.

16 § 2. This act shall take effect immediately.

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

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