

STATE OF NEW YORK

S. 3006--C

A. 3006--C

SENATE - ASSEMBLY

January 22, 2025

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to contracts for excellence; to amend the education law, in relation to foundation aid; to amend the education law, in relation to the establishment of a statewide dual enrollment program policy; to amend the education law, in relation to allowable transportation expenses; to amend the education law, in relation to universal pre-kindergarten and the Statewide universal full-day pre-kindergarten program; to amend the education law, in relation to state aid adjustments; to amend the education law, in relation to the apportionment of moneys for school aid; to amend chapter 378 of the laws of 2010 amending the education law relating to paperwork reduction, in relation to extending the provisions thereof; to amend the education law and the general business law, in relation to requirements for zero-emissions school buses; to amend chapter 756 of the laws of 1992 relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to reimbursement for the 2025-2026 school year withholding a portion of employment preparation education aid and in relation to the effectiveness thereof; to amend the education law, in relation to maximum class sizes for special classes for certain students with disabilities; to amend chapter 82 of the laws of 1995

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

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amending the education law and other laws relating to state aid to school districts and the appropriation of funds for the support of government, in relation to the effectiveness thereof; to amend part C of chapter 56 of the laws of 2020 directing the commissioner of education to appoint a monitor for the Rochester city school district, establishing the powers and duties of such monitor and certain other officers and relating to the apportionment of aid to such school district, in relation to the effectiveness thereof; to amend chapter 19 of the laws of 2020 authorizing the commissioner of education to appoint a monitor to oversee the Hempstead union free school district and establishing the powers and duties of such monitor, in relation to the effectiveness thereof; to amend chapter 18 of the laws of 2020 authorizing the commissioner of education to appoint a monitor to oversee the Wyandanch union free school district and establishing the powers and duties of the monitor, in relation to the effectiveness thereof; to amend chapter 89 of the laws of 2016 relating to supplementary funding for dedicated programs for public school students in the East Ramapo central school district, in relation to the effectiveness thereof; to amend the education law, in relation to creating safe harbors and a phase-in period for compliance with certain sections of such law relating to instruction at nonpublic schools; providing for special apportionment for salary expenses; providing for special apportionment for public pension accruals; to amend chapter 121 of the laws of 1996 authorizing the Roosevelt union free school district to finance deficits by the issuance of serial bonds, in relation to an apportionment for salary expenses; providing for set-asides from the state funds which certain districts are receiving from the total foundation aid; providing for support of public libraries; and to repeal certain provisions of the education law relating to calculation of school aid (Part A); to amend the education law, in relation to establishing a universal free school meals program; and to repeal section 925 of the education law relating to the community eligibility provision state subsidy (Part B); to amend the education law, in relation to student use of internet-enabled devices during the school day (Part C); to amend the education law in relation to scholarships awarded to part-time students by the New York state higher education services corporation; to amend the education law, in relation to making conforming changes; to repeal section 666 of the education law, relating to tuition awards for part-time undergraduate students; and to repeal section 667-c-1 of the education law relating to the New York state part-time scholarship award program (Part D); to amend the education law, in relation to excelsior scholarship awarded to students by the New York state higher education services corporation (Part E); to amend the education law, in relation to creating a New York opportunity promise scholarship (Part F); intentionally omitted (Part G); intentionally omitted (Part H); intentionally omitted (Part I); intentionally omitted (Part J); intentionally omitted (Part K); to amend the private housing finance law, in relation to reduction of taxes pursuant to shelter rent (Part L); intentionally omitted (Part M); to utilize reserves in the mortgage insurance fund for various housing purposes (Part N); to amend part N of chapter 56 of the laws of 2020, amending the social services law relating to restructuring financing for residential school placements, in relation to the effectiveness thereof (Part O); to amend the social services law, in relation to certification of child care support centers to place substitute caregivers in licensed and registered child care programs



(Part P); to amend the social services law, in relation to improving infancy health by increasing public assistance allowances to certain persons (Part Q); to amend the social services law, in relation to increasing the standards of monthly need for aged, blind and disabled persons living in the community (Part R); to amend part W of chapter 54 of the laws of 2016 amending the social services law relating to the powers and duties of the commissioner of social services relating to the appointment of a temporary operator, in relation to the effectiveness thereof (Part S); to amend the labor law, in relation to revising the healthy terminals act (Part T); to amend the labor law, in relation to limiting liquidated damages in certain frequency of pay violations (Part U); to amend the labor law, in relation to civil penalties for violations of certain provisions for the payment of wages (Part V); to amend the labor law, in relation to the civil penalties for violations of child labor laws (Part W); to amend the labor law and the education law, in relation to digitizing the process by which minors apply for employment certificates or working papers; and to repeal certain provisions of the labor law and the education law relating thereto (Part X); to amend the veterans' services law, in relation to annuity to be paid to parents, spouses, and minor children of service members who died while on active duty; and to authorize the commissioner of veterans' services to conduct an outreach program for the purpose of informing the public and persons who may be eligible to receive an annuity (Part Y); intentionally omitted (Part Z); in relation to requiring the submission of an annual report on the New York state museum (Part AA); to amend the labor law, in relation to decreasing the length of the suspension period applicable to certain striking workers who seek to obtain unemployment insurance benefits (Part BB); to amend the social services law, in relation to the maintenance of effort requirements of social services districts in providing child care assistance under the child care block grant (Part CC); to amend the penal law, in relation to evading arrest by concealment of identity (Part DD); to amend the correction law, in relation to merit time allowance and limited credit time allowance (Part EE); in relation to authorizing the commissioner of education to appoint a monitor to oversee the Mount Vernon city school district and establishing the powers and duties of such monitor; and providing for the repeal of such provisions upon expiration thereof (Part FF); to amend the general business law, the real property law and the administrative code of the city of New York, in relation to providing expanded homeownership opportunities from the conversion of certain residential rental buildings to condominium status by property owners that commit to the stewardship of permanently affordable units and the preservation of expiring affordable housing inventory in the city of New York; and providing for the repeal of certain provisions upon expiration thereof (Part GG); to amend the public housing law, in relation to establishing the housing access voucher pilot program (Part HH); to amend section 2 of chapter 868 of the laws of 1975 constituting the New York state financial emergency act for the city of New York, in relation to the effectiveness thereof (Part II); to amend the public authorities law, in relation to establishing the city of Buffalo parking authority (Part JJ); to amend the labor law, in relation to increasing the maximum benefit rate for unemployment insurance (Part KK); to amend the criminal procedure law, in relation to discovery reform (Part LL); and in relation to providing for the administration of certain funds and accounts related to the 2025-2026 budget, author-



izing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts, in relation to the effectiveness thereof, and in relation to interest owed on outstanding balances of debt; to amend part XX of chapter 56 of the laws of 2024, amending the state finance law and other laws relating to providing for the administration of certain funds and accounts related to the 2023-2024 budget, in relation to the effectiveness thereof; to amend the state finance law, in relation to the school tax relief fund; to amend the state finance law, in relation to the dedicated infrastructure investment fund; authorizing the comptroller to transfer up to \$25,000,000 from various state bond funds to the general debt service fund for the purposes of redeeming or defeasing outstanding state bonds; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the public authorities law, in relation to the issuance of bonds and notes by the dedicated highway and bridge trust fund; to amend the public authorities law, in relation to the issuance of bonds and notes for city university facilities; to amend the public authorities law, in relation to the issuance of bonds for library construction projects; to amend the public authorities law, in relation to the issuance of bonds for state university educational facilities; to amend the public authorities law, in relation to the issuance of bonds and notes for locally sponsored community colleges; to amend the New York state medical care facilities finance agency act, in relation to the issuance of mental health services facilities improvement bonds and notes; to amend part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of bonds and notes to finance capital costs related to homeland security; to amend the urban development corporation act, in relation to the issuance of bonds and notes for purposes of funding office of information technology services project costs; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of funds to the thruway authority; to amend the urban development corporation act, in relation to the issuance of bonds and notes to fund costs for statewide equipment; to amend the public authorities law, in relation to the issuance of bonds for purposes of financing environmental infrastructure projects; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of bonds and notes for the youth facilities improvement fund; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing peace bridge projects and capital costs of state and local highways; to amend the urban development corporation act, in relation to the issuance of bonds for economic development initiatives; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of bonds and notes for the purpose of financing capital projects for the division of military and naval affairs and initiative of the state police; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing the construction of the New York state agriculture and markets food laboratory; to amend the public authorities law, in relation to authorization for the issuance



of bonds for the capital restructuring financing program, the health care facility transformation programs, and the essential health care provider program; to amend the public authorities law, in relation to the issuance of bonds or notes for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds and notes; to amend the public authorities law, in relation to funds for the department of health and financing through the dormitory authority; to amend the public health law, in relation to the department of health income fund; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to personal income tax revenue anticipation notes; to amend the state finance law, in relation to certain revenue bonds; to repeal certain provisions of the state finance law relating to the accident prevention course internet, and other technology pilot program fund, relating to the required contents of the budget, relating to the deposit of receipts derived from certain indirect cost assessments and relating to the New York state storm recovery capital fund; to repeal certain provisions of the urban development corporation act relating to funding project costs for restoring state properties damaged as a result of Storm Sandy; and providing for the repeal of certain provisions upon expiration thereof (Part MM)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state education, labor, housing and family
3 assistance budget for the 2025-2026 state fiscal year. Each component is
4 wholly contained within a Part identified as Parts A through MM. The
5 effective date for each particular provision contained within such Part
6 is set forth in the last section of such Part. Any provision in any
7 section contained within a Part, including the effective date of the
8 Part, which makes a reference to a section "of this act", when used in
9 connection with that particular component, shall be deemed to mean and
10 refer to the corresponding section of the Part in which it is found.
11 Section three of this act sets forth the general effective date of this
12 act.

13 PART A

14 Section 1. Paragraph e of subdivision 1 of section 211-d of the educa-
15 tion law, as amended by section 1 of part A of chapter 56 of the laws of
16 2024, is amended to read as follows:

17 e. Notwithstanding paragraphs a and b of this subdivision, a school
18 district that submitted a contract for excellence for the two thousand
19 eight--two thousand nine school year shall submit a contract for excel-
20 lence for the two thousand nine--two thousand ten school year in
21 conformity with the requirements of subparagraph (vi) of paragraph a of
22 subdivision two of this section unless all schools in the district are
23 identified as in good standing and provided further that, a school
24 district that submitted a contract for excellence for the two thousand
25 nine--two thousand ten school year, unless all schools in the district

1 are identified as in good standing, shall submit a contract for excel-
2 lence for the two thousand eleven--two thousand twelve school year which
3 shall, notwithstanding the requirements of subparagraph (vi) of para-
4 graph a of subdivision two of this section, provide for the expenditure
5 of an amount which shall be not less than the product of the amount
6 approved by the commissioner in the contract for excellence for the two
7 thousand nine--two thousand ten school year, multiplied by the
8 district's gap elimination adjustment percentage and provided further
9 that, a school district that submitted a contract for excellence for the
10 two thousand eleven--two thousand twelve school year, unless all schools
11 in the district are identified as in good standing, shall submit a
12 contract for excellence for the two thousand twelve--two thousand thir-
13 teen school year which shall, notwithstanding the requirements of
14 subparagraph (vi) of paragraph a of subdivision two of this section,
15 provide for the expenditure of an amount which shall be not less than
16 the amount approved by the commissioner in the contract for excellence
17 for the two thousand eleven--two thousand twelve school year and
18 provided further that, a school district that submitted a contract for
19 excellence for the two thousand twelve--two thousand thirteen school
20 year, unless all schools in the district are identified as in good
21 standing, shall submit a contract for excellence for the two thousand
22 thirteen--two thousand fourteen school year which shall, notwithstanding
23 the requirements of subparagraph (vi) of paragraph a of subdivision two
24 of this section, provide for the expenditure of an amount which shall be
25 not less than the amount approved by the commissioner in the contract
26 for excellence for the two thousand twelve--two thousand thirteen school
27 year and provided further that, a school district that submitted a
28 contract for excellence for the two thousand thirteen--two thousand
29 fourteen school year, unless all schools in the district are identified
30 as in good standing, shall submit a contract for excellence for the two
31 thousand fourteen--two thousand fifteen school year which shall,
32 notwithstanding the requirements of subparagraph (vi) of paragraph a of
33 subdivision two of this section, provide for the expenditure of an
34 amount which shall be not less than the amount approved by the commis-
35 sioner in the contract for excellence for the two thousand thirteen--two
36 thousand fourteen school year; and provided further that, a school
37 district that submitted a contract for excellence for the two thousand
38 fourteen--two thousand fifteen school year, unless all schools in the
39 district are identified as in good standing, shall submit a contract for
40 excellence for the two thousand fifteen--two thousand sixteen school
41 year which shall, notwithstanding the requirements of subparagraph (vi)
42 of paragraph a of subdivision two of this section, provide for the
43 expenditure of an amount which shall be not less than the amount
44 approved by the commissioner in the contract for excellence for the two
45 thousand fourteen--two thousand fifteen school year; and provided
46 further that a school district that submitted a contract for excellence
47 for the two thousand fifteen--two thousand sixteen school year, unless
48 all schools in the district are identified as in good standing, shall
49 submit a contract for excellence for the two thousand sixteen--two thou-
50 sand seventeen school year which shall, notwithstanding the requirements
51 of subparagraph (vi) of paragraph a of subdivision two of this section,
52 provide for the expenditure of an amount which shall be not less than
53 the amount approved by the commissioner in the contract for excellence
54 for the two thousand fifteen--two thousand sixteen school year; and
55 provided further that, a school district that submitted a contract for
56 excellence for the two thousand sixteen--two thousand seventeen school



1 year, unless all schools in the district are identified as in good
2 standing, shall submit a contract for excellence for the two thousand
3 seventeen--two thousand eighteen school year which shall, notwithstand-
4 ing the requirements of subparagraph (vi) of paragraph a of subdivision
5 two of this section, provide for the expenditure of an amount which
6 shall be not less than the amount approved by the commissioner in the
7 contract for excellence for the two thousand sixteen--two thousand
8 seventeen school year; and provided further that a school district that
9 submitted a contract for excellence for the two thousand seventeen--two
10 thousand eighteen school year, unless all schools in the district are
11 identified as in good standing, shall submit a contract for excellence
12 for the two thousand eighteen--two thousand nineteen school year which
13 shall, notwithstanding the requirements of subparagraph (vi) of para-
14 graph a of subdivision two of this section, provide for the expenditure
15 of an amount which shall be not less than the amount approved by the
16 commissioner in the contract for excellence for the two thousand seven-
17 teen--two thousand eighteen school year; and provided further that, a
18 school district that submitted a contract for excellence for the two
19 thousand eighteen--two thousand nineteen school year, unless all schools
20 in the district are identified as in good standing, shall submit a
21 contract for excellence for the two thousand nineteen--two thousand
22 twenty school year which shall, notwithstanding the requirements of
23 subparagraph (vi) of paragraph a of subdivision two of this section,
24 provide for the expenditure of an amount which shall be not less than
25 the amount approved by the commissioner in the contract for excellence
26 for the two thousand eighteen--two thousand nineteen school year; and
27 provided further that, a school district that submitted a contract for
28 excellence for the two thousand nineteen--two thousand twenty school
29 year, unless all schools in the district are identified as in good
30 standing, shall submit a contract for excellence for the two thousand
31 twenty--two thousand twenty-one school year which shall, notwithstanding
32 the requirements of subparagraph (vi) of paragraph a of subdivision two
33 of this section, provide for the expenditure of an amount which shall be
34 not less than the amount approved by the commissioner in the contract
35 for excellence for the two thousand nineteen--two thousand twenty school
36 year; and provided further that, a school district that submitted a
37 contract for excellence for the two thousand twenty--two thousand twen-
38 ty-one school year, unless all schools in the district are identified as
39 in good standing, shall submit a contract for excellence for the two
40 thousand twenty-one--two thousand twenty-two school year which shall,
41 notwithstanding the requirements of subparagraph (vi) of paragraph a of
42 subdivision two of this section, provide for the expenditure of an
43 amount which shall be not less than the amount approved by the commis-
44 sioner in the contract for excellence for the two thousand twenty--two
45 thousand twenty-one school year; and provided further that, a school
46 district that submitted a contract for excellence for the two thousand
47 twenty-one--two thousand twenty-two school year, unless all schools in
48 the district are identified as in good standing, shall submit a contract
49 for excellence for the two thousand twenty-two--two thousand twenty-
50 three school year which shall, notwithstanding the requirements of
51 subparagraph (vi) of paragraph a of subdivision two of this section,
52 provide for the expenditure of an amount which shall be not less than
53 the amount approved by the commissioner in the contract for excellence
54 for the two thousand twenty-one--two thousand twenty-two school year;
55 and provided further that, a school district that submitted a contract
56 for excellence for the two thousand twenty-two--two thousand twenty-



1 three school year, unless all schools in the district are identified as
2 in good standing, shall submit a contract for excellence for the two
3 thousand twenty-three--two thousand twenty-four school year which shall,
4 notwithstanding the requirements of subparagraph (vi) of paragraph a of
5 subdivision two of this section, provide for the expenditure of an
6 amount which shall be not less than the amount approved by the commis-
7 sioner in the contract for excellence for the two thousand twenty-two--
8 two thousand twenty-three school year; and provided further that, a
9 school district that submitted a contract for excellence for the two
10 thousand twenty-three--two thousand twenty-four school year, unless all
11 schools in the district are identified as in good standing, shall submit
12 a contract for excellence for the two thousand twenty-four--two thousand
13 twenty-five school year which shall, notwithstanding the requirements of
14 subparagraph (vi) of paragraph a of subdivision two of this section,
15 provide for the expenditure of an amount which shall be not less than
16 the amount approved by the commissioner in the contract for excellence
17 for the two thousand twenty-three--two thousand twenty-four school year;
18 and provided further that a school district that submitted a contract
19 for excellence for the two thousand twenty-four--two thousand twenty-
20 five school year, unless all schools in the district are identified as
21 in good standing, shall submit a contract for excellence for the two
22 thousand twenty-five--two thousand twenty-six school year which shall,
23 notwithstanding the requirements of subparagraph (vi) of paragraph a of
24 subdivision two of this section, provide for the expenditure of an
25 amount which shall be not less than the amount approved by the commis-
26 sioner in the contract for excellence for the two thousand twenty-four-
27 -two thousand twenty-five school year; provided, however, that, in a
28 city school district in a city having a population of one million or
29 more, notwithstanding the requirements of subparagraph (vi) of paragraph
30 a of subdivision two of this section, the contract for excellence shall
31 provide for the expenditure as set forth in subparagraph (v) of para-
32 graph a of subdivision two of this section. For purposes of this para-
33 graph, the "gap elimination adjustment percentage" shall be calculated
34 as the sum of one minus the quotient of the sum of the school district's
35 net gap elimination adjustment for two thousand ten--two thousand eleven
36 computed pursuant to chapter fifty-three of the laws of two thousand
37 ten, making appropriations for the support of government, plus the
38 school district's gap elimination adjustment for two thousand eleven--
39 two thousand twelve as computed pursuant to chapter fifty-three of the
40 laws of two thousand eleven, making appropriations for the support of
41 the local assistance budget, including support for general support for
42 public schools, divided by the total aid for adjustment computed pursu-
43 ant to chapter fifty-three of the laws of two thousand eleven, making
44 appropriations for the local assistance budget, including support for
45 general support for public schools. Provided, further, that such amount
46 shall be expended to support and maintain allowable programs and activ-
47 ities approved in the two thousand nine--two thousand ten school year or
48 to support new or expanded allowable programs and activities in the
49 current year.

50 § 2. Paragraph p of subdivision 1 of section 3602 of the education law
51 is REPEALED.

52 § 3. The opening paragraph and subparagraphs (i) and (ii) of paragraph
53 q of subdivision 1 of section 3602 of the education law, as amended by
54 section 16 of part YYY of chapter 59 of the laws of 2017, are amended to
55 read as follows:



1 "Poverty count" shall mean the sum of the product of the [lunch]
2 economically disadvantaged student count multiplied by sixty-five
3 percent, plus the product of the [census] SAIPE count multiplied by
4 sixty-five percent, where:

5 (i) ["Lunch"] "Economically disadvantaged student count" shall mean the
6 product of the public school enrollment of the school district on the
7 date enrollment was counted in accordance with this subdivision for the
8 base year multiplied by the three-year average [free and reduced price
9 lunch percent] economically disadvantaged rate; and

10 (ii) ["Census"] "SAIPE count" shall mean the product of the public
11 school enrollment of the school district on the date enrollment was
12 counted in accordance with this subdivision for the base year multiplied
13 by the [census 2000 poverty] three-year average small area income and
14 poverty estimate rate.

15 § 4. Subparagraphs (iii), (iv) and (v) of paragraph q of subdivision 1
16 of section 3602 of the education law are REPEALED.

17 § 4-a. Paragraph s of subdivision 1 of section 3602 of the education
18 law, as amended by section 8 of part A of chapter 56 of the laws of
19 2022, is amended to read as follows:

20 s. "Extraordinary needs count" shall mean the sum of the product of
21 the English language learner count multiplied by [fifty percent] the ELL
22 weight, plus, the poverty count and the sparsity count, provided that
23 the 'ELL weight' shall be five tenths (0.50) for the two thousand twen-
24 ty-four--two thousand twenty-five school year and prior, and shall be
25 equal to fifty-three hundredths (0.53) in the two thousand twenty-five-
26 -two thousand twenty-six school year and thereafter.

27 § 5. Paragraph kk of subdivision 1 of section 3602 of the education
28 law is REPEALED.

29 § 6. Paragraph ll of subdivision 1 of section 3602 of the education
30 law, as added by section 11-a of part A of chapter 56 of the laws of
31 2021, is renumbered subparagraph (iv) of paragraph q of such subdivision
32 1 and is amended to read as follows:

33 (iv) (1) "Economically disadvantaged count" shall be equal to the
34 unduplicated count of all children registered to receive educational
35 services in grades kindergarten through twelve, including children in
36 ungraded programs who participate in, or whose family participates in,
37 economic assistance programs, such as the free or reduced-price lunch
38 programs, Social Security Insurance, Supplemental Nutrition Assistance
39 Program, Foster Care, Refugee Assistance (cash or medical assistance),
40 Earned Income Tax Credit (EITC), Home Energy Assistance Program (HEAP),
41 Safety Net Assistance (SNA), Bureau of Indian Affairs (BIA), or Tempo-
42 rary Assistance for Needy Families (TANF).

43 (2) "Economically disadvantaged rate" shall mean the quotient arrived
44 at when dividing the economically disadvantaged count by public enroll-
45 ment as computed pursuant to subparagraph one of paragraph n of this
46 subdivision.

47 (3) "Three-year average economically disadvantaged rate" shall equal
48 the quotient of: (i) the sum of the economically disadvantaged count for
49 the school year prior to the base year, plus such number for the school
50 year two years prior to the base year, plus such number for the school
51 year three years prior to the base year; divided by (ii) the sum of
52 enrollment as computed pursuant to subparagraph one of paragraph n of
53 this subdivision [one of this section] for the school year prior to the
54 base year, plus such number for the school year two years prior to the
55 base year, plus such number for the school year three years prior to the
56 base year, [computed] rounded to four decimals [without rounding].



1 § 7. Paragraph mm of subdivision 1 of section 3602 of the education
2 law is renumbered subparagraph (iii) of paragraph q of such subdivision
3 1 and is amended to read as follows:

4 (iii) "Three-year average small area income and poverty estimate rate"
5 shall equal the quotient of: (i) the sum of the number of persons aged
6 five to seventeen within the school district, based on the small area
7 income and poverty estimates produced by the United States census
8 bureau, whose families had incomes below the poverty level for the
9 calendar year prior to the year in which the base year began, plus such
10 number for the calendar year two years prior to the year in which the
11 base year began, plus such number for the calendar year three years
12 prior to the year in which the base year began; divided by (ii) the sum
13 of the total number of persons aged five to seventeen within the school
14 district, based on such census bureau estimates, for the year prior to
15 the year in which the base year began, plus such total number for the
16 year two years prior to the year in which the base year began, plus such
17 total number for the year three years prior to the year in which the
18 base year began, [computed] rounded to four decimals [without rounding].

19 § 8. Subparagraph 2 of paragraph g of subdivision 3 of section 3602 of
20 the education law, as amended by section 13 of part B of chapter 57 of
21 the laws of 2008, is amended to read as follows:

22 (2) a value computed by subtracting from one the product obtained by
23 multiplying the combined wealth ratio by sixty-four hundredths, provided
24 however, that for the purpose of computing the state sharing ratio for
25 total foundation aid, the tier two value shall be computed by subtract-
26 ing from one the product obtained when multiplying the combined wealth
27 ratio by six hundred sixteen thousandths (0.616) and such values shall
28 be computed using the combined wealth ratio for total foundation aid in
29 place of the combined wealth ratio; or

30 § 9. The closing paragraph of paragraph g of subdivision 3 of section
31 3602 of the education law, as amended by section 8 of part A of chapter
32 56 of the laws of 2024, is amended to read as follows:

33 Such result shall be expressed as a decimal carried to three places
34 without rounding, but shall not be greater than ninety hundredths nor
35 less than zero, provided, however, that for the purpose of computing the
36 state sharing ratio for total foundation aid in the two thousand twen-
37 ty-four--two thousand twenty-five school year [and thereafter], such
38 result shall not be greater than ninety-one hundredths (0.91), and that
39 for the purpose of computing the state sharing ratio for total founda-
40 tion aid in the two thousand twenty-five--two thousand twenty-six school
41 year and thereafter, such result shall not be greater than ninety-three
42 hundredths (0.93).

43 § 10. Subdivision 4 of section 3602 of the education law is amended by
44 adding a new paragraph f to read as follows:

45 f. Foundation aid payable in the two thousand twenty-five--two thou-
46 sand twenty-six school year. Notwithstanding any provision of law to the
47 contrary, foundation aid payable in the two thousand twenty-five--two
48 thousand twenty-six school year shall equal the greater of total founda-
49 tion aid or the product of one and two hundredths (1.02) multiplied by
50 the foundation aid base.

51 § 10-a. Subparagraph 2 of paragraph a of subdivision 4 of section 3602
52 of the education law, as amended by section 9-b of part CCC of chapter
53 59 of the laws of 2018, is amended to read as follows:

54 (2) The regional cost index shall reflect an analysis of labor market
55 costs based on median salaries in professional occupations that require
56 similar credentials to those of positions in the education field, but

1 not including those occupations in the education field, provided that
2 the regional cost indices for the two thousand seven--two thousand eight
3 school year and thereafter shall be as follows:

Labor Force Region	Index
Capital District	1.124
Southern Tier	1.045
Western New York	1.091
Hudson Valley	1.314
Long Island/NYC	1.425
Finger Lakes	1.141
Central New York	1.103
Mohawk Valley	1.000
North Country	1.000

14 Provided that in the two thousand twenty-five--two thousand twenty-
15 six school year and thereafter, the regional cost index for Westchester
16 county shall be 1.351.

17 § 10-b. Paragraph b of subdivision 5 of section 1950 of the education
18 law, as amended by chapter 130 of the laws of 2022, is amended to read
19 as follows:

20 b. The cost of services herein referred to shall be the amount allo-
21 cated to each component school district by the board of cooperative
22 educational services to defray expenses of such board, including
23 approved expenses from the testing of potable water systems of occupied
24 school buildings under the board's jurisdiction as required pursuant to
25 section eleven hundred ten of the public health law provided that such
26 expenses for testing of potable water systems are not reimbursable from
27 another state or federal source, except that that part of the salary
28 paid any teacher, supervisor or other employee of the board of cooper-
29 ative educational services which is, (i) for aid payable in the two
30 thousand twenty-five--two thousand twenty-six school year and prior
31 school years in excess of thirty thousand dollars, (ii) for aid payable
32 in the two thousand twenty-six--two thousand twenty-seven school year in
33 excess of forty thousand dollars, (iii) for aid payable in the two thou-
34 sand twenty-seven--two thousand twenty-eight school year in excess of
35 fifty thousand dollars, and (iv) for aid payable in the two thousand
36 twenty-eight--two thousand twenty-nine school year and thereafter, in
37 excess of sixty thousand dollars, shall not be such an approved expense,
38 and except also that administrative and clerical expenses shall not
39 exceed ten percent of the total expenses for purposes of this computa-
40 tion. Any gifts, donations or interest earned by the board of cooper-
41 ative educational services or on behalf of the board of cooperative
42 educational services by the dormitory authority or any other source
43 shall not be deducted in determining the cost of services allocated to
44 each component school district. Any payments made to a component school
45 district by the board of cooperative educational services pursuant to
46 subdivision eleven of section six-p of the general municipal law attrib-
47 utable to an approved cost of service computed pursuant to this subdivi-
48 sion shall be deducted from the cost of services allocated to such
49 component school district. The expense of transportation provided by the
50 board of cooperative educational services pursuant to paragraph q of
51 subdivision four of this section shall be eligible for aid apportioned
52 pursuant to subdivision seven of section thirty-six hundred two of this
53 chapter and no board of cooperative educational services transportation
54 expense shall be an approved cost of services for the computation of aid
55 under this subdivision. Transportation expense pursuant to paragraph q



1 of subdivision four of this section shall be included in the computation
2 of the ten percent limitation on administrative and clerical expenses.

3 § 10-c. Paragraph b of subdivision 10 of section 3602 of the education
4 law, as amended by section 16 of part B of chapter 57 of the laws of
5 2007, is amended to read as follows:

6 b. (1) Aid for career education. There shall be apportioned to such
7 city school districts and other school districts which were not compo-
8 nents of a board of cooperative educational services in the base year
9 for pupils in selected grades [ten through twelve] in attendance in
10 career education programs as such programs are defined by the commis-
11 sioner, subject for the purposes of this paragraph to the approval of
12 the director of the budget, an amount for each such pupil to be computed
13 by multiplying the career education aid ratio by three thousand nine
14 hundred dollars for aid payable in the two thousand twenty-four--two
15 thousand twenty-five school year and prior and four thousand one hundred
16 dollars thereafter. Such aid will be payable for weighted pupils
17 attending career education programs operated by the school district and
18 for weighted pupils for whom such school district contracts with boards
19 of cooperative educational services to attend career education programs
20 operated by a board of cooperative educational services. Weighted pupils
21 for the purposes of this paragraph shall mean the sum of the attendance
22 of students in selected grades [ten through twelve] in career education
23 sequences in trade, industrial, technical, agricultural or health
24 programs plus the product of sixteen hundredths multiplied by the
25 attendance of students in selected grades [ten through twelve] in career
26 education sequences in business and marketing as defined by the commis-
27 sioner in regulations. The career education aid ratio shall be computed
28 by subtracting from one the product obtained by multiplying fifty-nine
29 percent by the combined wealth ratio. This aid ratio shall be expressed
30 as a decimal carried to three places without rounding, but not less than
31 thirty-six percent. For purposes of this subparagraph, "selected
32 grades" shall be grades ten through twelve for aid payable in the two
33 thousand twenty-four--two thousand twenty-five school year and prior,
34 and shall be grades nine through twelve for aid payable in the two thou-
35 sand twenty-five--two thousand twenty-six school year and thereafter.

36 (2) Any school district that receives aid pursuant to this paragraph
37 shall be required to use such amount to support career education
38 programs in the current year.

39 (3) A board of education which spends less than its local funds as
40 defined by regulations of the commissioner for career education in the
41 base year during the current year shall have its apportionment under
42 this subdivision reduced in an amount equal to such deficiency in the
43 current or a succeeding school year, provided however that the commis-
44 sioner may waive such reduction upon determination that overall expendi-
45 tures per pupil in support of career education programs were continued
46 at a level equal to or greater than the level of such overall expendi-
47 tures per pupil in the preceding school year.

48 § 10-d. The opening paragraph of subdivision 41 of section 3602 of the
49 education law, as amended by section 20 of part B of chapter 57 of the
50 laws of 2008, is amended and a new paragraph (e) is added to read as
51 follows:

52 Transitional aid for charter school payments. In addition to any other
53 apportionment under this section, for the two thousand seven--two thou-
54 sand eight school year and thereafter, a school district other than a
55 city school district in a city having a population of one million or
56 more shall be eligible for an apportionment in an amount equal to the

1 greater of the sum of paragraphs (a), (b), and (c), or paragraph (e) of
2 this subdivision.

3 (e) For school districts other than city school districts of cities
4 having populations of one hundred twenty-five thousand or more as of the
5 two thousand twenty decennial census, the product of eligible pupils
6 multiplied by eight-tenths (0.8) and further multiplied by charter
7 school basic tuition for the base year as defined pursuant to section
8 twenty-eight hundred fifty-six of this chapter. For purposes of this
9 paragraph, eligible pupils shall be equal to the positive difference, if
10 any, of the number of resident pupils enrolled in a charter school in
11 the base year less the product of two-tenths (0.2) multiplied by total
12 resident public school district enrollment in the base year.

13 § 10-e. Subparagraph 6 of paragraph d and paragraph d-1 of subdivision
14 14 of section 3602 of the education law, subparagraph 6 of paragraph d
15 as added by section 17-a of part B of chapter 57 of the laws of 2007 and
16 paragraph d-1 as amended by section 10-a of part A of chapter 56 of the
17 laws of 2024, are amended to read as follows:

18 (6) where such reorganization includes at least two school districts
19 employing eight or more teachers forming a central high school district
20 pursuant to section nineteen hundred thirteen of this chapter[,].

21 (7) such reorganized district shall be entitled to an apportionment
22 equal to an additional percent of the apportionment computed in accord-
23 ance with the provisions of paragraph d-1 of this subdivision; but in no
24 case shall the sum of such apportionment under this paragraph plus the
25 [selected operating aid per pupil] total operating aid base as defined
26 in this subdivision be more than a total of ninety-five per centum of
27 the year prior to the base year approved operating expense; for a period
28 of five years beginning with the first school year of operation as a
29 reorganized district such additional percent shall be forty percent; and
30 thereafter such additional forty percent apportionment to such district
31 shall be reduced by four percentage points each year, beginning with the
32 sixth school year of operation as a reorganized district, and continuing
33 until such additional forty percent apportionment is eliminated;
34 provided, however, that the total apportionment to such reorganized
35 district, beginning with the first school year of operation as a reor-
36 ganized district, and for a period of fifteen years thereafter, shall be
37 not less than the sum of all apportionments computed in accordance with
38 the provisions of this paragraph plus the apportionment computed in
39 accordance with the provisions of paragraph d-1 of this subdivision that
40 each component school district was entitled to receive and did receive
41 during the last school year preceding such first year of operation. In
42 the event a school district is eligible for incentive operating aid and
43 again reorganizes pursuant to a new plan or reorganization established
44 by the commissioner, and where such new reorganization is again eligible
45 for incentive operating aid, the newly created school district shall be
46 entitled to receive incentive operating aid pursuant to the provisions
47 of this paragraph, based on all school districts included in any such
48 reorganization, provided, however, that incentive operating aid payments
49 due because of any such former reorganization shall cease.

50 d-1. For purposes of paragraph d of this subdivision, ["selected oper-
51 ating aid per pupil"] "total operating aid base" shall mean the appor-
52 tionment computed for the 2006-07 school year, based on data on file
53 with the commissioner as of the date upon which an electronic data file
54 was created for the purposes of compliance with paragraph b of subdivi-
55 sion twenty-one of section three hundred five of this chapter on Febru-
56 ary fifteenth, provided further that for school districts which reorgan-

1 ize on or after July first, two thousand twenty-four, for purposes of
2 paragraph d of this subdivision, ["selected operating aid per pupil"]
3 "total operating aid base" shall mean the total foundation aid base, as
4 defined pursuant to paragraph j of subdivision one of this section,
5 calculated as of the effective date of the reorganization.

6 § 11. The education law is amended by adding a new section 319 to read
7 as follows:

8 § 319. Establishment of dual enrollment program policy. 1. For
9 purposes of this section:

10 (a) "Dual enrollment program" means any program that is a partnership
11 between at least one school and at least one institution of higher
12 education that provides high school students with the opportunity to
13 enroll in college courses and earn transferable college credit from the
14 institution or institutions while completing high school graduation and
15 diploma requirements.

16 (b) "School" means a charter school, a school district, or a board of
17 cooperative educational services.

18 2. The commissioner shall adopt a statewide policy outlining the defi-
19 inition of dual enrollment programs in New York state and guidelines for
20 participation and data reporting.

21 3. The policy established pursuant to subdivision two of this section
22 shall require that schools and higher education institutions annually
23 submit to the department data regarding participation in and outcomes of
24 dual enrollment programs in a form and manner determined by the commis-
25 sioner pursuant to subdivision five of this section. The department
26 shall annually publish such data on its public website no later than
27 January first in the school year following the school year for which the
28 data is applicable.

29 4. The policy established pursuant to subdivision two of this section
30 shall require that, by September first, two thousand twenty-six, all
31 schools participating in a dual enrollment program shall submit to the
32 department a partnership agreement with the institution or institutions
33 of higher education with which they are partnered. Such partnership
34 agreements shall establish the scope and terms of the dual enrollment
35 program, as well as a protocol for collecting, sharing, and reporting
36 any data required by the commissioner pursuant to this section. Partner-
37 ship agreements shall be consistent with the policy adopted by the
38 commissioner pursuant to subdivision two of this section, and shall
39 contain such other provisions as may be required by the commissioner.
40 The partnership agreements shall be updated and resubmitted no less than
41 once every five years. The commissioner shall develop and make publicly
42 available the required partnership agreement form for schools and higher
43 education institutions no later than January first, two thousand twen-
44 ty-six.

45 5. On or before January first, two thousand twenty-six, the commis-
46 sioner, the chancellor of the state university of New York, the chancel-
47 lor of the city university of New York, and the governor shall jointly
48 establish data points to be submitted pursuant to this section.

49 § 12. Subdivision 4 of section 3627 of the education law, as amended
50 by section 13-a of part A of chapter 56 of the laws of 2024, is amended
51 to read as follows:

52 4. Notwithstanding any other provision of law to the contrary, any
53 expenditures for transportation provided pursuant to this section in the
54 two thousand thirteen--two thousand fourteen school year and thereafter
55 and otherwise eligible for transportation aid pursuant to subdivision
56 seven of section thirty-six hundred two of this article shall be consid-

ered approved transportation expenses eligible for transportation aid, provided further that for the two thousand thirteen--two thousand fourteen school year such aid shall be limited to eight million one hundred thousand dollars and for the two thousand fourteen--two thousand fifteen school year such aid shall be limited to the sum of twelve million six hundred thousand dollars plus the base amount and for the two thousand fifteen--two thousand sixteen school year through two thousand eighteen--two thousand nineteen school year such aid shall be limited to the sum of eighteen million eight hundred fifty thousand dollars plus the base amount and for the two thousand nineteen--two thousand twenty school year such aid shall be limited to the sum of nineteen million three hundred fifty thousand dollars plus the base amount and for the two thousand twenty--two thousand twenty-one school year such aid shall be limited to the sum of nineteen million eight hundred fifty thousand dollars plus the base amount and for the two thousand twenty-two--two thousand twenty-three school year such aid shall be limited to the sum of twenty-two million three hundred fifty thousand dollars plus the base amount and for the two thousand twenty-three--two thousand twenty-four school year such aid shall be limited to the sum of twenty-four million eight hundred fifty thousand dollars plus the base amount and for the two thousand twenty-four--two thousand twenty-five school year [and thereafter] such aid shall be limited to the sum of twenty-nine million eight hundred fifty thousand dollars plus the base amount and for the two thousand twenty-five--two thousand twenty-six school year and thereafter such aid shall be limited to the product of (i) the maximum amount of aid authorized by this subdivision for the base year, and (ii) the sum of one plus the product of (a) two and one-half multiplied by (b) the percentage increase in the consumer price index as defined in paragraph hh of subdivision one of section thirty-six hundred two of this article. For purposes of this subdivision, "base amount" means the amount of transportation aid paid to the school district for expenditures incurred in the two thousand twelve--two thousand thirteen school year for transportation that would have been eligible for aid pursuant to this section had this section been in effect in such school year, except that subdivision six of this section shall be deemed not to have been in effect. And provided further that the school district shall continue to annually expend for the transportation described in subdivision one of this section at least the expenditures used for the base amount.

§ 12-a. Section 11 of chapter 378 of the laws of 2010 amending the education law relating to paperwork reduction, as amended by section 1 of item FF of subpart B of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

§ 11. This act shall take effect immediately; provided, however, that the commissioner of education shall promulgate any rules or regulations necessary to implement the provisions of this act on or before July 1, 2010; provided, further that if section ten of this act shall take effect after July 1, 2010 it shall be deemed to have been in full force and effect on and after July 1, 2010; and provided further that section ten of this act shall expire and be deemed repealed [on] June 30, [2025] 2030.

§ 12-b. Subdivision 4 of section 3638 of the education law, as added by section 1 of subpart A of part B of chapter 56 of the laws of 2022, is amended to read as follows:

4. (a) A school district may apply to the commissioner, and the department may grant a [one-time extension] maximum of two extensions of



1 up to twenty-four months each to comply with the requirements of subdi-
2 vision two of this section. The commissioner shall consider a school
3 district's effort to meet the requirements of subdivision two of this
4 section and any other factors outside of the control of the district
5 when granting an extension, including but not limited to, procurement
6 efforts made by the school district, applications for state or federal
7 funds, changes needed to school district operations to meet the require-
8 ments of this section, employee training, [and] receipt of technical
9 assistance, [if any. Upon a school district receiving an extension, the
10 New York state energy research and development authority, in consulta-
11 tion with the department, shall provide any additional technical assist-
12 ance necessary to the district to meet the requirements of subdivision
13 two of this section] market availability of zero-emission school buses
14 or supporting infrastructure, and availability of state or federal
15 funds. In order to receive a second extension pursuant to this para-
16 graph, a school district must have at least engaged with the New York
17 state energy research and development authority in the initiation and
18 development of a fleet electrification plan.

19 The commissioner shall provide written notification to a school
20 district where such school district is granted an extension and shall
21 detail the grounds for granting such extension.

22 (b) The commissioner shall notify the New York state energy research
23 and development authority when the first extension is granted to a
24 school district pursuant to paragraph (a) of this subdivision. The New
25 York state energy research and development authority or its designee
26 shall meet with the school district at least annually during the exten-
27 sion period to provide technical assistance to address the grounds
28 detailed in the extension.

29 (c) The New York state energy research and development authority shall
30 make a recommendation to the commissioner if they determine a school
31 district has the capacity to fulfill the requirements of subdivision two
32 of this section based on the fleet electrification technical assessment
33 and shall notify the education department and the school district of
34 such recommendation in writing. No school district may be granted an
35 extension pursuant to paragraph (a) of this subdivision where the New
36 York state energy research and development authority has notified the
37 commissioner of their recommendation that such school district has the
38 capacity to fulfill the requirements of subdivision two of this section.

39 (d) The commissioner shall publish on the department's website no
40 later than December thirty-first, two thousand twenty-five the applica-
41 tion school districts must use to apply for extensions pursuant to para-
42 graph (a) of this subdivision and the requirements school districts must
43 meet to qualify for such extensions.

44 § 12-c. The general business law is amended by adding a new article
45 11-C to read as follows:

46 ARTICLE 11-C

47 SALE OF ZERO-EMISSION SCHOOL BUSES

48 Section. 199-o. Independent range estimate required.

49 199-p. Penalties.

50 § 199-o. Independent range estimate required. (a) Any entity that
51 sells a zero-emission school bus to a school district or contractor for
52 use in providing transportation services to a school district located
53 within the state of New York shall be required to provide an independent
54 third-party range estimate to prospective purchasers prior to such a
55 sale. Such range estimate must, at a minimum, provide the estimated
56 range on different terrain and different weather conditions. The range



1 estimate shall also include the average level of battery degradation per
2 ten thousand miles traveled. The range estimate shall also consider
3 whether the bus is stored outside or utilizes an indoor garage. For the
4 purposes of this section "zero-emission school bus" shall have the same
5 meaning as in subdivision one of section thirty-six hundred thirty-eight
6 of the education law.

