

# STATE OF NEW YORK

2083

2025-2026 Regular Sessions

## IN SENATE

January 15, 2025

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, the general city law, the town law and the village law, in relation to requiring municipalities to include a housing needs assessment using the HUD median income calculations in their comprehensive plans; and to amend the general city law, in relation to making a technical correction

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

1 Section 1. Paragraphs (o) and (p) of subdivision 1 of section 239-d of  
2 the general municipal law, as added by chapter 451 of the laws of 1997,  
3 are amended and a new paragraph (q) is added to read as follows:

4 (o) Any and all other items which are consistent with the protection,  
5 enhancement, orderly growth and development of the county; [~~and~~]

6 (p) Consideration of cumulative impacts of development, and other  
7 issues which promote compliance with the state environmental quality  
8 review act under article eight of the environmental conservation law and  
9 its implementing regulations[~~-~~]; and

10 (q) A housing needs assessment to establish a data-based foundation  
11 for the creation and preservation of housing in the county, utilizing  
12 the U.S. department of housing and urban development median income  
13 calculations. Such assessment must address housing needs within five  
14 levels as follows: (i) at or below thirty percent of the county's AMI  
15 (area median income); (ii) between thirty-one percent and fifty percent  
16 of the county's AMI; (iii) between fifty-one percent and sixty percent  
17 of the county's AMI; (iv) between sixty-one percent and eighty percent  
18 of the county's AMI; and (v) between eighty-one percent and one hundred  
19 percent of the county's AMI.

20 § 2. Subdivision 4 of section 28-a of the general city law is amended  
21 by adding a new paragraph (p) to read as follows:

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

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1 (p) A housing needs assessment to establish a data-based foundation  
 2 for the creation and preservation of housing in the city, utilizing the  
 3 U.S. department of housing and urban development median income calcu-  
 4 lations. Such assessment must address affordable housing needs within  
 5 five levels as follows: (i) at or below thirty percent of the city's AMI  
 6 (area median income); (ii) between thirty-one percent and fifty percent  
 7 of the city's AMI; (iii) between fifty-one percent and sixty percent of  
 8 the city's AMI; (iv) between sixty-one percent and eighty percent of the  
 9 city's AMI; and (v) between eighty-one percent and one hundred percent  
 10 of the city's AMI.

11 § 3. Subdivision 3 of section 272-a of the town law is amended by  
 12 adding a new paragraph (p) to read as follows:

13 (p) A housing needs assessment to establish a data-based foundation  
 14 for the creation and preservation of housing in the town, utilizing the  
 15 U.S. department of housing and urban development median income calcu-  
 16 lations. Such assessment must address housing needs within five levels  
 17 of affordability as follows: (i) at or below thirty percent of the  
 18 town's AMI (area median income); (ii) between thirty-one percent and  
 19 fifty percent of the town's AMI; (iii) between fifty-one percent and  
 20 sixty percent of the town's AMI; (iv) between sixty-one percent and  
 21 eighty percent of the town's AMI; and (v) between eighty-one percent and  
 22 one hundred percent of the town's AMI.

23 § 4. Subdivision 3 of section 7-722 of the village law is amended by  
 24 adding a new paragraph (p) to read as follows:

25 (p) A housing needs assessment to establish a data-based foundation  
 26 for the creation and preservation of housing in the village, utilizing  
 27 the U.S. department of housing and urban development median income  
 28 calculations. Such assessment must address housing needs within five  
 29 levels as follows: (i) at or below thirty percent of the village's AMI  
 30 (area median income); (ii) between thirty-one percent and fifty percent  
 31 of the village's AMI; (iii) between fifty-one percent and sixty percent  
 32 of the village's AMI; (iv) between sixty-one percent and eighty percent  
 33 of the village's AMI; and (v) between eighty-one percent and one hundred  
 34 percent of the village's AMI.

35 § 5. Article 3 of the general city law is amended by adding a new  
 36 article heading to read as follows:

37 ZONING AND PLANNING

38 § 6. This act shall take effect immediately.