

STATE OF NEW YORK

10472

IN SENATE

May 15, 2026

Introduced by Sen. C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

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 Assembly, 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

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

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

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

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

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

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

50 2. "Covered leasehold improvements" shall include any construction
51 undertaken pursuant to leases entered into by the commissioner of gener-
52 al services under section three of the public buildings law, including
53 structural modifications, new drywall and flooring, updates to lighting,
54 electrical, and technology systems, addition of rooms, cubicles, or
55 partitions, and shelving and countertops where such construction costs
56 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.