7 (b) Nothing in this section shall be interpreted to impact sales
8 completed prior to January first, two thousand twenty-six, provided
9 however that if the entity selling such zero-emission school buses later
10 receives a range estimate for the model or models sold prior to January
11 first, two thousand twenty-six, the selling entity shall provide such
12 range estimate to the purchasing school district or contractor.

13 § 199-p. Penalties. Any person, firm, corporation, or association or
14 agent or employee thereof who violates the provisions of this article
15 shall be liable for a civil penalty of not more than one thousand
16 dollars for each violation, which shall accrue to the state of New York
17 and may be recovered in a civil action brought by the attorney general.
18 For the purposes of this article, the noncompliant sale of each zero-em-
19 ission school bus shall constitute a single violation.

20 § 12-d. Subparagraph 2 of paragraph d of subdivision 3 of section
21 3623-a of the education law, as added by section 13 of part A of chapter
22 56 of the laws of 2024, is amended to read as follows:

23 (2) (i) In the case of allowable expenses for transportation capital,
24 debt service, or leases which are related to costs associated with the
25 purchase of or conversion to zero-emission school buses and supporting
26 infrastructure and which are supported in whole or in part by vouchers,
27 payments, or grants authorized under section 58-0701 of the environ-
28 mental conservation law, such allowable expenses at the time in which
29 the expense is claimed for aid shall [not exceed] be reduced by the
30 quotient of (A) the positive difference, if any, of the maximum state
31 support less allowable expenses, divided by (B) the transportation aid
32 ratio calculated pursuant to subdivision seven of section thirty-six
33 hundred two of this article, provided that allowable expenses after such
34 reduction, if any, shall be greater than zero.

35 (ii) For purposes of this subparagraph "maximum state support" shall
36 be equal to the sum of [(i)] (A) the product of the transportation aid
37 ratio calculated pursuant to subdivision seven of section thirty-six
38 hundred two of this article multiplied by allowable expenses, plus
39 [(ii)] (B) the final value of any such vouchers paid on behalf of a
40 school district, payments, and grants authorized under section 58-0701
41 of the environmental conservation law.

42 § 13. Paragraph i of subdivision 12 of section 3602 of the education
43 law, as amended by section 14 of part A of chapter 56 of the laws of
44 2024, is amended to read as follows:

45 i. For the two thousand twenty-one--two thousand twenty-two school
46 year through the two thousand [twenty-four] ~~twenty-five~~--two thousand
47 [twenty-five] ~~twenty-six~~ school year, each school district shall be
48 entitled to an apportionment equal to the amount set forth for such
49 school district as "ACADEMIC ENHANCEMENT" under the heading "2020-21
50 ESTIMATED AIDS" in the school aid computer listing produced by the
51 commissioner in support of the budget for the two thousand twenty--two
52 thousand twenty-one school year and entitled "SA202-1", and such appor-
53 tionment shall be deemed to satisfy the state obligation to provide an
54 apportionment pursuant to subdivision eight of section thirty-six
55 hundred forty-one of this article.



1 § 14. The opening paragraph of subdivision 16 of section 3602 of the
2 education law, as amended by section 15 of part A of chapter 56 of the
3 laws of 2024, is amended to read as follows:

4 Each school district shall be eligible to receive a high tax aid
5 apportionment in the two thousand eight--two thousand nine school year,
6 which shall equal the greater of (i) the sum of the tier 1 high tax aid
7 apportionment, the tier 2 high tax aid apportionment and the tier 3 high
8 tax aid apportionment or (ii) the product of the apportionment received
9 by the school district pursuant to this subdivision in the two thousand
10 seven--two thousand eight school year, multiplied by the due-minimum
11 factor, which shall equal, for districts with an alternate pupil wealth
12 ratio computed pursuant to paragraph b of subdivision three of this
13 section that is less than two, seventy percent (0.70), and for all other
14 districts, fifty percent (0.50). Each school district shall be eligible
15 to receive a high tax aid apportionment in the two thousand nine--two
16 thousand ten through two thousand twelve--two thousand thirteen school
17 years in the amount set forth for such school district as "HIGH TAX AID"
18 under the heading "2008-09 BASE YEAR AIDS" in the school aid computer
19 listing produced by the commissioner in support of the budget for the
20 two thousand nine--two thousand ten school year and entitled "SA0910".
21 Each school district shall be eligible to receive a high tax aid appor-
22 tionment in the two thousand thirteen--two thousand fourteen through two
23 thousand [twenty-four] twenty-five--two thousand [twenty-five] twenty-
24 six school year equal to the greater of (1) the amount set forth for
25 such school district as "HIGH TAX AID" under the heading "2008-09 BASE
26 YEAR AIDS" in the school aid computer listing produced by the commis-
27 sioner in support of the budget for the two thousand nine--two thousand
28 ten school year and entitled "SA0910" or (2) the amount set forth for
29 such school district as "HIGH TAX AID" under the heading "2013-14 ESTI-
30 MATED AIDS" in the school aid computer listing produced by the commis-
31 sioner in support of the executive budget for the 2013-14 fiscal year
32 and entitled "BT131-4".

33 § 15. Subdivision 16 of section 3602-ee of the education law, as
34 amended by section 18 of part A of chapter 56 of the laws of 2024, is
35 amended to read as follows:

36 16. The authority of the department to administer the universal full-
37 day pre-kindergarten program shall expire June thirtieth, two thousand
38 [twenty-five] twenty-six; provided that the program shall continue and
39 remain in full effect.

40 § 16. Intentionally omitted.

41 § 17. The opening paragraph of section 3609-a of the education law, as
42 amended by section 23 of part A of chapter 56 of the laws of 2024, is
43 amended to read as follows:

44 For aid payable in the two thousand seven--two thousand eight school
45 year through the two thousand [twenty-four] twenty-five--two thousand
46 [twenty-five] twenty-six school year, "moneys apportioned" shall mean
47 the lesser of (i) the sum of one hundred percent of the respective
48 amount set forth for each school district as payable pursuant to this
49 section in the school aid computer listing for the current year produced
50 by the commissioner in support of the budget which includes the appro-
51 priation for the general support for public schools for the prescribed
52 payments and individualized payments due prior to April first for the
53 current year plus the apportionment payable during the current school
54 year pursuant to subdivision six-a and subdivision fifteen of section
55 thirty-six hundred two of this part minus any reductions to current year
56 aids pursuant to subdivision seven of section thirty-six hundred four of

1 this part or any deduction from apportionment payable pursuant to this
2 chapter for collection of a school district basic contribution as
3 defined in subdivision eight of section forty-four hundred one of this
4 chapter, less any grants provided pursuant to subparagraph two-a of
5 paragraph b of subdivision four of section ninety-two-c of the state
6 finance law, less any grants provided pursuant to subdivision five of
7 section ninety-seven-nnnn of the state finance law, less any grants
8 provided pursuant to subdivision twelve of section thirty-six hundred
9 forty-one of this article, or (ii) the apportionment calculated by the
10 commissioner based on data on file at the time the payment is processed;
11 provided however, that for the purposes of any payments made pursuant to
12 this section prior to the first business day of June of the current
13 year, moneys apportioned shall not include any aids payable pursuant to
14 subdivisions six and fourteen, if applicable, of section thirty-six
15 hundred two of this part as current year aid for debt service on bond
16 anticipation notes and/or bonds first issued in the current year or any
17 aids payable for full-day kindergarten for the current year pursuant to
18 subdivision nine of section thirty-six hundred two of this part. The
19 definitions of "base year" and "current year" as set forth in subdivi-
20 sion one of section thirty-six hundred two of this part shall apply to
21 this section. For aid payable in the two thousand [twenty-four] twenty-
22 five--two thousand [twenty-five] twenty-six school year, reference to
23 such "school aid computer listing for the current year" shall mean the
24 printouts entitled ["SA242-5"] "SA252-6".

25 § 18. Subdivision b of section 2 of chapter 756 of the laws of 1992,
26 relating to funding a program for work force education conducted by the
27 consortium for worker education in New York city, as amended by section
28 27 of part A of chapter 56 of the laws of 2024, is amended to read as
29 follows:

30 b. Reimbursement for programs approved in accordance with subdivision
31 a of this section for the reimbursement for the 2018--2019 school year
32 shall not exceed 59.4 percent of the lesser of such approvable costs per
33 contact hour or fourteen dollars and ninety-five cents per contact hour,
34 reimbursement for the 2019--2020 school year shall not exceed 57.7
35 percent of the lesser of such approvable costs per contact hour or
36 fifteen dollars sixty cents per contact hour, reimbursement for the
37 2020--2021 school year shall not exceed 56.9 percent of the lesser of
38 such approvable costs per contact hour or sixteen dollars and twenty-
39 five cents per contact hour, reimbursement for the 2021--2022 school
40 year shall not exceed 56.0 percent of the lesser of such approvable
41 costs per contact hour or sixteen dollars and forty cents per contact
42 hour, reimbursement for the 2022--2023 school year shall not exceed 55.7
43 percent of the lesser of such approvable costs per contact hour or
44 sixteen dollars and sixty cents per contact hour, reimbursement for the
45 2023--2024 school year shall not exceed 54.7 percent of the lesser of
46 such approvable costs per contact hour or seventeen dollars and seventy
47 cents per contact hour, [and] reimbursement for the 2024--2025 school
48 year shall not exceed 56.6 percent of the lesser of such approvable
49 costs per contact hour or eighteen dollars and seventy cents per contact
50 hour, and reimbursement for the 2025--2026 school year shall not exceed
51 58.2 percent of the lesser of such approvable costs per contact hour or
52 nineteen dollars and fifty-five cents per contact hour, and where a
53 contact hour represents sixty minutes of instruction services provided
54 to an eligible adult. Notwithstanding any other provision of law to the
55 contrary, for the 2018--2019 school year such contact hours shall not
56 exceed one million four hundred sixty-three thousand nine hundred



1 sixty-three (1,463,963); for the 2019--2020 school year such contact
2 hours shall not exceed one million four hundred forty-four thousand four
3 hundred forty-four (1,444,444); for the 2020--2021 school year such
4 contact hours shall not exceed one million four hundred six thousand
5 nine hundred twenty-six (1,406,926); for the 2021--2022 school year such
6 contact hours shall not exceed one million four hundred sixteen thousand
7 one hundred twenty-two (1,416,122); for the 2022--2023 school year such
8 contact hours shall not exceed one million four hundred six thousand
9 nine hundred twenty-six (1,406,926); for the 2023--2024 school year such
10 contact hours shall not exceed one million three hundred forty-two thou-
11 sand nine hundred seventy-five (1,342,975); [and] for the 2024--2025
12 school year such contact hours shall not exceed one million two hundred
13 twenty-eight thousand seven hundred thirty-three (1,228,733); and for
14 the 2025--2026 school year such contact hours shall not exceed one
15 million one hundred forty-three thousand three hundred fifty-nine
16 (1,143,359). Notwithstanding any other provision of law to the contra-
17 ry, the apportionment calculated for the city school district of the
18 city of New York pursuant to subdivision 11 of section 3602 of the
19 education law shall be computed as if such contact hours provided by the
20 consortium for worker education, not to exceed the contact hours set
21 forth herein, were eligible for aid in accordance with the provisions of
22 such subdivision 11 of section 3602 of the education law.

23 § 19. Section 4 of chapter 756 of the laws of 1992, relating to fund-
24 ing a program for work force education conducted by the consortium for
25 worker education in New York city, is amended by adding a new subdivi-
26 sion dd to read as follows:

27 dd. The provisions of this subdivision shall not apply after the
28 completion of payments for the 2025--2026 school year. Notwithstanding
29 any inconsistent provisions of law, the commissioner of education shall
30 withhold a portion of employment preparation education aid due to the
31 city school district of the city of New York to support a portion of the
32 costs of the work force education program. Such moneys shall be credited
33 to the elementary and secondary education fund-local assistance account
34 and shall not exceed thirteen million dollars (\$13,000,000).

35 § 20. Section 6 of chapter 756 of the laws of 1992, relating to fund-
36 ing a program for work force education conducted by the consortium for
37 worker education in New York city, as amended by section 29 of part A of
38 chapter 56 of the laws of 2024, is amended to read as follows:

39 § 6. This act shall take effect July 1, 1992, and shall be deemed
40 repealed June 30, [2025] 2026.

41 § 20-a. Paragraph a-1 of subdivision 11 of section 3602 of the educa-
42 tion law, as amended by section 29-a of part A of chapter 56 of the laws
43 of 2024, is amended to read as follows:

44 a-1. Notwithstanding the provisions of paragraph a of this subdivi-
45 sion, for aid payable in the school years two thousand--two thousand one
46 through two thousand nine--two thousand ten, and two thousand eleven--
47 two thousand twelve through two thousand [twenty-four] ~~twenty-five~~--two
48 thousand [twenty-five] ~~twenty-six~~, the commissioner may set aside an
49 amount not to exceed two million five hundred thousand dollars from the
50 funds appropriated for purposes of this subdivision for the purpose of
51 serving persons twenty-one years of age or older who have not been
52 enrolled in any school for the preceding school year, including persons
53 who have received a high school diploma or high school equivalency
54 diploma but fail to demonstrate basic educational competencies as
55 defined in regulation by the commissioner, when measured by accepted



1 standardized tests, and who shall be eligible to attend employment prep-
2 aration education programs operated pursuant to this subdivision.

3 § 21. Subdivision 6 of section 4402 of the education law, as amended
4 by section 25 of part A of chapter 56 of the laws of 2024, is amended to
5 read as follows:

6 6. Notwithstanding any other law, rule or regulation to the contrary,
7 the board of education of a city school district with a population of
8 one hundred twenty-five thousand or more inhabitants shall be permitted
9 to establish maximum class sizes for special classes for certain
10 students with disabilities in accordance with the provisions of this
11 subdivision. For the purpose of obtaining relief from any adverse fiscal
12 impact from under-utilization of special education resources due to low
13 student attendance in special education classes at the middle and
14 secondary level as determined by the commissioner, such boards of educa-
15 tion shall, during the school years nineteen hundred ninety-five-nine-
16 ty-six through June thirtieth, two thousand [twenty-five] twenty-six, be
17 authorized to increase class sizes in special classes containing
18 students with disabilities whose age ranges are equivalent to those of
19 students in middle and secondary schools as defined by the commissioner
20 for purposes of this section by up to but not to exceed one and two
21 tenths times the applicable maximum class size specified in regulations
22 of the commissioner rounded up to the nearest whole number, provided
23 that in a city school district having a population of one million or
24 more, classes that have a maximum class size of fifteen may be increased
25 by no more than one student and provided that the projected average
26 class size shall not exceed the maximum specified in the applicable
27 regulation, provided that such authorization shall terminate on June
28 thirtieth, two thousand. Such authorization shall be granted upon filing
29 of a notice by such a board of education with the commissioner stating
30 the board's intention to increase such class sizes and a certification
31 that the board will conduct a study of attendance problems at the
32 secondary level and will implement a corrective action plan to increase
33 the rate of attendance of students in such classes to at least the rate
34 for students attending regular education classes in secondary schools of
35 the district. Such corrective action plan shall be submitted for
36 approval by the commissioner by a date during the school year in which
37 such board increases class sizes as provided pursuant to this subdivi-
38 sion to be prescribed by the commissioner. Upon at least thirty days
39 notice to the board of education, after conclusion of the school year in
40 which such board increases class sizes as provided pursuant to this
41 subdivision, the commissioner shall be authorized to terminate such
42 authorization upon a finding that the board has failed to develop or
43 implement an approved corrective action plan.

44 § 22. Subdivisions 22 and 24 of section 140 of chapter 82 of the laws
45 of 1995, amending the education law and other laws relating to state aid
46 to school districts and the appropriation of funds for the support of
47 government, as amended by section 26 of part A of chapter 56 of the laws
48 of 2024, are amended to read as follows:

49 (22) sections one hundred twelve, one hundred thirteen, one hundred
50 fourteen, one hundred fifteen and one hundred sixteen of this act shall
51 take effect on July 1, 1995; provided, however, that section one hundred
52 thirteen of this act shall remain in full force and effect until July 1,
53 [2025] 2026 at which time it shall be deemed repealed;

54 (24) sections one hundred eighteen through one hundred thirty of this
55 act shall be deemed to have been in full force and effect on and after
56 July 1, 1995; provided further, however, that the amendments made pursu-



ant to section one hundred twenty-four of this act shall be deemed to be repealed on and after July 1, [2025] 2026;

§ 22-a. Section 12 of part C of chapter 56 of the laws of 2020 directing the commissioner of education to appoint a monitor for the Rochester city school district, establishing the powers and duties of such monitor and certain other officers and relating to the apportionment of aid to such district, as amended by section 25 of part A of chapter 56 of the laws of 2023, is amended to read as follows:

§ 12. This act shall take effect immediately, provided, however, that sections two, three, four, five, six, seven, eight, nine and ten of this act shall expire and be deemed repealed June 30, [2025] 2027; and provided further, however that sections one and eleven of this act shall expire and be deemed repealed June 30, 2049.

§ 22-b. Section 12 of chapter 19 of the laws of 2020 authorizing the commissioner of education to appoint a monitor to oversee the Hempstead union free school district and establishing the powers and duties of such monitor, is amended to read as follows:

§ 12. This act shall take effect immediately; provided, however, section one of this act shall take effect on the same date as a chapter of the laws of 2019, authorizing the commissioner of education and the chancellor of the board of regents, with the approval of the board of regents, to appoint monitors to oversee the Hempstead union free school district, as proposed in legislative bills numbers S.6559 and A.8403, takes effect; and provided further, however sections two, three, four, five, six, seven, eight, nine, ten and eleven of this act shall expire and be deemed repealed June 30, [2025] 2027.

§ 22-c. Section 13 of chapter 18 of the laws of 2020 authorizing the commissioner of education to appoint a monitor to oversee the Wyandanch union free school district and establishing the powers and duties of the monitor, is amended to read as follows:

§ 13. This act shall take effect immediately, provided however:

Section one of this act shall take effect on the same date as a chapter of the laws of 2019, authorizing the commissioner of education, in consultation with the comptroller to appoint a monitor to oversee the Wyandanch union free school district and establishing the powers and duties of the monitor, as proposed in legislative bills numbers S.6588-A and A.8422-A, takes effect.

Sections three through ten of this act shall expire and be deemed repealed June 30, [2025] 2027.

Section eleven shall expire and be deemed repealed June 30 of the last fiscal year during which serial bonds or bonds issued to refund such serial bonds that are outstanding pursuant to such section of this act, provided that the superintendent of the Wyandanch union free school district shall notify the legislative bill drafting commission upon such occurrence in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

Sections two and twelve of this act shall expire and be deemed repealed June 30, 2049.

§ 22-d. Section 13 of chapter 89 of the laws of 2016 relating to supplementary funding for dedicated programs for public school students in the East Ramapo central school district, as amended by chapter 173 of the laws of 2021, is amended to read as follows:

§ 13. This act shall take effect July 1, 2016 and shall expire and be deemed repealed June 30, [2025] 2027.



1 § 22-e. Section 3204 of the education law is amended by adding a new
2 subdivision 6 to read as follows:

3 6. Notwithstanding any law, rule, or regulation to the contrary:

4 (a) Instruction at a nonpublic school satisfies all the requirements
5 of this part applicable to instruction, including subdivision two of
6 this section, subdivision two of section thirty-two hundred ten of this
7 part, and any other requirements in this chapter applicable to instruc-
8 tion, and shall thereby qualify as and be finally recognized to be at
9 least substantially equivalent to the instruction given to minors of
10 like age and attainments at the public schools of the city or district
11 where the minor resides, if such nonpublic school is:

12 (i) a registered high school or nonpublic school serving grades one
13 through eight that has a registered high school;

14 (ii) a state-approved private special education school or state-oper-
15 ated or state-supported school established by the state legislature
16 pursuant to article eighty-five, eighty-seven or eighty-eight of this
17 chapter;

18 (iii) a nonpublic school that is accredited or is awarded provisional
19 status by an accreditation body approved by the commissioner for
20 purposes of demonstrating compliance with the requirements of this
21 section, except that such provisional status shall only apply for the
22 first five years that such nonpublic school has been awarded provisional
23 status. An accreditation body shall have the knowledge and expertise to
24 properly evaluate the entirety of the day's curriculum of those schools
25 that it accredits and shall use a peer review process that includes
26 evaluation by leaders of similar nonpublic schools, appropriately train
27 all staff and peer reviewers who are involved in the accreditation proc-
28 ess, accredit based on publicly accessible documented standards, perform
29 a comprehensive onsite visit of any school seeking accreditation while
30 such school is in session, and periodically conduct a combination of
31 interim and full accreditation reviews of the nonpublic schools which it
32 accredits during at least a ten-year period. Additionally, such accred-
33 itation body shall require nonpublic schools seeking accreditation to
34 have curriculum that is informed by research, document individual
35 student progress, and have mechanisms for monitoring, assessing, and
36 providing feedback on student progress. The commissioner may, at any
37 time, revoke such commissioner's approval of an accreditation body for
38 cause, upon notice and hearing;

39 (iv) a nonpublic school that participates in the international bacca-
40 laureate program;

41 (v) a nonpublic school whose instruction is approved by the United
42 States government for instruction on a military base or service academy;

43 (vi) a nonpublic school in which the percentage of students who score
44 "proficient" on a year-end summative or cumulative assessment and taken
45 in the same subject areas and for the same grade levels as the annual
46 New York state testing program to comply with the federal Every Student
47 Succeeds Act is equal to or greater than one of the following metrics,
48 and such school has declared the intended use of such metric at the
49 beginning of the school year:

50 (1) the percentage of similarly situated public school students scor-
51 ing at the "proficient" level on New York state testing program tests
52 taken in the same subject areas and grade levels in the school district
53 that serves the same geographic area as the nonpublic school is located;
54 or



1 (2) the percentage of similarly situated public school students state-
2 wide scoring at the "proficient" level on New York state testing program
3 tests taken in the same subject areas and grade levels; or

4 (vii) a nonpublic school that administers a year-end summative or
5 cumulative assessment taken in substantially the same subject areas and
6 same grade levels as the annual New York state testing program to comply
7 with the federal Every Student Succeeds Act, has a three-year average
8 participation rate that is equal to or greater than the three-year
9 statewide average participation rate, and uses the results to assess the
10 school's educational program and to seek to improve instruction and its
11 students' performance on such tests.

12 (a-1) A nonpublic school's satisfaction of one or more criteria listed
13 in paragraph (a) of this subdivision in one school year shall not auto-
14 matically be deemed satisfaction of such criteria in later school years
15 if such school ceases to satisfy such criteria in such later years.

16 (b) (i) For purposes of subparagraphs (vi) and (vii) of paragraph (a)
17 of this subdivision, the following terms shall have the following mean-
18 ings:

19 (1) "Year-end summative or cumulative assessment" shall mean one or
20 more assessments selected by the nonpublic school that qualifies as (A)
21 a New York state testing program test; (B) an assessment approved by the
22 commissioner; or (C) a nationally-recognized, commercially published
23 norm-referenced achievement test that is: (I) recognized and used in at
24 least three other states; (II) selected by the nonpublic school from one
25 of the following: the Iowa Test of Basic Skills, the California Achieve-
26 ment Test, the Stanford Achievement Test, the Comprehensive Test of
27 Basic Skills, the Metropolitan Achievement Test, i-Ready, a state educa-
28 tion department test, or; (III) another test approved by the state
29 education department. All assessments and materials used in connection
30 with such assessments shall be culturally competent and respectful of
31 cultural curricula and pedagogy. A nonpublic school shall not need to
32 use the same year-end summative or cumulative assessment across all
33 grades or years and may change assessments used at any time.

34 (2) "Proficient" shall mean, as applicable, (A) a score of "profi-
35 cient" on a New York state testing program test; (B) a score determined
36 by the commissioner for an assessment approved by the commissioner; or
37 (C) a score of at least the thirty-third percentile on a nationally-re-
38 cognized, commercially published norm-referenced achievement test,
39 unless the commissioner approves a lower percentage for such tests.

40 (ii) To rely on subparagraph (vi) of paragraph (a) of this subdivi-
41 sion, a nonpublic school shall demonstrate a student participation rate
42 on its year-end summative or cumulative assessment or assessments equal
43 to or greater than the three-year average statewide participation rate.

44 (iii) To allow for adequate preparation of students in connection with
45 subparagraphs (vi) and (vii) of paragraph (a) of this subdivision, a
46 phase-in period shall be established. During such phase-in period, a
47 nonpublic school and its affiliated schools shall be deemed to have met
48 the criteria in subparagraphs (vi) and (vii) of paragraph (a) of this
49 subdivision, for purposes of all components of this subdivision. Such
50 phase-in status shall commence upon the effective date of this subdivi-
51 sion, including prior to the administration of any year-end summative or
52 cumulative assessment, and shall continue until the first cohort enter-
53 ing second grade at such nonpublic school after such effective date
54 completes the year-end summative or cumulative assessment for the third
55 grade and shall further continue in the subsequent years, as long as
56 such nonpublic school continues administering a year-end summative or



1 cumulative assessment for the third grade and adds one additional, high-
2 er grade each year until such nonpublic school is administering a year-
3 end summative or cumulative assessment for grades three through ten. The
4 phase-in period shall end after the two thousand thirty-two--two thou-
5 sand thirty-three school year. Prior to such cohorts tested using year-
6 end summative or cumulative assessments under subparagraphs (vi) and
7 (vii) of paragraph (a) of this subdivision, such cohorts may be provided
8 with practice and/or sample testing questions to begin familiarizing
9 themselves with standardized testing methodology. The phase-in period
10 shall be applicable to all nonpublic schools, and it shall only be
11 necessary for a nonpublic school to administer year-end summative or
12 cumulative assessments for the phased-in grades, notwithstanding the
13 nonpublic school's past or current administration of such assessments
14 for other grades.

15 (iv) If a nonpublic school meets, or has been deemed pursuant to
16 subparagraph (iii) of this paragraph to have met, the criteria in
17 subparagraph (vi) or (vii) of paragraph (a) of this subdivision, then
18 during the phase-in period of subparagraph (iii) of this paragraph, all
19 affiliated schools shall be deemed to have met such criteria. Affil-
20 iated schools are those with one of the following: the same office of
21 religious and independent school support (ORISS) code under a single
22 basic educational data system (BEDS) code; or the same organization with
23 a different BEDS code in the same location; or the same ORISS code and
24 leadership but may have physical buildings in different locations.
25 During the phase-in period of subparagraph (iii) of this paragraph, a
26 nonpublic school which meets the criteria of subparagraph (vii) of
27 paragraph (a) of this subdivision shall include its affiliated schools
28 when using the results of the year-end summative or cumulative assess-
29 ment to assess educational programming and improve instruction and
30 students' performance on such tests. During the phase-in period of
31 subparagraph (iii) of this paragraph, if a nonpublic school meets the
32 criteria in subparagraph (iii) of paragraph (a) of this subdivision with
33 respect to provisional status then all affiliated schools shall be
34 deemed to have met such criteria. If a nonpublic high school meets the
35 criteria in subparagraph (i) or (vi) of paragraph (a) of this subdivi-
36 sion, then all affiliated middle or elementary schools shall be deemed
37 to have met such criteria.

38 (c) Nothing in this subdivision shall preclude the commissioner from
39 defining by rule or regulation alternative criteria which may also be
40 used to demonstrate that instruction at a nonpublic school is in compli-
41 ance with this section. Compliance with this section may be demonstrated
42 through any one or more of the criteria established in this subdivision
43 and shall thereby qualify as and be finally recognized to be substan-
44 tially equivalent without any further requirements. A nonpublic
45 school's satisfaction of one or more criteria in one school year shall
46 not automatically be deemed satisfaction of such criteria in later
47 school years if such school ceases to satisfy such criteria in such
48 later years. A nonpublic school may elect at any time to select differ-
49 ent criteria. A nonpublic school's omission to satisfy one or more
50 criteria shall not affect a nonpublic school's ability to satisfy anoth-
51 er criteria, or such criteria at a later date.

52 § 23. Special apportionment for salary expenses. 1. Notwithstanding
53 any other provision of law, upon application to the commissioner of
54 education, not sooner than the first day of the second full business
55 week of June 2026 and not later than the last day of the third full
56 business week of June 2026, a school district eligible for an apportion-

1 ment pursuant to section 3602 of the education law shall be eligible to
2 receive an apportionment pursuant to this section, for the school year
3 ending June 30, 2026, for salary expenses incurred between April 1 and
4 June 30, 2025 and such apportionment shall not exceed the sum of (a) the
5 deficit reduction assessment of 1990--1991 as determined by the commis-
6 sioner of education, pursuant to paragraph f of subdivision 1 of section
7 3602 of the education law, as in effect through June 30, 1993, plus (b)
8 186 percent of such amount for a city school district in a city with a
9 population in excess of 1,000,000 inhabitants, plus (c) 209 percent of
10 such amount for a city school district in a city with a population of
11 more than 195,000 inhabitants and less than 219,000 inhabitants accord-
12 ing to the latest federal census, plus (d) the net gap elimination
13 adjustment for 2010--2011, as determined by the commissioner of educa-
14 tion pursuant to chapter 53 of the laws of 2010, plus (e) the gap elimi-
15 nation adjustment for 2011--2012 as determined by the commissioner of
16 education pursuant to subdivision 17 of section 3602 of the education
17 law, and provided further that such apportionment shall not exceed such
18 salary expenses. Such application shall be made by a school district,
19 after the board of education or trustees have adopted a resolution to do
20 so and in the case of a city school district in a city with a population
21 in excess of 125,000 inhabitants, with the approval of the mayor of such
22 city.

23 2. The claim for an apportionment to be paid to a school district
24 pursuant to subdivision 1 of this section shall be submitted to the
25 commissioner of education on a form prescribed for such purpose, and
26 shall be payable upon determination by such commissioner that the form
27 has been submitted as prescribed. Such approved amounts shall be payable
28 on the same day in September of the school year following the year in
29 which application was made as funds provided pursuant to subparagraph 4
30 of paragraph b of subdivision 4 of section 92-c of the state finance
31 law, on the audit and warrant of the state comptroller on vouchers
32 certified or approved by the commissioner of education in the manner
33 prescribed by law from moneys in the state lottery fund and from the
34 general fund to the extent that the amount paid to a school district
35 pursuant to this section exceeds the amount, if any, due such school
36 district pursuant to subparagraph 2 of paragraph a of subdivision 1 of
37 section 3609-a of the education law in the school year following the
38 year in which application was made.

39 3. Notwithstanding the provisions of section 3609-a of the education
40 law, an amount equal to the amount paid to a school district pursuant to
41 subdivisions 1 and 2 of this section shall first be deducted from the
42 following payments due the school district during the school year
43 following the year in which application was made pursuant to subpara-
44 graphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section
45 3609-a of the education law in the following order: the lottery appor-
46 tionment payable pursuant to subparagraph 2 of such paragraph followed
47 by the fixed fall payments payable pursuant to subparagraph 4 of such
48 paragraph and then followed by the district's payments to the teachers'
49 retirement system pursuant to subparagraph 1 of such paragraph, and any
50 remainder to be deducted from the individualized payments due the
51 district pursuant to paragraph b of such subdivision shall be deducted
52 on a chronological basis starting with the earliest payment due the
53 district.

54 § 24. Special apportionment for public pension accruals. 1. Notwith-
55 standing any other provision of law, upon application to the commission-
56 er of education, not later than June 30, 2026, a school district eligi-

1 ble for an apportionment pursuant to section 3602 of the education law
2 shall be eligible to receive an apportionment pursuant to this section,
3 for the school year ending June 30, 2026 and such apportionment shall
4 not exceed the additional accruals required to be made by school
5 districts in the 2004--2005 and 2005--2006 school years associated with
6 changes for such public pension liabilities. The amount of such addi-
7 tional accrual shall be certified to the commissioner of education by
8 the president of the board of education or the trustees or, in the case
9 of a city school district in a city with a population in excess of
10 125,000 inhabitants, the mayor of such city. Such application shall be
11 made by a school district, after the board of education or trustees have
12 adopted a resolution to do so and in the case of a city school district
13 in a city with a population in excess of 125,000 inhabitants, with the
14 approval of the mayor of such city.

15 2. The claim for an apportionment to be paid to a school district
16 pursuant to subdivision one of this section shall be submitted to the
17 commissioner of education on a form prescribed for such purpose, and
18 shall be payable upon determination by such commissioner that the form
19 has been submitted as prescribed. Such approved amounts shall be payable
20 on the same day in September of the school year following the year in
21 which application was made as funds provided pursuant to subparagraph 4
22 of paragraph b of subdivision 4 of section 92-c of the state finance
23 law, on the audit and warrant of the state comptroller on vouchers
24 certified or approved by the commissioner of education in the manner
25 prescribed by law from moneys in the state lottery fund and from the
26 general fund to the extent that the amount paid to a school district
27 pursuant to this section exceeds the amount, if any, due such school
28 district pursuant to subparagraph 2 of paragraph a of subdivision 1 of
29 section 3609-a of the education law in the school year following the
30 year in which application was made.

31 3. Notwithstanding the provisions of section 3609-a of the education
32 law, an amount equal to the amount paid to a school district pursuant to
33 subdivisions 1 and 2 of this section shall first be deducted from the
34 following payments due the school district during the school year
35 following the year in which application was made pursuant to subpara-
36 graphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section
37 3609-a of the education law in the following order: the lottery appor-
38 tionment payable pursuant to subparagraph 2 of such paragraph followed
39 by the fixed fall payments payable pursuant to subparagraph 4 of such
40 paragraph and then followed by the district's payments to the teachers'
41 retirement system pursuant to subparagraph 1 of such paragraph, and any
42 remainder to be deducted from the individualized payments due the
43 district pursuant to paragraph b of such subdivision shall be deducted
44 on a chronological basis starting with the earliest payment due the
45 district.

46 § 24-a. Subdivision a of section 5 of chapter 121 of the laws of 1996
47 authorizing the Roosevelt union free school district to finance deficits
48 by the issuance of serial bonds, as amended by section 36-a of part A of
49 chapter 56 of the laws of 2024, is amended to read as follows:

50 a. Notwithstanding any other provisions of law, upon application to
51 the commissioner of education submitted not sooner than April first and
52 not later than June thirtieth of the applicable school year, the Roose-
53 velt union free school district shall be eligible to receive an appor-
54 tionment pursuant to this chapter for salary expenses, including related
55 benefits, incurred between April first and June thirtieth of such school
56 year. Such apportionment shall not exceed: for the 1996-97 school year

1 through the [2024-25] 2025-26 school year, four million dollars
2 (\$4,000,000); for the [2025-26] 2026-27 school year, three million
3 dollars (\$3,000,000); for the [2026-27] 2027-28 school year, two million
4 dollars (\$2,000,000); for the [2027-28] 2028-29 school year, one million
5 dollars (\$1,000,000); and for the [2028-29] 2029-30 school year, zero
6 dollars. Such annual application shall be made after the board of
7 education has adopted a resolution to do so with the approval of the
8 commissioner of education.

9 § 25. The amounts specified in this section shall be a set-aside from
10 the state funds which each such district is receiving from the total
11 foundation aid:

12 1. for the development, maintenance or expansion of magnet schools or
13 magnet school programs for the 2025--2026 school year. For the city
14 school district of the city of New York there shall be a set-aside of
15 foundation aid equal to forty-eight million one hundred seventy-five
16 thousand dollars (\$48,175,000) including five hundred thousand dollars
17 (\$500,000) for the Andrew Jackson High School; for the Buffalo city
18 school district, twenty-one million twenty-five thousand dollars
19 (\$21,025,000); for the Rochester city school district, fifteen million
20 dollars (\$15,000,000); for the Syracuse city school district, thirteen
21 million dollars (\$13,000,000); for the Yonkers city school district,
22 forty-nine million five hundred thousand dollars (\$49,500,000); for the
23 Newburgh city school district, four million six hundred forty-five thou-
24 sand dollars (\$4,645,000); for the Poughkeepsie city school district,
25 two million four hundred seventy-five thousand dollars (\$2,475,000); for
26 the Mount Vernon city school district, two million dollars (\$2,000,000);
27 for the New Rochelle city school district, one million four hundred ten
28 thousand dollars (\$1,410,000); for the Schenectady city school district,
29 one million eight hundred thousand dollars (\$1,800,000); for the Port
30 Chester city school district, one million one hundred fifty thousand
31 dollars (\$1,150,000); for the White Plains city school district, nine
32 hundred thousand dollars (\$900,000); for the Niagara Falls city school
33 district, six hundred thousand dollars (\$600,000); for the Albany city
34 school district, three million five hundred fifty thousand dollars
35 (\$3,550,000); for the Utica city school district, two million dollars
36 (\$2,000,000); for the Beacon city school district, five hundred sixty-
37 six thousand dollars (\$566,000); for the Middletown city school
38 district, four hundred thousand dollars (\$400,000); for the Freeport
39 union free school district, four hundred thousand dollars (\$400,000);
40 for the Greenburgh central school district, three hundred thousand
41 dollars (\$300,000); for the Amsterdam city school district, eight
42 hundred thousand dollars (\$800,000); for the Peekskill city school
43 district, two hundred thousand dollars (\$200,000); and for the Hudson
44 city school district, four hundred thousand dollars (\$400,000).

45 2. Notwithstanding any inconsistent provision of law to the contrary,
46 a school district setting aside such foundation aid pursuant to this
47 section may use such set-aside funds for: (a) any instructional or
48 instructional support costs associated with the operation of a magnet
49 school; or (b) any instructional or instructional support costs associ-
50 ated with implementation of an alternative approach to promote diversity
51 and/or enhancement of the instructional program and raising of standards
52 in elementary and secondary schools of school districts having substan-
53 tial concentrations of minority students.

54 3. The commissioner of education shall not be authorized to withhold
55 foundation aid from a school district that used such funds in accordance
56 with this paragraph, notwithstanding any inconsistency with a request



1 for proposals issued by such commissioner for the purpose of attendance
2 improvement and dropout prevention for the 2025--2026 school year, and
3 for any city school district in a city having a population of more than
4 one million, the set-aside for attendance improvement and dropout
5 prevention shall equal the amount set aside in the base year. For the
6 2025--2026 school year, it is further provided that any city school
7 district in a city having a population of more than one million shall
8 allocate at least one-third of any increase from base year levels in
9 funds set aside pursuant to the requirements of this section to communi-
10 ty-based organizations. Any increase required pursuant to this section
11 to community-based organizations must be in addition to allocations
12 provided to community-based organizations in the base year.

13 4. For the purpose of teacher support for the 2025--2026 school year:
14 for the city school district of the city of New York, sixty-two million
15 seven hundred seven thousand dollars (\$62,707,000); for the Buffalo city
16 school district, one million seven hundred forty-one thousand dollars
17 (\$1,741,000); for the Rochester city school district, one million seven-
18 ty-six thousand dollars (\$1,076,000); for the Yonkers city school
19 district, one million one hundred forty-seven thousand dollars
20 (\$1,147,000); and for the Syracuse city school district, eight hundred
21 nine thousand dollars (\$809,000). All funds made available to a school
22 district pursuant to this section shall be distributed among teachers
23 including prekindergarten teachers and teachers of adult vocational and
24 academic subjects in accordance with this section and shall be in addi-
25 tion to salaries heretofore or hereafter negotiated or made available;
26 provided, however, that all funds distributed pursuant to this section
27 for the current year shall be deemed to incorporate all funds distrib-
28 uted pursuant to former subdivision 27 of section 3602 of the education
29 law for prior years. In school districts where the teachers are repres-
30 ented by certified or recognized employee organizations, all salary
31 increases funded pursuant to this section shall be determined by sepa-
32 rate collective negotiations conducted pursuant to the provisions and
33 procedures of article 14 of the civil service law, notwithstanding the
34 existence of a negotiated agreement between a school district and a
35 certified or recognized employee organization.

36 § 26. Support of public libraries. The moneys appropriated for the
37 support of public libraries by a chapter of the laws of 2025 enacting
38 the aid to localities budget shall be apportioned for the 2025--2026
39 state fiscal year in accordance with the provisions of sections 271,
40 272, 273, 282, 284, and 285 of the education law as amended by the
41 provisions of such chapter and the provisions of this section, provided
42 that library construction aid pursuant to section 273-a of the education
43 law shall not be payable from the appropriations for the support of
44 public libraries and provided further that no library, library system or
45 program, as defined by the commissioner of education, shall receive less
46 total system or program aid than it received for the year 2001--2002
47 except as a result of a reduction adjustment necessary to conform to the
48 appropriations for support of public libraries.

49 Notwithstanding any other provision of law to the contrary the moneys
50 appropriated for the support of public libraries for the year 2025--2026
51 by a chapter of the laws of 2025 enacting the aid to localities budget
52 shall fulfill the state's obligation to provide such aid and, pursuant
53 to a plan developed by the commissioner of education and approved by the
54 director of the budget, the aid payable to libraries and library systems
55 pursuant to such appropriations shall be reduced proportionately to

1 assure that the total amount of aid payable does not exceed the total
2 appropriations for such purpose.

3 § 27. Severability. The provisions of this act shall be severable, and
4 if the application of any clause, sentence, paragraph, subdivision,
5 section or part of this act to any person or circumstance shall be
6 adjudged by any court of competent jurisdiction to be invalid, such
7 judgment shall not necessarily affect, impair or invalidate the applica-
8 tion of any such clause, sentence, paragraph, subdivision, section, or
9 part of this act or remainder thereof, as the case may be, to any other
10 person or circumstance, but shall be confined in its operation to the
11 clause, sentence, paragraph, subdivision, section or part thereof
12 directly involved in the controversy in which such judgment shall have
13 been rendered.

14 § 28. This act shall take effect immediately, and shall be deemed to
15 have been in full force and effect on and after April 1, 2025, provided,
16 however, that:

17 1. Sections one, two, three, four, four-a, five, six, seven, eight,
18 nine, ten, ten-a, ten-b, ten-c, ten-d, ten-e, twelve, thirteen, four-
19 teen, fifteen, seventeen, twenty-one and twenty-five of this act shall
20 take effect July 1, 2025; and

21 2. The amendments to chapter 756 of the laws of 1992 made by sections
22 eighteen and nineteen of this act shall not affect the repeal of such
23 chapter and shall be deemed repealed therewith.

24 PART B

25 Section 1. The education law is amended by adding a new section 915-a
26 to read as follows:

27 § 915-a. Universal free school meals. 1. The department shall require
28 all school districts, charter schools and non-public schools in the
29 state that participate in the national school lunch program or school
30 breakfast program as provided in the Richard B. Russell National School
31 Lunch Act and the Child Nutrition Act, as amended, to serve breakfast
32 and lunch at no cost to the student. School districts, charter schools
33 and non-public schools shall maximize federal reimbursement for school
34 breakfast and lunch programs by adopting Provision 2, the federal Commu-
35 nity Eligibility Provision, or any other provision under such Act, the
36 National School Lunch Act or the National Child Nutrition Act that, in
37 the opinion of the department, maximizes federal funding for meals
38 served in such programs. Provided that school food authorities that do
39 not qualify as a single entity to participate in the community eligibil-
40 ity provision shall be required to group schools within the school food
41 authority, to the extent possible, for purposes of maximizing partic-
42 ipation in the community eligibility provision, and provided further
43 that school food authorities shall reapply annually for the community
44 eligibility provision program in the event that doing so would result in
45 a higher percentage of meals being reimbursed at the federal reimburse-
46 ment rate for a free meal.

