

STATE OF NEW YORK

1028

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the urban development corporation act, in relation to enacting the "safe havens for all-day enjoyment (SHADE) act"

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

1 Section 1. This act shall be known and may be cited as the "safe
2 havens for all-day enjoyment (SHADE) act".

3 § 2. Section 1 of chapter 174 of the laws of 1968, constituting the
4 New York state urban development corporation act, is amended by adding a
5 new section 16-bb to read as follows:

6 § 16-bb. Safe havens for all-day enjoyment grant program. (1) Program
7 established. There is hereby established a "safe havens for all-day
8 enjoyment grant program" under the purview of the empire state develop-
9 ment corporation. Such program shall be a competitive grant program
10 designed to assist municipalities in the state with establishing shaded
11 public gathering spaces and public transportation areas to enhance the
12 enjoyment and use of such spaces where there is no existing or insuffi-
13 cient sun protection, as provided under this section.

14 (2) Definitions. For the purposes of this section, the following terms
15 shall have the following meanings:

16 (a) "Eligible project" shall mean a project proposed by a municipality
17 to enhance shade in the following areas within such municipality:

18 (i) public gathering spaces, including but not limited to public
19 parks, plazas, squares, or trails; and/or

20 (ii) public transportation areas, including but not limited to bus
21 stops, city blocks, or bicycling corridors.

22 (b) "Grant recipients" shall mean municipalities selected to receive
23 grant awards under the program pursuant to subdivision one of this
24 section.

25 (c) "Program" shall mean the safe havens for all-day enjoyment grant
26 program established under this section.

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

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1 (3) Selection of grant recipients. Grant recipients shall be selected
2 by the corporation based on the strength of their proposals, including
3 evaluation of eligible projects highlighted within such proposals. The
4 following criteria shall be considered by the corporation in evaluating
5 such proposals:

6 (a) Eligible projects shall be high impact in the number of people or
7 events they will serve, as determined by the corporation by evaluating a
8 history of events taking place at the location of such eligible
9 projects, traffic studies, and any other evidence of regular use deemed
10 relevant by the corporation;

11 (b) The corporation shall favor selection of eligible projects that
12 will serve the largest number of people; and

13 (c) Eligible projects shall demonstrate an impact on mean radiant
14 temperature, with a focus on reducing or providing relief from heat
15 enhanced by the urban heat island effect, as determined by the corpo-
16 ration, who shall develop standards for demonstrating such impacts.

17 (4) Grants awarded and matching funds. (a) The corporation shall
18 determine amounts to be awarded to grant recipients on an individual
19 basis, based on the financial needs of the eligible projects proposed by
20 such grant recipients. Criteria for such determinations shall be estab-
21 lished by the corporation by rules and regulations.

22 (b) Grant recipients shall match the value of funds awarded to such
23 grant recipients under paragraph (a) of this subdivision on a dollar-
24 for-dollar basis for each eligible project.

25 (5) Funding. The corporation is authorized, within available appropri-
26 ations in the empire state development fund established pursuant to
27 section sixteen-m of this act or from other funds appropriated, to make
28 grant awards available to grant recipients pursuant to the provisions of
29 this section.

30 § 3. Subdivision 1 of section 16-m of section 1 of chapter 174 of the
31 laws of 1968, constituting the New York state urban development corpo-
32 ration act, is amended by adding a new paragraph (p) to read as follows:

33 (p) Grant awards to grant recipients as set forth under section
34 sixteen-bb of this act to support the safe havens for all-day enjoyment
35 grant program to assist municipalities in the state with establishing
36 shaded public gathering spaces and public transportation areas to
37 enhance the enjoyment and use of such spaces where there is no existing
38 or insufficient sun protection.

39 § 4. Rules and regulations. The empire state development corporation
40 is authorized to promulgate rules and regulations in accordance with the
41 state administrative procedure act that are necessary to fulfill the
42 purposes of this act. Such rules and regulations shall be completed
43 within one hundred eighty days after the effective date of this act.

44 § 5. This act shall take effect on the one hundred eightieth day after
45 it shall have become a law; provided, however, that the amendments to
46 subdivision 1 of section 16-m of section 1 of chapter 174 of the laws of
47 1968, constituting the New York state urban development corporation act,
48 made by section three of this act shall not affect the expiration of
49 such section and shall be deemed to expire therewith. Effective imme-
50 diately, the addition, amendment and/or repeal of any rule or regulation
51 necessary for the implementation of this act on its effective date are
52 authorized to be made and completed on or before such effective date.