47 2. Notwithstanding any provision of law, rule or regulation to the
48 contrary, for the two thousand twenty-five--two thousand twenty-six
49 school year and each school year thereafter, for each breakfast and
50 lunch meal served, the department shall reimburse the school food
51 authority the difference between (a) the combined state and federal
52 reimbursement rate for a reduced-price or paid meal, respectively, for
53 the current school year and (b) the combined state and federal
54 reimbursement rate for a free meal for the current school year, provided



1 that the total reimbursement rate for each meal served shall equal the
2 combined state and federal reimbursement rate for a free meal for the
3 current school year.

4 3. The department, in consultation with the office of temporary and
5 disability assistance, shall promulgate any rule or regulation needed
6 for school districts, charter schools and non-public schools to promote
7 the supplemental nutrition assistance program to a student or person in
8 parental relation to a student by providing either application assist-
9 ance or a direct referral to an outreach partner identified to the
10 department by the office of temporary and disability assistance to maxi-
11 mize the number of students directly certified for free school meals.

12 4. In addition to fulfilling any other applicable state and federal
13 requirements, the department shall provide technical assistance to
14 assist school districts, charter schools, and non-public schools in the
15 transition to universal school meals to ensure successful program oper-
16 ations and to maximize federal funding, including but not limited to the
17 following:

18 (a) Assisting school food authorities with one or more schools quali-
19 fying for the community eligibility provision in meeting any state and
20 federal requirements necessary in order to maximize reimbursement
21 through the community eligibility provision, including assisting such
22 school food authorities in maximizing participation in the community
23 eligibility provision.

24 (b) If a school food authority is ineligible to participate in and
25 receive reimbursement through the community eligibility provision,
26 assisting the school food authority in achieving and maximizing eligi-
27 bility and, if that is not feasible, assisting the school food authority
28 in determining the viability of using Provision 2 or other special
29 federal provisions available to schools to maximize federal reimburse-
30 ment.

31 5. School districts, charter schools, and non-public schools shall
32 maximize the number of students eligible for free meals by conducting
33 the Direct Certification Matching Process at a minimum of three times
34 per year, designating children as "Other Source Categorically Eligible",
35 as defined by federal regulations, or, for schools not participating in
36 the Community Eligibility Provision or Provision 2, by annually collect-
37 ing the free and reduced-price meal application.

38 § 2. Section 925 of the education law is REPEALED.

39 § 3. This act shall take effect July 1, 2025.

40 PART C

41 Section 1. The education law is amended by adding a new section 2803
42 to read as follows:

43 § 2803. Use of internet-enabled devices during the school day. 1. For
44 purposes of this section:

45 (a) "Internet-enabled devices" shall mean and include any smartphone,
46 tablet, smartwatch, or other device capable of connecting to the inter-
47 net and enabling the user to access content on the internet, including
48 social media applications; provided, however, that "internet-enabled
49 devices" shall not include:

50 (i) non-internet-enabled devices such as cellular phones or other
51 communication devices not capable of connecting to the internet or
52 enabling the user to access content on the internet; or

1 (ii) internet-enabled devices supplied by the school district, charter
2 school, or board of cooperative educational services that are used for
3 an educational purpose.

4 (b) "School day" shall mean the entirety of every instructional day as
5 required by subdivision seven of section thirty-six hundred four of this
6 chapter during all instructional time and non-instructional time,
7 including but not limited to homeroom periods, lunch, recess, study
8 halls, and passing time.

9 (c) "School grounds" shall mean in or on or within any building,
10 structure, athletic playing field, playground, or land contained within
11 the real property boundary line of a district elementary, intermediate,
12 junior high, vocational, or high school, a charter school, or a board of
13 cooperative educational services facility.

14 2. Notwithstanding paragraph b of subdivision one of section twenty-
15 eight hundred fifty-four of this chapter, each school district, charter
16 school, and board of cooperative educational services shall adopt a
17 written policy prohibiting the use of internet-enabled devices by
18 students during the school day anywhere on school grounds. Each school
19 district, charter school, and board of cooperative educational services
20 shall consult local stakeholders, including but not limited to the
21 employee organization representing each bargaining unit within the
22 school building, parents, and students, in the development of such poli-
23 cy prior to its adoption.

24 3. The policy adopted and implemented pursuant to subdivision two of
25 this section shall include one or more methods for persons in parental
26 relation to a student to contact the student during the school day and
27 provide for written notification to such persons in parental relation to
28 a student of these methods at the beginning of each school year and upon
29 enrollment.

30 4. The policy adopted and implemented pursuant to subdivision two of
31 this section shall include one or more methods for on-site storage where
32 students may store their internet-enabled devices during the school day,
33 which may include student lockers.

34 5. (a) The policy adopted and implemented pursuant to subdivision two
35 of this section may authorize student use of an internet-enabled device
36 during the school day on school grounds:

37 (i) if authorized by a teacher, principal, or the school district,
38 charter school, or board of cooperative educational services for a
39 specific educational purpose;

40 (ii) where necessary for the management of a student's healthcare;

41 (iii) in the event of an emergency;

42 (iv) for translation services;

43 (v) on a case-by-case basis, upon review and determination by a school
44 psychologist, school social worker, or school counselor, for a student
45 caregiver who is routinely responsible for the care and wellbeing of a
46 family member; or

47 (vi) where required by law.

48 (b) The policy may not prohibit a student's use of an internet-enabled
49 device where such use is included in the student's:

50 (i) individualized education program; or

51 (ii) plan developed pursuant to section five hundred four of the
52 federal rehabilitation act of 1973, 29 U.S.C. 794.

53 6. No later than August first, two thousand twenty-five, each school
54 district, charter school, and board of cooperative educational services
55 shall adopt and publish in a clearly visible and accessible location on
56 its website the internet-enabled device policy established pursuant to



1 subdivision two of this section. Translation of such policy into any of
2 the twelve most common non-English languages spoken by limited-English
3 proficient individuals in the state, based on the data in the most
4 recent American community survey published by the United States census
5 bureau, shall be provided upon request by a student or persons in
6 parental relation to a student.

7 7. (a) No later than September first, two thousand twenty-six, and
8 each September first thereafter, each school district, charter school,
9 and board of cooperative educational services shall publish an annual
10 report on its website detailing enforcement of the policy within the
11 district, charter school, or board of cooperative educational services
12 in the prior school year, including non-identifiable demographic data of
13 students who have faced disciplinary action for non-compliance and anal-
14 ysis of any demographic disparities in enforcement of the policy. If a
15 statistically significant disparate enforcement impact is identified,
16 such report shall include a mitigation action plan.

17 (b) Each school district, charter school, and board of cooperative
18 educational services shall not permit the suspension of a student if the
19 sole grounds for the suspension is that the student accessed an inter-
20 net-enabled device in violation of the policy adopted and implemented
21 pursuant to subdivision two of this section.

22 § 2. This act shall take effect immediately.

23 PART D

24 Section 1. Section 666 of the education law is REPEALED.

25 § 2. Paragraph a of subdivision 2 of section 667-c of the education
26 law, as amended by section 1 of part E of chapter 56 of the laws of
27 2022, is amended to read as follows:

28 a. for students defined in paragraph a of subdivision one of this
29 section, a part-time student is one who: (i) is enrolled [as a first-
30 time freshman during the two thousand six--two thousand seven academic
31 year or thereafter] at a college or university within the state univer-
32 sity, including a statutory or contract college, a community college
33 established pursuant to article one hundred twenty-six of this chapter,
34 the city university of New York, or a non-profit college or university
35 incorporated by the regents or by the legislature;

36 (ii) is enrolled for at least [six] three but less than twelve semes-
37 ter hours, or the equivalent, per semester in an approved undergraduate
38 degree program; and

39 (iii) has a cumulative grade-point average of at least 2.00.

40 § 3. Section 667-c-1 of the education law is REPEALED.

41 § 4. Paragraph c of subdivision 5 of section 610 of the education law,
42 as added by chapter 425 of the laws of 1988, is amended to read as
43 follows:

44 c. Any semester, quarter or term of attendance during which a student
45 receives an award for part-time study pursuant to this section shall be
46 counted as one-half of a semester, quarter or term, as the case may be,
47 toward the maximum term of eligibility for tuition assistance awards
48 pursuant to [sections six hundred sixty-six and] section six hundred
49 sixty-seven of this chapter.

50 § 5. Subdivision 2 of section 667 of the education law, as amended by
51 chapter 376 of the laws of 2019, is amended to read as follows:

52 2. Duration. No undergraduate shall be eligible for more than four
53 academic years of study, or five academic years if the program of study
54 normally requires five years. Students enrolled in a program of remedial



1 study, approved by the commissioner in an institution of higher educa-
2 tion and intended to culminate in a degree in undergraduate study shall,
3 for purposes of this section, be considered as enrolled in a program of
4 study normally requiring five years. An undergraduate student enrolled
5 in an eligible two year program of study approved by the commissioner
6 shall be eligible for no more than three academic years of study. An
7 undergraduate student enrolled in an approved two or four-year program
8 of study approved by the commissioner who must transfer to another
9 institution as a result of permanent college closure shall be eligible
10 for up to two additional semesters, or their equivalent, to the extent
11 credits necessary to complete [his or her] the student's program of
12 study were deemed non-transferable from the closed institution or were
13 deemed not applicable to such student's program of study by the new
14 institution. Any semester, quarter, or term of attendance during which
15 a student receives any award under this article, after the effective
16 date of the former scholar incentive program and prior to academic year
17 nineteen hundred eighty-nine--nineteen hundred ninety, shall be counted
18 toward the maximum term of eligibility for tuition assistance under this
19 section, except that any semester, quarter or term of attendance during
20 which a student received an award pursuant to section six hundred
21 sixty-six of this subpart shall be counted as one-half of a semester,
22 quarter or term, as the case may be, toward the maximum term of eligi-
23 bility under this section. Any semester, quarter or term of attendance
24 during which a student received an award pursuant to section six hundred
25 sixty-seven-a of this subpart shall not be counted toward the maximum
26 term of eligibility under this section.
27 § 6. This act shall take effect immediately and shall apply to academ-
28 ic years 2025-2026 and thereafter.

29

PART E

30 Section 1. Subdivision 2 of section 669-h of the education law, as
31 amended by section 1 of part G of chapter 56 of the laws of 2022, is
32 amended to read as follows:

33 2. Amount. Within amounts appropriated therefor and based on avail-
34 ability of funds, awards shall be granted [beginning with the two thou-
35 sand seventeen--two thousand eighteen academic year and thereafter] to
36 applicants that the corporation has determined are eligible to receive
37 such awards. The corporation shall grant such awards in an amount up to
38 [five thousand five hundred dollars or] actual tuition[, whichever is
39 less]; provided, however, (a) a student who receives educational grants
40 and/or scholarships that cover the student's full cost of attendance
41 shall not be eligible for an award under this program; and (b) an award
42 under this program shall be applied to tuition after the application of
43 payments received under the tuition assistance program pursuant to
44 section six hundred sixty-seven of this subpart, tuition credits pursu-
45 ant to section six hundred eighty-nine-a of this article, federal Pell
46 grant pursuant to section one thousand seventy of title twenty of the
47 United States code, et seq., and any other program that covers the cost
48 of attendance unless exclusively for non-tuition expenses, and the award
49 under this program shall be reduced in the amount equal to such
50 payments, provided that the combined benefits do not exceed [five thou-
51 sand five hundred dollars. Upon notification of an award under this
52 program, the institution shall defer the amount of tuition. Notwith-
53 standing paragraph h of subdivision two of section three hundred fifty-
54 five and paragraph (a) of subdivision seven of section six thousand two



1 hundred six of this chapter, and any other law, rule or regulation to
2 the contrary,] the resident undergraduate tuition charged by [the insti-
3 tution to recipients of an award shall not exceed the tuition rate
4 established by the institution for the two thousand sixteen--two thou-
5 sand seventeen academic year provided, however, that in the two thousand
6 twenty-two--two thousand twenty-three academic year and every year ther-
7 eafter, the undergraduate tuition charged by the institution to recipi-
8 ents of an award shall be reset to equal the tuition rate established by
9 the institution for the forthcoming academic year, provided further that
10 the tuition credit calculated pursuant to section six hundred eighty-
11 nine-a of this article shall be applied toward the tuition rate charged
12 for recipients of an award under this program. Provided further that]
13 the state university of New York [and the city university of New York
14 shall provide an additional tuition credit to students receiving an
15 award to cover the remaining cost of tuition].

16 § 2. This act shall take effect immediately and shall be applicable to
17 academic years 2025-2026 and thereafter.

18 PART F

19 Section 1. The education law is amended by adding a new section 6311
20 to read as follows:

21 § 6311. New York opportunity promise scholarship. 1. Eligibility. A
22 New York opportunity promise scholarship shall be awarded to an appli-
23 cant who meets all of the following conditions:

24 (a) is at least twenty-five years of age or older, but in no case more
25 than fifty-five years of age, as of January first of the calendar year
26 for the semester for which the applicant makes initial application;

27 (b) has applied for a New York state tuition assistance program award
28 pursuant to section six hundred sixty-seven of this chapter, a federal
29 Pell grant pursuant to section 1070 of title 20 of the United States
30 code, et. seq., and any other applicable financial aid;

31 (c) is matriculated at a community college of the state university of
32 New York or the city university of New York, as defined in subdivision
33 two of section sixty-three hundred one of this article or subdivision
34 four of section sixty-two hundred two of this title, respectively, in an
35 approved program directly leading to an associate's degree in a high-de-
36 mand field; provided that for the two thousand twenty-five -- two thou-
37 sand twenty-six academic year, such fields shall include but not be
38 limited to advanced manufacturing, technology, cybersecurity, engineer-
39 ing, artificial intelligence, nursing and allied health professions,
40 green and renewable energy, and pathways to teaching in shortage areas,
41 provided further that such fields may be updated annually thereafter by
42 the department of labor no later than one hundred eighty days prior to
43 the first start date of the fall term of such community colleges, and
44 provided further that the eligibility of such approved program estab-
45 lished in the semester for which the applicant makes initial application
46 shall continue;

47 (d) is eligible for the payment of tuition and fees at a rate no
48 greater than that imposed for resident students in community colleges;
49 and

50 (e) has not already obtained any postsecondary degree, provided that
51 nothing in this paragraph shall be construed to prohibit the eligibility
52 of a student who is already enrolled in an eligible associate degree
53 program on the effective date of this section and who meets all the
54 other eligibility requirements of this subdivision.



1 2. Amount. Within amounts appropriated therefor, and subject to avail-
2 ability of funds, awards shall be granted for the two thousand twenty-
3 five -- two thousand twenty-six academic year and thereafter to appli-
4 cants who are determined to be eligible to receive such awards. Such
5 awards shall be calculated on a per term basis prior to the start of
6 each term the applicant is successfully enrolled and shall not exceed
7 the positive difference, if any, of (a) the sum of actual tuition, fees,
8 books, and applicable supplies charged to the applicant and approved by
9 the applicable community college, less (b) the sum of all payments
10 received by the applicant from all sources of financial aid received by
11 the applicant with the exception of aid received pursuant to federal
12 work-study programs authorized under sections 1087-51 through 1087-58 of
13 title 20 of the United States code and educational loans taken by the
14 applicant or guardian.

15 3. Additional provisions. An eligible recipient shall complete at
16 least six credits per semester, for a total of at least twelve credits
17 per academic year, in an approved program of study. An eligible recipi-
18 ent shall be continuously enrolled without a gap of more than one
19 academic year, provided that such duration may be extended for an allow-
20 able interruption of study including, but not limited to, death of a
21 family member, medical leave, military service, and parental leave.
22 Notwithstanding any inconsistent provision of this section, if an appli-
23 cant fails to meet the eligibility criteria of this section at any
24 point, no further awards shall be made to the applicant.

25 4. Conditions. (a) An eligible recipient shall continue to make satis-
26 factory academic progress in order to maintain continued eligibility for
27 an award pursuant to this section.

28 (b) Each campus that enrolls students pursuant to this section shall
29 take steps consistent with established policy to maximize the award of
30 credit for prior learning for participating students.

31 (c) No student shall receive an award pursuant to this section for
32 greater than ten semesters.

33 (d) A student who earns college credit pursuant to this section shall
34 be entitled to transfer such credit to another state university of New
35 York or city university of New York campus consistent with transfer
36 policies established by the state university of New York or city univer-
37 sity of New York.

38 5. Reporting. By September first, two thousand twenty-six, and by
39 September first of each year thereafter, the chancellor of the state
40 university of New York and the chancellor of the city university of New
41 York shall each submit a report to the governor, the speaker of the
42 assembly, and the temporary president of the senate, including but not
43 limited to the following information:

44 (a) enrollment data by full and part-time status;

45 (b) retention and completion rates by full and part-time status;

46 (c) barriers to student participation;

47 (d) demographic data related to the program;

48 (e) average prior learning and transfer credit awarded;

49 (f) the total amount of funds awarded and the average award per
50 student; and

51 (g) post-completion outcomes including transfer, employment, and
52 wages, as applicable.

53 § 2. This act shall take effect immediately.



1 Intentionally Omitted

2 PART H

3 Intentionally Omitted

4 PART I

5 Intentionally Omitted

6 PART J

7 Intentionally Omitted

8 PART K

9 Intentionally Omitted

10 PART L

11 Section 1. Paragraph (a) of subdivision 1 of section 33 of the private
12 housing finance law, as amended by chapter 229 of the laws of 1989, is
13 amended to read as follows:

14 (a) Upon the consent of the local legislative body of any municipality
15 in which a project is or is to be located, the real property in a
16 project shall be exempt from local and municipal taxes, other than
17 assessments for local improvements, to the extent of all or part of the
18 value of the property included in such project which represents an
19 increase over the assessed valuation of the real property, both land and
20 improvements, acquired for the project at the time of its acquisition by
21 the limited-profit housing company, provided, however, that the real
22 property in a project acquired for purposes of rehabilitation shall be
23 exempt to the extent of all or part of the value of the property
24 included in such project, and further provided that the amount of such
25 taxes to be paid shall not be less than ten per centum of the annual
26 shelter rent or carrying charges of such project except that for
27 projects located or to be located in a city of a population of one
28 million or more, [upon the consent of the local legislative body of the
29 municipality, the amount of such taxes to be paid may be set at not less
30 than (i) the taxes payable with respect to the real property in such
31 project with respect to the year nineteen hundred seventy-three, or,
32 (ii) if such project was not occupied in such year, not less than ten
33 per centum of the annual shelter rent or carrying charges first estab-
34 lished pursuant to subdivision one of section thirty-one of this arti-
35 cle] the amount of such taxes shall be no more than five per centum of
36 the annual shelter rent or carrying charges of the project. Upon the
37 consent of the local legislative body of a municipality, other than a
38 city with a population of one million or more, in which the project is
39 located, the amount of such taxes may be further reduced to five per
40 centum or less of the annual shelter rent or carrying charges of the
41 project. Any such granted consent to reduce the amount of such taxes



1 shall expire every ten years. If such authorization is not renewed, the
2 rate of taxation shall revert to the level established before the
3 consent was granted. Shelter rent shall mean the total rents received
4 from the occupants of a project less the cost of providing to the occu-
5 pants electricity, gas, heat and other utilities. Total rents shall
6 include rent supplements and subsidies received from the federal govern-
7 ment, the state or a municipality on behalf of such occupants[,] but
8 shall not include interest reduction payments pursuant to subdivision
9 (a) of section two hundred one of the Federal Housing and Urban Develop-
10 ment Act of nineteen hundred sixty-eight. The tax exemption shall oper-
11 ate and continue so long as the mortgage loans of the company, including
12 any additional mortgage loan the proceeds of which are used primarily
13 for the residential portion of the project, which additional loan is
14 approved by the commissioner or the supervising agency, are outstanding.

15 § 2. Paragraph (c) of subdivision 1 of section 33 of the private hous-
16 ing finance law, as amended by chapter 229 of the laws of 1989, is
17 amended to read as follows:

18 (c) Notwithstanding the provisions of paragraphs (a) and (b) of this
19 subdivision, the real property of a state urban development corporation
20 project acquired, owned, constructed, managed or operated by a company
21 incorporated pursuant to the not-for-profit corporation law and this
22 article shall be entitled to all the benefits provided by section four
23 hundred twenty-two of the real property tax law. The real property of a
24 state urban development corporation project, other than a state urban
25 development corporation project acquired, owned, constructed, managed or
26 operated by a company incorporated pursuant to the not-for-profit corpo-
27 ration law and this article, shall be exempt from all local and municipi-
28 pal taxes, other than assessments for local improvements, to the extent
29 of the value of the property included in such project as represents an
30 increase over the assessed valuation of the real property, both land and
31 improvements, acquired for the project on the date of its acquisition by
32 the limited-profit housing company, provided that the amount of such
33 taxes to be paid shall not be less than ten per centum of the annual
34 shelter rent or carrying charges of such project, as defined in para-
35 graph (a) hereof, except that in a city with a population of one million
36 or more, the amount of such taxes shall be no more than five per centum
37 of the annual shelter rent or carrying charges of the project. Upon the
38 consent of the local legislative body of the municipality, other than a
39 city with a population of one million or more, in which the project is
40 located, the amount of such taxes may be further reduced to five per
41 centum or less of the annual shelter rent or carrying charges of the
42 project. Any such granted consent to reduce the amount of such taxes
43 shall expire every ten years. If such authorization is not renewed, the
44 rate of taxation shall revert to the level established before the
45 consent was granted. The tax exemption shall operate and continue so
46 long as the mortgage loans of such limited profit housing company,
47 including any additional mortgage loan the proceeds of which are used
48 primarily for the residential portion of the project, which additional
49 loan is approved by the commissioner or the supervising agency, are
50 outstanding and the project is continued to be operated as a limited-
51 profit housing project. If a state urban development corporation project
52 qualifying for tax exemption pursuant to this paragraph is sold, with
53 the approval of the commissioner, to another limited-profit housing
54 company, such successor company shall be entitled to all the benefits of
55 this paragraph. In the event that such sale is to a company incorporated
56 pursuant to the not-for-profit corporation law and this article, such



1 successor company shall be entitled to all the benefits provided by
2 section four hundred twenty-two of the real property tax law.

3 § 3. Paragraph (d) of subdivision 1 of section 33 of the private hous-
4 ing finance law, as amended by chapter 744 of the laws of 1977, is
5 amended to read as follows:

6 (d) Notwithstanding the provisions of paragraphs (a) and (b) of this
7 subdivision, when a project is financed with a mortgage loan pursuant to
8 this article or article three of this chapter and (i) there is a partic-
9 ipation, new loan or investment pursuant to section twenty-three-b of
10 this article or (ii) such mortgage loan is assigned, modified or satis-
11 fied pursuant to section twenty-three-a or forty-four-b or subdivision
12 twenty-two-a of section six hundred fifty-four of this chapter, the real
13 property of the project shall be exempt from all local and municipal
14 taxes, other than assessments for local improvements, to the extent of
15 the value of the real property included in such project which represents
16 an increase over the assessed valuation of the real property, both land
17 and improvements, acquired for the project on the date of its original
18 acquisition for the project by the original mortgagor under a mortgage
19 loan pursuant to this article or article three of this chapter, provided
20 that the amount of taxes to be paid on the project shall not be less
21 than ten per centum of the annual shelter rent or carrying charges of
22 such project, as defined in paragraph (a) of this subdivision, except
23 that in a city with a population of one million or more, the amount of
24 such taxes shall be no more than five per centum of the annual shelter
25 rent or carrying charges of the project. Upon the consent of the local
26 legislative body of the municipality, other than a city with a popu-
27 lation of one million or more, in which the project is located, the
28 amount of such taxes may be further reduced to five per centum or less
29 of the annual shelter rent or carrying charges of the project. Any such
30 granted consent to reduce the amount of such taxes shall expire every
31 ten years. If such authorization is not renewed, the rate of taxation
32 shall revert to the level established before the consent was granted.
33 Such tax exemption shall commence in each instance from the date when
34 the project becomes subject to a mortgage insured by the federal govern-
35 ment and shall operate and continue so long as a mortgage on such
36 project is insured or held by the federal government or so long as the
37 project is thereafter owned by the federal government or so long as any
38 residual indebtedness is outstanding, whichever is longer. When there is
39 a participation, new loan or investment pursuant to section twenty-
40 three-b of this article, such participation, new loan or investment
41 shall be deemed to be the equivalent of a federally insured mortgage for
42 purposes of this paragraph. Nothing contained in this paragraph shall be
43 construed to limit or otherwise impair the benefits available to any
44 company eligible for exemption from taxation pursuant to section thir-
45 ty-one or section thirty-six-a of this article, section four hundred
46 twenty-two or section four hundred sixty-seven-c of the real property
47 tax law, or section fifty-eight of the public housing law. The foregoing
48 shall not be deemed to authorize any company to receive the benefits of
49 any exemption from taxation in contravention of the provisions of
50 section two of article eighteen of the constitution.

51 § 4. Subdivision 4 of section 33 of the private housing finance law,
52 as amended by chapter 229 of the laws of 1989, is amended to read as
53 follows:

54 4. Notwithstanding the provisions of subdivision one hereof, when a
55 mutual company is organized under this article to facilitate the acqui-
56 sition of a building by residents thereof, the amount of local and

1 municipal taxes, other than assessments for local improvements, to be
2 paid on the real property included in such project, both land and
3 improvements, shall not exceed twenty per centum of the annual shelter
4 rent or carrying charges of such project, as defined in paragraph (a) of
5 subdivision one hereof; provided, however, that where such acquisition
6 of a building by residents thereof involves the financing of rehabili-
7 tation or other improvement as well as acquisition, upon the consent of
8 the local legislative body of the municipality in which the project is
9 located the amount of such taxes may be further reduced provided that
10 such amount shall not be less than ten per centum of the annual shelter
11 rent or carrying charges of the project, as defined in paragraph (a) of
12 subdivision one hereof; or the company may in lieu of requesting such
13 consent apply for the benefits of the local law, if any, enacted pursu-
14 ant to section four hundred eighty-nine of the real property tax law.
15 Notwithstanding any other provision of this subdivision, in a city with
16 a population of one million or more, the amount of such taxes shall be
17 no more than five per centum of the annual shelter rent or carrying
18 charges of the project. Upon the consent of the local legislative body
19 of the municipality, other than a city with a population of one million
20 or more, in which the project is located, the amount of such taxes may
21 be further reduced to five per centum or less of the annual shelter rent
22 or carrying charges of the project. Any such granted consent to reduce
23 the amount of such taxes shall expire every ten years. If such authori-
24 zation is not renewed, the rate of taxation shall revert to the level
25 established before the consent was granted. Such tax exemption, if any,
26 granted pursuant to this article shall operate and continue so long as a
27 loan made under this article or any subsequent loan approved by the
28 commissioner or the supervising agency to enhance the residential
29 portion of the project and the project is continued to be operated for
30 the purposes set forth in this article is outstanding.

31 § 5. Section 93 of the private housing finance law is amended by adding
32 a new subdivision 8 to read as follows:

33 8. Notwithstanding any other provision of this section, the maximum
34 combined local and municipal taxes, other than assessments for local
35 improvements, that a project operated by a housing company established
36 pursuant to this article, and which is eligible for a tax exemption
37 pursuant to any other subdivision of this section, shall be required to
38 pay in a city with a population of one million or more shall be no more
39 than the equivalent of five per centum of the annual shelter rent or
40 carrying charges of such project. Upon the consent of the local legisla-
41 tive body of the municipality, other than a city with a population of
42 one million or more, in which the project is located, the amount of such
43 taxes may be further reduced to five per centum or less of the annual
44 shelter rent or carrying charges of the project. Any such granted
45 consent to reduce the amount of such taxes shall expire every ten years.
46 If such authorization is not renewed, the rate of taxation shall revert
47 to the level established before the consent was granted. For the
48 purposes of this subdivision, "shelter rent" shall have the same meaning
49 as such term is defined to have in paragraph a of subdivision one of
50 section thirty-three of this chapter.

51 § 6. This act shall take effect immediately.

52 PART M

53 Intentionally Omitted



1

PART N

2 Section 1. Notwithstanding any other provision of law, the housing
3 trust fund corporation may provide, for purposes of the neighborhood
4 preservation program, a sum not to exceed \$18,800,000 for the fiscal
5 year ending March 31, 2026. Within this total amount, \$250,000 shall be
6 used for the purpose of entering into a contract with the neighborhood
7 preservation coalition to provide technical assistance and services to
8 companies funded pursuant to article 16 of the private housing finance
9 law. Notwithstanding any other provision of law, and subject to the
10 approval of the New York state director of the budget, the board of
11 directors of the state of New York mortgage agency shall authorize the
12 transfer to the housing trust fund corporation, for the purposes of
13 reimbursing any costs associated with neighborhood preservation program
14 contracts authorized by this section, a total sum not to exceed
15 \$18,800,000, such transfer to be made from (i) the special account of
16 the mortgage insurance fund created pursuant to section 2429-b of the
17 public authorities law, in an amount not to exceed the actual excess
18 balance in the special account of the mortgage insurance fund, as deter-
19 mined and certified by the state of New York mortgage agency for the
20 fiscal year 2024-2025 in accordance with section 2429-b of the public
21 authorities law, if any, and/or (ii) provided that the reserves in the
22 project pool insurance account of the mortgage insurance fund created
23 pursuant to section 2429-b of the public authorities law are sufficient
24 to attain and maintain the credit rating (as determined by the state of
25 New York mortgage agency) required to accomplish the purposes of such
26 account, the project pool insurance account of the mortgage insurance
27 fund, such transfer to be made as soon as practicable but no later than
28 June 30, 2025.

29 § 2. Notwithstanding any other provision of law, the housing trust
30 fund corporation may provide, for purposes of the rural preservation
31 program, a sum not to exceed \$8,050,000 for the fiscal year ending March
32 31, 2026. Within this total amount, \$250,000 shall be used for the
33 purpose of entering into a contract with the rural housing coalition to
34 provide technical assistance and services to companies funded pursuant
35 to article 17 of the private housing finance law. Notwithstanding any
36 other provision of law, and subject to the approval of the New York
37 state director of the budget, the board of directors of the state of New
38 York mortgage agency shall authorize the transfer to the housing trust
39 fund corporation, for the purposes of reimbursing any costs associated
40 with rural preservation program contracts authorized by this section, a
41 total sum not to exceed \$8,050,000, such transfer to be made from (i)
42 the special account of the mortgage insurance fund created pursuant to
43 section 2429-b of the public authorities law, in an amount not to exceed
44 the actual excess balance in the special account of the mortgage insur-
45 ance fund, as determined and certified by the state of New York mortgage
46 agency for the fiscal year 2024-2025 in accordance with section 2429-b
47 of the public authorities law, if any, and/or (ii) provided that the
48 reserves in the project pool insurance account of the mortgage insurance
49 fund created pursuant to section 2429-b of the public authorities law
50 are sufficient to attain and maintain the credit rating (as determined
51 by the state of New York mortgage agency) required to accomplish the
52 purposes of such account, the project pool insurance account of the
53 mortgage insurance fund, such transfer to be made as soon as practicable
54 but no later than June 30, 2025.



1 § 3. Notwithstanding any other provision of law, the housing trust
2 fund corporation may provide, for purposes of the rural rental assist-
3 ance program pursuant to article 17-A of the private housing finance
4 law, a sum not to exceed \$23,455,000 for the fiscal year ending March
5 31, 2026. Notwithstanding any other provision of law, and subject to
6 the approval of the New York state director of the budget, the board of
7 directors of the state of New York mortgage agency shall authorize the
8 transfer to the housing trust fund corporation, for the purposes of
9 reimbursing any costs associated with rural rental assistance program
10 contracts authorized by this section, a total sum not to exceed
11 \$23,455,000, such transfer to be made from (i) the special account of
12 the mortgage insurance fund created pursuant to section 2429-b of the
13 public authorities law, in an amount not to exceed the actual excess
14 balance in the special account of the mortgage insurance fund, as deter-
15 mined and certified by the state of New York mortgage agency for the
16 fiscal year 2024-2025 in accordance with section 2429-b of the public
17 authorities law, if any, and/or (ii) provided that the reserves in the
18 project pool insurance account of the mortgage insurance fund created
19 pursuant to section 2429-b of the public authorities law are sufficient
20 to attain and maintain the credit rating, as determined by the state of
21 New York mortgage agency, required to accomplish the purposes of such
22 account, the project pool insurance account of the mortgage insurance
23 fund, such transfer shall be made as soon as practicable but no later
24 than June 30, 2025.

25 § 4. Notwithstanding any other provision of law, the homeless housing
26 and assistance corporation may provide, for purposes of the New York
27 state supportive housing program, the solutions to end homelessness
28 program or the operational support for AIDS housing program, or to qual-
29 ified grantees under such programs, in accordance with the requirements
30 of such programs, a sum not to exceed \$56,381,000 for the fiscal year
31 ending March 31, 2026. The homeless housing and assistance corporation
32 may enter into an agreement with the office of temporary and disability
33 assistance to administer such sum in accordance with the requirements of
34 such programs. Notwithstanding any other provision of law, and subject
35 to the approval of the New York state director of the budget, the board
36 of directors of the state of New York mortgage agency shall authorize
37 the transfer to the homeless housing and assistance corporation, a total
38 sum not to exceed \$56,381,000, such transfer to be made from (i) the
39 special account of the mortgage insurance fund created pursuant to
40 section 2429-b of the public authorities law, in an amount not to exceed
41 the actual excess balance in the special account of the mortgage insur-
42 ance fund, as determined and certified by the state of New York mortgage
43 agency for the fiscal year 2024-2025 in accordance with section 2429-b
44 of the public authorities law, if any, and/or (ii) provided that the
45 reserves in the project pool insurance account of the mortgage insurance
46 fund created pursuant to section 2429-b of the public authorities law
47 are sufficient to attain and maintain the credit rating as determined by
48 the state of New York mortgage agency, required to accomplish the
49 purposes of such account, the project pool insurance account of the
50 mortgage insurance fund, such transfer shall be made as soon as practi-
51 cable but no later than March 31, 2026.

52 § 5. Notwithstanding any other provision of law, the housing trust
53 fund corporation may provide, for grants to non-profit organizations to
54 assist non-profit affordable housing owners in joining an insurance
55 captive, a sum not to exceed \$5,000,000 for the fiscal year ending March
56 31, 2026. Notwithstanding any other provision of law, and subject to

1 the approval of the New York state director of the budget, the board of
2 directors of the state of New York mortgage agency shall authorize the
3 transfer to the housing trust fund corporation, for the purpose of reim-
4 bursing any grants to non-profit organizations to assist non-profit
5 affordable housing owners in joining an insurance captive authorized by
6 this section, a total sum not to exceed \$5,000,000, such transfer to be
7 made from (i) the special account of the mortgage insurance fund
8 created pursuant to section 2429-b of the public authorities law, in an
9 amount not to exceed the actual excess balance in the special account of
10 the mortgage insurance fund, as determined and certified by the state of
11 New York mortgage agency for the fiscal year 2024-2025 in accordance
12 with section 2429-b of the public authorities law, if any, and/or (ii)
13 provided that the reserves in the project pool insurance account of the
14 mortgage insurance fund created pursuant to section 2429-b of the public
15 authorities law are sufficient to attain and maintain the credit rating
16 (as determined by the state of New York mortgage agency) required to
17 accomplish the purposes of such account, the project pool insurance
18 account of the mortgage insurance fund, such transfer to be made as soon
19 as practicable but no later than June 30, 2025.

20 § 6. This act shall take effect immediately.

21 PART O

22 Section 1. Section 3 of part N of chapter 56 of the laws of 2020,
23 amending the social services law relating to restructuring financing for
24 residential school placements, as amended by section 1 of part G of
25 chapter 56 of the laws of 2024, is amended to read as follows:

26 § 3. This act shall take effect immediately and shall expire and be
27 deemed repealed April 1, [2025] 2026; provided however that the amend-
28 ments to subdivision 10 of section 153 of the social services law made
29 by section one of this act, shall not affect the expiration of such
30 subdivision and shall be deemed to expire therewith.

31 § 2. This act shall take effect immediately and shall be deemed to
32 have been in full force and effect on and after April 1, 2025.

33 PART P

34 Section 1. The social services law is amended by adding a new section
35 390-n to read as follows:

36 § 390-n. Child care support center; operating certificate required. 1.
37 For purposes of this section, "child care support center" shall mean an
38 entity operating as a child care resource and referral program as
39 defined in title five-B of this article that is certified by the office
40 of children and family services to place individuals as substitute care-
41 givers at child day care centers, group family day care homes, family
42 day care homes, or school age child care programs as defined in section
43 three hundred ninety of this title for the purpose of providing child
44 day care.

45 2. The office of children and family services shall be authorized to
46 certify child care support centers and may, at its discretion, limit the
47 number of operating certificates issued. The office of children and
48 family services shall regulate and monitor child care support centers.

49 3. No entity may place substitute caregivers at child day care
50 centers, group family day care homes, family day care homes, or school
51 age child care programs unless it possesses a valid operating certif-
52 icate issued by the office of children and family services.



1 4. Prior to placing an individual as a substitute caregiver at a child
2 day care center, group family day care home, family day care home, or
3 school age child care program as defined in section three hundred ninety
4 of this title for the purpose of providing child day care, a child care
5 support center shall verify that the substitute caregiver has met the:

6 (a) standards and training requirements set forth in section three
7 hundred ninety-a of this title for child day care program employees;

8 (b) criminal history review and background clearance requirements of
9 section three hundred ninety-b of this title for prospective employees
10 of a child day care program; and

11 (c) any other requirements established by the regulations of the
12 office of children and family services.

13 5. Any child day care program licensed or registered by the office of
14 children and family services shall be authorized to request placement of
15 a substitute caregiver by a child care support center in accordance with
16 procedures established by the child care support center.

17 6. Operating certificates issued under this section shall remain valid
18 unless surrendered by the child care support center or revoked by the
19 office of children and family services. The office of children and fami-
20 ly services may revoke an operating certificate at any time upon a
21 determination that the child care support center has not operated in
22 accordance with applicable state or federal law.

23 7. The office of children and family services shall deny an applica-
24 tion for certification of a child care support center if the applicant
25 had an operating certificate revoked within the two years prior to the
26 date of application.

27 § 2. Section 390-b of the social services law is amended by adding a
28 new subdivision 12 to read as follows:

29 12. A child care support center certified pursuant to section three
30 hundred ninety-n of this title shall be authorized to request clearances
31 for substitute caregivers in accordance with this section. Substitute
32 caregivers shall be considered "prospective employees" of a child day
33 care program under subparagraph (iii) of paragraph (a) of subdivision
34 two of this section.

35 § 3. This act shall take effect one year after it shall have become a
36 law. Effective immediately, the addition, amendment, and/or repeal of
37 any rule or regulation necessary for the implementation of this act on
38 its effective date are authorized to be made and completed on or before
39 such effective date.

40 PART Q

41 Section 1. Subdivision 5 of section 131-a of the social services law
42 is amended by adding a new paragraph (f-1) to read as follows:

43 (f-1) a one-time benefit to public assistance recipients upon the
44 birth of a new child, as prescribed by regulations of the department.

45 § 2. This act shall take effect on the one hundred eightieth day after
46 it shall have become a law.

47 PART R

48 Section 1. Paragraphs (a), (b), (c) and (d) of subdivision 1 of
49 section 131-o of the social services law, as amended by section 1 of
50 part H of chapter 56 of the laws of 2024, are amended to read as
51 follows:

1 (a) in the case of each individual receiving family care, an amount
2 equal to at least [\$181.00] \$186.00 for each month beginning on or after
3 January first, two thousand [twenty-four] twenty-five.

4 (b) in the case of each individual receiving residential care, an
5 amount equal to at least [\$208.00] \$213.00 for each month beginning on
6 or after January first, two thousand [twenty-four] twenty-five.

7 (c) in the case of each individual receiving enhanced residential
8 care, an amount equal to at least [\$249.00] \$255.00 for each month
9 beginning on or after January first, two thousand [twenty-four] twenty-
10 five.

11 (d) for the period commencing January first, two thousand [twenty-
12 five] twenty-six, the monthly personal needs allowance shall be an
13 amount equal to the sum of the amounts set forth in subparagraphs one
14 and two of this paragraph:

15 (1) the amounts specified in paragraphs (a), (b) and (c) of this
16 subdivision; and

17 (2) the amount in subparagraph one of this paragraph, multiplied by
18 the percentage of any federal supplemental security income cost of
19 living adjustment which becomes effective on or after January first, two
20 thousand [twenty-five] twenty-six, but prior to June thirtieth, two
21 thousand [twenty-five] twenty-six, rounded to the nearest whole dollar.

22 § 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of
23 section 209 of the social services law, as amended by section 2 of part
24 H of chapter 56 of the laws of 2024, are amended to read as follows:

25 (a) On and after January first, two thousand [twenty-four]
26 twenty-five, for an eligible individual living alone, [\$1,030.00]
27 \$1,054.00; and for an eligible couple living alone, [\$1,519.00]
28 \$1,554.00.

29 (b) On and after January first, two thousand [twenty-four]
30 twenty-five, for an eligible individual living with others with or with-
31 out in-kind income, [\$966.00] \$990.00; and for an eligible couple living
32 with others with or without in-kind income, [\$1,461.00] \$1,496.00.

33 (c) On and after January first, two thousand [twenty-four]
34 twenty-five, (i) for an eligible individual receiving family care,
35 [\$1,209.48] \$1,233.48 if [he or she] such individual is receiving such
36 care in the city of New York or the county of Nassau, Suffolk, Westches-
37 ter or Rockland; and (ii) for an eligible couple receiving family care
38 in the city of New York or the county of Nassau, Suffolk, Westchester or
39 Rockland, two times the amount set forth in subparagraph (i) of this
40 paragraph; or (iii) for an eligible individual receiving such care in
41 any other county in the state, [\$1,171.48] \$1,195.48; and (iv) for an
42 eligible couple receiving such care in any other county in the state,
43 two times the amount set forth in subparagraph (iii) of this paragraph.

44 (d) On and after January first, two thousand [twenty-four]
45 twenty-five, (i) for an eligible individual receiving residential care,
46 [\$1,378.00] \$1,402.00 if [he or she] such individual is receiving such
47 care in the city of New York or the county of Nassau, Suffolk, Westches-
48 ter or Rockland; and (ii) for an eligible couple receiving residential
49 care in the city of New York or the county of Nassau, Suffolk, Westches-
50 ter or Rockland, two times the amount set forth in subparagraph (i) of
51 this paragraph; or (iii) for an eligible individual receiving such care
52 in any other county in the state, [\$1,348.00] \$1,372.00; and (iv) for an
53 eligible couple receiving such care in any other county in the state,
54 two times the amount set forth in subparagraph (iii) of this paragraph.

55 (e) On and after January first, two thousand [twenty-four]
56 twenty-five, (i) for an eligible individual receiving enhanced residen-



1 tial care, [\$1,637.00] \$1,661.00; and (ii) for an eligible couple
2 receiving enhanced residential care, two times the amount set forth in
3 subparagraph (i) of this paragraph.

4 (f) The amounts set forth in paragraphs (a) through (e) of this subdi-
5 vision shall be increased to reflect any increases in federal supple-
6 mental security income benefits for individuals or couples which become
7 effective on or after January first, two thousand [twenty-five] twenty-
8 six but prior to June thirtieth, two thousand [twenty-five] twenty-six.

9 § 3. This act shall take effect December 31, 2025.

10

PART S

11 Section 1. Section 4 of part W of chapter 54 of the laws of 2016
12 amending the social services law relating to the powers and duties of
13 the commissioner of social services relating to the appointment of a
14 temporary operator, as amended by section 1 of part T of chapter 56 of
15 the laws of 2022, is amended to read as follows:

16 § 4. This act shall take effect immediately and shall be deemed to
17 have been in full force and effect on and after April 1, 2016, provided
18 further that this act shall expire and be deemed repealed March 31,
19 [2025] 2028.

20 § 2. This act shall take effect immediately.

21

PART T

22 Section 1. Article 19-D of the labor law, as added by chapter 88 of
23 the laws of 2021, is amended to read as follows:

24

ARTICLE 19-D

25

MINIMUM WAGE RATES FOR COVERED AIRPORT WORKERS

26 Section 696-a. Definitions.

27 [696-b. Certification to the commissioner.

28 696-c.] 696-b. Minimum wage rate for covered airport workers.

29 [696-d.] 696-c. Commissioner's powers of investigation.

30 [696-e.] 696-d. Records of employers.

31 [696-f.] 696-e. Penalties.

32 [696-g.] 696-f. Civil action.

33 [696-h.] 696-g. Regulations.

34 [696-i.] 696-h. Savings clause.

35 § 696-a. Definitions. As used in this article: 1. "Covered airport
36 location" means John F. Kennedy International Airport and LaGuardia
37 Airport or any location used to perform [airline catering] work [as such
38 work is described in subparagraph (iv) of paragraph (a) of subdivision
39 two of this section] related to the preparation or delivery of food for
40 consumption on airplanes departing from John F. Kennedy International
41 Airport or LaGuardia Airport.

42 2. (a) "Covered airport worker" means any person employed to perform
43 work at a covered airport location [provided at least one-half of the
44 employee's time during any workweek is performed at a covered airport
45 location and who works in one of the following covered categories:

46 (i) Cleaning and related services, which shall mean:

47 (1) building cleaning, including warehouse, kitchen, and terminal
48 cleaning, including common areas, gateways, gates, lounges, clubs,
49 concession areas, terminal entryways from ramp and where planes park at



1 the gate, and other nearby facilities used for the preparation, packag-
2 ing, and storage of inflight meals and supplies; and

3 (2) aircraft and cabin cleaning, including lavatory and water disposal
4 and replenishment, lift truck driving and helping, dispatching, cleaning
5 crew driving, and sorting and packing of inflight materials, such as
6 blankets, pillows, and magazines;

7 (ii) Security related services, including catering security, escort-
8 ing, escort security, passenger aircraft security, fire guarding, termi-
9 nal security, baggage security, traffic security, cargo screening,
10 including guarding, warehouse security, concessions and airport lounge
11 security, security dispatch, and security at nearby facilities used for
12 the preparation, packaging, and storage of inflight meals; or

13 (iii) In terminal and passenger handling services, including baggage
14 handling, sky cap services, wheelchair attending, wheelchair dispatch-
15 ing, customer and passenger services, line queue, identification check-
16 ing, porter services for baggage, and passenger and employee shuttle
17 driving.

18 (iv) Airline catering, including work related to the preparation or
19 delivery of food or beverage for consumption on airplanes departing from
20 a covered airport location or related location; or

21 (v) Airport lounge services, including food and retail services].

22 (b) "Covered airport worker" shall include any person employed to
23 perform work at a covered airport location, provided at least half of
24 the employee's time during any workweek is performed at a covered
25 airport location.

26 [(b)] (c) "Covered airport worker" shall not include [anyone who works
27 in one of the following non-covered categories:

28 (i) Non-cleaning and security related cargo and ramp services, includ-
29 ing ramp baggage and cargo handling, load control and ramp communi-
30 cation, aircraft mechanics and fueling of aircraft, provision of cool-
31 ing, heating, and power, passenger aircraft servicing, cabin equipment
32 maintenance, guiding aircraft in and out of gates, and gate side
33 aircraft maintenance;

34 (ii) Ramp and tarmac maintenance services, including operation of snow
35 plows, ramp cleaning vehicles, and tarmac sweepers;

36 (iii) Concession services, including food service, which includes food
37 and beverage service, wait service, and cashiers, and retail service,
38 which includes news, and gifts, and duty-free;

39 (c) "Covered airport worker" shall not include direct employees of the
40 Port Authority of New York and New Jersey, or any workers hired by
41 companies contracted by the Port Authority of New York and New Jersey,
42 that are performing work under such contract] persons employed in an
43 executive, administrative, or professional capacity as defined in
44 subparagraph one of paragraph (a) of section thirteen of the Fair Labor
45 Standards Act of 1938 (29 U.S.C. s.213 et seq.), or persons employed by
46 the Port Authority of New York and New Jersey or any other governmental
47 agency.

48 [(d)] Covered airport worker shall include only:

49 (i) Employees employed at a covered airport location on December thir-
50 tieth, two thousand twenty and who are working an average of at least
51 thirty hours per week; and

52 (ii) Employees employed at a covered airport location on or after
53 January first, two thousand twenty-three and who are working for an
54 average of thirty hours per week.

55 (e) "Covered airport worker" shall also not include persons employed
56 in an executive, administrative, or professional capacity as defined in

1 subparagraph one of paragraph (a) of section thirteen of the Fair Labor
2 Standards Act of 1938.]

3 3. "Successor airport employer" means any [person who furnishes clean-
4 ing and related services, security related services, in terminal and
5 passenger handling services, airline catering, or airport lounge
6 services] employer that employs covered airport workers who provide
7 services at a covered airport location that are substantially similar to
8 those that were provided by covered airport workers previously employed
9 by another employer at such covered airport location.

10 4. "Employer" means any person, corporation, limited liability compa-
11 ny, or association employing any individual in an occupation, industry,
12 trade, business or service. The term "employer" shall not include a
13 governmental agency or employers with ten or fewer employees.

14 5. [The "standard wage rate" means the greater of:

15 (a) any minimum wage rate that would be otherwise applicable to
16 covered airport workers established by article nineteen of this chapter;
17 or

18 (b) any otherwise applicable minimum wage rate established through a
19 policy of the Port Authority of New York and New Jersey] The "applicable
20 standard rate" means the wage and benefit rates designated by the
21 commissioner based on the determinations made by the General Services
22 Administration pursuant to the federal McNamara-O'Hara Service Contract
23 Act of 1965 (41 U.S.C. 6701 et seq.), for the appropriate localities and
24 classifications of building service employees; provided, however, that
25 in no event shall the prevailing wage rate applicable to a covered
26 airport worker on and after January first, two thousand twenty-five and
27 every year thereafter be less than the following:

28 (a) any otherwise applicable minimum wage rate established through a
29 regulation of the Port Authority of New York and New Jersey; and

30 (b) an amount of supplemental wages or a supplemental healthcare
31 contribution equal to the rate for health and welfare for all occupa-
32 tions, designated by the commissioner based on the determinations made
33 by the federal department of labor pursuant to the McNamara-O'Hara
34 Service Contract Act of 1965 (41 U.S.C. 6701 et seq.) for the geographic
35 region in which the covered airport location is situated and in effect
36 on the date of the designation by the commissioner; and

37 (c) paid leave equal to the paid leave requirements designated by the
38 commissioner the immediately preceding January first, based on the
39 determinations made by the General Services Administration pursuant to
40 the McNamara-O'Hara Service Contract Act of 1965 (41 U.S.C. 6701 et
41 seq.).

42 6. [The "standard benefits supplement rate" means an hourly supplement
43 of four dollars and fifty-four cents furnished to an employee by provid-
44 ing at least four dollars and fifty-four cents per hour toward the cost
45 of minimum essential coverage under an eligible employer-sponsored plan
46 as defined in treasury regulation section 1.5000A-2(c)(1) beginning on
47 July first, two thousand twenty-one. The standard benefits supplement
48 rate shall apply only to the first forty hours worked by each covered
49 airport worker in each week and shall not apply to any overtime hours
50 worked by any covered airport worker. The standard benefits supplement
51 rate shall apply to any paid leave taken by a covered airport worker
52 that does not exceed forty hours in a week] "Commissioner" means the
53 commissioner of labor of the state of New York.

54 [7. The "applicable standard rate" shall mean a combination of (a) the
55 standard wage rate; and (b) the standard benefits supplemental rate.

1 § 696-b. Certification to the commissioner. 1. No later than March
2 thirty-first, two thousand twenty-one, each employer of a covered
3 airport worker shall submit to the commissioner a sworn statement certi-
4 fying the total number of workers employed by such employer at a covered
5 airport location to perform cleaning and related services, security
6 related services, in terminal and passenger handling services, airline
7 catering, or airport lounge services, at a covered airport location on
8 December thirtieth, two thousand twenty, and identifying the number that
9 is equal to eighty percent of such total number of employees, which
10 shall be the December thirtieth, two thousand twenty benchmark for the
11 purposes of this section. Such statement shall further include an affir-
12 mation that such employer will ensure that the number of covered airport
13 workers it employs at a covered airport location between July first, two
14 thousand twenty-one and December thirty-first, two thousand twenty-two
15 is no less than the December thirtieth, two thousand twenty benchmark.
16 Such sworn statement shall be provided by the commissioner upon request
17 by any airport worker performing cleaning and related services, security
18 related services, in terminal and passenger handling services, airline
19 catering, or airport lounge services, at a covered airport location or
20 any representative of such airport workers. Prior to employing any
21 airport workers to perform cleaning and related services, security
22 related services, in terminal and passenger handling services, airline
23 catering, or airport lounge services, at a covered airport location, any
24 successor airport employer shall obtain the applicable December thirti-
25 eth, two thousand twenty benchmark from the commissioner and submit to
26 the commissioner an affirmation that such employer will ensure that the
27 number of covered airport workers it employs at a covered airport
28 location between July first, two thousand twenty-one and December thir-
29 ty-first, two thousand twenty-two is no less than the December thirti-
30 eth, two thousand twenty benchmark.

31 2. Each employer of any covered airport worker employed at a covered
32 airport location on or after January first, two thousand twenty-three
33 shall submit to the commissioner, in a form and manner proscribed by the
34 commissioner, a sworn statement affirming that such employer will
35 ensure, where applicable, that the proportion of covered airport workers
36 in each classification it employs to work an average of at least thirty
37 hours per week at a covered airport location is the same as such propor-
38 tion was compared to all workers in the same classification working at
39 such covered airport location in the calendar year two thousand nineteen
40 workforce. The commissioner shall publish a list of all covered classi-
41 fications with the corresponding proportions of all workers employed to
42 work an average of at least thirty hours a week compared to all workers
43 in the same classification employed to work at each covered airport
44 location in the calendar year two thousand nineteen. The commissioner
45 shall be empowered to promulgate rules or regulations to determine the
46 method and accounting for such information and to verify its accuracy,
47 including the ability to establish a presumed proportion where records
48 are missing or unavailable and provided further that such full-time
49 levels shall be no less than such December thirtieth, two thousand twen-
50 ty benchmark. If such proportion is not maintained, consistent with such
51 rules or regulations promulgated by the commissioner, then the hours
52 worked by such part time workers, which are outside of such proportion,
53 shall be subject to the provisions of this section as if they worked an
54 average of at least thirty hours per week at a covered airport location
55 and were otherwise a covered airport worker.



1 3. Each employer of a covered airport worker employed at a covered
2 airport location on December thirtieth, two thousand twenty and who is
3 working an average of at least thirty hours per week shall provide such
4 covered airport worker the ability to begin or change enrollment in an
5 eligible employer-sponsored plan as defined in treasury regulation
6 section 1.5000A-2(c)(1) for coverage beginning on July first, two thou-
7 sand twenty-one.

8 4. Each employer of any other covered airport worker at a covered
9 airport location shall provide such covered airport worker the ability
10 to begin or change enrollment in an eligible employer-sponsored plan as
11 defined in treasury regulation section 1.5000A-2(c)(1) for coverage
12 beginning no later than thirty days after becoming a covered airport
13 worker.]

14 § [696-c.] 696-b. Minimum wage rate for covered airport workers. All
15 [covered] employers at a covered airport location shall ensure that
16 every covered airport worker is compensated at a rate that is no less
17 than the applicable standard rate. Nothing in this article shall alter
18 or limit any employer's obligation to pay any otherwise applicable
19 prevailing wage under article eight or nine of this chapter.

20 § [696-d.] 696-c. Commissioner's powers of investigation. The commis-
21 sioner or [his or her] such commissioner's authorized representative
22 shall have the power to:

23 1. investigate the compensation of covered airport workers in the
24 state;

25 2. enter the place of business or employment of any employer for the
26 purpose of (a) examining and inspecting any and all books, registers,
27 payrolls, and other records that in any way relate to or have a bearing
28 upon the compensation provided to, or the hours worked by any employees,
29 and (b) ascertaining whether the provisions of this article and the
30 rules and regulations promulgated hereunder are being complied with; and

31 3. require from any employer full and correct statements and reports
32 in writing, at such times as the commissioner may deem necessary, of the
33 compensation provided to and the hours by such employer's employees.

34 § [696-e.] 696-d. Records of employers. For every employee covered by
35 this article, every employer shall establish, maintain, and preserve for
36 not less than six years contemporaneous, true, and accurate payroll
37 records showing for each week worked the hours worked, the compensation
38 provided, plus such other information as the commissioner deems material
39 and necessary. For all covered airport workers who are not exempt from
40 overtime compensation as established in the commissioner's minimum wage
41 orders or otherwise provided by law, rule, or regulation, the payroll
42 records shall include the compensation provided and the regular hourly
43 rate or rates of pay, the overtime rate or rates of pay, the number of
44 regular hours worked, the number of overtime hours worked and the cost
45 of benefits and/or benefit supplements. On demand, the employer shall
46 furnish to the commissioner or [his or her] such commissioner's duly
47 authorized representative a sworn statement of the hours worked, rate or
48 rates of compensation, for each covered airport worker, plus such other
49 information as the commissioner deems material and necessary. Every
50 employer shall keep such records open to inspection by the commissioner
51 or [his or her] such commissioner's duly authorized representative at
52 any reasonable time. Every employer of a covered airport worker shall
53 keep a digest and summary of this article which shall be prepared by the
54 commissioner, posted in a conspicuous place in [his or her] their estab-
55 lishment and shall also keep posted such additional copies of said
56 digest and summary as the commissioner prescribes. Employers shall, on



1 request, be furnished with copies of this article and of orders, and of
2 digests and summaries thereof, without charge. Employers shall permit
3 the commissioner or [his or her] such commissioner's duly authorized
4 representative to question without interference any employee of such
5 employer in a private location at the place of employment and during
6 working hours in respect to the wages paid to and the hours worked by
7 such employee or other employees.

8 § [696-f.] 696-e. Penalties. 1. If the commissioner finds that any
9 employer has violated any provision of this article or of a rule or
10 regulation promulgated thereunder, the commissioner may, after an oppor-
11 tunity for a hearing, and by an order which shall describe particularly
12 the nature of the violation, assess the employer a civil penalty of not
13 more than ten thousand dollars for the first such violation within six
14 years, not more than twenty thousand dollars for a second violation
15 within six years and not more than fifty thousand dollars for a third or
16 subsequent violation within six years. Such penalty shall be paid to the
17 commissioner for deposit in the treasury of the state. In assessing the
18 amount of the penalty, the commissioner shall give due consideration to
19 the size of the employer's business, the good faith [of the employer]
20 basis of the employer to believe that its conduct was in compliance with
21 the law, the gravity of the violation, the history of previous
22 violations and the failure to comply with record-keeping or other
23 requirements.

24 2. Any order issued under subdivision one of this section shall be
25 deemed a final order of the commissioner and not subject to review by
26 any court or agency unless the employer files a petition with the indus-
27 trial board of appeals for a review of the order, pursuant to section
28 one hundred one of this chapter.

29 3. The civil penalty provided for in this section shall be in addition
30 to and may be imposed concurrently with any other remedy or penalty
31 provided for in this chapter.

32 4. Upon a showing by an employee organization, the commissioner may
33 investigate by examining payroll records whether an employer withheld
34 hours of work to employees for the purpose of reducing the employer's
35 obligations under this article. If, after the opportunity for a hearing,
36 the commissioner determines that an employer withheld hours of work to
37 employees for the purpose of reducing the employer's obligations under
38 this article, the commissioner may, in addition to any other penalty
39 available, also require that the employer pay the [standard benefits
40 supplement] applicable standard rate to all of the employer's employees,
41 regardless of the number of hours worked by the employees.

42 § [696-g.] 696-f. Civil action. 1. On behalf of any employee paid
43 less than the applicable standard rate to which the employee is entitled
44 under the provisions of this article, the commissioner may bring any
45 legal action necessary, including administrative action, to collect such
46 claim, and the employer shall be required to pay the full amount of the
47 underpayment, plus costs, and unless the employer proves a good faith
48 basis to believe that its underpayment was in compliance with the law,
49 an additional amount as liquidated damages. Liquidated damages shall be
50 calculated by the commissioner as no more than one hundred percent of
51 the total amount of underpayments found to be due the employee. In any
52 action brought by the commissioner in a court of competent jurisdiction,
53 liquidated damages shall be calculated as an amount equal to one hundred
54 percent of underpayments found to be due the employee.

55 2. Notwithstanding any other provision of law, an action to recover
56 upon a liability imposed by this article must be commenced within six



1 years. The statute of limitations shall be tolled from the date an
2 employee files a complaint with the commissioner or the commissioner
3 commences an investigation, whichever is earlier, until an order to
4 comply issued by the commissioner becomes final, or where the commis-
5 sioner does not issue an order, until the date on which the commissioner
6 notifies the complainant that the investigation has concluded.

7 3. In any civil action by the commissioner, the commissioner shall
8 have the right to collect attorneys' fees and costs incurred in enforc-
9 ing any court judgment. Any judgment or court order awarding remedies
10 under this section shall provide that if any amounts remain unpaid upon
11 the expiration of ninety days following issuance of judgment, or ninety
12 days after expiration of the time to appeal and no appeal therefrom is
13 then pending, whichever is later, the total amount of judgment shall
14 automatically increase by fifteen percent.

15 § [696-h.] 696-g. Regulations. [1.] The commissioner may promulgate
16 such regulations as [he or she] such commissioner deems appropriate to
17 carry out the purposes of this article and to safeguard minimum compen-
18 sation standards.

19 § [696-i.] 696-h. Savings clause. 1. If any provision of this article
20 or the application thereof to any person, occupation or circumstance is
21 held invalid, the remainder of the article and the application of such
22 provision to other persons, employees, occupations, or circumstances
23 shall not be affected thereby.

24 2. If any clause, sentence, paragraph, subdivision, section or part of
25 this article shall be adjudged by any court of competent jurisdiction to
26 be invalid, such judgment shall not affect, impair, or invalidate the
27 remainder thereof, but shall be confined in its operation to the clause,
28 sentence, paragraph, subdivision, section or part thereof directly
29 involved in the controversy in which such judgment shall have been
30 rendered. It is hereby declared to be the intent of the legislature that
31 this article would have been enacted even if such invalid provisions had
32 not been included herein.

33 [3. If section six hundred ninety-six-a, section six hundred ninety-
34 six-b, or section six hundred ninety-six-c of this article or any
35 portion thereof shall be adjudged, whether by final judgment, a tempo-
36 rary restraining order, or a preliminary injunction, by any court of
37 competent jurisdiction to be preempted by federal law, then the "stand-
38 ard benefits supplement rate" defined in subdivision six of section six
39 hundred ninety-six-a of this article shall immediately mean the follow-
40 ing:

41 (a) An hourly supplement of four dollars and fifty-four cents
42 furnished to an employee by providing at least four dollars and fifty-
43 four cents per hour beginning on July first, two thousand twenty-one in
44 one of the following ways: (i) in the form of health and/or other bene-
45 fits, not including paid leave, that cost the employer the entire
46 required hourly supplemental amount; (ii) by providing a portion of the
47 required hourly supplement in the form of health and/or other benefits,
48 not including paid leave, and the balance in cash; or (iii) by providing
49 the entire supplement in cash.

50 (b) The value of such supplement shall be no less than four dollars
51 and fifty-four cents per hour.

52 (c) The standard benefits supplement rate shall apply only to the
53 first forty hours worked by each covered airport worker in each week and
54 shall not apply to any overtime hours worked by any covered airport
55 worker.



(d) The standard benefits supplement rate shall apply to any paid leave taken by a covered airport worker that does not exceed forty hours in a week.

4. If section six hundred ninety-six-a, section six hundred ninety-six-b, or section six hundred ninety-six-c of this article or any portion thereof shall be adjudged by any preliminary relief, including a temporary restraining order or a preliminary injunction, by any court of competent jurisdiction to be preempted by federal law but is later adjudged by the same court not to be preempted by federal law in a final judgment, then the definition of "standard benefits supplement rate" shall immediately revert to the definition stated in subdivision six of section six hundred ninety-six-a of this article.]

§ 2. This act shall take effect January 1, 2026.

PART U

Section 1. Subdivision 1-a of section 198 of the labor law, as amended by chapter 362 of the laws of 2015, is amended to read as follows:

1-a. On behalf of any employee paid less than the wage to which [he or she is] they are entitled under the provisions of this article, the commissioner may bring any legal action necessary, including administrative action, to collect such claim and as part of such legal action, in addition to any other remedies and penalties otherwise available under this article, the commissioner shall assess against the employer the full amount of any such underpayment, and an additional amount as liquidated damages, unless the employer proves a good faith basis for believing that its underpayment of wages was in compliance with the law. Liquidated damages shall be calculated by the commissioner as no more than one hundred percent of the total amount of wages found to be due, except such liquidated damages may be up to three hundred percent of the total amount of the wages found to be due for a willful violation of section one hundred ninety-four of this article. In any action instituted in the courts upon a wage claim by an employee or the commissioner in which the employee prevails, the court shall allow such employee to recover the full amount of any underpayment, all reasonable attorney's fees, prejudgment interest as required under the civil practice law and rules, and, unless the employer proves a good faith basis to believe that its underpayment of wages was in compliance with the law, an additional amount as liquidated damages equal to one hundred percent of the total amount of the wages found to be due, except such liquidated damages may be up to three hundred percent of the total amount of the wages found to be due for a willful violation of section one hundred ninety-four of this article. Notwithstanding the provisions of this subdivision, liquidated damages shall not be applicable to violations of paragraph a of subdivision one of section one hundred ninety-one of this article where the employer paid the employee wages on a regular payday, no less frequently than semi-monthly. Such violations shall be subject to damages as follows:

(i) no more than one hundred percent of the lost interest found to be due for the delayed payment of wages calculated using a daily interest rate for each day payment is late based on the annual rate of interest then in effect, as prescribed by the superintendent of financial services pursuant to section fourteen-a of the banking law for the employer's first violation; or

(ii) for conduct occurring after the effective date of this paragraph, liquidated damages equal to one hundred percent of the total amount of



1 wages found to be due in violation of paragraph a of subdivision one of
2 section one hundred ninety-one of this article for any employer who,
3 after the effective date of this paragraph, has been subject to one or
4 more previous findings and orders for violations of paragraph a of
5 subdivision one of section one hundred ninety-one of this article for
6 which no proceeding for administrative or judicial review as provided in
7 this chapter is pending and the time for initiation of such proceeding
8 shall have expired and relating to employees performing the same work.

9 For purposes of this subdivision, an order shall mean a single final
10 order or determination made by the commissioner or a court of competent
11 jurisdiction, regardless of the number of employees or the time period
12 that was subject to such order.

13 § 2. This act shall take effect immediately and shall apply to causes
14 of action pending or commenced on or after such date.

15 PART V

16 Section 1. Subdivision 3 of section 218 of the labor law, as amended
17 by chapter 2 of the laws of 2015, is amended to read as follows:

18 3. (a) Provided that no proceeding for administrative or judicial
19 review as provided in this chapter shall then be pending and the time
20 for initiation of such proceeding shall have expired, the commissioner
21 may file with the county clerk of the county where the employer resides
22 or has a place of business the order of the commissioner, or the deci-
23 sion of the industrial board of appeals containing the amount found to
24 be due including the civil penalty, if any, and at the commissioner's
25 discretion, an additional fifteen percent damages upon any outstanding
26 monies owed. [At] Notwithstanding any provision to the contrary, in
27 execution of any order or decision filed by the commissioner pursuant to
28 this section, the commissioner shall have all the powers conferred upon
29 sheriffs by article twenty-five of the civil practice law and rules, but
30 the commissioner shall be entitled to no fee or compensation in excess
31 of the actual expenses paid in the performance of such duty. Addi-
32 tionally, at the request of an employee, the commissioner shall assign,
33 without consideration or liability, that portion of the filed order that
34 constitutes wages, wage supplements, interest on wages or wage supple-
35 ments, or liquidated damages due that employee, to that employee and may
36 file an assignment or order in that amount in the name of that employee
37 with the county clerk of the county where the employer resides or has a
38 place of business. The filing of such assignment, order or decision
39 shall have the full force and effect of a judgment duly docketed in the
40 office of such clerk. The assignment[, order or decision] may be
41 enforced [by and in the name of the commissioner, or] by the employee[,]
42 in the same manner, and with like effect, as that prescribed by the
43 civil practice law and rules for the enforcement of a money judgment.

44 (b) In addition and as an alternative to any other remedy provided by
45 this section and provided that no proceeding for administrative or judi-
46 cial review as provided in this chapter shall then be pending and the
47 time for initiation of such proceeding shall have expired, the commis-
48 sioner may issue a warrant under the commissioner's official seal,
49 directed to the sheriff of any county, commanding the sheriff to levy
50 upon and sell the real and personal property that may be found within
51 the sheriff's county of an employer who has defaulted in the payment of
52 any sum determined to be due from such employer for the payment of such
53 sum together with interest, penalties, and the cost of executing the
54 warrant, and to return such warrant to the commissioner and to pay into



1 the fund the money collected by virtue thereof within sixty days after
2 the receipt of such warrant. The sheriff shall, within five days after
3 the receipt of the warrant, file with the clerk of the county a copy
4 thereof, and thereupon such clerk shall enter in the judgment docket the
5 name of the employer mentioned in the warrant and the amount of the
6 contribution, interest, and penalties for which the warrant is issued
7 and the date when such copy is filed. Thereupon the amount of such
8 warrant so docketed shall become a lien upon the title to and interest
9 in real property and chattels of the employer against whom the warrant
10 is issued in the same manner as a judgment duly docketed in the office
11 of such clerk. The sheriff shall then proceed upon the warrant in the
12 same manner, and with like effect, as that provided by law in respect to
13 executions issued against property upon judgments of a court of record,
14 and the sheriff shall be entitled to the same fees, which they may
15 collect in the same manner, for the sheriff's services in executing the
16 warrant.

17 (c) In the discretion of the commissioner, a warrant of like terms,
18 force, and effect may be issued and directed to any officer or employee
19 of the department of labor who may file a copy of such warrant with the
20 clerk of any county in the state, and thereupon each such clerk shall
21 docket it and it shall become a lien in the same manner and with the
22 same force and effect as hereinbefore provided with respect to a warrant
23 issued and directed to and filed by a sheriff; and in the execution
24 thereof such officer or employee shall have all the powers conferred by
25 law upon sheriffs, but they shall be entitled to no fee or compensation
26 in excess of the actual expenses paid in the performance of such duty.
27 If a warrant is returned not satisfied in full, the commissioner shall
28 have the same remedies to enforce the amount thereof as if the commis-
29 sioner had recovered judgment for the same.

30 § 2. Subdivision 3 of section 219 of the labor law, as amended by
31 chapter 2 of the laws of 2015, is amended to read as follows:

32 3. (a) Provided that no proceeding for administrative or judicial
33 review as provided in this chapter shall then be pending and the time
34 for initiation of such proceeding shall have expired, the commissioner
35 may file with the county clerk of the county where the employer resides
36 or has a place of business the order of the commissioner or the decision
37 of the industrial board of appeals containing the amount found to be
38 due, including, at the commissioner's discretion, an additional fifteen
39 percent damages upon any outstanding monies owed. [At] Notwithstanding
40 any provision to the contrary, in execution of any order or decision
41 filed by the commissioner pursuant to this section, the commissioner
42 shall have all the powers conferred upon sheriffs by article twenty-five
43 of the civil practice law and rules, but the commissioner shall be enti-
44 tled to no fee or compensation in excess of the actual expenses paid in
45 the performance of such duty. Additionally, at the request of an employ-
46 ee, the commissioner shall assign, without consideration or liability,
47 that portion of the filed order that constitutes wages, wage supple-
48 ments, interest on wages or wage supplements, or liquidated damages due
49 the employee, to that employee and may file an assignment or order in
50 that amount in the name of such employee with the county clerk of the
51 county where the employer resides or has a place of business. The filing
52 of such assignment, order or decision shall have the full force and
53 effect of a judgment duly docketed in the office of such clerk. The
54 assignment[, order or decision] may be enforced [by and in the name of
55 the commissioner, or] by the employee[,] in the same manner, and with



1 like effect, as that prescribed by the civil practice law and rules for
2 the enforcement of a money judgment.

3 (b) In addition and as an alternative to any other remedy provided by
4 this section and provided that no proceeding for administrative or judi-
5 cial review as provided in this chapter shall then be pending and the
6 time for initiation of such proceeding shall have expired, the commis-
7 sioner may issue a warrant under the official seal of the commissioner,
8 directed to the sheriff of any county, commanding the sheriff to levy
9 upon and sell the real and personal property that may be found within
10 the sheriff's county of an employer who has defaulted in the payment of
11 any sum determined to be due from such employer for the payment of such
12 sum together with interest, penalties, and the cost of executing the
13 warrant, and to return such warrant to the commissioner and to pay into
14 the fund the money collected by virtue thereof within sixty days after
15 the receipt of such warrant. The sheriff shall, within five days after
16 the receipt of the warrant, file with the clerk of the county a copy
17 thereof, and thereupon such clerk shall enter in the judgment docket the
18 name of the employer mentioned in the warrant and the amount of the
19 contribution, interest, and penalties for which the warrant is issued
20 and the date when such copy is filed. Thereupon the amount of such
21 warrant so docketed shall become a lien upon the title to and interest
22 in real property and chattels of the employer against whom the warrant
23 is issued in the same manner as a judgment duly docketed in the office
24 of such clerk. The sheriff shall then proceed upon the warrant in the
25 same manner, and with like effect, as that provided by law in respect to
26 executions issued against property upon judgments of a court of record,
27 and the sheriff shall be entitled to the same fees, which they may
28 collect in the same manner, for the sheriff's services in executing the
29 warrant.

30 (c) In the discretion of the commissioner, a warrant of like terms,
31 force, and effect may be issued and directed to any officer or employee
32 of the department of labor who may file a copy of such warrant with the
33 clerk of any county in the state, and thereupon each such clerk shall
34 docket it and it shall become a lien in the same manner and with the
35 same force and effect as hereinbefore provided with respect to a warrant
36 issued and directed to and filed by a sheriff; and in the execution
37 thereof such officer or employee shall have all the powers conferred by
38 law upon sheriffs, but they shall be entitled to no fee or compensation
39 in excess of the actual expenses paid in the performance of such duty.
40 If a warrant is returned not satisfied in full, the commissioner shall
41 have the same remedies to enforce the amount thereof as if the commis-
42 sioner had recovered judgment for the same.

43 § 3. This act shall take effect immediately.

44 PART W

45 Section 1. Subdivision 1 of section 141 of the labor law, as amended
46 by chapter 642 of the laws of 1991, is amended to read as follows:

47 1. If the commissioner finds that an employer has violated any
48 provision of this article or of a rule or regulation promulgated there-
49 under, the commissioner may by an order which shall describe particular-
50 ly the nature of the violation, assess the employer a civil penalty of
51 not more than [one] ten thousand dollars for the first such violation,
52 at least two thousand but not more than [two] twenty-five thousand
53 dollars for a second violation, and at least ten thousand but not more
54 than [three] fifty-five thousand dollars for a third or subsequent



1 violation. Such penalty shall be paid to the commissioner for deposit in
2 the treasury of the state. In assessing the amount of the penalty, the
3 commissioner shall give due consideration to the size of the employer's
4 business, the good faith of the employer to believe that its conduct was
5 in compliance with the law, the gravity of the violation, the history of
6 previous violations and the failure to comply with record-keeping or
7 other requirements, provided, however, that where such violation
8 involves illegal employment during which a minor is seriously injured or
9 dies, such penalty shall be [treble the maximum penalty allowable under
10 the law for such violation] at least three thousand dollars but not more
11 than thirty thousand dollars for the first such violation, at least six
12 thousand but not more than seventy-five thousand dollars for the second
13 violation, and at least thirty thousand dollars but not more than one
14 hundred seventy-five thousand dollars for the third or subsequent
15 violation. For the purposes of this subdivision, a minor shall be
16 deemed to be seriously injured if such injury results in a permanent
17 partial or permanent total disability as determined by the workers'
18 compensation board.

19 § 2. This act shall take effect immediately.

20 PART X

21 Section 1. Sections 135, 137 and 139 of the labor law are REPEALED.

22 § 2. Paragraph c of subdivision 2 of section 130 of the labor law is
23 REPEALED.

24 § 3. Section 131 of the labor law, as amended by chapter 975 of the
25 laws of 1966, subdivision 2 and paragraph a of subdivision 3 as amended
26 by chapter 1017 of the laws of 1971, subparagraph 4 of paragraph a of
27 subdivision 3 as added by chapter 292 of the laws of 1991, subparagraph
28 5 of paragraph a of subdivision 3 as added and subparagraph 6 of para-
29 graph a of subdivision 3 as renumbered by chapter 123 of the laws of
30 1997, paragraph b of subdivision 3 as amended by chapter 35 of the laws
31 of 2004, paragraph c of subdivision 3 as amended by chapter 478 of the
32 laws of 1984, paragraph d of subdivision 3 as amended by chapter 377 of
33 the laws of 1973, and subdivision 6 as amended by chapter 920 of the
34 laws of 1982, is amended to read as follows:

35 § 131. Employment of minors fourteen or fifteen years of age. 1. No
36 minor fourteen or fifteen years of age shall be employed in or in
37 connection with any trade, business, or service when attendance upon
38 instruction is required by the education law.

39 2. When attendance upon instruction is not required by the education
40 law, a minor fourteen or fifteen years of age may be employed if [he
41 presents] they present an employment certificate or permit issued in
42 accordance with the education law; provided, however, that no minor
43 fourteen or fifteen years of age shall be employed in or in connection
44 with a factory.

45 3. Exceptions:

46 a. When attendance upon instruction is not required by the education
47 law, a minor fourteen or fifteen years of age may be employed without an
48 employment certificate or permit in the following occupations:

49 (1) Caddy service on a golf course;

50 (2) Service as a baby sitter staying with and at the home of a younger
51 child or children with or without the presence at such home of such
52 child's or children's [parents or guardians] persons in parental
53 relation;



1 (3) Casual employment consisting of yard work and household chores in
2 and about a residence or the premises of a non-profit, non-commercial
3 organization, not involving the use of power-driven machinery;

4 (4) Assisting a [parent] person in parental relation as defined in
5 section thirty-two hundred twelve of the education law, aunt, uncle, or
6 grandparent [or guardian] in the sale of produce of a farm that is owned
7 or leased by the minor's [parent] person in parental relation, aunt,
8 uncle, or grandparent [or guardian], at a farm stand or farmer's market
9 stand that is owned or leased by the minor's [parent] person in parental
10 relation, aunt, uncle, or grandparent [or guardian], at times when
11 school [in] is not in session and the minor is accompanied by the
12 [parent or guardian] person in parental relation or has presented the
13 written consent of the [parent or guardian] person in parental
14 relation.

15 (5) Caddie service at a bridge tournament;

16 (6) Work for [his parents or guardians] their person in parental
17 relation either on the home farm or at other outdoor work not connected
18 with or for any trade, business, or service.

19 b. Nothing in this section shall be construed to prohibit the employ-
20 ment of a minor fourteen or fifteen years of age as a child performer in
21 compliance with section 35.01 of the arts and cultural affairs law and
22 article four-A of this chapter.

23 c. Nothing in this section shall be construed to apply to the employ-
24 ment of a minor fourteen or fifteen years of age as a child model in
25 compliance with section 35.05 of the arts and cultural affairs law.

26 d. [Nothing in this section, or the hours of work requirements of this
27 chapter, shall apply to a newspaper carrier in compliance with section
28 thirty-two hundred twenty-eight of the education law. The picking up of
29 newspapers at a newspaper plant shall not be construed to be employment
30 in or in connection with a factory if there is provided a place for the
31 picking up of such newspapers, which place does not contain any danger-
32 ous machinery or equipment and does not afford access to space in which
33 any such dangerous machinery or equipment is located.

34 e. Nothing in this section shall prohibit the employment of a minor
35 fifteen years old who is found to be incapable of profiting from further
36 instruction available and who presents a special employment certificate
37 issued in accordance with the education law. Such employment certificate
38 shall not be valid for work in or in connection with a factory.

39 f.] A minor fourteen or fifteen years of age may be employed in farm
40 service, when attendance upon instruction is not required by the educa-
41 tion law, provided such minor presents a farm work permit issued in
42 accordance with the education law. Such permit shall be valid only when
43 signed by the employer and it shall not be valid for work in or in
44 connection with a factory.

45 [g.] e. Nothing in this section shall prohibit the employment of a
46 minor fourteen or fifteen years of age during the school lunch period in
47 a school cafeteria at the school which the minor attends if the minor
48 presents an employment certificate issued in accordance with the educa-
49 tion law.

50 4. Employment in delivery and clerical employments:

51 a. Nothing contained in this article shall be deemed to prohibit the
52 employment of a minor fourteen or fifteen years of age for whom a
53 student non-factory employment certificate has been issued in accordance
54 with the provisions of the education law, in delivery and clerical
55 employments:



1 (1) in an office of a factory, provided that such office is enclosed
2 and separate from the place where manufacturing is carried on, and
3 provided that the minor is not engaged in any manufacturing operation or
4 process; or

5 (2) in or in connection with dry cleaning stores, tailor shops, shoe
6 repair shops and similar service stores which clean, press, alter,
7 repair or dye articles or goods belonging to the ultimate consumer,
8 provided that such employment does not involve the use of dangerous
9 machinery or equipment, or chemical processes.

10 b. The commissioner may promulgate rules and regulations which [he
11 deems] they deem necessary to carry out the provisions of this subdivi-
12 sion.

13 5. Nothing in this section shall be construed to permit the employment
14 of a minor fourteen or fifteen years of age in any occupation prohibited
15 by section one hundred thirty-three of this chapter.

16 6. Nothing in this section shall prevent the rendering of services for
17 the public good by a minor of fourteen or fifteen years pursuant to
18 section seven hundred fifty-eight-a or 353.6 of the family court act.

19 § 4. The labor law is amended by adding a new section 135 to read as
20 follows:

21 § 135. Database for employment of minors; employee registration; minor
22 employment certificates. 1. Creation of database. The department, in
23 consultation with the department of education, shall create and maintain
24 a database for the employment of minors. Except as otherwise provided in
25 this section, all information pertaining to any employer or minor that
26 is submitted to the department under this section shall be confidential
27 and shall not be accessible to the public. Nothing herein shall prevent
28 the commissioner from sharing such information for civil or criminal law
29 enforcement purposes.

30 2. Employer registration and renewal process. Any employer required to
31 be registered under this section shall provide the department with the
32 information set forth in this section, as well as any additional infor-
33 mation that the department may require, in the form and manner
34 prescribed by the department.

35 3. Employer registration and information. Every employer that hires,
36 employs, or otherwise permits any minor under the age of eighteen to
37 work for the employer within the state shall register in the database
38 and shall provide, in the form and manner prescribed by the department,
39 the following information:

40 (a) the name of the employer;

41 (b) the email address of the employer;

42 (c) any location of the employer's business operations within the
43 state, including any location where a minor will be working;

44 (d) the number and names of minors who are hired, employed, or other-
45 wise permitted to work for the employer;

46 (e) a certified statement from the employer that the employer is
47 hiring, employing, or otherwise permitting minors to work only in posi-
48 tions for the employer as permitted by law, rule, or regulation in order
49 to ensure their health, safety, and well-being; and

50 (f) any other information deemed appropriate by the commissioner.

51 4. Employer recordkeeping. An employer that is required to be regis-
52 tered under this section shall, before employment begins, file at the
53 place of the minor's employment such employment certificate or permit so
54 that it may be readily accessible to any person authorized by law to
55 examine such document. An employer's electronic access to such employ-



1 ment certificate or permit in the database shall meet the requirements
2 of this subdivision.

3 5. Minor registration. Any minor under the age of eighteen who plans
4 to work for an employer within the state shall complete a registration
5 in the database for any employment certificate or permit. All informa-
6 tion pertaining to the minor shall be confidential and shall not be
7 accessible by the public. When the minor receives a job offer from an
8 employer, they must update their certificate or permit in the database
9 to reflect that employer in order for the certificate or permit to be
10 valid. If the minor plans to work for a different employer, or for an
11 employer in addition to the employer for which the minor first regis-
12 tered, the minor shall update the minor's registration. The minor shall
13 be required to submit documentation for registration in the form and
14 manner prescribed by the department.

15 6. Issuance and revocation of employment certificate or permit. (a)
16 Any employment certificate or permit issued pursuant to part one of
17 article sixty-five of the education law shall be issued by the commis-
18 sioner electronically within the database. Any application for an
19 employment certificate or permit that is made pursuant to part one of
20 article sixty-five of the education law shall be made by a minor on a
21 form prescribed by the department.

22 (b) The chancellor in the city school district of the city of New
23 York, and elsewhere the superintendent of schools or the district super-
24 intendent of schools within their respective jurisdictions, or a princi-
25 pals of a nonpublic secondary school, may request that the commissioner
26 revoke a minor's employment certificate or permit. The requestor shall
27 use the database to file this request and electronically upload,
28 disclose, or otherwise provide additional information as necessary.
29 Additional information may relate to: (i) an evaluation of the student's
30 overall academic performance and past academic record; (ii) an examina-
31 tion of the student's attendance record; (iii) the willingness of the
32 student to participate in a cooperative education program, work study
33 program, school to work program or any other structured program which
34 provides a student with an opportunity to earn income while earning
35 academic credit; (iv) such other factors as the aforementioned officials
36 identify; and (v) any material submitted by the student. Upon review of
37 information provided by schools or gathered on their own, the commis-
38 sioner may revoke the minor's employment certificate or permit.

39 7. Records. The commissioner, in consultation with the commissioner
40 of education, shall provide a method by which authorized school employ-
41 ees acting on behalf of a school district, board of cooperative educa-
42 tional services, or nonpublic school may access the database for the
43 purpose of compliance with part one of article sixty-five of the educa-
44 tion law. The commissioner may share information with such authorized
45 school employees about registered minors and request information from
46 such school authorized employees about registered minors or minors
47 applying for a certificate or permit. Notwithstanding any law, rule, or
48 regulation to the contrary, a school district, board of cooperative
49 educational services, nonpublic secondary school and the education
50 department shall provide the commissioner with such records and informa-
51 tion as requested to fulfill the requirements of this section, provided
52 that, as applied to student educational records, such entity shall
53 provide all protections afforded to parents and persons in parental
54 relationships, or students where applicable, required under the family
55 educational rights and privacy act, 20 U.S.C. section 1232g, where
56 applicable the individuals with disabilities education act, sections



1 fourteen hundred, et seq. of title twenty of the United States code, and
2 the federal regulations implementing such statutes.

3 8. Regulations. The commissioner may prescribe regulations necessary
4 to carry out the provisions of this section.

5 § 5. Section 140 of the labor law, as amended by chapter 478 of the
6 laws of 1984, is amended to read as follows:

7 § 140. Enforcement of violations relating to child performers[, and
8 child models[, street trades, and newspaper carriers]. The commissioner
9 is hereby authorized and empowered to prosecute violations of section
10 35.01 of the arts and cultural affairs law, relating to child perform-
11 ers, and section 35.05 of the arts and cultural affairs law, relating to
12 child models[, section thirty-two hundred twenty-seven of the education
13 law, relating to street trades, and section thirty-two hundred twenty-
14 eight of the education law, relating to newspaper carriers].

15 § 6. Section 3215 of the education law, as amended by chapter 1017 of
16 the laws of 1971, subdivision 1 and paragraph d of subdivision 4 as
17 amended by chapter 919 of the laws of 1974, is amended to read as
18 follows:

19 § 3215. Unlawful employment. 1. It shall be unlawful, except as
20 otherwise provided by law, to employ in any trade, business or service a
21 minor who does not present an employment certificate or permit issued in
22 accordance with this article and section one hundred thirty-five of the
23 labor law.

24 2. No minor shall be employed during the hours when attendance upon
25 instruction is required by this chapter.

26 3. No minor shall be employed in violation of any provision of the
27 labor law or other law.

28 4. Exceptions. a. When attendance upon instruction is not required by
29 this chapter, a minor fourteen years of age or over may be employed
30 without an employment certificate or permit in the following occupa-
31 tions:

32 (1) Caddy service on a golf course;

33 (2) Service as a baby sitter staying with and at the home of another
34 child or children with or without the presence at such home of such
35 child or children's [parents or guardians] persons in parental relation;

36 (3) Casual employment of a minor fourteen or fifteen years of age
37 consisting of yard work and household chores in and about a residence or
38 the premises of a non-profit, non-commercial organization, not involving
39 the use of power-driven machinery; and

40 (4) Casual employment of a minor sixteen years of age or over consist-
41 ing of yard work and household chores in and about a residence or the
42 premises of a non-profit, non-commercial organization, not involving the
43 use of power-driven machinery other than power-driven machinery ordinar-
44 ily used in such yard work or household chores.

45 b. When attendance upon instruction is not required, a minor sixteen
46 years of age or over may be employed in work on a farm without an
47 employment certificate or permit.

48 c. Nothing in this section shall prohibit the employment of a minor
49 during the school lunch period in a school cafeteria at the school which
50 the minor attends if the minor presents an employment certificate issued
51 in accordance with this article.

52 d. Nothing in this section shall be construed to prohibit the employ-
53 ment of a minor in accordance with [sections] section thirty-two hundred
54 twenty-six [through and including section thirty-two hundred thirty] of
55 this chapter.



1 e. Nothing in this section shall be construed to prohibit the employ-
2 ment of a minor twelve years of age or over in work for [his parents or
3 guardians] their person in parental relation on the home farm or at
4 other outdoor work not connected with or for any trade, business or
5 service when attendance upon instruction is not required by this chap-
6 ter.

7 f. Notwithstanding any other provision of this chapter, an employment
8 certificate or permit shall not be required for a student sixteen years
9 of age or over who is in attendance at a recognized institution of high-
10 er learning and who is employed by a non-profit college or university or
11 by a non-profit college or university fraternity, sorority, student
12 association or faculty association.

13 § 7. Section 3215-a of the education law, as amended by chapter 1017
14 of the laws of 1971 and subdivisions 1 and 2 as amended by chapter 197
15 of the laws of 1992, is amended to read as follows:

16 § 3215-a. General certification provisions. 1. Certificating offi-
17 cials. Employment certificates or permits shall be issued by the [chan-
18 cellor in the city school district of the city of New York, and by the
19 superintendent of schools in other school districts, provided that the
20 district superintendent of schools may issue such certificates or
21 permits for students attending classes operated by a board of cooper-
22 ative educational services, and the principal of a nonpublic secondary
23 school may issue such certificates or permits for students attending
24 such school. The chancellor in New York city, or elsewhere the super-
25 intendent of schools or district superintendent of schools may designate
26 in writing the principal of the public school the minor attends or last
27 attended or other public school official to act as certificating offi-
28 cial in his stead. During the months of July and August, and at other
29 times in extraordinary circumstances and emergencies, one or more public
30 school officials shall be designated in writing by the chancellor in New
31 York city and elsewhere by the superintendent or district superintendent
32 to act as certificating officials. The designation or authorization of
33 certificating officials in public schools shall be subject to such limi-
34 tations or standards as may be prescribed by the chancellor in New York
35 city and elsewhere by the superintendent or district superintendent]
36 commissioner of labor. The commissioner of labor may share the status
37 of a student's certificate or permit with the chancellor in the city
38 school district of the city of New York and elsewhere with the super-
39 intendent of schools or the district superintendent of schools within
40 their respective jurisdictions or with a principal of a nonpublic
41 secondary school for a student attending such school.

42 2. Revocation. Employment certificates or permits may be revoked [for
43 cause] by the [chancellor in New York city and elsewhere by the super-
44 intendent of schools or the district superintendent of schools within
45 their respective jurisdictions, or, by a principal of a nonpublic
46 secondary school for a student attending such school. Where a student
47 who is required to attend school pursuant to section thirty-two hundred
48 five of this article has failed no less than four academic courses in
49 one semester, the chancellor in New York city, and elsewhere the super-
50 intendent of schools or the district superintendent of schools within
51 their respective jurisdictions, or a principal of a nonpublic secondary
52 school may revoke such student's employment certificate or permit. In
53 determining whether to revoke an employment certificate or permit, the
54 chancellor in New York city, and elsewhere the superintendent of schools
55 or the district superintendent of schools within their respective juris-
56 dictions, or a principal of a nonpublic secondary school, shall consid-

1 er, (1) an evaluation of the student's overall academic performance and
2 past academic record; (2) an examination of the student's attendance
3 record; (3) the economic need of the student's family for the income
4 provided by the student; (4) the willingness of the student to partic-
5 ipate in a cooperative education program, work study program, school to
6 work program or any other structured program which provides a student
7 with an opportunity to earn income while earning academic credit; (5)
8 such other factors as the aforementioned officials identify; and (6) any
9 material submitted by the student] commissioner of labor pursuant to
10 section one hundred thirty-five of the labor law.

11 Notwithstanding any other provisions of law, nothing in this section
12 shall be construed to prevent any student from obtaining an employment
13 certificate or permit for the purpose of working during the months of
14 July and August.

15 3. Approval of form and contents. The commissioner of [education]
16 labor, in consultation with the commissioner of education, shall
17 prescribe [or approve] the form and contents of all certificates,
18 permits, [physical examination records,] and schooling records required
19 by part one of this article for employment purposes and consistent with
20 section one hundred thirty-five of the labor law. [The form of such
21 certificates and permits shall also be subject to the approval of the
22 industrial commissioner] Any employment certificate or permit issued
23 pursuant to this part shall be issued electronically within the database
24 created and maintained by the department of labor, in consultation with
25 and with support from the department, pursuant to section one hundred
26 thirty-five of the labor law.

27 § 8. Section 3216 of the education law, as amended by chapter 1017 of
28 the laws of 1971 and subdivision 3 as amended by chapter 919 of the laws
29 of 1974, is amended to read as follows:

30 § 3216. Employment certificates. 1. A student non-factory employment
31 certificate may be issued to a minor fourteen or fifteen years of age
32 who is attending day school. The certificate shall be valid for work in
33 a trade, business or service, but shall not be valid for work in or in
34 connection with a factory except as provided in subdivision four of
35 section one hundred thirty-one of the labor law.

36 2. A student general employment certificate may be issued to a minor
37 sixteen or seventeen years of age who is attending day school. It shall
38 be valid for work in or in connection with a factory or any other trade,
39 business or service.

40 3. A full-time employment certificate may be issued to a minor sixteen
41 or seventeen years of age who is not attending day school or who
42 declares [his] their intention to leave day school for full-time employ-
43 ment. It shall be valid for work in or in connection with a factory or
44 any other trade, business or service. A full-time employment certificate
45 also may be issued to a minor who is a graduate of a four-year high
46 school, but if such minor is under sixteen years of age the certificate
47 shall not be valid for work in or in connection with a factory except as
48 provided in subdivision four of section one hundred and thirty-one of
49 the labor law.

50 4. [A limited employment certificate may be issued as provided in
51 subdivision two of section thirty-two hundred twenty of this article.

52 5. A special employment certificate may be issued as provided in
53 section thirty-two hundred twenty-five of this article.

54 6.] An employment certificate shall be valid not only for the initial
55 employment but also for subsequent employments in work permitted by the
56 particular type of certificate, provided that the minor has updated

1 their electronic registration to reflect the subsequent employer as
2 required by section one hundred thirty-five of the labor law.

3 [7.] 5. An employment certificate shall expire two years from the date
4 of its issuance, except as otherwise provided in this article. No
5 employment certificate shall be valid for employment in violation of any
6 provision of the labor law or rules issued thereunder.

7 [8.] 6. An employment certificate shall be kept on file at the place
8 of the minor's employment [and shall be returned to the minor when the
9 employment terminates] or be readily accessible to any person authorized
10 by law to examine such document in accordance with the recordkeeping
11 requirements set forth in section one hundred thirty-five of the labor
12 law.

13 § 9. Section 3217 of the education law, as amended by chapter 1017 of
14 the laws of 1971, is amended to read as follows:

15 § 3217. Procedure for issuance of employment certificates. 1. An
16 application for an employment certificate shall be made by a minor [on a
17 form] in the manner prescribed by the commissioner of [education] labor
18 and consistent with the requirements of section one hundred thirty-five
19 of the labor law.

20 2. Before issuing an employment certificate the issuing official shall
21 require the minor to submit the following:

22 a. Evidence of age;

23 b. Written consent of the [parent or guardian] person in parental
24 relation as defined in section thirty-two hundred twelve of this part;
25 and

26 c. [A certificate of physical fitness; and

27 d.] If the application is for a full-time employment certificate, a
28 schooling record.

29 In addition, in a city or school district which, pursuant to section
30 thirty-two hundred five, subdivision three, of this article, requires
31 minors from sixteen to seventeen years of age who are not employed to
32 attend school, the certificating official shall require a minor applying
33 for a full-time employment certificate to submit the following:

34 a. A pledge of employment; and

35 b. A schooling record.

36 § 10. Section 3219 of the education law is REPEALED.

37 § 11. Section 3220 of the education law is REPEALED.

38 § 12. Section 3221 of the education law, as amended by chapter 1017 of
39 the laws of 1971, is amended to read as follows:

40 § 3221. Pledge of employment. The pledge of employment shall be
41 [signed] completed in the method prescribed pursuant to section one
42 hundred thirty-five of the labor law by the initial prospective employer
43 or [his] their authorized representative and shall show [his] their name
44 and place of business, the minor's name, the number of days per week and
45 the number of hours per day and per week during which [he] they will be
46 employed, the hours of the beginning and the ending of work, and the
47 nature and type of the employment.

48 § 13. Section 3223 of the education law, as amended by chapter 1017 of
49 the laws of 1971, is amended to read as follows:

50 § 3223. Duties of employers. The employer of any minor required to
51 have an employment certificate:

52 1. Shall [satisfy himself] personally confirm that the minor present-
53 ing an employment certificate is in fact the minor named therein.

54 2. Shall before employment begins, physically or electronically file
55 at the place of the minor's employment such certificate so that it may
56 be readily accessible to any authorized person to examine such document.



1 3. Shall, upon termination of the minor's employment, [return the
2 employment certificate to the minor] destroy any physical or electronic
3 copies of such certificate.

4 § 14. Section 3224 of the education law, as added by chapter 975 of
5 the laws of 1966, is amended to read as follows:

6 § 3224. Temporary services. a. If an employer is engaged in a busi-
7 ness of assigning employees for temporary services at another establish-
8 ment, and the employer compensates the employee for such services
9 rendered the employer shall keep on file [in his office] physically in
10 office or electronically and readily accessible the employment certifi-
11 cate and shall cause to be delivered to each establishment where the
12 child will perform [his] the services a true copy of such employment
13 certificate. Such delivery shall be deemed compliance with sections
14 thirty-two hundred sixteen and thirty-two hundred twenty-three of this
15 [chapter] part and section one hundred thirty-five of the labor law. The
16 owner of each establishment to which the child is assigned shall [keep
17 on file in his office such] also retain a copy of the employment certifi-
18 cate[, which shall be deemed compliance with sections thirty-two
19 hundred sixteen and thirty-two hundred twenty-three of this chapter,]
20 and shall return such copy to the employer at the conclusion of the
21 child's assignment. Such employer shall note on the original employment
22 certificate the existence of each copy.

23 b. As used in this section, the term "establishment" includes a facto-
24 ry, mercantile establishment, business office, restaurant, hotel and any
25 other trade, business or service.

26 c. The commissioner of education may promulgate rules and regulations
27 as [he deems] they deem necessary to [insure] ensure that employment
28 under the provisions of this section shall not be harmful or undesirable
29 from the point of view of the welfare, development, or proper education
30 of the child.

31 § 15. Sections 3225, 3227, and 3228 of the education law are REPEALED.

32 § 16. Section 3226 of the education law, as added by chapter 975 of
33 the laws of 1966, is amended to read as follows:

34 § 3226. Farm work permits. 1. A farm work permit may be issued to a
35 minor fourteen or fifteen years of age authorizing employment in farm
36 service.

37 2. A farm work permit also may be issued to a minor over twelve years
38 of age for employment in assisting in the hand work harvest of berries,
39 fruits and vegetables pursuant to paragraph e of subdivision two of
40 section one hundred thirty of the labor law.

41 3. To obtain a farm work permit a minor shall present to the issuing
42 officer the following:

43 a. Evidence of age; and

44 b. Written consent of the [parent or guardian; and

45 c. A certificate of physical fitness] person in parental relation as
46 defined in section thirty-two hundred twelve of this article.

47 4. Such permit shall be valid only when signed by the employer and
48 subject only to the condition that it shall not be valid for work in or
49 in connection with a factory.

50 5. A farm work permit shall not be required for the employment of a
51 minor sixteen years of age or over in farm service.

52 § 17. This act shall take effect two years after it shall have become
53 a law. Effective immediately, the addition, amendment and/or repeal of
54 any rule or regulation necessary for the implementation of this act on
55 its effective date are authorized to be made and completed on or before
56 such date.

1

PART Y

2 Section 1. The section heading, paragraphs (a), (b) and (c) of subdi-
3 vision 1, paragraphs (a), (b) and (c) of subdivision 2, and paragraphs
4 (a), (b) and (c) of subdivision 3 of section 26 of the veterans'
5 services law are amended to read as follows:

6 Payment to [parents] immediate family members of veterans.

7 (a) (i) A parent, spouse, or minor child identified in 10 USC 1126 as
8 a gold star parent, spouse, or minor child; or (ii) a parent, spouse, or
9 minor child of a veteran who [heretofore has died or a parent of a
10 veteran dying hereafter] died while on active duty, shall upon applica-
11 tion to the state commissioner, be paid an annual annuity out of the
12 treasury of the state for the sum of five hundred dollars for such term
13 as such parent, spouse, or minor child shall be entitled thereto under
14 the provisions of this article. Commencing in the year two thousand
15 nineteen, the amount of any annuity payable under this section shall be
16 the same amount as the annuity payable in the preceding year plus a
17 percentage adjustment equal to the annual percentage increase, if any,
18 for compensation and pension benefits administered by the United States
19 Department of Veterans Affairs in the previous year. Such percentage
20 increase shall be rounded up to the next highest one-tenth of one
21 percent and shall not be less than one percent nor more than four
22 percent. The commissioner of veterans' services, not later than February
23 first of each year, shall publish by any reasonable means, including but
24 not limited to posting on the department's website, the amount of the
25 annuity as adjusted payable under this section. The term "parent" for
26 the purposes of this section includes mother, father, stepmother, step-
27 father, mother through adoption and father through adoption. The term
28 "spouse" for the purposes of this section means a person who was the
29 spouse or domestic partner of the veteran at the time of such veteran's
30 death regardless of whether such person has remarried or entered into a
31 new domestic partnership since such veteran's death. The term "minor
32 child" for the purposes of this section means a person who is under the
33 age of eighteen years, or who, after attaining the age of eighteen years
34 and until completion of education or training, but not after attaining
35 the age of twenty-three years, is pursuing a course of instruction at an
36 approved educational institution and who is the biological, step, or
37 adopted child of a veteran. The term "active duty" for purposes of this
38 section shall have the same meaning as such term is defined in section
39 101 of title 38 of the United States code, and shall also include any
40 period of active duty for training during which the individual concerned
41 died from a disease or injury incurred or aggravated in the line of
42 duty, or any period of inactive duty training during which the individ-
43 ual concerned died from an injury incurred or aggravated in the line of
44 duty or from an acute myocardial infarction, a cardiac arrest, or a
45 cerebrovascular accident which occurred during such training. The terms
46 "active duty for training" and "inactive duty training" for the purposes
47 of this section shall have the same meaning as such terms are defined in
48 section 101 of title 38 of the United States code.

49 (b) The entitlement of any parent, spouse, or minor child to receive
50 the annuity provided by paragraph (a) of this subdivision shall termi-
51 nate upon [his or her] such parent's, spouse's, or minor child's death
52 or upon [his or her] such parent's, spouse's, or minor child's ceasing
53 to continue to be a resident of and domiciled in the state of New York,
54 but such entitlement may be reinstated upon application to the state
55 commissioner, if such parent, spouse, or minor child shall thereafter



1 resume [his or her] such parent's, spouse's, or minor child's residence
2 and domicile in the state.

3 (c) The effective date of an award of the annuity to a parent, spouse,
4 or minor child shall be the day after the date of death of the veteran
5 if the application therefor is received within one year from date of
6 death. If the application is received after the expiration of the first
7 year following the date of the death of the veteran, the effective date
8 of an award of the annuity to a parent, spouse, or minor child shall be
9 the date of receipt of the application by the state commissioner. If the
10 application is denied but is granted at a later date upon an application
11 for reconsideration based upon new evidence, the effective date of the
12 award of the annuity to a parent, spouse, or minor child shall be the
13 date of the receipt of the application for reconsideration by the state
14 commissioner.

15 (a) Any gold star parent, spouse, or minor child, [who is the parent]
16 of a deceased veteran, [and] or a parent, spouse, or minor child of a
17 veteran pursuant to subparagraph (ii) of paragraph (a) of subdivision
18 one of this section, who is a resident of and domiciled in the state of
19 New York, [shall] may make application to the department.

20 (b) No entitlement shall be paid under this section to or for a gold
21 star parent, spouse, or minor child, or a parent, spouse, or minor child
22 of a veteran pursuant to subparagraph (ii) of paragraph (a) of subdivi-
23 sion one of this section, who is in prison in a federal, state, or local
24 penal institution as a result of conviction of a felony or misdemeanor
25 for any part of the period beginning sixty-one days after [his or her]
26 such parent's, spouse's, or minor child's imprisonment begins and ending
27 with [his or her] such parent's, spouse's, or minor child's release.

28 (c) Where one or more gold star parents, spouse, or minor children, or
29 parents, spouse, or minor children of a veteran pursuant to subparagraph
30 (ii) of paragraph (a) of subdivision one of this section, are disquali-
31 fied for the annuity for a period under paragraph (b) of this subdivi-
32 sion, the state commissioner shall pay the shares of such disqualified
33 parents, spouse, or minor children to the other parents or minor chil-
34 dren, if they meet the qualifications on their own.

35 (a) Evidence of the military service of the deceased veteran [of the
36 gold star parent] for each case shall be furnished in the manner and
37 form prescribed by the state commissioner.

38 (b) Upon being satisfied that such service was honorable, that other
39 facts and statements in the application of such gold star parent,
40 spouse, or minor child or parent, spouse, or minor child of a veteran
41 pursuant to subparagraph (ii) of paragraph (a) of subdivision one of
42 this section, are true, the state commissioner shall certify to the
43 state comptroller the name and address of such gold star parent, spouse,
44 or minor child, or parent, spouse, or minor child of a veteran pursuant
45 to subparagraph (ii) of paragraph (a) of subdivision one of this
46 section.

47 (c) Thereafter, the department of taxation and finance, on the audit
48 and warrant of the comptroller, shall pay such gold star parent, spouse,
49 or minor child, or parent, spouse, or minor child of a veteran pursuant
50 to subparagraph (ii) of paragraph (a) of subdivision one of this
51 section, such sum as is authorized by the provisions of this section in
52 semi-annual installments for so long as such qualified gold star parent,
53 spouse, or minor child, or parent, spouse, or minor child of a veteran
54 pursuant to subparagraph (ii) of paragraph (a) of subdivision one of
55 this section, shall meet the requirements of this section.

§ 1-a. The commissioner of veterans' services shall conduct an outreach program for the purpose of informing the public and persons who may be eligible to receive an annuity under section 26 of the veterans' services law of the amendments made to such section by section one of this act. Such outreach activities shall include, but not be limited to, an announcement on the department of veterans' services official website and, to the extent practicable, making contact with any parent, spouse, domestic partner or minor child of a service member known to have died on active duty prior to the effective date of this act and subsequent to such date, to inform such persons of their potential eligibility to receive an annuity and to offer assistance in preparing an application for such benefit. The commissioner of veterans' services may seek the assistance of the division of military and naval affairs and federal military authorities in identifying persons who may be eligible to receive an annuity under section 26 of the veterans' services law.

§ 2. This act shall take effect immediately.

PART Z

Intentionally Omitted

PART AA

Section 1. On or before September 1, 2025, the commissioner of education shall submit a report to the governor, the speaker of the assembly, and the temporary president of the senate providing information regarding usage, budgeting, staffing, assets, and functions of the New York state museum in a form and manner as determined by the director of the budget. Such report shall include but not be limited to the following information:

1. Annual statistics for state fiscal years 2004-05 through 2024-25 for the following categories:

- (a) visitorship by month;
- (b) philanthropic donations, either monetary or in-kind;
- (c) school student visitorship;
- (d) marketing, advertising, and promotional expenditures;
- (e) staffing levels and expenditures for each office of the museum;
- (f) capital expenditures;
- (g) museum revenue from sources other than state aid; and
- (h) balance of total revenues and operating expenses;

2. A summary of current agreements with other cultural institutions regarding loan or exchange of collections;

3. Current collections on display and length of time on display;

4. Current collections in possession of the museum but not on display;

5. New collections scheduled to go on display in the next five years;

6. A listing of special events, exhibitions, tours, limited or traveling displays, and other events not included in information regarding normal displayed collections over the prior five years;

7. A listing of any ancillary services provided at the museum, including but not limited to food service, retail, or walking tours; and

8. Usage over the prior five years of the state museum collection by federal agencies, New York state agencies, local governments, and other governmental entities, whether for display or research purposes.

§ 2. On or before September 1, 2026 and annually thereafter, the commissioner shall submit a report to the governor, the speaker of the



1 assembly, and the temporary president of the senate including updated
2 information from the prior state fiscal year supplementing the informa-
3 tion provided in the report required by section one of this act.
4 § 3. This act shall take effect immediately.

5 PART BB

6 Section 1. Subdivisions 1 and 3 of section 592 of the labor law, as
7 amended by chapter 20 of the laws of 2020, are amended to read as
8 follows:

9 1. Industrial controversy. (a) The accumulation of benefit rights by a
10 claimant shall be suspended during a period of [two consecutive weeks]
11 one week beginning with the day after such claimant lost [his or her]
12 their employment because of a strike or other industrial controversy
13 except for lockouts, including concerted activity not authorized or
14 sanctioned by the recognized or certified bargaining agent of the claim-
15 ant, and other concerted activity conducted in violation of any existing
16 collective bargaining agreement, in the establishment in which [he or
17 she] such claimant was employed, except that benefit rights may be accu-
18 mulated before the expiration of such [two] one week period beginning
19 with the day after such strike or other industrial controversy was
20 terminated.

21 (b) Benefits shall not be suspended under this section if:

22 (i) The employer hires a permanent replacement worker for the employ-
23 ee's position. A replacement worker shall be presumed to be permanent
24 unless the employer certifies in writing that the employee will be able
25 to return to [his or her] such employee's prior position upon conclusion
26 of the strike, in the event the strike terminates prior to the conclu-
27 sion of the employee's eligibility for benefit rights under this chap-
28 ter. In the event the employer does not permit such return after such
29 certification, the employee shall be entitled to recover any benefits
30 lost as a result of the [two] one week suspension of benefits, and the
31 department may impose a penalty upon the employer of up to seven hundred
32 fifty dollars per employee per week of benefits lost. The penalty
33 collected shall be paid into the unemployment insurance control fund
34 established pursuant to section five hundred fifty-two-b of this arti-
35 cle; or

36 (ii) The commissioner determines that the claimant:

37 (A) is not employed by an employer that is involved in the industrial
38 controversy that caused [his or her] such claimant's unemployment and is
39 not participating in the industrial controversy; or

40 (B) is not in a bargaining unit involved in the industrial controversy
41 that caused [his or her] such claimant's unemployment and is not partic-
42 ipating in the industrial controversy.

43 3. Terms of suspension. No waiting period may be served during a
44 suspension period.

45 The suspension of accumulation of benefit rights shall not be termi-
46 nated by subsequent employment of the claimant irrespective of when the
47 claim is filed except as provided in subdivision one of this section and
48 shall not be confined to a single benefit year.

49 A "week" as used in subdivision one of this section means any seven
50 consecutive calendar days.

51 § 2. This act shall take effect immediately.

52 PART CC



1 Section 1. Section 410-y of the social services law, as added by
2 section 52 of part B of chapter 436 of the laws of 1997, is amended to
3 read as follows:

4 § 410-y. Maintenance of effort. 1. Each social services district shall
5 maintain the amount of local funds spent for child care assistance under
6 the child care block grant at a level equal to or greater than the
7 amount the district spent for child care assistance during federal
8 fiscal year nineteen hundred ninety-five under title IV-A of the federal
9 social security act, the federal child care development block grant
10 program and the state low income child care program; provided however, a
11 social services district for a city of a population of a million or more
12 shall spend local funds for child care assistance at an amount no less
13 than three hundred twenty-eight million dollars.

14 2. If the state fails to meet the level of state and local child care
15 funding necessary to maintain the federal matching funds for child care
16 assistance available under title IV-a of the federal social security
17 act, the state shall withhold funding from those social services
18 districts which spent a lower amount of local funds for child care
19 assistance than the amount [they spent during federal fiscal year nine-
20 teen hundred ninety-five] required by subdivision one of this section,
21 based on a formula established in department regulations, equal to the
22 amount of the matching funds which have been lost.

23 § 2. This act shall take effect October 1, 2025.

24 PART DD

25 Section 1. The penal law is amended by adding a new section 205.35 to
26 read as follows:

27 § 205.35 Evading arrest by concealment of identity.

28 A person is guilty of evading arrest by concealment of identity when,
29 in the course of the commission of a felony or class A misdemeanor or in
30 the immediate flight therefrom, such person wears a mask or facial
31 covering or otherwise obscures their face, completely or partially, for
32 no legitimate purpose with the intent to prevent their identification,
33 apprehension, or arrest for such crime.

34 Evading arrest by concealment of identity is a class B misdemeanor.

35 § 2. This shall take effect on the thirtieth day after it shall have
36 become a law.

37 PART EE

38 Section 1. Subparagraph (iv) of paragraph (d) of subdivision 1 of
39 section 803 of the correction law, as separately amended by chapters 242
40 and 322 of the laws of 2021, is amended to read as follows:

41 (iv) Such merit time allowance may be granted when an incarcerated
42 individual successfully participates in the work and treatment program
43 assigned pursuant to section eight hundred five of this article and when
44 such incarcerated individual obtains a general equivalency diploma, an
45 alcohol and substance abuse treatment certificate, a vocational trade
46 certificate following at least six months of vocational programming, at
47 least eighteen credits in a program registered by the state education
48 department from a degree-granting higher education institution or
49 performs at least four hundred hours of service as part of a community
50 work crew. The commissioner may designate additional programs and
51 achievements for which merit time may be granted.



Such allowance shall be withheld for any serious disciplinary infraction or upon a judicial determination that the person, while an incarcerated individual, commenced or continued a civil action, proceeding or claim that was found to be frivolous as defined in subdivision (c) of section eight thousand three hundred three-a of the civil practice law and rules, or an order of a federal court pursuant to rule 11 of the federal rules of civil procedure imposing sanctions in an action commenced by a person, while an incarcerated individual, against a state agency, officer or employee.

§ 2. Subparagraph (xii) of paragraph (c) of subdivision 1 of section 803-b of the correction law, as amended by chapter 322 of the laws of 2021, is amended and a new subparagraph (xiii) is added to read as follows:

(xii) receives a certificate from the food production center in an assigned position following the completion of no less than eight hundred hours of work in such position, and continues to work for an additional eighteen months at the food production center[.]; or

(xiii) successfully completes a program of not less than eighteen months as established by the commissioner.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law and shall apply to offenses committed prior to, on or after the effective date of this act; provided that the amendments to section 803 of the correction law made by section one of this act shall be subject to the expiration and reversion of such section pursuant to subdivision d of section 74 of chapter 3 of the laws of 1995, as amended.

PART FF

Section 1. Definitions. As used in this act:

(a) "Commissioner" shall mean the commissioner of education;

(b) "Department" shall mean the state education department;

(c) "Board of education" or "board" shall mean the board of education of the Mount Vernon city school district;

(d) "School district" or "district" shall mean the Mount Vernon city school district;

(e) "Superintendent" shall mean the superintendent of the Mount Vernon city school district; and

(f) "Relatives" shall mean a Mount Vernon city school district board member's spouse, domestic partner, child, stepchild, stepparent, or any person who is a direct descendant of the grandparents of a current board member or a board member's spouse or domestic partner.

§ 2. Appointment of a monitor. The commissioner shall appoint one monitor to provide oversight, guidance and technical assistance related to the educational and fiscal policies, practices, programs and decisions of the school district, the board of education and the superintendent.

(a) The monitor, to the extent practicable, shall have experience in school district finances and one or more of the following areas:

(i) elementary and secondary education;

(ii) the operation of school districts in New York;

(iii) educating students with disabilities; and

(iv) educating English language learners.

(b) The monitor shall be a non-voting ex-officio member of the board of education. The monitor shall be an individual who is not a resident,



1 employee of the school district or relative of a board member of the
2 school district at the time of their appointment.

3 (c) The reasonable and necessary expenses incurred by the monitor
4 while performing their official duties shall be paid by the school
5 district. Notwithstanding any other provision of law, the monitor shall
6 be entitled to defense and indemnification by the school district to the
7 same extent as a school district employee.

8 § 3. Meetings. (a) The monitor shall be entitled to attend all meet-
9 ings of the board, including executive sessions; provided however, such
10 monitor shall not be considered for purposes of establishing a quorum of
11 the board. The school district shall fully cooperate with the monitor
12 including, but not limited to, providing such monitor with access to any
13 necessary documents and records of the district including access to
14 electronic information systems, databases and planning documents,
15 consistent with all applicable state and federal statutes including, but
16 not limited to, Family Education Rights and Privacy Act (FERPA) (20
17 U.S.C. § 1232g) and section 2-d of the education law.

18 (b) The board, in consultation with the monitor, shall adopt a
19 conflict of interest policy that complies with all existing applicable
20 laws, rules and regulations that ensures its board members and adminis-
21 tration act in the school district's best interest and comply with
22 applicable legal requirements. The conflict of interest policy shall
23 include, but not be limited to:

24 (i) a definition of the circumstances that constitute a conflict of
25 interest;

26 (ii) procedures for disclosing a conflict of interest to the board;

27 (iii) a requirement that the person with the conflict of interest not
28 be present at or participate in board deliberations or votes on the
29 matter giving rise to such conflict, provided that nothing in this
30 subdivision shall prohibit the board from requesting that the person
31 with the conflict of interest present information as background or
32 answer questions at a board meeting prior to the commencement of delib-
33 erations or voting relating thereto;

34 (iv) a prohibition against any attempt by the person with the conflict
35 to influence improperly the deliberation or voting on the matter giving
36 rise to such conflict; and

37 (v) a requirement that the existence and resolution of the conflict be
38 documented in the board's records, including in the minutes of any meet-
39 ing at which the conflict was discussed or voted upon.

40 § 4. Public hearings. (a) The monitor shall schedule three public
41 hearings to be held within sixty days of their appointment, which shall
42 allow public comment from the district's residents, students, parents,
43 employees, board members and administration.

44 (i) The first hearing shall take public comment on existing statutory
45 and regulatory authority of the commissioner, the department and the
46 board of regents regarding school district governance and intervention
47 under applicable state law and regulations, including but not limited
48 to, sections 306, 211-c, and 211-f of the education law.

49 (ii) The second hearing shall take public comment on the academic
50 performance of the district.

51 (iii) The third hearing shall take public comment on the fiscal
52 performance of the district.

53 (b) The board of education and the monitor shall consider these public
54 comments when developing the financial plan and academic improvement
55 plan under this act.



1 § 5. Financial plan. (a) No later than November 1, 2025, the board of
2 education and the monitor shall develop a proposed financial plan for
3 the 2025--2026 school year and the four subsequent school years. The
4 financial plan shall ensure that annual aggregate operating expenses
5 shall not exceed annual aggregate operating revenues for such school
6 year and that the major operating funds of the district be balanced in
7 accordance with generally accepted accounting principles. The financial
8 plan shall include statements of all estimated revenues, expenditures,
9 and cash flow projections of the district.

10 (b) If the board of education and the monitor agree on all the
11 elements of the proposed financial plan, the board of education shall
12 conduct a public hearing on the plan and consider the input of the
13 community. The proposed financial plan shall be made public on the
14 district's website at least three business days before such public hear-
15 ing. Once the proposed financial plan has been approved by the board of
16 education, such plan shall be submitted by the monitor to the commis-
17 sioner for approval and shall be deemed approved for the purposes of
18 this act.

19 (c) If the board of education and the monitor do not agree on all the
20 elements of the proposed financial plan, the board of education shall
21 conduct a public hearing on the proposed plan that details the elements
22 of disagreement between the monitor and the board, including documented
23 justification for such disagreements and any requested amendments from
24 the monitor. The proposed financial plan, elements of disagreement, and
25 requested amendments shall be made public on the district's website at
26 least three business days before such public hearing. After considering
27 the input of the community, the board may alter the proposed financial
28 plan and the monitor may alter their requested amendments, and the moni-
29 tor shall submit the proposed financial plan, their amendments to the
30 plan, and documentation providing justification for such disagreements
31 and amendments to the commissioner no later than December 1, 2025. By
32 January 15, 2026, the commissioner shall approve the proposed plan with
33 any of the monitor's proposed amendments, or make other modifications,
34 such commissioner deems appropriate. The board of education shall
35 provide the commissioner with any information such commissioner requests
36 to approve such plan within three business days of such request. Upon
37 the approval of the commissioner, the financial plan shall be deemed
38 approved for purposes of this act.

39 § 6. Academic improvement plan. (a) No later than November 1, 2025,
40 the board of education and the monitor shall develop an academic
41 improvement plan for the district's 2025--2026 school year and the four
42 subsequent school years. The academic improvement plan shall contain a
43 series of programmatic recommendations designed to improve academic
44 performance over the period of the plan in those academic areas that the
45 commissioner deems to be in need of improvement which shall include
46 addressing the provisions contained in any action plan set forth by the
47 department.

48 (b) If the board of education and the monitor agree on all the
49 elements of the proposed academic improvement plan, the board of educa-
50 tion shall conduct a public hearing on the plan and consider the input
51 of the community. The proposed academic improvement plan shall be made
52 public on the district's website at least three business days before
53 such public hearing. Once the proposed academic improvement plan has
54 been approved by the board of education, such plan shall be submitted by
55 the monitor to the commissioner for approval and shall be deemed
56 approved for the purposes of this act.

1 (c) If the board of education and the monitor do not agree on all the
2 elements of the proposed academic improvement plan, the board of educa-
3 tion shall conduct a public hearing on the proposed plan that details
4 the elements of disagreement between the monitor and the board, includ-
5 ing documented justification for such disagreements and any requested
6 amendments from the monitor. The proposed academic improvement plan,
7 elements of disagreement, and requested amendments shall be made public
8 on the district's website at least three business days before such
9 public hearing. After considering the input of the community, the board
10 may alter the proposed academic improvement plan and the monitor may
11 alter their requested amendments, and the monitor shall submit the
12 proposed academic improvement plan, their amendments to the plan, and
13 documentation providing justification for such disagreements and amend-
14 ments to the commissioner no later than December 1, 2025. By January 15,
15 2026, the commissioner shall approve the proposed plan with any of the
16 monitor's proposed amendments, or make other modifications, such commis-
17 sioner deems appropriate. The board of education shall provide the
18 commissioner with any information such commissioner requests to approve
19 such plan within three business days of such request. Upon the approval
20 of the commissioner, the academic improvement plan shall be deemed
21 approved for purposes of this act.

22 § 7. Fiscal and operational oversight. (a) The board of education
23 shall annually submit the school district's proposed budget for the next
24 succeeding school year to the monitor no later than March first prior to
25 the school district's annual budget vote. The monitor shall review the
26 proposed budget to ensure that it is balanced within the context of
27 revenue and expenditure estimates and mandated programs. The monitor
28 shall also review the proposed budget to ensure that it, to the greatest
29 extent possible, is consistent with the district academic improvement
30 plan and financial plan developed and approved pursuant to this act. The
31 monitor shall present their findings to the board of education and the
32 commissioner no later than forty-five days prior to the date scheduled
33 for the school district's annual budget vote. The commissioner shall
34 require the board of education to make amendments to the proposed budget
35 consistent with any recommendations made by the monitor if the commis-
36 sioner determines such amendments are necessary to comply with the
37 financial plan and academic improvement plan under this act. The school
38 district shall make available on the district's website: the initial
39 proposed budget, the monitor's findings, and the final proposed budget
40 at least seven days prior to the date of the school district's budget
41 hearing. In the event of a revote, the board of education, in conjunc-
42 tion with the monitor, shall develop and submit the school district's
43 proposed budget for the next succeeding school year to the commissioner
44 no later than seven days prior to the budget hearing. The board of
45 education shall provide the commissioner with any information such
46 commissioner requests in order to make a determination pursuant to this
47 subdivision within three business days of such request.

48 (b) The district shall provide quarterly reports to the monitor and
49 annual reports to the commissioner and board of regents on the academic,
50 fiscal, and operational status of the school district. In addition, the
51 monitor shall provide semi-annual reports to the commissioner, board of
52 regents, the governor, the temporary president of the senate, and the
53 speaker of the assembly on the academic, fiscal, and operational status
54 of the school district. Such semi-annual report shall include all the
55 contracts that the district entered into throughout the year.

1 (c) The monitor shall have the authority to disapprove travel outside
2 the state paid for by the district.

3 (d) The monitor shall work with the district's shared decision-making
4 committee as defined in 8 NYCRR 100.11 in developing the academic
5 improvement plan, financial plan, district goals, implementation of
6 district priorities and budgetary recommendations.

7 (e) The monitor shall assist in resolving any disputes and conflicts,
8 including but not limited to, those between the superintendent and the
9 board of education and among the members of the board of education.

10 (f) The monitor may recommend, and the board shall consider by vote of
11 a resolution at the next scheduled meeting of the board, cost saving
12 measures including, but not limited to, shared service agreements.

13 § 8. The commissioner may overrule any decision of the monitor, except
14 for collective bargaining agreements negotiated in accordance with arti-
15 cle 14 of the civil service law, if such commissioner deems that such
16 decision is not aligned with the financial plan, academic improvement
17 plan, or the school district's budget.

18 § 9. The monitor may notify the commissioner and the board in writing
19 when such monitor deems the district is violating an element of the
20 financial plan or academic improvement plan under this act. Within twen-
21 ty days, the commissioner shall determine whether the district is in
22 violation of any of the elements of the plans highlighted by the monitor
23 and shall order the district to comply immediately with the plans and
24 remedy any such violation. The school district shall suspend all actions
25 related to the potential violation of the financial plan or academic
26 improvement plan until the commissioner issues a determination.

27 § 10. Nothing in this section shall be construed to abrogate the
28 duties and responsibilities of the school district consistent with
29 applicable state law and regulations.

30 § 11. The Mount Vernon city school district shall be paid on an accel-
31 erated schedule as follows:

32 (a) (i) Notwithstanding any other provisions of law, for aid payable
33 in the school years 2024-2025 through 2053-2054 upon application to the
34 commissioner of education submitted not sooner than the second Monday in
35 June of the school year in which such aid is payable and not later than
36 the Friday following the third Monday in June of the school year in
37 which such aid is payable, the Mount Vernon city school district shall
38 be eligible to receive an apportionment pursuant to this section in an
39 amount equal to the product of up to eight million dollars (\$8,000,000)
40 and the quotient of the positive difference of thirty minus the number
41 of school years elapsed since the 2024-2025 school year divided by thir-
42 ty, provided, however, that for the 2024-2025 school year such applica-
43 tion shall be submitted no later than May 11, 2025.

44 (ii) Funds apportioned pursuant to this subdivision shall be used for
45 services and expenses of the Mount Vernon city school district and shall
46 be applied to support of its educational programs and any liability
47 incurred by such city school district in carrying out its functions and
48 responsibilities under the education law.

49 (b) The claim for an apportionment to be paid to the Mount Vernon city
50 school district pursuant to subdivision (a) of this section shall be
51 submitted to the commissioner of education on a form prescribed for such
52 purpose, and shall be payable upon determination by such commissioner
53 that the form has been submitted as prescribed and that the school
54 district has complied with the reporting requirements of this section.
55 For each school year in which application is made pursuant to subdivi-
56 sion (a) of this section, such approved amount shall be payable on or

1 before June thirtieth of such school year upon the audit and warrant of
2 the state comptroller on vouchers certified or approved by the commis-
3 sioner of education in the manner prescribed by law from moneys appro-
4 priated for general support of public schools, provided, however, that
5 for the 2024-2025 school year such approved amount shall be payable on
6 or before May 20, 2025.

7 (c) Notwithstanding the provisions of section 3609-a of the education
8 law, an amount equal to the amount paid to the Mount Vernon city school
9 district during the base year pursuant to subdivisions (a) and (b) of
10 this section shall first be deducted from general aid payments due
11 during the current school year pursuant to subparagraphs (1), (2), (3),
12 (4) and (5) of paragraph a of subdivision 1 of section 3609-a of the
13 education law from the fixed fall payments payable pursuant to subpara-
14 graph (4) of such paragraph, and any remainder to be deducted from the
15 individualized payments due to the district pursuant to paragraph b of
16 such subdivision shall be deducted on a chronological basis starting
17 with the earliest payment due the district.

18 (d) Notwithstanding any other provisions of law, the sum of payments
19 made to the Mount Vernon city school district during the base year
20 pursuant to subdivisions (a) and (b) of this section plus payments made
21 to such school district during the current year pursuant to section
22 3609-a of the education law shall be deemed to truly represent all aids
23 paid to such school district during the current school year pursuant to
24 such section 3609-a for the purposes of computing any adjustments to
25 such aids that may occur in a subsequent school year.

26 (e) (i) On or before the first day of each month beginning in July
27 2025 and ending in June 2054, the chief fiscal officer and the super-
28 intendent of schools of the Mount Vernon city school district shall
29 prepare and submit to the board of education a report of the fiscal
30 condition of the school district, including but not limited to the most
31 current available data on fund balances on funds maintained by the
32 school district and the district's use of the apportionments provided
33 pursuant to subdivisions (a) and (b) of this section.

34 (ii) Such monthly report shall be in a format prescribed by the
35 commissioner of education. The board of education shall either reject
36 and return the report to the chief fiscal officer and the superintendent
37 of schools for appropriate revisions and resubmittal or shall approve
38 the report and submit copies to the commissioner of education and the
39 state comptroller of such approved report as submitted or resubmitted.

40 (iii) In the 2024-2025 through 2053-2054 school years, the chief
41 fiscal officer of the Mount Vernon city school district shall monitor
42 all budgets and for each budget, shall prepare a quarterly report of
43 summarized budget data depicting overall trends of actual revenues and
44 budget expenditures for the entire budget as well as individual line
45 items. Such report shall compare revenue estimates and appropriations as
46 set forth in such budget with the actual revenues and expenditures made
47 to date. All quarterly reports shall be accompanied by a recommendation
48 from the superintendent of schools or chief fiscal officer to the board
49 of education setting forth any remedial actions necessary to resolve any
50 unfavorable budget variance including the overestimation of revenue and
51 underestimation of appropriations. The chief fiscal officer shall also
52 prepare, as part of such report, a quarterly trial balance of general
53 ledger accounts in accordance with generally accepted accounting princi-
54 ples as prescribed by the state comptroller. All reports shall be
55 completed within sixty days after the end of each quarter and shall be
56 submitted to the chief fiscal officer and the board of education of the



1 Mount Vernon city school district, the state division of budget, the
2 office of the state comptroller, the commissioner of education, the
3 chair of the assembly ways and means committee and the chair of the
4 senate finance committee.

5 § 12. This act shall take effect immediately, provided, however, that:

6 (a) sections one through ten of this act shall expire and be deemed
7 repealed June 30, 2027; and

8 (b) section eleven of this act shall expire and be deemed repealed
9 June 30, 2054.

10

PART GG

11 Section 1. The general business law is amended by adding a new section
12 352-eeeeee to read as follows:

13 § 352-eeeeee. Conversions to condominium ownership for the preservation
14 of expiring affordable housing in the city of New York. 1. As used in
15 this section, the following words and terms shall have the following
16 meanings:

17 (a) "Annual update amendment". An annual update amendment is an amend-
18 ment to the preservation plan that shall be submitted to the attorney
19 general every year that a dwelling unit is unsold, with the first such
20 annual update amendment due within forty-five days of the anniversary of
21 the acceptance of the post-closing amendment to the preservation plan.
22 An annual update amendment shall supply the evidence, data and informa-
23 tion required in this section, and such other information as the attor-
24 ney general's regulations shall require, so that the attorney general is
25 satisfied that the preservation plan as amended discloses the informa-
26 tion necessary for a reasonable investor to make their purchase decision
27 and that the preservation plan is otherwise complete, current and accu-
28 rate.

29 (b) "Bona fide purchaser". A bona fide purchaser is either (i) a
30 tenant in occupancy who enters into a purchase agreement for a dwelling
31 unit pursuant to their or its exercise of one of the rights accorded to
32 tenants in occupancy in subdivision five of this section, or (ii) a bona
33 fide non-tenant purchaser.

34 (c) "Bona fide non-tenant purchaser". A bona fide non-tenant purchaser
35 is a purchaser of a dwelling unit who has represented that they or a
36 member or members of their immediate family intend to occupy the dwell-
37 ing unit when it becomes vacant. A bona fide non-tenant purchaser shall
38 not include any purchaser who is an offeror, the selling agent, or the
39 managing agent or is a principal of the offeror, the selling agent or
40 the managing agent or is related to the sponsor, the selling agent or
41 the managing agent or to any principal of the sponsor or the selling
42 agent or the managing agent by blood, marriage or adoption or as a busi-
43 ness associate, an employee, a shareholder or a limited partner; except
44 that such a purchaser other than the offeror or a principal of the spon-
45 sor may be included as a bona fide non-tenant purchaser if the offeror
46 has submitted proof satisfactory to the department of law establishing
47 that the purchaser is bona fide.

48 (d) "Commercially reasonable good faith effort". A commercially
49 reasonable good faith effort on the part of an offeror of a preservation
50 plan shall, at minimum, include (i) the filing of an annual update
51 amendment to the preservation plan; (ii) all of the condominium's dwell-
52 ing units other than any income-restricted rental units as the units
53 being offered for sale under the preservation plan, each at an offering
54 price that is consistent with comparable dwelling units recently sold



1 within the locality; and (iii) entering into a written agreement with a
2 licensed real estate broker or selling agent in connection with the sale
3 of dwelling units offered for sale under the preservation plan. For the
4 avoidance of doubt, a commercially reasonable good faith effort shall
5 not require an offeror to sell dwelling units at a price substantially
6 below the market-rate for comparable units recently sold within the
7 locality, nor shall it require an offeror to offer for sale dwelling
8 units that are occupied by non-purchasing tenants.

9 (e) "Condominium". A condominium shall also include a qualified lease-
10 hold condominium as defined in subdivision twelve of section three
11 hundred thirty-nine-e of the real property law.

12 (f) "Consummation of the preservation plan". Consummation of the pres-
13 ervation plan shall refer to the filing of the declaration for the
14 condominium and the first transfer of title to at least one purchaser
15 under the preservation plan following a declaration of effectiveness by
16 the department of law declaring the preservation plan effective.

17 (g) "Eligible disabled persons". Non-purchasing tenants who have an
18 impairment which results from anatomical, physiological or psychological
19 conditions, other than addiction to alcohol, gambling, or any controlled
20 substance, which are demonstrable by medically acceptable clinical and
21 laboratory diagnostic techniques, and which are expected to be permanent
22 and which prevent the tenant from engaging in any substantial gainful
23 employment on the date the preservation plan is submitted to the depart-
24 ment of law or on the date the attorney general has accepted the preser-
25 vation plan for filing, and the spouses of any such tenants on such
26 date, and who have elected, within sixty days of the date the preserva-
27 tion plan is submitted to the department of law or on the date the
28 attorney general has accepted the preservation plan for filing, on forms
29 promulgated by the attorney general and presented to such tenants by the
30 offeror, to become non-purchasing tenants under the provisions of this
31 section; provided, however, that if the disability first occurs after
32 acceptance of the preservation plan for filing, then such election may
33 be made within sixty days following the onset of such disability unless
34 during the period subsequent to sixty days following the acceptance of
35 the preservation plan for filing but prior to such election, the offeror
36 accepts a written agreement to purchase the apartment from a bona fide
37 purchaser; and provided further that such election shall not preclude
38 any such tenant from subsequently purchasing the dwelling unit on the
39 terms then offered to tenants in occupancy.

40 (h) "Eligible project". An eligible project shall refer to a building
41 or group of buildings or development with one hundred or more dwelling
42 units built after nineteen hundred ninety-six that is the subject of a
43 preservation plan under this section, which shall meet the criteria set
44 forth in subdivision two of this section. An eligible project shall not
45 include any building or group of buildings or development owned under
46 article two, four or five of the private housing finance law. For the
47 avoidance of doubt, no building, group of buildings or development other
48 than an eligible project shall convert to condominium status under this
49 section, the status of which shall be confirmed by the relevant housing
50 finance agency prior to the date of submission of the preservation plan.

51 (i) "Eligible senior citizens". Non-purchasing tenants who are sixty-
52 two years of age or older on the date the preservation plan is submitted
53 to the department of law or on the date the attorney general has
54 accepted the preservation plan for filing, and the spouses of any such
55 tenants on such date, and who have elected, within sixty days of the
56 date the preservation plan is submitted to the department of law or on



1 the date the attorney general has accepted the preservation plan for
2 filing, on forms promulgated by the attorney general and presented to
3 such tenants by the offeror, to become non-purchasing tenants under the
4 provisions of this section; provided that such election shall not
5 preclude any such tenant from subsequently purchasing the dwelling unit
6 on the terms then offered to tenants in occupancy.

7 (j) "Extended affordability term". The extended affordability term for
8 the income-restricted rental units shall be in perpetuity for so long as
9 the building or group of buildings or development are in existence, and
10 subject to any obligation to rebuild in the event of condemnation,
11 damage or destruction required by the regulatory agreement with the
12 relevant housing finance agency.

13 (k) "Inclusionary housing unit". An inclusionary housing unit is an
14 income-restricted rental unit that is located within a building that
15 received an increase in the maximum permitted floor area pursuant to
16 sections 23-154 and 23-90 of the zoning resolution or is located in a
17 mandatory inclusionary housing area, as such sections may be amended
18 from time to time.

19 (l) "Inclusionary housing designated area". An inclusionary housing
20 designated area is a specified area in which the inclusionary housing
21 program (also known as the voluntary inclusionary housing program) is
22 applicable, pursuant to the regulations set forth for such areas in
23 section 23-90 of the zoning resolution, as such section may be amended
24 from time to time. The locations of inclusionary housing designated
25 areas are identified in either (i) appendix "F" of the zoning resolution
26 or (ii) in a special purpose district as described in section 15-011 of
27 the zoning resolution, as such appendix or section may be amended from
28 time to time.

29 (m) "Income-restricted rental unit". An income-restricted rental unit
30 shall refer to a dwelling unit located in a building or group of build-
31 ings or development of an eligible project that is the subject of a
32 preservation plan submitted to the attorney general pursuant to this
33 section, and such dwelling unit:

34 (i) meets the definition of a "low-income unit" as such term is
35 defined in section forty-two of the internal revenue code and is subject
36 to a regulatory agreement with a relevant housing finance agency; or

37 (ii) meets the definition of a "low-income unit" as such term is
38 defined in subdivision (d) of section one hundred forty-two of the
39 internal revenue code and is subject to a regulatory agreement with a
40 relevant housing finance agency; or

41 (iii) previously met the definition of "low-income unit" pursuant to
42 subparagraph (i) or (ii) of this paragraph, and notwithstanding the
43 expiration of a regulatory agreement with a relevant housing finance
44 agency, the owner of such dwelling unit affirms, under the penalty of
45 perjury and provides other documentation to the satisfaction of the
46 relevant housing finance agency, that it has continuously operated and
47 rented the dwelling unit (A) as if it remained an income-restricted
48 rental unit and (B) as if all of the restrictions of the expired regula-
49 tory agreement had continuously been extended or otherwise remained in
50 effect; or

51 (iv) is a dwelling unit located within a building or group of build-
52 ings or development that, in accordance with provisions of subdivisions
53 one through fifteen of section four hundred twenty-one-a of the real
54 property tax law, the relevant housing finance agency shall have
55 required to be a unit affordable to families of low and moderate income;



1 (v) is a dwelling unit that is rented to persons of low income or
2 families of low income as defined in subdivision nineteen of section two
3 of the private housing finance law or as otherwise required by a feder-
4 al, state, or local law or mandate; or

5 (vi) is a dwelling unit located in a building, group of buildings or
6 development subject to a regulatory agreement due to bond financing
7 provided by the relevant housing finance agency that required dwelling
8 units be affordable to families of low or moderate income.

9 (n) "Mandatory inclusionary housing area". A mandatory inclusionary
10 housing area is a specified area in which the inclusionary housing
11 program is applicable, pursuant to the regulations set forth for such
12 areas in section 23-90 of the zoning resolution, as such section may be
13 amended from time to time. The locations of mandatory inclusionary
14 housing areas are identified in either (i) appendix "F" of the zoning
15 resolution or (ii) in a special purpose district as described in section
16 15-011 of the zoning resolution, as such appendix or section may be
17 amended from time to time.

18 (o) "Non-purchasing tenant". A person who has not purchased under the
19 preservation plan from offeror and who is a tenant entitled to
20 possession at the time the preservation plan is declared effective or a
21 person to whom a dwelling unit is rented from offeror after the preser-
22 vation plan was declared effective, which solely for purposes of this
23 section, shall include any person who is a tenant regardless of whether
24 (i) such person was a tenant entitled to possession at the time the
25 preservation plan was declared effective, or (ii) such person rented a
26 dwelling unit from offeror after the preservation plan was declared
27 effective. A person who sublets a dwelling unit from a purchaser under
28 the preservation plan shall not be deemed a non-purchasing tenant. A
29 tenant entitled to possession of an income-restricted rental unit at the
30 time the preservation plan is declared effective or a person to whom an
31 income-restricted rental unit is rented from offeror or qualified owner
32 after the preservation plan is declared effective is a non-purchasing
33 tenant, notwithstanding that the income-restricted rental units are not
34 offered for sale pursuant to such preservation plan.

35 (p) "Post-closing amendment". A post-closing amendment is an amendment
36 to a preservation plan filed with the attorney general confirming that
37 the preservation plan has been consummated. A post-closing amendment
38 must be submitted to the attorney general no more than forty-five days
39 after the first closing of a dwelling unit to a bona fide purchaser
40 under the preservation plan.

41 (q) "Preservation plan". An offering statement or prospectus submitted
42 to the department of law pursuant to this section for the conversion of
43 a building or group of buildings or development of an eligible project
44 from rental status to condominium ownership, wherein the offeror docu-
45 ments that it has entered into a regulatory agreement with a relevant
46 housing finance agency in which it agreed to an extended affordability
47 term for the income-restricted rental units with a relevant housing
48 finance agency.

49 (r) "Purchaser under the preservation plan". A purchaser under the
50 preservation plan is a person who purchases a dwelling unit from offeror
51 pursuant to the terms of a preservation plan that has been accepted for
52 filing by the attorney general. A person or entity that acquires dwell-
53 ing units and assumes certain obligations of offeror shall not be
54 considered a purchaser under the preservation plan.

55 (s) "Qualified owner". A qualified owner refers to the entity approved
56 by the relevant housing finance agency on or before the date of



1 submission of a preservation plan to the department of law that will
2 own, operate and maintain the income-restricted rental unit or units
3 that are in the building, group of buildings or development that are the
4 subject of the preservation plan. The entity which is a qualified owner
5 shall only be either: (i) a housing development fund company incorpo-
6 rated pursuant to article eleven of the private finance housing law; or
7 (ii) a community land trust or other charitable corporation organized
8 under the not-for-profit corporation law that has as its primary chari-
9 table purpose the ownership, operation and maintenance of multifamily
10 housing for persons and families of low income as defined by subdivision
11 nineteen of section two of the private finance housing law.

12 (t) "Relevant housing finance agency". Relevant housing finance agency
13 shall refer to a city or state agency with oversight over income-res-
14 tricted rental units prior to the date of submission of a preservation
15 plan. For purposes of this section, a relevant housing finance agency
16 shall also refer to the city or state agency that will continue to have
17 oversight of income-restricted rental units after consummation of the
18 preservation plan and in accordance with the terms of a regulatory
19 agreement.

20 (u) "Regulatory agreement". A regulatory agreement shall refer to the
21 written agreement with a relevant housing finance agency that restricts
22 the income and rents of income-restricted rental units that is either:
23 (i) in effect prior to the date of submission of a preservation plan; or
24 (ii) in effect after consummation of the preservation plan. Any regula-
25 tory agreement in effect at the date of the submission of the preserva-
26 tion plan shall remain in effect until the consummation of the preserva-
27 tion plan unless otherwise agreed to by the relevant housing finance
28 agency. A regulatory agreement that shall take effect after consummation
29 of the preservation plan shall require that at least twenty percent of
30 all units be income-restricted rental units, and require further that
31 all existing income-restricted rental units, as of the effective date of
32 this act, shall remain income-restricted in perpetuity.

33 (v) "Rent stabilization". Rent stabilization shall mean, collectively,
34 the rent stabilization law of nineteen sixty-nine, and the emergency
35 tenant protection act of nineteen seventy-four together with any other
36 successor statutes thereto.

37 (w) "Zoning resolution". Zoning resolution shall refer to the zoning
38 resolution of the city of New York.

39 2. The attorney general shall refuse to accept for submission a pres-
40 ervation plan for the conversion of a building or group of buildings or
41 development if the relevant housing finance agency has not confirmed in
42 writing through the issuance of a letter of support as described in
43 subdivision three of this section and that the preservation plan is for
44 an eligible project, which shall be defined as a building or group of
45 buildings or development that meets the definition of an eligible
46 project and one or more of the following requirements as of the date of
47 submission of the preservation plan:

48 (a) The preservation plan is for a building or group of buildings or
49 development that (i) receives a partial property tax exemption pursuant
50 to subdivisions one through fifteen of section four hundred twenty-one-a
51 of the real property tax law, (ii) contains income-restricted rental
52 units, and (iii) is not otherwise prohibited by any federal, state, or
53 local law, rule, or regulation or subject to an existing regulatory
54 agreement that prohibits the conversion of the dwelling units to condo-
55 minium ownership; or



1 (b) The preservation plan is for a building or group of buildings or
2 development that (i) receives low income housing tax credits pursuant to
3 section forty-two of the internal revenue code, (ii) contains income-
4 restricted rental units, (iii) is not subject to any agreement providing
5 for a right of first refusal with a not-for-profit corporation unless
6 evidence deemed satisfactory to the department of law has been provided
7 that such right of first refusal has either expired or that such not-
8 for-profit declined to exercise such right, and (iv) is not otherwise
9 prohibited by any federal, state, or local law, rule, or regulation or
10 subject to an existing regulatory agreement that prohibits the conver-
11 sion of the dwelling units to condominium ownership; or

12 (c) The preservation plan is for a building or group of buildings or
13 development that (i) receives bond financing under subsection (d) of
14 section one hundred forty-two of the internal revenue code, (ii)
15 contains income-restricted rental units, and (iii) is not otherwise
16 prohibited by any federal, state, or local law, rule, or regulation or
17 subject to an existing regulatory agreement that prohibits the conver-
18 sion of the dwelling units to condominium ownership; or

19 (d) The preservation plan is for a building or group of buildings or
20 development, that (i) contains one or more inclusionary housing units,
21 (ii) is not otherwise prohibited by any federal, state, or local law,
22 rule, or regulation or subject to an existing regulatory agreement that
23 prohibits the conversion of the dwelling units to condominium ownership,
24 and (iii) contains a representation that an agreement has been reached
25 with the relevant housing finance agency to increase the total number of
26 income-restricted rental units in the building or group of buildings or
27 development to thirty percent for the extended affordability term upon
28 consummation of the preservation plan; or

29 (e) The preservation plan is for a building or group of buildings or
30 development that (i) contains exclusively moderate income units as
31 required for bond financing with the relevant housing finance agency,
32 (ii) the total number of income-restricted rental units in the building
33 or group of buildings or development is less than twenty percent, (iii)
34 is not subject to an existing regulatory agreement that prohibits the
35 conversion of the dwelling units to condominium ownership, and (iv)
36 contains a representation that an agreement has been reached with the
37 relevant housing finance agency to increase the total number of income-
38 restricted rental units in the building or group of buildings or devel-
39 opment to at least twenty percent for the extended affordability term
40 upon consummation of the preservation plan.

41 3. At the time of submission of the preservation plan, the offeror
42 shall provide a letter of support from the relevant housing finance
43 agency demonstrating that a regulatory agreement has been entered into
44 between the offeror, the qualified owner, and the relevant housing
45 finance agency regarding the income-restricted rental units during the
46 extended affordability term, and that such regulatory agreement will,
47 among other things, require the offeror to include the following disclo-
48 sures in the preservation plan:

49 (a) A list of the proposed income-restricted rental units;

50 (b) The proposed qualified owner of the income-restricted rental
51 units, which qualified owner shall take title to the income-restricted
52 rental units no later than three hundred sixty-five days from the date
53 of consummation of the preservation plan;

54 (c) The operating expenses and revenues applicable to the income-res-
55 tricted rental units, which shall be reflected in the updated Schedule A
56 and Schedule B for the first year of operation of the condominium, the



1 allocation of common interests, projected common charges, estimated real
2 estate taxes, and rents to be collected from each income-restricted
3 rental unit, and the allocation of common expenses under section three
4 hundred thirty-nine-m of the real property law, applicable to the
5 income-restricted rental units, which shall be used to limit certain
6 condominium expenses allocable to the income-restricted rental units and
7 to cover any shortfall in the revenue from rent to cover the costs of
8 operation of the income-restricted rental units;

9 (d) A description of any financing encumbering the income-restricted
10 rental units, and whether a tax exemption or abatement is in place to
11 reduce real estate taxes for the income-restricted rental units;

12 (e) A description of any regulatory agreement or agreements to be
13 recorded against the income-restricted rental units and the term thereof
14 and the relevant housing finance agency or agencies with supervisory
15 oversight;

16 (f) A description of the provisions of the declaration and by-laws for
17 the condominium that provides for the special allocation of common
18 expenses in accordance with section three hundred thirty-nine-m of the
19 real property law, and any specific requirements set forth in a regula-
20 tory agreement requiring unit owners in the condominium to cover any
21 shortfall in the revenue from rent to cover the costs of operation of
22 the income-restricted rental units;

23 (g) A description of the contemplated structure of the board of manag-
24 ers of the condominium, including specifically an explanation as to how
25 the interests of the qualified owner of the income-restricted rental
26 units are to be adequately represented;

27 (h) A description of the building-wide amenities and a representation
28 that the declaration and by-laws for the condominium shall require that
29 tenants of the income-restricted rental units be provided an opportunity
30 to use commonly accessible amenities of the condominium and not unique
31 to an individual unit, including but not limited to: pools, fitness
32 centers, storage spaces, parking, and roofs or gardens accessible on a
33 building-wide basis, and that the tenants of the income-restricted
34 rental units may only be charged a nominal and reasonable fee for such
35 use, as approved by the relevant housing finance agency in accordance
36 with the regulatory agreement, and which shall not be treated as rent
37 under any rental agreement;

38 (i) The name, address and contact details for the relevant housing
39 finance agency or agencies with supervisory oversight of the income-res-
40 stricted rental units and the occupants within;

41 (j) That the regulatory agreement contains a provision which requires
42 that once a vacancy occurs of an income-restricted rental unit, after
43 consummation of the preservation plan, then said unit shall only be
44 leased to low income households whose annual household income is not
45 greater than sixty percent of area median income at the time of the
46 initial lease, and such unit shall be marketed and leased in compliance
47 with the relevant housing finance agency's leasing requirements, which
48 may include leasing through New York city's housing connect portal;

49 (k) A representation by offeror that the regulatory agreement includes
50 and accounts for (i) all of the existing on-site income-restricted
51 rental units in an existing building or group of buildings or develop-
52 ment, or (ii) all of the income-restricted rental units associated with
53 an existing building or group of buildings or development located on a
54 zoning lot where one or more buildings were set aside as affordable
55 housing for purposes of qualifying for a partial property tax exemption



1 pursuant to section four hundred twenty-one-a of the real property tax
2 law;

3 (l) To the extent not already subject thereto prior to the consum-
4 mation of the preservation plan, a representation by offeror that the
5 regulatory agreement shall require all income-restricted rental units be
6 subject to rent stabilization during the extended affordability term,
7 and that no income-restricted rental units shall be removed from rent
8 stabilization pursuant to the exemption for units owned as a condominium
9 under section 26-504 of the administrative code of the city of New York;
10 and

11 (m) The recording of the condominium declaration and commencement of
12 condominium operations does not modify the requirement under section
13 four hundred twenty-one-a of the real property tax law that all residen-
14 tial rental apartments are subject to rent stabilization.

15 4. Upon submission of the preservation plan to the department of law,
16 each tenant in occupancy of any unit, including but not limited to any
17 income-restricted rental unit, in the eligible project that is the
18 subject of such preservation plan shall be provided with a written
19 notice stating that such preservation plan has been submitted to the
20 department of law. Written notice to each tenant in occupancy shall
21 contain or be accompanied by:

22 (a) a copy of the proposed preservation plan that has been submitted
23 to the department of law;

24 (b) a statement that tenants of the dwelling units being offered for
25 sale pursuant to the preservation plan or their representatives may
26 physically inspect the premises at any time subsequent to the submission
27 of the preservation plan to the department of law, during normal busi-
28 ness hours, upon written request made by them to the offeror, provided
29 such representatives are registered architects or professional engineers
30 licensed by the office of the professions of the education department of
31 the state of New York; and

32 (c) a statement to tenants of the income-restricted rental units that
33 the dwelling units they occupy are not being offered for sale, but their
34 tenancies shall continue undisturbed during and after the conversion of
35 the property to condominium ownership. The statement shall also disclose
36 that all income-restricted rental units shall be subject to rent
37 stabilization throughout the extended affordability term.

38 5. The tenants in occupancy of dwelling units being offered for sale
39 on the date the attorney general accepts the preservation plan for
40 filing shall have the exclusive right to purchase their dwelling units
41 for ninety days after the preservation plan has been accepted for filing
42 by the attorney general, during which time the offering price available
43 to the tenant in occupancy shall not be increased and a tenant's dwell-
44 ing unit shall not be shown to a third party unless such tenant has, in
45 writing, waived their right to purchase. Subsequent to the expiration of
46 such ninety-day period, a tenant in occupancy of a dwelling unit who has
47 not purchased shall be given the exclusive right for an additional six
48 months from said expiration date to purchase said dwelling unit on the
49 same terms and conditions as are contained in any executed contract to
50 purchase said dwelling unit entered into by a purchaser under the pres-
51 ervation plan, such exclusive right to be exercisable within fifteen
52 days from the date of mailing by registered mail of notice of the
53 execution of a contract of sale together with a copy of said executed
54 purchase agreement to said tenant.

55 6. The preservation plan shall also disclose that the offeror shall:

1 (a) market and sell all the dwelling units (other than the income-res-
2 tricted rental units) in the building or group of buildings or develop-
3 ment, as each such dwelling unit becomes vacant, to a purchaser under
4 the preservation plan through the use of commercially reasonable good
5 faith efforts;

6 (b) fund the reserve fund and dedicated capital fund in the manner and
7 amounts as provided in section three hundred thirty-nine-mm of the real
8 property law;

9 (c) file an annual update amendment every year which shall include an
10 updated Schedule A of all dwelling units being offered for sale under
11 the preservation plan; and

12 (d) exercise commercially reasonable good faith efforts to sell at
13 least fifty-one percent of the total number of dwelling units offered
14 for sale under the preservation plan (excluding any income-restricted
15 rental units not offered for sale) within five years from the date of
16 consummation of the preservation plan.

17 7. After the issuance of the letter from the attorney general stating
18 that the preservation plan has been accepted for filing, the offeror
19 shall, on the thirtieth, sixtieth, eighty-eighth and ninetieth day after
20 such date and at least once every thirty days until the preservation
21 plan is declared effective or abandoned, as the case may be, and on the
22 second day before the expiration of any exclusive purchase period
23 provided in a substantial amendment to the preservation plan:

24 (a) file with the attorney general a written statement under oath
25 setting forth the percentage of bona fide tenants in occupancy of all
26 dwelling units in the building or group of buildings or development on
27 the date the preservation plan was accepted for filing by the attorney
28 general who have executed and delivered written agreements to purchase
29 under the preservation plan as of the date of such written statement
30 under oath; and

31 (b) before noon on the day such statement is filed post a copy of such
32 written statement under oath in a prominent place accessible to all
33 tenants in each building covered by the preservation plan.

34 8. A preservation plan shall not be declared effective until written
35 purchase agreements have been executed and delivered for at least
36 fifteen percent of all dwelling units offered for sale in the building
37 or group of buildings or development from either (a) bona fide tenants
38 who were in occupancy on the date a letter was issued by the attorney
39 general accepting the preservation plan for filing or (b) bona fide
40 non-tenant purchasers. The purchase agreement shall be executed and
41 delivered pursuant to an offering made in good faith without fraud and
42 discriminatory repurchase agreements or other discriminatory induce-
43 ments. A negotiated reduction from the original offering price extended
44 shall not, by itself, be deemed a discriminatory inducement.

45 9. Those written statements under oath that the offeror is required to
46 file with the attorney general pursuant to subdivision seven of this
47 section shall also include:

48 (a) the total number of written agreements to purchase under the pres-
49 ervation plan received from bona fide non-tenant purchasers;

50 (b) the total number of written agreements to purchase under the pres-
51 ervation plan received from all bona fide tenants in occupancy;

52 (c) the percentage of dwelling units under contract, calculated by
53 adding the number of written purchase agreements for a unit that were
54 received from (i) all bona fide tenants in occupancy plus (ii) all bona
55 fide non-tenant purchasers and then dividing the sum of those two

1 numbers by the total number of dwelling units offered for sale under the
2 preservation plan;

3 (d) whether or not the offeror intends to claim a credit against the
4 mandatory initial contribution the offeror is obligated to deposit into
5 the condominium's reserve fund pursuant to subdivision three of section
6 three hundred thirty-nine-mm of the real property law for the actual
7 cost of capital replacements which the offeror has begun after the pres-
8 ervation plan was submitted for filing to the department of law but
9 before the preservation plan is declared effective, together with their
10 actual or estimated costs which credit shall not exceed the actual cost
11 of the credit;

12 (e) whether or not the offeror shall be making its reserve fund
13 contributions required pursuant to section three hundred thirty-nine-mm
14 earlier or in an amount greater than required; and

15 (f) a representation that no purchaser counted for purposes of declar-
16 ing the preservation plan effective is the offeror, the selling agent or
17 the managing agent, or is a principal of the offeror, the selling agent,
18 or the managing agent or is related to any principal of the offeror, any
19 principal of the selling agent or any principal of the managing agent by
20 blood, marriage, or adoption, or is an affiliate, business associate, an
21 employee, a shareholder, a member, a manager, a director, an officer, a
22 limited partner of the offeror, selling agent or managing agent.

23 10. The preservation plan shall provide that it will be deemed aban-
24 doned, void and of no effect if it does not become effective within
25 fifteen months from the date of issue of the letter of the attorney
26 general stating that the preservation plan has been accepted for filing
27 and, in the event of such abandonment, no new plan, including but not
28 limited to a preservation plan, for the conversion of such building or
29 group of buildings or development shall be submitted to the attorney
30 general for at least twelve months after such abandonment.

31 11. No closings of title of a dwelling unit to a purchaser under the
32 preservation plan shall take place until the attorney general shall have
33 also accepted for filing an amendment that declares the preservation
34 plan effective. Within forty-five days of the first closing of title of
35 a dwelling unit to a purchaser under the preservation plan, the offeror
36 shall submit to the attorney general its post-closing amendment to the
37 preservation plan. Thereafter, the preservation plan shall continually
38 be updated with the filing of an annual update amendment, no later than
39 thirty days from the anniversary of the date the attorney general
40 accepted the post-closing amendment for filing. An offeror or successor
41 offeror shall only be relieved of its obligation to file an annual
42 update amendment to the preservation plan after the last dwelling unit
43 offered for sale is conveyed to a purchaser under the preservation plan.

44 12. After the date of acceptance for filing of the post-closing amend-
45 ment, the offeror or successor offeror shall continue to make commer-
46 cially reasonable good faith efforts to sell the dwelling units it owns.

47 13. The attorney general shall refuse to accept for filing an annual
48 update amendment to the preservation plan unless:

49 (a) The annual update amendment discloses, in addition to the other
50 disclosures required elsewhere in this section or the regulations of the
51 attorney general, the following data and information:

52 (i) an accounting of the dwelling units sold and closed by the offeror
53 in the preceding twelve months, with an indication if the dwelling unit
54 was conveyed to a purchaser under the preservation plan or to a succes-
55 sor offeror;



1 (ii) an inventory of the offeror's unsold dwelling units at the end of
2 the preceding twelve months, in form and substance as shall satisfy the
3 attorney general; and

4 (iii) all the information, data and literature presented by the board
5 of managers in its semi-annual reports on the status of the reserve fund
6 as required under subdivision five of section three hundred thirty-nine-
7 mm of the real property law.

8 (b) The annual update amendment shall be accompanied by an affidavit
9 from a principal of the offeror attesting to the following data and
10 information with respect to all the dwelling units the offeror then
11 owns:

12 (i) the dwelling units' identifying information and general location;

13 (ii) whether, on the date of submission of the annual update amend-
14 ment, the unsold dwelling unit is subject to a fully executed purchase
15 agreement, and if so, whether the purchaser is a purchaser under the
16 preservation plan or otherwise;

17 (iii) whether, on the date of submission of the annual update amend-
18 ment, the dwelling unit is occupied or vacant, and if occupied, an indi-
19 cation that occupancy is:

20 (A) by a rent-regulated tenant;

21 (B) by a market-rate tenant;

22 (C) a month-to-month tenancy;

23 (D) a tenancy at sufferance; or

24 (E) other.

25 (iv) regardless of the occupancy status of a dwelling unit on the date
26 of submission of the annual update amendment, an indication if the
27 dwelling unit was vacant for more than one of the twelve preceding
28 months. For each dwelling unit so indicated, the offeror shall also
29 disclose:

30 (A) the date range that the dwelling unit was vacant;

31 (B) the date range for any period of time that the dwelling unit was
32 marketed for sale;

33 (C) date of sale;

34 (D) the date the dwelling unit was leased by a tenant; and

35 (E) the date the lease is set to expire (if applicable).

36 14. No eviction proceedings shall be commenced at any time against
37 non-purchasing tenants for failure to purchase or for any other reason
38 applicable to expiration of tenancy; provided that such proceedings may
39 be commenced for non-payment of rent, illegal use or occupancy of the
40 premises, refusal of reasonable access to the owner or a similar breach
41 by the non-purchasing tenant of their obligations to the owner of the
42 dwelling unit; and provided further that an owner of a unit shall not
43 commence an action to recover possession of a dwelling unit from a non-
44 purchasing tenant on the grounds that they seek the dwelling unit for
45 the use and occupancy of themselves or their family's use and occupancy.

46 15. No eviction proceedings shall be commenced, except as provided in
47 this subdivision, at any time against either eligible senior citizens or
48 eligible disabled persons. The rentals of eligible senior citizens and
49 eligible disabled persons who reside in dwelling units not subject to
50 government regulation as to rentals and continued occupancy and eligible
51 senior citizens and eligible disabled persons who reside in dwelling
52 units with respect to which government regulation as to rentals and
53 continued occupancy is eliminated or becomes inapplicable after the
54 preservation plan has been accepted for filing shall not be subject to
55 unconscionable increases which, solely for the purposes of this subdivi-
56 sion, and notwithstanding any exemptions for housing accommodations



1 owned as condominiums provided for under subdivision seven of section
2 two hundred fourteen of the real property law, and regardless of whether
3 such non-purchasing tenant has a rent that exceeds two hundred forty-
4 five percent of the fair market rent, all rent increases for eligible
5 senior citizens and eligible disabled persons shall be considered uncon-
6 scionable if such increases exceed the permissible increases provided
7 for under the good cause eviction law under article six-A of the real
8 property law; provided that such proceedings may be commenced against
9 such tenants for non-payment of rent, illegal use or occupancy of the
10 premises, refusal of reasonable access to the owner or a similar breach
11 by the tenant of their obligations to the owner of the dwelling unit.

12 16. Eligible senior citizens and eligible disabled persons who reside
13 in dwelling units subject to government regulation as to rentals and
14 continued occupancy shall continue to be subject thereto.

15 17. The rights granted under the preservation plan to eligible senior
16 citizens and eligible disabled persons shall not be abrogated or reduced
17 notwithstanding any expiration of, or amendment to, this section.

18 18. Any offeror who disputes the election by a person to be an eligi-
19 ble senior citizen or an eligible disabled person shall apply to the
20 attorney general within thirty days of the receipt of the election forms
21 for a determination by the attorney general of such person's eligibil-
22 ity. The attorney general shall, within thirty days thereafter, issue a
23 determination of eligibility. The foregoing shall, in the absence of
24 fraud, be the sole method for determining a dispute as to whether a
25 person is an eligible senior citizen or an eligible disabled person. The
26 determination of the attorney general shall be reviewable only through a
27 proceeding under article seventy-eight of the civil practice law and
28 rules, which proceeding shall be commenced within thirty days after such
29 determination by the attorney general becomes final.

30 19. Non-purchasing tenants who reside in dwelling units subject to
31 government regulation as to rentals and continued occupancy prior to the
32 conversion of the building or group of buildings or development to
33 condominium ownership shall continue to be subject thereto.

34 20. The rentals of non-purchasing tenants who reside in dwelling units
35 not subject to government regulation as to rentals and continued occu-
36 pancy and non-purchasing tenants who reside in dwelling units with
37 respect to which government regulation as to rentals and continued occu-
38 pancy is eliminated or becomes inapplicable after the preservation plan
39 has been accepted for filing by the attorney general shall not be
40 subject to unconscionable increases which, solely for the purposes of
41 this subdivision, and notwithstanding any exemptions for housing accom-
42 modations owned as condominiums provided for under subdivision seven of
43 section two hundred fourteen of the real property law, in the event the
44 rent of a non-purchasing tenant shall be less than two hundred forty-
45 five percent of the fair market rent, then such increases for such non-
46 purchasing tenant shall be governed by article six-A of the real proper-
47 ty law.

48 21. The rights granted under the preservation plan to purchasers under
49 the preservation plan and to non-purchasing tenants shall not be abro-
50 gated or reduced notwithstanding any expiration of, or amendment to,
51 this section.

52 22. Any local legislative body may adopt local laws and any agency,
53 officer or public body may prescribe rules and regulations with respect
54 to the continued occupancy by tenants of dwelling units which are
55 subject to regulation as to rentals and continued occupancy pursuant to
56 law, provided that in the event that any such local law, rule or regu-



1 lation shall be inconsistent with the provisions of this section, the
2 provisions of this section shall control.

3 23. The attorney general shall refuse to accept for filing a preserva-
4 tion plan when the attorney general determines: (a) that one or more of
5 the income-restricted rental units within the building, group of build-
6 ings or development was vacant on the date of submission; or (b) of the
7 dwelling units that are not income-restricted rental units, an excessive
8 number of long-term vacancies existed on the date that the preservation
9 plan was first submitted to the department of law. For purposes of this
10 subdivision, "long-term vacancies" shall mean dwelling units not leased
11 or occupied by bona fide tenants for more than five months prior to the
12 date of such submission to the department of law; and "excessive" shall
13 mean a vacancy rate in excess of the greater of (i) ten percent and (ii)
14 a percentage that is double the normal average vacancy rate for the
15 building or group of buildings or development for two years prior to the
16 January preceding the date the preservation plan was first submitted to
17 the department of law.

18 24. All dwelling units occupied by non-purchasing tenants shall be
19 managed by the same managing agent who manages all other dwelling units
20 in the building or group of buildings or development. Such managing
21 agent shall provide to non-purchasing tenants all services and facili-
22 ties required by law on a non-discriminatory basis. The offeror shall
23 guarantee the obligation of the managing agent to provide all such
24 services and facilities until such time as the offeror surrenders
25 control of the board of managers, at which time the board of managers of
26 the condominium shall assume responsibility for the provision of all
27 services and facilities required by law on a non-discriminatory basis.
28 Such managing agent shall also ensure that non-purchasing tenants be
29 provided an opportunity to use commonly accessible amenities of the
30 condominium and not unique to an individual unit, including but not
31 limited to pools, fitness centers, storage spaces, parking and roofs or
32 gardens accessible on a building-wide basis, and that the tenants of the
33 income-restricted rental units may only be charged a nominal and reason-
34 able fee for such use, as approved by the relevant housing finance agen-
35 cy in accordance with the regulatory agreement, and which shall not be
36 treated as rent under any rental agreement.

37 25. It shall be unlawful for any person to engage in any course of
38 conduct, including, but not limited to, interruption or discontinuance
39 of essential services, which substantially interferes with or disturbs
40 the comfort, repose, peace or quiet of any tenant in their use or occu-
41 pancy of their dwelling unit or the facilities related thereto. The
42 attorney general may apply to a court of competent jurisdiction for an
43 order restraining such conduct and, if they deem it appropriate, an
44 order restraining the owner from selling the dwelling unit itself or
45 from proceeding with the preservation plan of conversion; provided that
46 nothing contained herein shall be deemed to preclude the tenant from
47 applying on their own behalf for similar relief.

48 26. Any provision of a lease or other rental agreement which purports
49 to waive a tenant's rights under this section or rules and regulations
50 promulgated pursuant hereto shall be void as contrary to public policy.

51 27. Notwithstanding the requirements of this section regarding the
52 preservation of an income-restricted rental unit or units as permanently
53 affordable, and to the extent permitted under existing law as it relates
54 to the income-restricted rental unit or units, the income-restricted
55 rental unit or units in a building or group of buildings or development
56 of an eligible project may be converted to a limited equity housing



1 cooperative pursuant to article eleven of the private housing finance
2 law under a separate offering statement or prospectus, if the relevant
3 housing finance agency ensures that the proposed offering statement or
4 prospectus discloses that the regulatory agreement provides as follows:

5 (a) the offering prices are affordable to the existing tenants and/or
6 the qualified low-income purchasers who meet the definition of persons
7 of low income or families of low income as defined by subdivision nine-
8 teen of section two of the private housing finance law;

9 (b) any tenant of an income-restricted rental unit that chooses not to
10 buy the income-restricted rental unit such tenant occupies shall contin-
11 ue to be protected under rent stabilization throughout the process of
12 conversion to a limited equity housing cooperative and thereafter, and
13 that no existing tenant of an income-restricted rental unit shall be
14 evicted solely due to such tenant's decision not to purchase their
15 income-restricted rental unit;

16 (c) the regulatory agreement and certificate of incorporation of the
17 limited equity housing cooperative shall ensure that the income-res-
18 tricted rental units converted to a limited equity housing cooperative
19 shall be reserved for occupancy by persons of low income and families of
20 low income in perpetuity;

21 (d) the regulatory agreement and certificate of incorporation of the
22 limited equity housing cooperative shall ensure that, notwithstanding
23 the creation of a separate condominium, any obligations that the non-in-
24 come-restricted rental unit owners may have to ensure the financial
25 viability and delivery of services in a non-discriminatory manner, prior
26 to the date of conversion to a limited equity housing cooperative, shall
27 not be abrogated and shall remain in full force and effect;

28 (e) the relevant housing finance agency shall have oversight authority
29 over the limited equity housing cooperative in the regulatory agreement,
30 condominium declaration, condominium by-laws and certificate of incorpo-
31 ration of the limited equity housing cooperative, including the ability
32 to appoint a new board of directors of the limited equity housing coop-
33 erative in the event of a violation of a term of, or an event of default
34 by the limited equity housing cooperative under any of its governing
35 documents, requiring purchasers of such units to attend homeownership
36 training, and providing for the procedures to sell the units upon vacan-
37 cy; and

38 (f) that the ownership of the dedicated capital account by the quali-
39 fied owner, and the funding of the dedicated capital account by the
40 offeror of the preservation plan, shall each be subject to the oversight
41 authority of the relevant housing finance agency as provided in section
42 three hundred thirty-nine-mm of the real property law.

43 28. It shall be unlawful for an offeror, its designees and/or succes-
44 sors to have or exercise voting control of the condominium's board of
45 managers for more than ninety days from the fifth anniversary date of
46 the first closing of title to a dwelling unit, or whenever the unsold
47 dwelling units constitute less than fifty percent of the common inter-
48 ests appurtenant to all dwelling units, whichever is sooner.

49 29. The attorney general may, in their discretion, waive the require-
50 ment in paragraph (d) of subdivision six of this section that an offeror
51 sell at least fifty-one percent of the dwelling units offered for sale
52 under the preservation plan when the offeror provides proof satisfactory
53 to the attorney general that five years of commercially reasonable good
54 faith efforts did not result in the sale of fifty-one percent of the
55 dwelling units. If such waiver is granted, the offeror shall be required
56 to disclose the new date by which it will sell at least fifty-one



1 percent of the dwelling units offered for sale under the preservation
2 plan in its subsequent annual update amendment. Any waiver granted here-
3 under shall not alleviate an offeror, its designees and/or successors of
4 the obligation set forth in subdivision twenty-eight of this section.

5 30. Within three hundred and sixty-five days of the effective date of
6 this section, the attorney general shall submit a notice of proposed
7 rulemaking for publication in the state register which shall contain the
8 suitable rules necessary to carry out the provisions of this section.
9 The authority of the attorney general to promulgate, adopt, publish,
10 notify, review, amend, modify, reconsider, or rescind any rule or regu-
11 lation as may be conferred anywhere within this section shall comply
12 with the state administrative procedure act in all respects. Notwith-
13 standing the foregoing, an offeror may submit a preservation plan to the
14 department of law regardless of whether the attorney general has adopted
15 suitable rules to carry out this section, and the department of law
16 shall not rely on the lack of rulemaking to refuse to accept a preserva-
17 tion plan for submission or filing if offeror has otherwise complied
18 with the requirements of this section.

19 31. For any offering statement or prospectus (including, without limi-
20 tation, a preservation plan and any amended filings thereto), submitted
21 to the department of law pursuant to this section, the filing fees set
22 forth in paragraph (a) of subdivision seven of section three hundred
23 fifty-two-e of this article shall not apply. Instead, an offeror shall
24 tender the following filing fee with and for its submission:

25 (a) seven hundred fifty dollars for every offering not in excess of
26 two hundred fifty thousand dollars;

27 (b) for every offering in excess of two hundred fifty thousand
28 dollars, four-tenths of one percent of the total amount of the offering
29 but not in excess of sixty thousand dollars, of which one-half of said
30 amount shall be a nonrefundable deposit paid at the time of submitting
31 the preservation plan to the department of law for review and the
32 balance payable upon the attorney general's issuance of a letter of
33 acceptance of the preservation plan for filing;

34 (c) seven hundred fifty dollars for each price change amendment to a
35 preservation plan;

36 (d) seven hundred fifty dollars for any other amendment to a preserva-
37 tion plan; and

38 (e) seven hundred fifty dollars for each such application, and an
39 additional seven hundred fifty dollars for each and every amendment
40 submitted in furtherance of such an application to permit an offeror to
41 solicit public interest prior to the filing of a preservation plan to
42 the department of law.

43 32. The relevant housing finance agency may promulgate regulations,
44 rules, and other guidance documents necessary to carry out the
45 provisions of this section, as it deems necessary.

46 33. The provisions of this section shall only be applicable in the
47 city of New York.

48 34. The attorney general shall make any offering statement or prospec-
49 tus (including, without limitation, a preservation plan and any amended
50 filings thereto), submitted pursuant to this section available to the
51 public in a searchable repository on its official internet website.

52 § 2. Section 339-e of the real property law is amended by adding nine
53 new subdivisions 1-a, 6-a, 7-a, 8-a, 10-a, 11-a, 12-a, 12-b and 13-a to
54 read as follows:

55 1-a. "Capital replacement" means a building-wide replacement of a
56 major component of any of the following systems:



1 (a) elevator;
2 (b) heating, ventilation and air conditioning;
3 (c) environmental and sustainability upgrades;
4 (d) plumbing;
5 (e) wiring;
6 (f) window; or
7 (g) a major structural replacement to the building; provided, however,
8 that major structural replacements made to cure code violations of
9 record shall not be included.

10 6-a. "Consummation of the preservation plan" means, in the context of
11 a preservation plan for the conversion of residential rental property to
12 condominium ownership that has been accepted for filing by the depart-
13 ment of law pursuant to section three hundred fifty-two-eeee of the
14 general business law and subsequently amended to disclose that said
15 preservation plan has been declared effective, (i) the recording of the
16 declaration for the condominium and (ii) the closing of title to a
17 dwelling unit with a purchaser under the preservation plan.

18 7-a. "Income-restricted rental unit", as used in section three hundred
19 thirty-nine-mm of this article, means a unit that also meets the defi-
20 nition of "income-restricted rental unit" set forth in section three
21 hundred fifty-two-eeee of the general business law.

22 8-a. "Offeror", as used in section three hundred thirty-nine-mm of
23 this article, means the offeror of a preservation plan to convert resi-
24 dential rental property to condominium ownership pursuant to section
25 three hundred fifty-two-eeee of the general business law, together with
26 their or its nominees, assignees and successors in interest.

27 10-a. "Preservation plan", as used in section three hundred thirty-
28 nine-mm of this article, means an offering statement or prospectus
29 submitted to the department of law pursuant to section three hundred
30 fifty-two-eeee of the general business law for the conversion of a
31 building or group of buildings or development from rental status to
32 condominium ownership, wherein the offeror documents that it has entered
33 into a regulatory agreement with a relevant housing finance agency in
34 which it agreed to an extended affordability term for the income-res-
35 tricted rental units.

36 11-a. "Purchaser under the preservation plan", when used in section
37 three hundred thirty-nine-mm of this article, means a bona fide purchas-
38 er under the preservation plan shall refer to a person who purchases a
39 dwelling unit from the offeror pursuant to the terms of a preservation
40 plan that has been accepted for filing by the attorney general. A person
41 or entity that acquires dwelling units and assumes certain obligations
42 of the offeror shall not be considered a purchaser under the preserva-
43 tion plan.

44 12-a. "Qualified owner", as used in section three hundred thirty-nine-
45 mm of this article, shall refer to a unit owner that also meets the
46 definition of "qualified owner" as set forth in section three hundred
47 fifty-two-eeee of the general business law.

48 12-b. "Relevant housing finance agency", as used in section three
49 hundred thirty-nine-mm of this article, shall have the same meaning as
50 set forth in section three hundred fifty-two-eeee of the general busi-
51 ness law.

52 13-a. "Total price", when used in section three hundred thirty-nine-mm
53 of this article, means the sum of the cost of all units in the offering,
54 but excluding any income-restricted rental units owned or to be trans-
55 ferred to a qualified owner, at the last price which was offered to



1 tenants in occupancy prior to the effective date of the preservation
2 plan regardless of the number of sales made.

3 § 3. The real property law is amended by adding a new section 339-mm
4 to read as follows:

5 § 339-mm. Establishment of reserve fund and dedicated capital fund for
6 buildings converting to condominium ownership under section three
7 hundred fifty-two-eeeeee of the general business law. 1. Within thirty
8 days after the consummation of a preservation plan, the offeror thereof
9 (and/or its designee or designees and/or successor or successors) shall
10 establish and transfer:

11 (a) to the condominium board of managers a reserve fund to be used
12 exclusively for making capital repairs, replacements and improvements
13 necessary for the health and safety of the residents (including resi-
14 dents of the income-restricted rental units) of such building or group
15 of buildings or development. Such reserve fund shall be exclusive of
16 any other funds required to be reserved under the preservation plan or
17 applicable law or regulation of the attorney general, except a fund for
18 capital repairs, replacements and improvements substantially similar in
19 purpose to and in an amount not less than the reserve fund mandated by
20 this section. Such reserve fund shall also be exclusive of any working
21 capital fund or dedicated capital fund and shall not be subject to
22 reduction for closing apportionments.

23 (b) to the qualified owner of the income-restricted rental units, and
24 subject to the oversight of the relevant housing finance agency set
25 forth in a regulatory agreement, a dedicated capital fund to be used
26 exclusively for making unit repairs, replacements and improvements
27 necessary for the health and safety of the residents of an income-res-
28 tricted rental unit or units of such building or group of buildings or
29 development. Such dedicated capital fund shall be exclusive and supple-
30 mental of any other funds required to be reserved under the preservation
31 plan or applicable law or regulation. Such dedicated capital fund shall
32 also be exclusive and supplemental of any reserve fund or working capi-
33 tal fund and shall not be subject to reduction for closing apportion-
34 ments. The dedicated capital fund shall not be used towards any build-
35 ing-wide capital replacement, and instead shall be used solely for unit
36 repairs, replacements and improvements of the income-restricted rental
37 units.

38 1-a. In the event that the funds are insufficient, unless the relevant
39 housing finance agency provides otherwise, repairs and capital improve-
40 ments necessary for the health and safety of the residents in all common
41 areas and building infrastructure shall be at the sole expense of the
42 condominium board of managers. The relevant housing finance agency may
43 establish penalties for failure to comply with legal and regulatory
44 requirements.

45 2. (a) Such reserve fund shall be established in an amount equal to
46 either (i) three percent of the total price or, (ii) (A) three percent
47 of the actual sales price of all condominium units sold by the offeror
48 at the time the preservation plan is declared effective, provided,
49 however, that if such amount is less than one percent of the total
50 price, then the fund shall be established as a minimum of one percent of
51 the total price; plus (B) supplemental contributions to be made by the
52 offeror at a rate of three percent of the actual sales price of condo-
53 minium units for each unit held by the offeror and sold to bona fide
54 purchasers subsequent to the effective date of the preservation plan and
55 within five years of the consummation of the preservation plan, notwith-
56 standing that the total amount contributed may exceed three percent of



1 the total price; and provided, further, that if five years from thirty
2 days after the consummation of the preservation plan the total contrib-
3 utions by the offeror to the fund are less than three percent of the
4 total price the offeror shall pay the difference between the amount
5 contributed and three percent of the total price. Supplemental contrib-
6 utions shall be made within thirty days of each sale.

7 (b) Such dedicated capital fund shall be established in an amount
8 equal to one-half of one percent of the total price, and shall be trans-
9 ferred in full within thirty days of the date of consummation of the
10 preservation plan into an account at a financial institution regulated
11 by the department of financial services of the state of New York that
12 shall have been opened by, and shall at all times be subject to the
13 oversight authority of the relevant housing finance agency of the quali-
14 fied owner of the income-restricted rental unit or units.

15 3. Notwithstanding the provisions of subdivisions one and two of this
16 section, the contributions required pursuant to this section may be made
17 earlier or in an amount greater than so provided, including as may be
18 directed by the relevant housing finance agency. An offeror may claim
19 and receive credit against the mandatory initial contribution to the
20 reserve fund for the actual cost of capital replacements which such
21 offeror has begun after the preservation plan is submitted for filing to
22 the department of law and before the preservation plan is declared
23 effective; provided, however, that any such replacements shall be set
24 forth in the preservation plan together with their actual or estimated
25 costs and further provided, that such credit shall not exceed the lesser
26 of the actual cost of the capital replacements or one and a half percent
27 of the total price.

28 4. The condominium board of managers shall report to unit owners and
29 the relevant housing finance agency, and shall make available to all
30 tenants in each building, on a semi-annual basis with respect to all
31 deposits into and withdrawals from the reserve fund mandated by para-
32 graph (a) of subdivision two of this section.

33 5. The offeror, not later than the thirtieth day following the accept-
34 ance of a preservation plan for filing by the department of law pursuant
35 to section three hundred fifty-two-eeee of the general business law and
36 until the consummation of the preservation plan, shall post and maintain
37 in a prominent place, accessible to all tenants in each building covered
38 by the preservation plan, a listing of all violations of record against
39 such buildings as determined by the department of buildings of the city
40 of New York and the department of housing preservation and development
41 of the city of New York. All newly issued violations shall be posted
42 within forty-eight hours of their issuance and maintained as described
43 in this subdivision. The offeror may satisfy the requirements of this
44 section by designating an agent on the premises with whom such listing
45 shall be made available for inspection by the tenants. Any penalty for
46 failure to comply with a state or local building and housing maintenance
47 law or regulation shall be paid by, and the sole responsibility of, the
48 condominium board of managers.

49 6. Any provision purporting to waive the provisions of this section in
50 any contract to purchase, any agreement between an offeror and a unit
51 purchaser, any agreement between an offeror and the condominium board of
52 managers created under a preservation plan, any agreement between an
53 offeror and the owner of the income-restricted rental unit or units
54 shall be void as against public policy.

55 7. (a) Except as otherwise provided in paragraph (b) of this subdivi-
56 sion, any person who knowingly violates or assists in the violation of



1 any provision of this section shall be subject to a civil penalty of one
2 hundred dollars per day per unit for each day that a building is not in
3 compliance with the provisions of such section; provided, however, that
4 such civil penalty shall not exceed one thousand dollars per unit.

5 (b) Any person who violates or assists in the violation of subdivision
6 two of this section shall also be subject to a civil penalty of one
7 thousand dollars per day for each day that the reserve fund required by
8 subdivision two of this section is not established; provided, however,
9 that such civil penalty shall not exceed the amount required to be
10 reserved pursuant to subdivision two of this section.

11 (c) Any other action or proceeding in any court of competent jurisdic-
12 tion that may be appropriate or necessary for the enforcement of the
13 provisions of this section may be brought in the name of the people of
14 the state of New York by the attorney general, including actions to
15 secure permanent injunctions enjoining any acts or practices which
16 constitute a violation of any provision of this section, mandating
17 compliance with the provisions of this section or for such other relief
18 as may be appropriate. In any such action or proceeding, the attorney
19 general may apply to any court of competent jurisdiction, or to a judge
20 or justice thereof, for a temporary restraining order or preliminary
21 injunction enjoining and restraining all persons from violating any
22 provision of this section, mandating compliance with the provisions of
23 this section, or for such other relief as may be appropriate, until the
24 hearing and determination of such action or proceeding and the entry of
25 final judgment or order therein. The court, or judge or justice thereof,
26 to whom such application is made, is hereby authorized to make any or
27 all of the orders specified in this paragraph, as may be required in
28 such application, with notice, and to make such other or further orders
29 or directions as may be necessary to render the same effectual. No
30 undertaking shall be required as a condition of the granting or issuing
31 of such order, or by reason thereof.

32 (d) Nothing contained in this section shall impair any rights, reme-
33 dies or causes of action accrued or accruing to purchasers of condomi-
34 nium units with regard to the funding of the reserve fund and capital
35 fund under this section.

36 § 4. Subdivision 2, subparagraph (i) of paragraph (a) of subdivision
37 2-a, and paragraphs (a) and (c) of subdivision 7 of section 352-e of the
38 general business law, subdivision 2 as amended by chapter 1042 of the
39 laws of 1981, subparagraph (i) of paragraph (a) of subdivision 2-a as
40 added by chapter 771 of the laws of 1983, paragraph (a) of subdivision 7
41 as amended by section 1 of part BBB-1 of chapter 57 of the laws of 2008,
42 and paragraph (c) of subdivision 7 as amended by chapter 637 of the laws
43 of 1989, are amended to read as follows:

44 2. Unless otherwise provided by regulation issued by the attorney
45 general, the offering statement or statements or prospectus required in
46 subdivision one of this section shall be filed with the department of
47 law at its office in the city of New York, prior to the public offering
48 of the security involved. No offer, advertisement or sale of such secu-
49 rities shall be made in or from the state of New York until the attorney
50 general has issued to the issuer or other [offerer] offeror a letter
51 stating that the offering has been filed. The attorney general, not
52 later than thirty days after the submission of such filing, shall issue
53 such a letter or, in the alternative, a notification in writing indicat-
54 ing deficiencies in the offering statement, statements or prospectus;
55 provided, however, that in the case of a building or group of buildings
56 to be converted to cooperative or condominium ownership which is occu-



1 pled in whole or in part for residential purposes and which is not the
2 subject of a preservation plan submitted pursuant to section three
3 hundred fifty-two-eeee of this article, such letter or notification
4 shall be issued in not sooner than four months and not later than six
5 months from the date of submission of such filing. The attorney general
6 may also refuse to issue a letter stating that the offering statement or
7 statements or prospectus has been filed whenever it appears that the
8 offering statement or statements or prospectus does not clearly set
9 forth the specific property or properties to be purchased, leased, mort-
10 gaged, or otherwise to be acquired, financed or the subject of specific
11 investment with a substantial portion of the offering proceeds.

12 (i) "Plan". Every offering statement or prospectus submitted to the
13 department of law for the conversion of a building or group of buildings
14 or development from residential rental status to cooperative or condo-
15 minium ownership, other than a plan governed by the provisions of either
16 section three hundred fifty-two-eee [or], three hundred fifty-two-eeee
17 or section three hundred fifty-two-eeee of this [chapter] article, or a
18 plan for such conversion pursuant to article two, eight or eleven of the
19 private housing finance law.

20 (a) The department of law shall collect the following fees for the
21 filing of each offering statement or prospectus as described in subdivi-
22 sion one of this section: seven hundred fifty dollars for every offering
23 not in excess of two hundred fifty thousand dollars; for every offering
24 in excess of two hundred fifty thousand dollars, four-tenths of one
25 percent of the total amount of the offering but not in excess of [thir-
26 ty] sixty thousand dollars of which one-half of said amount shall be a
27 nonrefundable deposit paid at the time of submitting the offering state-
28 ment to the department of law for review and the balance payable upon
29 the issuance of a letter of acceptance for filing said offering state-
30 ment. The department of law shall, in addition, collect a fee of [two
31 hundred twenty-five] seven hundred fifty dollars for each other amend-
32 ment to an offering statement. For each application granted by the
33 department of law, which permits the applicant to solicit public inter-
34 est or public funds preliminary to the filing of an offering statement
35 or for the issuance of a "no-filing required" letter and any amendment
36 thereto, the department of law shall collect a fee of [two] seven
37 hundred [twenty-five] fifty dollars. [In the event the sponsor thereaft-
38 er files an offering statement, the fee paid for the preliminary appli-
39 cation shall be credited against the balance of the fee due and payable
40 on filing.] For each application granted pursuant to section three
41 hundred fifty-two-g of this article, the department of law shall collect
42 a fee of two-tenths of one percent of the amount of the offering of
43 securities; however, the minimum fee shall be seven hundred fifty
44 dollars, and the maximum fee shall be [thirty] sixty thousand dollars.
45 All revenue from that portion of any fee imposed pursuant to this para-
46 graph, which exceeds twenty thousand dollars for offering statements,
47 and five hundred twenty-five dollars for all other filings, shall be
48 paid by the department of law to the state comptroller to be deposited
49 in and credited to the real estate finance bureau fund, established
50 pursuant to section eighty of the state finance law.

51 (c) Notwithstanding the provisions of paragraph (a) of this subdivi-
52 sion, the department of law shall not collect any fees for the filing of
53 an offering statement or prospectus or any amended filings thereto as
54 described in subdivision one of this section whenever: (i) a conversion
55 of a mobile home park, building or group of buildings or development
56 from residential rental status to cooperative or condominium ownership



1 is being made pursuant to article eleven, eighteen, nineteen or twenty
2 of the private housing finance law; or (ii) the offering statement or
3 prospectus or amendment thereto is submitted to the department of law
4 pursuant to section three hundred fifty-two-eeee of this article. For
5 submissions made pursuant to section three hundred fifty-two-eeee of
6 this article, the department of law shall instead collect the fees set
7 forth in subdivision thirty-one of such section. All revenue from that
8 portion of any fee imposed pursuant to subdivision thirty-one of section
9 three hundred fifty-two-eeee of this article shall be paid by the
10 department of law to the state comptroller to be deposited in and cred-
11 ited to the real estate finance bureau fund, established pursuant to
12 section eighty of the state finance law.

13 § 5. Paragraph (a) of subdivision 1 of section 352-eeee of the general
14 business law, as amended by section 1 of part N of chapter 36 of the
15 laws of 2019, is amended to read as follows:

16 (a) "Plan". Every offering statement or prospectus submitted to the
17 department of law pursuant to section three hundred fifty-two-e of this
18 article for the conversion of a building or group of buildings or devel-
19 opment from residential rental status to cooperative or condominium
20 ownership or other form of cooperative interest in realty, other than an
21 offering statement or prospectus for such conversion pursuant to section
22 three hundred fifty-two-eeee of this article or article two, eight or
23 eleven of the private housing finance law.

24 § 6. The opening paragraph of subdivision a of section 26-504 of the
25 administrative code of the city of New York is amended to read as
26 follows:

27 Class A multiple dwellings not owned as a cooperative or as a condo-
28 minium, except as provided in section three hundred fifty-two-eeee of
29 the general business law or as provided in section three hundred fifty-
30 two-eeee of the general business law, containing six or more dwelling
31 units which:

32 § 7. This act shall take effect on the one hundred eightieth day after
33 it shall have become a law; provided that sections one, two, and three
34 of this act shall expire and be deemed repealed 6 years after such date;
35 provided further, that such repeal shall not abrogate any requirements
36 or responsibilities imposed on offerors or condominium boards of direc-
37 tors as set forth in such sections, including but not limited to any
38 such requirements or responsibilities contained in any regulatory agree-
39 ments entered into pursuant to this act; and provided that the amend-
40 ments to section 26-504 of chapter 4 of title 26 of the administrative
41 code of the city of New York made by section six of this act shall
42 expire on the same date as such law expires and shall not affect the
43 expiration of such law as provided under section 26-520 of such law.

44 PART HH

45 Section 1. The public housing law is amended by adding a new article
46 14-A to read as follows:

47 ARTICLE 14-A

48 HOUSING ACCESS VOUCHER PILOT PROGRAM

49 Section 605. Definitions.

50 606. Housing access voucher pilot program.

51 607. Eligibility.

52 608. Funding allocation and distribution.

53 609. Payment of housing vouchers.

54 610. Leases and tenancy.



- 1 611. Rental obligation.
- 2 612. Monthly assistance payment.
- 3 613. Inspection of units.
- 4 614. Rent.
- 5 615. Vacated units.
- 6 616. Leasing of units owned by a housing access voucher local
- 7 administrator.
- 8 617. Verification of income.
- 9 618. Division of an assisted family.
- 10 619. Maintenance of effort.
- 11 620. Vouchers statewide.
- 12 621. Applicable codes.
- 13 622. Housing choice.
- 14 623. Annual reports.

15 § 605. Definitions. For the purposes of this article, the following
16 terms shall have the following meanings:

17 1. "Homeless" means lacking a fixed, regular, and adequate nighttime
18 residence; having a primary nighttime residence that is a public or
19 private place not designed for or ordinarily used as a regular sleeping
20 accommodation for human beings, including a car, park, abandoned build-
21 ing, bus or train station, airport, campground, or other place not meant
22 for human habitation; living in a supervised publicly or privately oper-
23 ated shelter designated to provide temporary living arrangements
24 (including hotels and motels paid for by federal, state or local govern-
25 ment programs for low-income individuals or by charitable organizations,
26 congregate shelters, or transitional housing); exiting an institution
27 where an individual or family has resided and lacking a regular fixed
28 and adequate nighttime residence upon release or discharge; individuals
29 released or scheduled to be released from incarceration and lacking a
30 regular fixed and adequate nighttime residence upon release or
31 discharge; being a homeless family with children or unaccompanied youth
32 defined as homeless under 42 U.S.C. § 11302(a); having experienced a
33 long-term period without living independently in permanent housing or
34 having experienced persistent instability as measured by frequent moves
35 and being reasonably expected to continue in such status for an extended
36 period of time because of chronic disabilities, chronic physical health
37 or mental health conditions, substance addiction, histories of domestic
38 violence or childhood abuse, the presence of a child or youth with a
39 disability, multiple barriers to employment, or other dangerous or life-
40 threatening conditions, including conditions that relate to violence
41 against an individual or a family member.

42 2. "Imminent loss of housing" means having received a verified rent
43 demand or a petition for eviction; having received a court order result-
44 ing from an eviction action that notifies the individual or family that
45 they must leave their housing; facing loss of housing due to a court
46 order to vacate the premises due to hazardous conditions, which may
47 include but not be limited to asbestos, lead exposure, mold, and radon;
48 having a primary nighttime residence that is a room in a hotel or motel
49 and lacking the resources necessary to stay; facing loss of the primary
50 nighttime residence, which may include living in the home of another
51 household, where the owner or renter of the housing will not allow the
52 individual or family to stay, provided further, that an assertion from
53 an individual or family member alleging such loss of housing or home-
54 lessness shall be sufficient to establish eligibility; or fleeing or
55 attempting to flee domestic violence, dating violence, sexual assault,
56 stalking, human trafficking or other dangerous or life-threatening



1 conditions that relate to violence against the individual or a family
2 member, provided further that an assertion from an individual or family
3 member alleging such abuse and loss of housing shall be sufficient to
4 establish eligibility.

5 3. "Public housing agency" means any county, municipality, or other
6 governmental entity or public body that is authorized to administer any
7 public housing program (or an agency or instrumentality of such an enti-
8 ty), and any other public or private non-profit entity that administers
9 any other public housing program or assistance.

10 4. "Section 8 local administrator" means a public housing agency that
11 administers the Section 8 Housing Choice Voucher program under section 8
12 of the United States housing act of 1937 within a community, county or
13 region, or statewide, on behalf of and under contract with the housing
14 trust fund corporation.

15 5. "Housing access voucher local administrator" means a public housing
16 agency, as defined in subdivision three of this section, or Section 8
17 local administrator designated to administer the housing access voucher
18 pilot program within a community, county or region, or statewide, on
19 behalf of and under contract with the housing trust fund corporation.
20 In the city of New York, the housing access voucher local administrator
21 shall be the New York city department of housing preservation and devel-
22 opment, or the New York city housing authority, or both.

23 6. "Family" means a group of persons residing together. Such group
24 includes, but is not limited to a family with or without children (a
25 child who is temporarily away from the home because of placement in
26 foster care is considered a member of the family) or any remaining
27 members of a tenant family. The commissioner shall have the discretion
28 to determine if any other group of persons qualifies as a family.

29 7. "Owner" means any private person or any entity, including a cooper-
30 ative, an agency of the federal government, or a public housing agency,
31 having the legal right to lease or sublease dwelling units.

32 8. "Dwelling unit" means a single-family dwelling, including attached
33 structures such as porches and stoops; or a single-family dwelling unit
34 in a structure that contains more than one separate residential dwelling
35 unit, and in which each such unit is used or occupied, or intended to be
36 used or occupied, in whole or in part, as the residence of one or more
37 persons.

38 9. "Income" shall mean the same as it is defined by 24 CFR § 5.609 and
39 any amendments thereto.

40 10. "Adjusted income" shall mean the same as it is defined by 24 CFR §
41 5.611 and any amendments thereto.

42 11. "Reasonable rent" means rent not more than the rent charged on
43 comparable units in the private unassisted market and rent charged for
44 comparable unassisted units in the premises.

45 12. "Fair market rent" means the fair market rent for each rental area
46 as promulgated annually by the United States department of housing and
47 urban development pursuant to 42 U.S.C. 1437f.

48 13. "Voucher" means a document issued by the housing trust fund corpo-
49 ration pursuant to this article to an individual or family selected for
50 admission to the housing access voucher pilot program, which describes
51 such pilot program and the procedures for approval of a unit selected by
52 the family and states the obligations of the individual or family under
53 the pilot program.

54 14. "Lease" means a written agreement between an owner and a tenant
55 for the leasing of a dwelling unit to the tenant. The lease establishes
56 the conditions for occupancy of the dwelling unit by an individual or

1 family with housing assistance payments under a contract between the
2 owner and the housing access voucher local administrator.

3 15. "Dependent" means any member of the family who is neither the head
4 of household, nor the head of the household's spouse, and who is:

5 (a) under the age of eighteen;

6 (b) a person with a disability; or

7 (c) a full-time student.

8 16. "Elderly" means a person sixty-two years of age or older.

9 17. "Child care expenses" means expenses relating to the care of chil-
10 dren under the age of thirteen.

11 18. "Severely rent burdened" means those individuals and families who
12 pay more than fifty percent of their income in rent as defined by the
13 United States census bureau.

14 19. "Disability" means:

15 (a) the inability to engage in any substantial gainful activity by
16 reason of any medically determinable physical or mental impairment which
17 can be expected to result in death or which has lasted or can be
18 expected to last for a continuous period of not less than twelve months;
19 or

20 (b) in the case of an individual who has attained the age of fifty-
21 five and is blind, the inability by reason of such blindness to engage
22 in substantial gainful activity requiring skills or abilities comparable
23 to those of any gainful activity in which they have previously engaged
24 with some regularity and over a substantial period of time; or

25 (c) a physical, mental, or emotional impairment which:

26 (i) is expected to be of long-continued and indefinite duration;

27 (ii) substantially impedes their ability to live independently; and

28 (iii) is of such a nature that such ability could be improved by more
29 suitable housing conditions; or

30 (d) a developmental disability that is a severe, chronic disability of
31 an individual that:

32 (i) is attributable to a mental or physical impairment or combination
33 of mental and physical impairments;

34 (ii) is manifested before the individual attains age twenty-two;

35 (iii) is likely to continue indefinitely;

36 (iv) results in substantial functional limitations in three or more of
37 the following areas of major life activity:

38 (A) self-care;

39 (B) receptive and expressive language;

40 (C) learning;

41 (D) mobility;

42 (E) self-direction;

43 (F) capacity for independent living; or

44 (G) economic self-sufficiency; and

45 (v) reflects the individual's need for a combination and sequence of
46 special, interdisciplinary, or generic services, individualized
47 supports, or other forms of assistance that are of lifelong or extended
48 duration and are individually planned and coordinated.

49 § 606. Housing access voucher pilot program. The commissioner,
50 subject to the appropriation of funds for this purpose, shall implement
51 a four-year pilot program to provide rental assistance in the form of
52 housing vouchers for eligible individuals and families who are homeless
53 or who face an imminent loss of housing in accordance with the
54 provisions of this article. The housing trust fund corporation shall
55 issue vouchers pursuant to this article beginning March first, two thou-
56 sand twenty-six, subject to appropriation of funds for this purpose, and



1 may contract with the division of housing and community renewal to
2 administer any aspect of this pilot program in accordance with the
3 provisions of this article. The commissioner shall designate and
4 contract with housing access voucher local administrators in the state
5 to make vouchers available to such individuals and families beginning
6 March first, two thousand twenty-six and to administer other aspects of
7 the pilot program in accordance with the provisions of this article.

8 § 607. Eligibility. The commissioner shall promulgate standards for
9 determining eligibility for assistance under this pilot program. Indi-
10 viduals and families who meet the standards shall be eligible regardless
11 of immigration status. Eligibility shall be limited to individuals and
12 families who are homeless or facing imminent loss of housing. Housing
13 access voucher local administrators may rely on a certification from a
14 social services provider serving homeless individuals, including, but
15 not limited to, homeless shelters to determine whether an applicant
16 qualifies as a homeless individual or family.

17 1. An individual or family shall be eligible for this pilot program if
18 they are homeless or facing imminent loss of housing and have an income
19 of no more than fifty percent of the area median income, as defined by
20 the United States department of housing and urban development.

21 2. An individual or family in receipt of rental assistance pursuant to
22 this pilot program shall be no longer financially eligible for such
23 assistance under this pilot program when thirty percent of the individ-
24 ual's or family's adjusted income is greater than or equal to the total
25 rent for the dwelling unit.

26 3. When an individual or family becomes financially ineligible for
27 rental assistance under this pilot program pursuant to subdivision two
28 of this section, the individual or family shall retain rental assistance
29 for a period no shorter than one year, subject to appropriation of funds
30 for this purpose.

31 4. Income eligibility shall be verified prior to a housing access
32 voucher local administrator's initial determination to provide rental
33 assistance for this pilot program and upon determination of such eligi-
34 bility, an individual or family shall annually certify their income for
35 the purpose of determining continued eligibility and any adjustments to
36 such rental assistance.

37 5. The commissioner may collaborate with the office of temporary and
38 disability assistance and other state and city agencies to allow a hous-
39 ing access voucher local administrator to access income information for
40 the purpose of determining an individual's or family's initial and
41 continued eligibility for the pilot program.

42 6. Reviews of income shall be made no less frequently than annually.

43 § 608. Funding allocation and distribution. 1. Subject to appropri-
44 ation, funding shall be allocated by the commissioner in each county
45 except for those counties located within the city of New York, the
46 initial allocation shall be in proportion to the number of households in
47 each county or the city of New York who are severely rent burdened based
48 on data published by the United States census bureau. Funding for coun-
49 ties located within the city of New York shall be allocated directly to
50 the New York city department of housing preservation and development
51 and/or the New York city housing authority, as appropriate, in propor-
52 tion to the number of households in New York city as compared to the
53 rest of the state of New York who are severely rent burdened based on
54 data published by the United States census bureau.

55 2. The commissioner shall be responsible for distributing the funds
56 allocated in each county not located within the city of New York among



1 housing access voucher local administrators operating in each county or
2 in the city of New York.

3 3. Priority shall be given to applicants who are homeless. The commis-
4 sioner shall have the discretion to establish further priorities as
5 appropriate.

6 4. Up to ten percent of the funds allocated may be used by the commis-
7 sioner and the housing access voucher local administrator for adminis-
8 trative expenses attributable to administering the housing access vouch-
9 er pilot program.

10 § 609. Payment of housing vouchers. 1. The housing voucher shall be
11 paid directly to any owner under a contract between the owner of the
12 dwelling unit to be occupied by the voucher recipient and the appropri-
13 ate housing access voucher local administrator. The commissioner shall
14 determine the form of the housing assistance payment contract and the
15 method of payment. A housing assistance payment contract entered into
16 pursuant to this section shall establish the payment standard (including
17 utilities and all maintenance and management charges) which the owner is
18 entitled to receive for each dwelling unit with respect to which such
19 assistance payments are to be made. The payment standard shall not
20 exceed one hundred twenty percent nor be less than ninety percent of the
21 fair market rent for the rental area in which it is located. Fair
22 market rent shall be determined pursuant to the procedures and standards
23 as set forth in the Federal Housing Choice voucher program, as set forth
24 in the applicable sections of Part 888 of Title 24 of the Code of Feder-
25 al Regulations. Fair market rent for a rental area shall be published
26 not less than annually by the commissioner and shall be made available
27 on the website of New York state homes and community renewal.

28 2. A housing assistance payment contract entered into pursuant to
29 subdivision one of this section may provide for an initial payment of up
30 to five months of rent arrears that have accrued during prior occupancy
31 of a dwelling unit by a voucher recipient if such payment of arrears is
32 necessary to continue such voucher recipient's occupancy of such dwell-
33 ing unit, and thereby prevent imminent loss of housing.

34 § 610. Leases and tenancy. Each housing assistance payment contract
35 entered into by a housing access voucher local administrator and the
36 owner of a dwelling unit shall provide:

37 1. that the lease between the tenant and the owner shall be for a term
38 of not less than one year, except that the housing access voucher local
39 administrator may approve a shorter term for an initial lease between
40 the tenant and the dwelling unit owner if the housing access voucher
41 local administrator determines that such shorter term would improve
42 housing opportunities for the tenant and if such shorter term is consid-
43 ered to be a prevailing local market practice;

44 2. that the dwelling unit owner shall offer leases to tenants assisted
45 under this article that:

46 (a) are in a standard form used in the locality by the dwelling unit
47 owner; and

48 (b) contain terms and conditions that:

49 (i) are consistent with state and local law; and

50 (ii) apply generally to tenants in the property who are not assisted
51 under this article;

52 (c) shall provide that during the term of the lease, the owner shall
53 not terminate the tenancy except for serious or repeated violation of
54 the terms and conditions of the lease, for violation of applicable state
55 or local law, or for other good cause, including, but not limited to,
56 the non-payment of the tenant's portion of the rent owed, and in the



1 case of an owner who is an immediate successor in interest pursuant to
2 foreclosure during the term of the lease vacating the property prior to
3 sale shall not constitute other good cause, except that the owner may
4 terminate the tenancy effective on the date of transfer of the unit to
5 the owner if the owner:

6 (i) will occupy the unit as a primary residence; and

7 (ii) has provided the tenant a notice to vacate at least ninety days
8 before the effective date of such notice;

9 (d) shall provide that any termination of tenancy under this section
10 shall be preceded by the provision of written notice by the owner to the
11 tenant specifying the grounds for that action, and any relief shall be
12 consistent with applicable state and local law;

13 3. that any unit under an assistance contract originated under this
14 article shall only be occupied by the individual or family designated in
15 said contract and shall be the designated individual or family's primary
16 residence. Contracts shall not be transferable between units and shall
17 not be transferable between recipients. A family or individual may
18 transfer their voucher to a different unit under a new contract pursuant
19 to this article;

20 4. that an owner shall not charge more than a reasonable rent as
21 defined in section six hundred five of this article.

22 § 611. Rental obligation. The monthly rental obligation for an indi-
23 vidual or family receiving housing assistance pursuant to the housing
24 access voucher pilot program shall be the greater of:

25 1. thirty percent of the monthly adjusted income of the family or
26 individual; or

27 2. If the family or individual is receiving payments for welfare
28 assistance from a public agency and a part of those payments, adjusted
29 in accordance with the actual housing costs of the family, is specif-
30 ically designated by that agency to meet the housing costs of the fami-
31 ly, the portion of those payments that is so designated. These payments
32 include, but are not limited to any shelter assistance or housing
33 assistance administered by any federal, state or local agency.

34 § 612. Monthly assistance payment. 1. The amount of the monthly
35 assistance payment with respect to any dwelling unit shall be the
36 difference between the maximum monthly rent which the contract provides
37 that the owner is to receive for the unit and the rent the individual or
38 family is required to pay under section six hundred eleven of this arti-
39 cle.

40 2. The commissioner shall establish maximum rent levels for different
41 sized rentals in each rental area in a manner that promotes the use of
42 the pilot program in all localities based on the fair market rent of the
43 rental area. Rental areas shall be determined by the commissioner. The
44 commissioner may rely on data or other information promulgated by any
45 other state or federal agency in determining the rental areas and fair
46 market rent.

47 3. The payment standard for each size of dwelling unit in a rental
48 area shall not be less than ninety percent and shall not exceed one
49 hundred twenty percent of the fair market rent as defined in section six
50 hundred five of this article for the same size of dwelling unit in the
51 same rental area, except that the commissioner shall not be required as
52 a result of a reduction in the fair market rent to reduce the payment
53 standard applied to a family continuing to reside in a unit for which
54 the family was receiving assistance under this article at the time the
55 fair market rent was reduced.



1 § 613. Inspection of units. Inspection of units shall be conducted
2 pursuant to the procedures and standards of the Federal Housing Choice
3 voucher program, as set forth in the applicable sections of Part 982 of
4 Title 24 of the Code of Federal Regulations.

5 § 614. Rent. 1. The rent for dwelling units for which a housing
6 assistance payment contract is established under this article shall be
7 reasonable in comparison with rents charged for comparable dwelling
8 units in the private, unassisted local market.

9 2. A housing access voucher local administrator (or other entity, as
10 provided in section six hundred sixteen of this article) may, at the
11 request of an individual or family receiving assistance under this arti-
12 cle, assist that individual or family in negotiating a reasonable rent
13 with a dwelling unit owner. A housing access voucher local administrator
14 (or other such entity) shall review the rent for a unit under consider-
15 ation by the individual or family (and all rent increases for units
16 under lease by the individual or family) to determine whether the rent
17 (or rent increase) requested by the owner is reasonable. If a housing
18 access voucher local administrator (or other such entity) determines
19 that the rent (or rent increase) for a dwelling unit is not reasonable,
20 the housing access voucher local administrator (or other such entity)
21 shall not make housing assistance payments to the owner under this
22 subdivision with respect to that unit.

23 3. If a dwelling unit for which a housing assistance payment contract
24 is established under this article is exempt from local rent control
25 provisions during the term of that contract, the rent for that unit
26 shall be reasonable in comparison with other units in the rental area
27 that are exempt from local rent control provisions.

28 4. Each housing access voucher local administrator shall make timely
29 payment of any amounts due to a dwelling unit owner under this section,
30 subject to appropriation of funds for this purpose.

31 § 615. Vacated units. If an assisted family vacates a dwelling unit
32 for which rental assistance is provided under a housing assistance
33 payment contract before the expiration of the term of the lease for the
34 unit, rental assistance pursuant to such contract may not be provided
35 for the unit after the month during which the unit was vacated.

36 § 616. Leasing of units owned by a housing access voucher local admin-
37 istrator. 1. If an eligible individual or family assisted under this
38 article leases a dwelling unit (other than a public housing dwelling
39 unit) that is owned by a housing access voucher local administrator
40 administering assistance to that individual or family under this
41 section, the commissioner shall require the unit of general local
42 government or another entity approved by the commissioner, to make
43 inspections required under section six hundred thirteen of this article
44 and rent determinations required under section six hundred fourteen of
45 this article. The housing access voucher local administrator shall be
46 responsible for any expenses of such inspections and determinations,
47 subject to the appropriation of funds for this purpose.

48 2. For purposes of this section, the term "owned by a housing access
49 voucher local administrator" means, with respect to a dwelling unit,
50 that the dwelling unit is in a project that is owned by such administra-
51 tor, by an entity wholly controlled by such administrator, or by a
52 limited liability company or limited partnership in which such adminis-
53 trator (or an entity wholly controlled by such administrator) holds a
54 controlling interest in the managing member or general partner. A dwell-
55 ing unit shall not be deemed to be owned by a housing access voucher
56 local administrator for purposes of this section because such adminis-

1 trator holds a fee interest as ground lessor in the property on which
2 the unit is situated, holds a security interest under a mortgage or deed
3 of trust on the unit, or holds a non-controlling interest in an entity
4 which owns the unit or in the managing member or general partner of an
5 entity which owns the unit.

6 § 617. Verification of income. The commissioner shall establish proce-
7 dures which are appropriate and necessary to assure that income data
8 provided to the housing access voucher local administrator and owners by
9 individuals and families applying for or receiving assistance under this
10 article is complete and accurate. In establishing such procedures, the
11 commissioner shall randomly, regularly, and periodically select a sample
12 of families to authorize the commissioner to obtain information on these
13 families for the purpose of income verification, or to allow those fami-
14 lies to provide such information themselves. Such information may
15 include, but is not limited to, data concerning unemployment compen-
16 sation and federal income taxation and data relating to benefits made
17 available under the social security act, 42 U.S.C. 301 et seq., the food
18 and nutrition act of 2008, 7 U.S.C. 2011 et seq., or title 38 of the
19 United States Code. Any such information received pursuant to this
20 section shall remain confidential and shall be used only for the purpose
21 of verifying incomes in order to determine eligibility of individuals
22 and families for benefits (and the amount of such benefits, if any)
23 under this article.

24 § 618. Division of an assisted family. 1. In those instances where a
25 family assisted under this article becomes divided into two otherwise
26 eligible individuals or families due to divorce, legal separation or the
27 division of the family, where such individuals or families cannot agree
28 as to which such individual or family should continue to receive the
29 assistance, and where there is no determination by a court, the housing
30 access voucher local administrator shall consider the following factors
31 to determine which of the individuals or families will continue to be
32 assisted:

33 (a) which of such individuals or families has custody of dependent
34 children;

35 (b) which such individual was the head of household when the voucher
36 was initially issued as listed on the initial application;

37 (c) the composition of such individuals and families and which such
38 family includes elderly or disabled members;

39 (d) whether domestic violence was involved in the breakup of such
40 family;

41 (e) which family members remain in the unit; and

42 (f) recommendations of social services professionals.

43 2. Documentation of these factors will be the responsibility of the
44 requesting parties. If documentation is not provided, the housing access
45 voucher local administrator will terminate assistance on the basis of
46 failure to provide information necessary for a recertification.

47 § 619. Maintenance of effort. Any funds made available pursuant to
48 this article shall not be used to offset or reduce the amount of funds
49 previously expended for the same or similar programs in a prior year in
50 any county or in the city of New York, but shall be used to supplement
51 any prior year's expenditures. The commissioner may grant an exception
52 to this requirement if any county, municipality, or other governmental
53 entity or public body can affirmatively show that such amount of funds
54 previously expended is in excess of the amount necessary to provide
55 assistance to all individuals and families within the area in which the



1 funds were previously expended who are homeless or facing an imminent
2 loss of housing.

3 § 620. Vouchers statewide. Notwithstanding section six hundred ten of
4 this article, any voucher issued pursuant to this article may be used
5 for housing anywhere in the state. The commissioner shall inform voucher
6 holders that a voucher may be used anywhere in the state and, to the
7 extent practicable, the commissioner shall assist voucher holders in
8 finding housing in the area of their choice. Provided further, however,
9 that a voucher must be used in the county in which it was issued, or
10 within the city of New York, if the voucher was issued within the city
11 of New York, for no less than one year before it can be used in a
12 different jurisdiction, unless the issuing housing access voucher local
13 administrator grants a waiver, or the voucher holder, or a family member
14 thereof, is or has been the victim of domestic violence, dating
15 violence, sexual assault, or stalking.

16 § 621. Applicable codes. Housing eligible for participation in the
17 housing access voucher pilot program shall comply with applicable state
18 and local health, housing, building and safety codes.

19 § 622. Housing choice. 1. The commissioner shall administer the hous-
20 ing access voucher pilot program under this article to promote housing
21 choice for voucher holders. The commissioner shall affirmatively promote
22 fair housing to the extent possible under this pilot program.

23 2. Nothing in this article shall lessen or abridge any fair housing
24 obligations promulgated by municipalities, localities, or any other
25 applicable jurisdiction.

26 § 623. Annual reports. The commissioner shall, on or before November
27 first, two thousand twenty-six and annually thereafter until the conclu-
28 sion of the pilot program created pursuant to this article, submit a
29 report on the implementation of this article in counties located outside
30 of the city of New York to the governor, the temporary president of the
31 senate, the speaker of the assembly, the chair of the senate committee
32 on housing, the chair of the senate finance committee, the chair of the
33 assembly committee on housing, and the chair of the assembly ways and
34 means committee. The commissioner of the New York city department of
35 housing preservation and development, or the chief executive officer of
36 the New York city housing authority, or both, shall, on or before Novem-
37 ber first, two thousand twenty-six and annually thereafter until the
38 conclusion of the pilot program created pursuant to this article, submit
39 a report on the implementation of this article in the city of New York
40 to the governor, the temporary president of the senate, the speaker of
41 the assembly, the chair of the senate committee on housing, the chair of
42 the senate finance committee, the chair of the assembly committee on
43 housing, and the chair of the assembly ways and means committee. Such
44 report shall include, but need not be limited to, the following: (i) the
45 amount of funding allocated for each county or the city of New York for
46 vouchers pursuant to this article, (ii) the number of individuals or
47 families who applied for vouchers pursuant to this article, (iii) the
48 number of individuals or families placed on waiting lists for vouchers
49 pursuant to this article, if any such waiting lists exist, (iv) the
50 number of individuals or families issued vouchers pursuant to this arti-
51 cle, (v) the number of individuals or families who were homeless prior
52 to receiving a voucher pursuant to this article, (vi) the voucher utili-
53 zation rate for vouchers pursuant to this article, (vii) the median
54 income of individuals or families issued vouchers pursuant to this arti-
55 cle, (viii) the median payment standard per dwelling unit, including the
56 monthly assistance payment and monthly rent obligation, for vouchers



1 pursuant to this article, and (ix) the number of individuals or families
2 who had been issued vouchers pursuant to this article but who became no
3 longer financially eligible for vouchers pursuant to this article during
4 the reporting period.

5 § 2. This act shall take effect immediately and shall remain in full
6 force and effect until May 1, 2030. Any rule, regulation, plan or guid-
7 ance document necessary for the implementation of this act promulgated
8 by the commissioner of the division of housing and community renewal
9 shall apply only to those counties located outside of the city of New
10 York. The New York city department of housing preservation and develop-
11 ment and the New York city housing authority, as applicable, shall
12 promulgate or release rules, regulations, plans or guidance documents as
13 necessary for the implementation of this act within the city of New
14 York.

15 PART II

16 Section 1. Section 13 of section 2 of chapter 868 of the laws of 1975
17 constituting the New York state financial emergency act for the city of
18 New York, as amended by section 2 of part K of chapter 686 of the laws
19 of 2003, is amended to read as follows:

20 § 13. Termination. This act shall terminate on the later of (a) July
21 first, two thousand [eight] thirty-five or (b) the date (i) when all
22 bonds and notes containing the pledge and agreement authorized by subdi-
23 vision one of section ten-a of this act are refunded, redeemed,
24 discharged or otherwise defeased, or (ii) when there shall no longer be
25 outstanding any guarantee by the United States of America or any agency
26 or instrumentality thereof as to payment of principal of or interest on
27 any note or bond issued by the city or a state financing agency, which-
28 ever of (i) or (ii) shall occur later.

29 § 2. This act shall take effect immediately.

30 PART JJ

31 Section 1. Article 7 of the public authorities law is amended by
32 adding a new title 5 to read as follows:

33 TITLE 5

34 CITY OF BUFFALO PARKING AUTHORITY

35 Section 1500-a. Short title.

36 1500-b. Definitions.

37 1500-c. City of Buffalo parking authority.

38 1500-d. Purpose and powers of the authority.

39 1500-e. Conveyance of property by the city to the authority;
40 acquisition of property by the city or by the authori-
41 ty.

42 1500-f. Construction and purchase contracts.

43 1500-g. Contract for employees.

44 1500-h. Moneys of the authority.

45 1500-i. Bonds or notes of the authority.

46 1500-j. Agreements of New York state.

47 1500-k. Agreements of the city.

48 1500-l. State and city not liable on bonds.

49 1500-m. Bonds legal investments for public officers.

50 1500-n. Tax exemptions.

51 1500-o. Tax contract by the state.

52 1500-p. Remedies of bondholders.



1 1500-q. Actions against the authority.

2 1500-r. Defense and indemnification.

3 1500-s. Code of ethics.

4 1500-t. Contracting for municipal services.

5 1500-u. Termination of authority.

6 1500-v. Title not affected if in part unconstitutional or inef-
7 fective.

8 1500-w. Inconsistent provisions in other acts superseded.

9 § 1500-a. Short title. This title shall be known and may be cited as
10 the "city of Buffalo parking authority act".

11 § 1500-b. Definitions. As used or referred to in this title, unless a
12 different meaning clearly appears from the context:

13 1. The term "authority" shall mean the corporation created by section
14 fifteen hundred-c of this title;

15 2. The term "city" shall mean the city of Buffalo;

16 3. The term "bonds" shall mean the bonds, notes or other evidences of
17 indebtedness issued by the authority pursuant to this title relating to
18 bonds and bondholders;

19 4. The term "board" shall mean the members of the authority;

20 5. The term "real property" shall mean lands, structures, franchises,
21 and interest in lands, and any and all things usually included within
22 the said term, and includes not only fees simple absolute but also any
23 and all lesser interest, such as easements, rights of way, uses, leases,
24 licenses, and all other incorporeal hereditaments and every estate,
25 interest or right, legal or equitable, including terms of years, and
26 liens thereon by way of judgments, mortgages or otherwise, and also
27 claims for damage to real estate, in the area of the city;

28 6. The term "project" shall mean any area or place operated or to be
29 operated by the authority for the parking or storing of motor and other
30 vehicles and shall, without limiting the foregoing, include all real and
31 personal property, driveways, roads, approaches, structures, terminals
32 of all kinds, garages, meters, mechanical equipment, and all appurte-
33 nances and facilities on, above or under the ground which are used or
34 usable in connection with such parking or storing of such vehicles in
35 the area of the city or which facilitates electric vehicle charging
36 infrastructure;

37 7. The term "projects" shall mean more than one covered projects.

38 8. The term "covered project" shall mean a project located on a public
39 parking facility owned by the city at the time this title shall take
40 effect.

41 9. The term "Buffalo fiscal stability authority" shall mean the public
42 benefit corporation established pursuant to title two of article ten-D
43 of this chapter.

44 § 1500-c. City of Buffalo parking authority. 1. A board to be known as
45 the "city of Buffalo parking authority" is hereby created. Such board
46 shall be a body corporate and politic, constituting a public benefit
47 corporation, and its existence shall commence upon the appointment of
48 the members as herein provided. It shall consist of a chair and four
49 other members, who shall be appointed by the mayor of the city of
50 Buffalo, with the advice and consent of the city of Buffalo common coun-
51 cil. The mayor of the city may remove any member of the board for
52 neglect of duty or misconduct in office, giving such member a copy of
53 the charges against them and an opportunity of being heard in person, or
54 by counsel, in their defense upon not less than ten days notice. Of the
55 members first appointed, one shall be appointed for a period of one
56 year, one for a period of two years, one for a period of three years,



1 one for a period of four years, and one for a period of five years. At
2 the expiration of such terms, the terms of office of their successors
3 shall be five years. Each member shall continue to serve until the
4 appointment and qualification of a successor. Vacancies in such board
5 occurring otherwise than by the expiration of term shall be filled for
6 the unexpired term. The members of the board shall choose from their
7 number a vice-chair. The members of the board shall not be compensated
8 for their services, however, members shall be entitled to reimbursement
9 for any actual and necessary expenses incurred in the performance of
10 such member's official duties. The powers of the authority shall be
11 vested in and exercised by a majority of the members of the board. Such
12 board may delegate to one or more of its members or to its officers,
13 agents and employees such powers and duties as it may deem proper.

14 2. Notwithstanding any inconsistent provisions of any general, special
15 or local law, ordinance, resolution or charter, no officer, member or
16 employee of the state or of any public authority shall forfeit such
17 officer, member or employee's office or employment by reason of such
18 acceptance of appointment as a member, officer or employee of the
19 authority, nor shall service as such member, officer or employee be
20 deemed incompatible or in conflict with such office, membership or
21 employment.

22 3. (a) The mayor of the city shall file on or before December thirty-
23 first of the year in which this title shall take effect, in the office
24 of the secretary of state, a certificate signed by the mayor setting
25 forth:

26 (i) the name of the authority;

27 (ii) the names of the members of the board and their terms of office;
28 and

29 (iii) the effective date of this title.

30 (b) If such certificate is not filed with the secretary of state on or
31 before such date, then the corporate existence of the authority shall
32 thereupon terminate and it shall thereupon be deemed to be and shall be
33 dissolved.

34 4. The city of Buffalo parking authority shall not be authorized to
35 exercise the powers, duties, and functions outlined in this article
36 until all initial members and the initial chair are appointed.

37 § 1500-d. Purpose and powers of the authority. The purpose of the
38 authority shall be to acquire, reconstruct, operate and maintain one or
39 more covered projects in the city. To carry out said purpose, the
40 authority shall have power:

41 1. To sue and be sued;

42 2. To have a seal and alter the same at pleasure;

43 3. To acquire, hold and dispose of personal property for its corporate
44 purposes;

45 4. To make by-laws for the management and regulation of its affairs,
46 and, subject to agreements with bondholders, for the regulation of the
47 covered projects;

48 5. With the consent of the city, to use agents, employees and facili-
49 ties of the city, paying to the city its agreed proportion of the
50 compensation or costs;

51 6. To appoint officers, agents and employees, to prescribe their qual-
52 ifications and to fix their compensation; subject, however, to the
53 provisions of the civil service law, as hereinafter provided;

54 7. To appoint an attorney, who may be the corporation counsel of the
55 city, and to fix such attorney's compensation;



1 8. To make contracts and leases, and to execute all instruments neces-
2 sary for its corporate purpose;

3 9. To construct such buildings, structures and facilities as may be
4 necessary for its corporate purpose;

5 10. To reconstruct, improve, maintain, repair and operate the covered
6 projects;

7 11. To accept grants, loans or contributions from the United States,
8 the state of New York, or any agency or instrumentality of either of
9 them, or the city, or an individual, by bequest or otherwise, and to
10 expend the proceeds for any purposes of the authority;

11 12. To fix and collect rentals, fees and other charges for the use of
12 the covered projects subject to and in accordance with such agreements
13 with bondholders as may be made as hereinafter provided; and

14 13. To construct, operate or maintain in the covered projects all
15 facilities necessary or convenient in connection therewith; and to
16 contract for the construction, operation or maintenance of any parts
17 thereof or for services to be performed; to rent parts thereof, and
18 grant concessions, all on such terms and conditions as it may determine;
19 provided however, that neither the authority, the city or any agency of
20 the authority or city, or any other person, firm or corporation shall,
21 within or on any property comprising a part of any covered project
22 authorized by this title, sell, dispense or otherwise handle any product
23 used in or for the servicing of any motor vehicle using any project or
24 facility authorized by this title, and provided further that the
25 location of sites of the covered projects shall be subject to the prior
26 approval of the planning board and common council of the city.

27 § 1500-e. Conveyance of property by the city to the authority; acqui-
28 sition of property by the city or by the authority. 1. The city may, by
29 resolution or resolutions of the common council or by instruments
30 authorized by such resolutions, convey, with or without consideration,
31 and upon appropriate conditions as to outstanding city bonds appertain-
32 ing thereto, to the authority real and personal property owned by the
33 city for use by the authority as a covered project or covered projects
34 or a part thereof. In case of real property so conveyed, the title ther-
35 eto shall remain in the city but the authority shall have the use and
36 occupancy thereof for so long as its corporate existence shall continue.
37 In the case of personal property so conveyed, the title shall pass to
38 the authority.

39 2. The city may acquire in the name of the city by purchase or condem-
40 nation real property in the city for any of the covered projects or for
41 the widening of existing roads, streets, avenues or highways, or for new
42 roads, streets, avenues or highways within a radius of one mile to any
43 of the covered projects, or partly for such purposes and partly for
44 other city purposes, by purchase or condemnation in the manner provided
45 by law for the acquisition of real property by the city. For like
46 purposes, the city may close such streets, roads, avenues, or highways
47 as may be necessary or convenient, except as to state highways and
48 arterial ways which shall not be closed without the consent of the New
49 York state commissioner of transportation.

50 3. Subject to the approval of the common council, contracts may be
51 entered into between the city and the authority providing for the prop-
52 erty to be conveyed by the city to the authority, the additional proper-
53 ty to be acquired by the city and so conveyed, the streets, roads,
54 avenues, and highways to be closed by the city and the amounts, terms
55 and conditions of payment to be made by the authority. Such contracts
56 may also contain covenants by the city as to the road, street, avenue



1 and highway improvements to be made by the city. Any such contracts
2 between the city and the authority may be pledged by the authority to
3 secure its bonds and may not be modified thereafter except as provided
4 by the terms of the pledge. The common council may authorize such
5 contracts between the city and the authority and no other authorization
6 on the part of the city for such contracts shall be necessary. Any such
7 contracts may be so authorized and entered into by the city and in such
8 manner as the common council may determine, and the payments required to
9 be made by the city may be made and financed notwithstanding that no
10 provisions therefor shall have first been made in the annual appropri-
11 ations of the city. All contractual or other obligations of the city
12 incurred in carrying out the provisions of this title shall be included
13 in and provided for by each annual appropriation of the city thereafter
14 made, if and to the extent that they may appropriately be included ther-
15 ein.

16 4. The authority may, subject to the approval of the common council of
17 the city, itself acquire real property for a covered project in the name
18 of the city at the cost and expense of the authority by purchase. The
19 authority shall have the use and occupancy of such real property so long
20 as its corporate existence shall continue.

21 5. In case the authority shall have the use and occupancy of any real
22 property which it shall determine is no longer required for a covered
23 project then, if such property was acquired at the cost and expense of
24 the city, the authority shall have the power to surrender its use and
25 occupancy thereof to the city, or, if such real property was acquired at
26 the cost and expense of the authority, then the authority shall have the
27 power to sell, lease or otherwise dispose of said real property at
28 public or private sale, subject to applicable provisions of law, and
29 shall retain and have the power to use the proceeds of sale, rentals, or
30 other moneys derived from the disposition thereof for its purposes.

31 § 1500-f. Construction and purchase contracts. The authority shall let
32 contracts for construction in the same manner, so far as practicable, as
33 is provided by law for contracts of the city, including but not limited
34 to section one hundred three of the general municipal law. Nothing in
35 this section shall be construed to limit the power of the authority to
36 do any construction directly by the officers, agents and employees of
37 the authority. Contracts for the purchase of supplies, material and
38 equipment shall be let in the same manner as is provided by law for
39 contracts of the city.

40 § 1500-g. Contract for employees. The authority is hereby authorized
41 to enter into contracts under which such contractor would provide
42 employees to the authority for the purpose of operation and maintenance
43 of the projects of the authority. All employees currently employed by
44 the city or by a contractor to support operations currently managed by
45 the city shall be retained by any contractor retained pursuant to this
46 section. The authority shall not begin operation of any project until
47 such a contract shall be in force. Such contract shall provide that all
48 employees engaged in the operation and maintenance of any authority
49 project shall be employees of the contractor and not employees of the
50 authority. Such employees shall receive their total compensation and any
51 employee benefits directly from the contractor for whom they are
52 employed provided any relevant local regulation, rule or ordinance
53 related to wage shall apply. Except for roles considered to be manage-
54 ment or confidential pursuant to article fourteen of the civil service
55 law, including the board of the authority, established by section
56 fifteen hundred-c of this title, the authority shall have no employees



1 other than the employees of the contractor pursuant to any contract
2 authorized by this section.

3 § 1500-h. Moneys of the authority. All moneys of the authority from
4 whatever source derived shall be paid to the treasurer of the city as
5 agent of the authority, who shall not commingle such moneys with any
6 other moneys. Such moneys shall be deposited in a separate bank account
7 or accounts. The money in such accounts shall be paid out by the treas-
8 urer on requisition of the chair of the authority or of such person or
9 persons as the authority may authorize to make such requisitions after
10 audit by and upon the warrant of the city comptroller. All deposits of
11 such moneys shall, if required by the treasurer or the authority, be
12 secured by obligations of the United States or the state of New York or
13 of any municipality of a market value equal at all times to the amount
14 of the deposit, and all banks and trust companies are authorized to give
15 such security for such deposits. To the extent practicable, consistent
16 with the cash requirements of the authority, all such monies shall be
17 deposited in interest bearing accounts. The treasurer and a legally
18 authorized representative of the treasurer are authorized and empowered
19 from time to time to examine the accounts and books of the authority,
20 including its receipts, disbursements, contracts, leases, sinking funds,
21 investments and any other records and papers relating to its financial
22 standing. The account of the authority shall be subject to the super-
23 vision of the New York state comptroller, and such comptroller or legal-
24 ly authorized representatives of the comptroller are authorized and
25 empowered from time to time to examine the accounts and books of the
26 authority, including its receipts, disbursements, contracts, leases,
27 sinking funds, investments and any other records and papers relating to
28 its financial standing and fiscal affairs. The authority shall have
29 power, notwithstanding the provisions of this section, to contract with
30 the holders of any of its bonds as to the custody, collection, securing,
31 investment and payment of any moneys of the authority or any moneys held
32 in trust or otherwise for the payment of bonds or in any way to secure
33 bonds, and to carry out any such contract notwithstanding that such
34 contract may be inconsistent with the previous provisions of this
35 section. Moneys held in trust or otherwise for the payment of bonds or
36 in any way to secure bonds and deposits of such moneys may be acquired
37 in the same manner as moneys of the authority, and all banks and trust
38 companies are authorized to give such security for such deposits. Any
39 monies of the authority not required for immediate use or disbursement
40 may, at the discretion of the authority, be invested pursuant to section
41 ninety-eight-a of the state finance law in accordance with guidelines
42 established by the board and amended from time to time. Subject to the
43 provisions of any contract with bondholders and with the approval of the
44 state comptroller, the authority shall prescribe a system of accounts,
45 provided however, the authority shall render a complete annual account
46 of its proceedings to the common council at its first meeting in January
47 of each and every year. The authority shall enter into agreement with
48 the city to pay and transfer a certain portion of excess revenues of the
49 authority to the city each fiscal year. Within ninety days after the end
50 of each fiscal year, an annual financial and management audit of the
51 authority's performance and operations shall be prepared by an independ-
52 ent certified public accountancy firm. Such firm shall be chosen from an
53 approved list of auditors prescribed by the city comptroller, the
54 expense of which shall be treated as an expense of the authority.

55 § 1500-i. Bonds or notes of the authority. 1. The authority shall have
56 the power and is hereby authorized from time to time to issue bonds,



1 notes, or other obligations in conformity with applicable provisions of
2 the uniform commercial code to: (a) pay the cost of acquisition of prop-
3 erty in any covered project; (b) pay the cost of reconstructing, main-
4 taining, improving or repairing any covered project; (c) pay such
5 expenses as may be deemed by the board necessary or desirable to the
6 financing thereof and placing such covered project in operation; (d)
7 establish reserves to secure the bonds; and (e) pay the principal of,
8 premium, if any, and interest on the bonds and the payment of incidental
9 expenses in connection therewith. The aggregate principal amount of such
10 bonds, notes or other obligations shall not exceed sixty-five million
11 dollars, excluding bonds, notes or other obligations issued to refund or
12 repay bonds, notes or other obligations therefore issued for such
13 purposes; provided, however, that upon any such refunding or repayment
14 the total aggregate principal amount of outstanding bonds, notes or
15 other obligations may be greater than sixty-five million dollars, only
16 if the present value of the aggregate debt service of the refunding or
17 repayment of bonds, notes or other obligations to be issued shall not
18 exceed the present value of the aggregate debt service of the bonds,
19 notes or other obligations so to be refunded or repaid. For the purpose
20 of this section, the present value of the aggregate debt service of the
21 refunding or repayment bonds, notes or other obligations and the aggre-
22 gate debt service of the bonds, notes or other obligations refunded or
23 repaid shall be calculated by utilizing the effective interest rate of
24 the refunding or repayment of bonds, notes or other obligations, which
25 shall be that rate arrived at by doubling the semi-annual interest rate
26 (compounded semi-annually) necessary to discount the debt service
27 payments on the refunding or repayment of bonds, notes or other obli-
28 gations from payment of dates thereof to the date of issue of the
29 refunding or repayment of bonds, notes or other obligations and to the
30 price bid including estimated accrued interest from the sale thereof.
31 The authority shall have the power and is hereby authorized to enter
32 into such agreements and perform such acts as may be required under any
33 applicable federal law, rule or regulation to secure a federal guarantee
34 to any bonds. With respect to any proposed borrowing by the authority,
35 the authority shall notify the Buffalo fiscal stability authority of
36 each proposed issue of bonds or notes to be issued to give the Buffalo
37 fiscal stability authority an opportunity to review the terms of and
38 comment on the prudence of each proposed issue of bonds or notes to be
39 issued by the parking authority for a period of no less than ten days
40 prior to issuing such bonds or notes.

41 2. The authority shall have the power from time to time to renew bonds
42 or to issue renewal bonds for such purpose, to issue bonds to pay bonds,
43 and, whenever it deems refunding expedient, to refund any bond by the
44 issuance of new bonds, whether the bonds to be refunded have or have not
45 matured, and may issue bonds, partly to refund bonds then outstanding
46 and partly for any other purpose of the authority. Bonds issued for
47 refunding purposes shall be sold and the proceeds applied to the
48 purchase, redemption or payment of the bonds or notes to be refunded.

49 3. Bonds issued by the authority may be general obligations secured by
50 the faith and credit of the authority or may be special obligations
51 payable solely out of particular revenues or other monies as may be
52 designated in the proceedings of the authority under which the bonds
53 shall be authorized to be issued, subject as to priority only to any
54 agreements with the holders of outstanding bonds pledging any particular
55 property, revenues or monies. The authority may also enter into loan
56 agreements, lines of credit and other security agreements and obtain for



1 or on its behalf letters of credit, insurance, guarantees or other cred-
2 it enhancements to the extent now or hereafter available, in each case
3 for securing its bonds or to provide direct payment of any costs which
4 the authority is authorized to pay.

5 4. (a) Bonds shall be authorized by resolution of the authority be in
6 such denominations and bear such date or dates and mature at such time
7 or times, as such resolution may provide, provided that bonds and
8 renewals thereof shall mature within thirty years from the date of
9 original issuance of any such bonds.

10 (b) Bonds shall be subject to such terms of redemption, bear interest
11 at such rate or rates, be payable at such times, be in such form, either
12 coupon or registered, carry such registration privileges, be executed in
13 such manner, be payable in such medium of payment at such place or plac-
14 es, and be subject to such terms and conditions as such resolution may
15 provide. Notwithstanding any other provision of law, the bonds of the
16 authority issued pursuant to this section shall be sold to the bidder
17 offering the lowest true interest cost, taking into consideration any
18 premium or discount not less than four nor more than fifteen days,
19 Sunday excepted, after a notice of such sale has been published at least
20 once in a newspaper of general circulation in the area served by the
21 authority, which shall state the terms of the sale. The terms of the
22 sale may not change unless notice of such change is published in such
23 newspaper at least one day prior to the date of the sale as set forth in
24 the original notice of sale. Advertisements shall contain a provision to
25 the effect that the authority, in its discretion, may reject any or all
26 bids made pursuant to such advertisements, and in the event of such
27 rejection, the authority is authorized to negotiate a private or public
28 sale or readvertise for bids in the form and manner described above in
29 this paragraph as many times as, in its judgment, may be necessary to
30 effect satisfactory sale.

31 (c) Notwithstanding the provisions of paragraph (b) of this subdivi-
32 sion, whenever in the judgment of the authority the interests of the
33 authority will be served thereby, the board, on the written recommenda-
34 tion of the chairperson may authorize the sale of such bonds at private
35 or public sale on a negotiated basis or on either a competitive or nego-
36 tiated basis. The authority shall set guidelines governing the terms and
37 conditions of any such private or public sales. The private or public
38 bond sale guidelines set by the authority shall include, but not be
39 limited to, a requirement that where the interests of the authority will
40 be served by a private or public sale of bonds, the authority shall
41 select underwriters taking into account, among other things, qualifica-
42 tions of underwriters as to experience, their ability to structure and
43 sell authority bond issues, anticipated costs to the authority, the
44 prior experience of the authority with the firm, if any, the capitaliza-
45 tion of such firms, participation of qualified minority and women-owned
46 business enterprise firms in such private or public sales of bonds of
47 the authority and the experience and ability of firms under consider-
48 ation to work with minority and women-owned business enterprises so as
49 to promote and assist participation by such enterprises.

50 (d) The authority shall have the power from time to time to amend such
51 private bond sale guidelines in accordance with the provisions of this
52 subdivision.

53 (e) No private or public bond sale on a negotiated basis shall be
54 conducted by the authority without prior approval of the state comp-
55 troller. The authority shall annually prepare and approve a bond sale
56 report which shall include the private or public bond sale guidelines as

1 specified in this subdivision, amendments to such guidelines since the
2 last private or public bond sale report, an explanation of the bond sale
3 guidelines and amendments, and the results of any sale of bonds
4 conducted during the fiscal year. Such bond sale report may be a part of
5 any other annual report that the authority is required to make.

6 (f) The authority shall annually submit its bond sale report to the
7 Buffalo fiscal stability authority and the state comptroller and copies
8 thereof to the senate finance committee and the assembly ways and means
9 committee.

10 (g) The authority shall make available to the public copies of its
11 bond sale report upon reasonable request thereof.

12 (h) Nothing contained in this subdivision shall be deemed to alter,
13 affect the validity of, modify the terms of, or impair any contract or
14 agreement made or entered into in violation of, or without compliance
15 with, the provisions of this subdivision.

16 5. Any resolution or resolutions authorizing bonds or any issue of
17 bonds by the authority may contain provisions which may be a part of the
18 contract with the holders of the bonds thereby authorized as to:

19 (a) pledging all or part of the revenues, together with any other
20 monies or property of the authority to secure the payment of the bonds,
21 or any costs of issuance thereof, including but not limited to, any
22 contracts, earnings or proceeds of any grant to the authority received
23 from any private or public source subject to such agreements with bond-
24 holders as may then exist;

25 (b) the setting aside of reserves and the creation of sinking funds
26 and the regulation and disposition thereof;

27 (c) limitations on the purpose to which the proceeds from the sale of
28 bonds may be applied;

29 (d) the rates, rents, fees and other charges to be fixed and collected
30 by the authority and the amount to be raised in each year thereby and
31 the use and disposition of revenues;

32 (e) limitations on the right of the authority to restrict and regulate
33 the use of the covered project or part thereof in connection with which
34 bonds are issued;

35 (f) limitations on the issuance of additional bonds, the terms upon
36 which additional bonds may be issued and secured and the refunding of
37 outstanding or other bonds;

38 (g) the procedure, if any, by which the terms of any contract with
39 bondholders may be amended or abrogated, including the proportion of
40 bondholders which must consent thereto, and the manner in which such
41 consent may be given;

42 (h) the creation of special funds into which any revenues or monies
43 may be deposited;

44 (i) the terms and provisions of any trust, mortgage, deed or indenture
45 securing the bonds under which the bonds may be issued;

46 (j) vesting in a trustee or trustees such properties, rights, powers
47 and duties in trust as the authority may determine which may include any
48 or all of the rights, powers and duties of the trustees appointed by the
49 bondholders pursuant to this title or limiting the rights, duties and
50 powers of such trustee;

51 (k) defining the acts or omissions to act which may constitute a
52 default in the obligations and duties of the authority to the bondhold-
53 ers and providing for the rights and remedies of the bondholders in the
54 event of such default, including as a matter of right appointment of a
55 receiver, provided, however, that such rights and remedies shall not be



1 inconsistent with the laws of the state and other provisions of this
2 title;

3 (l) limitations on the power of the authority to sell or otherwise
4 dispose of any covered project or any part thereof or other property;

5 (m) limitations on the amount of revenues and other monies to be
6 expended for operating, administrative or other expenses of the authori-
7 ty;

8 (n) the payment of the proceeds of bonds, revenues and other monies to
9 a trustee or other depository, and for the method of disbursement there-
10 of with such safeguards and restrictions as the authority may determine;
11 and

12 (o) any other matters of like or different character which in any way
13 affect the security or protection of the bonds or the rights and reme-
14 dies of the bondholders.

15 6. In addition to the powers conferred by this section upon the
16 authority to secure its bonds, the authority shall have the power in
17 connection with the issuance of bonds to adopt resolutions and enter
18 into such trust indentures, agreements or other instruments as the
19 authority may deem necessary, convenient or desirable concerning the use
20 or disposition of its revenues or other monies or property, including
21 the mortgaging of any property and the entrusting, pledging or creation
22 of any other security interest in any such revenues, monies or property
23 and the doing of any act, including refraining from doing any act which
24 the authority would have the right to do in the absence of such resol-
25 utions, trust indentures, agreements or other instruments. The authori-
26 ty shall have power to enter into amendments of any such resolutions,
27 trust indentures, agreements or other instruments within the powers
28 granted to the authority by this title and to perform such resolutions,
29 trust indentures, agreements or other instruments. The provisions of any
30 such resolutions, trust indentures, agreements or other instruments may
31 be made a part of the contract with the holders of bonds of the authori-
32 ty.

33 7. Any provision of the uniform commercial code to the contrary
34 notwithstanding, any pledge of or other security interest in revenues,
35 monies, accounts, contract rights, general intangibles or other personal
36 property made or created by the authority shall be valid, binding and
37 perfected from the time when such pledge is made or other security
38 interest attaches without any physical delivery of the collateral or
39 further act, and the lien of any such pledge or other security interest
40 shall be valid, binding and perfected against all parties having claims
41 of any kind in tort, contract or otherwise against the authority irre-
42 spective of whether or not such parties have notice thereof. No instru-
43 ment by which such a pledge or security interest is created nor any
44 financing statement need be recorded or filed.

45 8. Whether or not the bonds of the authority are of such form and
46 character as to be negotiable instruments under the terms of the uniform
47 commercial code, the bonds are hereby made negotiable instruments within
48 the meaning of and for all the purposes of the uniform commercial code,
49 subject only to the provisions of the bonds for registration.

50 9. Neither the members nor the officers of the authority nor any
51 person executing its bonds shall be liable personally on its bonds or be
52 subject to any personal liability or accountability by reason of the
53 issuance thereof.

54 10. Subject to such agreements with bondholders as may then exist, the
55 authority shall have the power to purchase the bonds of the authority,
56 in lieu of redemption, out of any funds available therefor, at a price



1 not exceeding, if the bonds are then redeemable, the redemption price
2 then applicable plus accrued interest to the next interest payment date,
3 or, if the bonds are not then redeemable, the redemption price applica-
4 ble on the first date after such purchase upon which the bonds become
5 subject to redemption plus accrued interest to the next interest payment
6 date. Bonds so purchased shall there upon be canceled.

7 11. The authority shall have power and is hereby authorized to issue
8 negotiable bond anticipation notes in conformity with the applicable
9 provisions of the uniform commercial code and may renew the same from
10 time to time but the maximum maturity of any such note, including
11 renewals thereof, shall not exceed two years from the date of issue of
12 such original note.

13 § 1500-j. Agreements of New York state. The state does hereby pledge
14 to and agree with the holders of any bonds issued by the authority
15 pursuant to this title and with those persons or public authorities who
16 may enter into contracts with the authority pursuant to the provisions
17 of this title that the state will not alter, limit or impair the rights
18 vested in the authority by this title to purchase, construct, own and
19 operate, maintain, repair, improve, reconstruct, renovate, rehabilitate,
20 enlarge, increase and extend, or dispose of any covered project, or any
21 part or parts thereof for which bonds of the authority shall have been
22 issued, to establish and collect rentals, fees and other charges
23 referred to in this title, to fulfill the terms of any contracts or
24 agreements made with or for the benefit of the holders of the bonds, or
25 with any person or public authority with reference to such covered
26 project or part thereof, or in any way to impair the rights and remedies
27 of the bondholders, until the bonds, together with interest thereon,
28 including interest on any unpaid installments of interest and all costs
29 and expenses in connection with any action or proceeding by or on behalf
30 of the holders of bonds, are fully met and discharged and such contracts
31 are fully performed on the part of the authority. The authority is
32 authorized to include this pledge and agreement of the state in any
33 agreement with the holders of bonds.

34 § 1500-k. Agreements of the city. 1. The city is authorized to
35 pledge to and agree with the holders of any bonds issued by the authori-
36 ty pursuant to this title and with those persons or public authorities
37 who may enter into contracts with the authority pursuant to the
38 provisions of this title that the city will not alter, limit or impair
39 the rights hereby vested in the authority by this title to purchase,
40 construct, own and operate, maintain, repair, improve, reconstruct,
41 renovate, rehabilitate, enlarge, increase and extend, or dispose of any
42 covered project, or any part or parts thereof, for which bonds of the
43 authority shall have been issued, to establish, collect and adjust
44 rates, rents, fees and other charges referred to in this title, to
45 fulfill the terms of any agreements made with the holders of the bonds
46 or with any public authority or person with reference to such project or
47 part thereof, or in any way impair the rights and remedies of the hold-
48 ers of bonds, until the bonds, together with interest thereon, including
49 interest on any unpaid installments of interest, and all costs and
50 expenses in connection with any action or proceeding by or on behalf of
51 the holders of bonds, are fully met and discharged and such contracts
52 are fully performed on the part of the authority.

53 2. The authority is hereby authorized, in its discretion, for and on
54 behalf of itself and subject to approval by the common council and the
55 mayor, to covenant and agree with the holders of the bonds, with such
56 exceptions and limitations as it may deem to be in the public interest,



1 that no public parking areas except those acquired and operated by the
2 authority will be constructed or operated in the city by the city, or by
3 any public benefit or other corporation the members or some of which are
4 elected or are appointed by city officials, until either (a) the bonds,
5 together with interest thereon, interest on any unpaid installments of
6 interest and all costs and expenses in connection with any action or
7 proceeding by or on behalf of the bondholders are fully met and
8 discharged or (b) principal or interest of any of the bonds shall be
9 overdue and unpaid for a period of three years or more, provided that
10 nothing in this section shall be deemed to impair the right of the city
11 to install and operate parking meters on the public streets of the city.

12 § 1500-l. State and city not liable on bonds. The bonds and other
13 obligations of the authority shall not be a debt of the state of New
14 York or of the city, and neither the state nor the city shall be liable
15 thereon, nor shall they be payable out of any funds other than those of
16 the authority.

17 § 1500-m. Bonds legal investments for public officers. The bonds are
18 hereby made securities in which all public officers and bodies of this
19 state and all municipalities and municipal subdivisions, all insurance
20 companies and associations and other persons carrying on an insurance
21 business, all banks, bankers, trust companies, savings banks and savings
22 associations, including savings and loan associations, building and loan
23 associations, investment companies and other persons carrying on a bank-
24 ing business, and all other persons whatsoever except as hereinafter
25 provided, who are now or may hereafter be authorized to invest in bonds
26 or other obligations of the state, may properly and legally invest funds
27 including capital in their control or belonging to them; provided that,
28 notwithstanding the provisions of any other general or special law to
29 the contrary, such bonds shall not be eligible for the investment of
30 funds, including capital, of trusts, estates or guardianships under the
31 control of individual administrators, guardians, executors, trustees and
32 other individual fiduciaries. The bonds are also hereby made securities
33 which may be deposited with and shall be received by all public officers
34 and bodies of this state and all municipalities and municipal subdivi-
35 sions for any purpose for which the deposit of bonds or other obli-
36 gations of this state is now or may hereafter be authorized.

37 § 1500-n. Tax exemptions. 1. It is hereby determined that the creation
38 of the authority and the carrying out of its corporate purposes is in
39 all respects for the benefit of the people of the city and its environs,
40 and is a public purpose, and the authority shall be regarded as perform-
41 ing a governmental function in the exercise of the powers conferred upon
42 it by this title and shall be required to pay no taxes or assessments
43 upon any of the property acquired by it or under its jurisdiction or
44 control or supervision or upon its activities.

45 2. Any bonds or notes issued pursuant to this title, together with the
46 income therefrom, as well as the property of the authority, shall be
47 exempt from taxation, except for estate or gift taxes and taxes on
48 transfers.

49 § 1500-o. Tax contract by the state. The state of New York covenants
50 with the purchasers and with all subsequent holders and transferees of
51 bonds or notes issued by the authority pursuant to this title, in
52 consideration of the acceptance of and payment for the bonds or notes,
53 that the bonds and notes of the authority issued pursuant to this title
54 and the income therefrom, and all moneys, funds and revenues pledged to
55 pay or secure the payment of such bonds or notes shall at all times be

1 free from taxation except for estate or gift taxes and taxes on trans-
2 fers.

3 § 1500-p. Remedies of bondholders. 1. In the event that the authority
4 shall default in the payment of principal of or interest on any issue of
5 the bonds after the same shall become due, whether at maturity or upon
6 call for redemption, and such default shall continue for a period of
7 thirty days, or in the event that the authority shall fail or refuse to
8 comply with the provisions of this title, or shall default in any agree-
9 ment made with the holders of any issue of the bonds, the holders of
10 twenty-five per centum in aggregate principal amount of the bonds of
11 such issue then outstanding, by instrument or instruments filed in the
12 office of the clerk of the county of Erie and proved or acknowledged in
13 the same manner as a deed to be recorded, may appoint a trustee to
14 represent the holders of such bonds for the purposes herein provided.

15 2. Such trustee may, and upon written request of the holders of twen-
16 ty-five per centum in principal amount of such bonds then outstanding
17 shall, in such trustee's own name:

18 (a) by action or special proceeding enforce all rights of the bond-
19 holders, including the right to require the authority to collect reven-
20 ues adequate to carry out by any agreement as to, or pledge of, such
21 revenues, and to require the authority to carry out any other agreements
22 with the holders of such bonds and to perform its duties under this
23 title;

24 (b) bring suit upon such bonds;

25 (c) by action or special proceeding, require the authority to account
26 as if it were the trustee of an express trust for the holders of such
27 bonds;

28 (d) by action or special proceeding, enjoin any acts or things which
29 may be unlawful or in violation of the rights of the holders of such
30 bonds;

31 (e) declare all such bonds due and payable, and if all defaults shall
32 be made good then with the consent of the holders of twenty-five per
33 centum of the principal amount of such bonds then outstanding, to annul
34 such declaration and its consequences.

35 3. The supreme court shall have jurisdiction of any suit, action or
36 proceeding by the trustee on behalf of bondholders. The venue of any
37 such suit, action or proceeding shall be laid in the county of Erie.

38 4. Before declaring the principal of all such bonds due and payable,
39 the trustee shall first give thirty days' notice in writing to the
40 authority.

41 5. Any such trustee, whether or not the issue of bonds represented by
42 such trustee has been declared due and payable, shall be entitled as of
43 right to the appointment of a receiver of any part or parts of the
44 covered project the revenues of which are pledged for the security of
45 the bonds of such issue, and such receiver may enter and take possession
46 of such part or parts of the covered project and, subject to any pledge
47 or agreement with bondholders, shall take possession of all moneys and
48 other property derived from or applicable to the acquisition,
49 construction, operation, maintenance and reconstruction of such part or
50 parts of the covered project and proceed with the acquisition of any
51 necessary real property in connection with the covered project that the
52 authority has covenanted to construct, and with any construction which
53 the authority is under obligation to do and to operate, maintain and
54 reconstruct such part or parts of the covered project and collect and
55 receive all revenues thereafter arising therefrom subject to any pledge
56 thereof or agreement with bondholders relating thereto and perform the



1 public duties and carry out the agreements and obligations of the
2 authority under the direction of the court. In any suit, action or
3 proceeding by the trustee, the fee, counsel fees and expenses of the
4 trustee and of the receiver, if any, shall constitute taxable disburse-
5 ments and all costs and disbursements allowed by the court shall be a
6 first charge on any revenues derived from such project.

7 6. Such trustee shall, in addition to the foregoing, have and possess
8 all of the powers necessary or appropriate for the exercise of any func-
9 tions specifically set forth herein or incident to the general represen-
10 tation of bondholders in the enforcement and protection of their rights.

11 § 1500-q. Actions against the authority. 1. In every action against
12 the authority for damages, for injuries to real or personal property, or
13 for the destruction thereof, or for personal injuries or death, the
14 complaint shall contain an allegation that at least ninety days have
15 elapsed since the demand, claim or claims upon which such action is
16 founded were presented to a member of the authority, or to its secre-
17 tary, or to its chief executive officer and that the authority has
18 neglected or refused to make an adjustment or payment thereof for ninety
19 days after such presentment.

20 2. Except in an action for wrongful death, an action against the
21 authority for damages for injuries to real or personal property, or for
22 the destruction thereof, or for personal injuries, alleged to have been
23 sustained, shall not be commenced more than one year and ninety days
24 after the cause of action therefor shall have accrued, nor unless a
25 notice of claim shall have been served on the authority within the time
26 limit established by, and in compliance with all requirements of section
27 fifty-e of the general municipal law. An action against the authority
28 for wrongful death shall be commenced in accordance with the notice of
29 claim and time limitation provisions of title eleven of article nine of
30 this chapter.

31 § 1500-r. Defense and indemnification. The authority shall not execute
32 any of its powers, except as necessary to commence its corporate exist-
33 ence, until the authority confers upon its members the provisions of
34 section eighteen of the public officers law, pursuant to subdivision two
35 of such section; provided, however, that nothing contained within this
36 section shall be deemed to permit the authority to extend the provisions
37 of section eighteen of the public officers law upon any independent
38 contractor.

39 § 1500-s. Code of ethics. 1. As used in this section, the term
40 "authority employee" shall mean any member, officer, employee, or
41 contracted employee of the authority.

42 2. No authority employee shall have any interest, financial or other-
43 wise, direct or indirect, or engage in any business or transaction or
44 professional activity or incur any obligation of any nature, which is in
45 substantial conflict with the proper discharge of such authority employ-
46 ee's duties in the public interest.

47 3. (a) No authority employee shall accept other employment, which will
48 impair such authority employee's independence of judgment in the exer-
49 cise of such employee's official duties.

50 (b) No authority employee shall accept employment or engage in any
51 business or professional activity which will require the employee to
52 disclose confidential information which such employee has gained by
53 reason of their official position or authority.

54 (c) No authority employee shall disclose confidential information
55 acquired by the employee in the course of such employee's official
56 duties nor use such information to further any personal interests.



1 (d) No authority employee shall use or attempt to use such employee's
2 official position to secure unwarranted privileges or exemptions for
3 personal gain or the personal gain of others.

4 (e) No authority employee shall engage in any transaction as represen-
5 tative or agent of the authority with any business entity in which such
6 employee has a direct or indirect financial interest that might reason-
7 ably tend to conflict with the proper discharge of such employee's offi-
8 cial duties.

9 (f) An authority employee shall not by such employee's conduct give
10 reasonable basis for the impression that any person can improperly
11 influence such employee or unduly enjoy such employee's favor in the
12 performance of their official duties, or that such employee is affected
13 by the kinship, rank, position or influence of any party or person.

14 (g) An authority employee shall abstain from making personal invest-
15 ments in enterprises which such authority employee has reason to believe
16 may be directly involved in decisions to be made by the employee or
17 which will otherwise create substantial conflict between such employee's
18 duty in the public interest and their private interest.

19 (h) An authority employee shall endeavor to pursue a course of conduct
20 which will not raise suspicion among the public that such employee is
21 likely to be engaged in acts that are in violation of public trust.

22 (i) No authority employee who is employed on a full-time basis by any
23 firm, company, or association, is a member of such firm, company or,
24 association, or owns or controls, directly or indirectly, a substantial
25 portion of stock of such firm, company, or association which sells goods
26 or services shall sell such goods or services to any person, firm,
27 corporation or association which is licensed or whose rates are fixed by
28 the authority in which such employee serves or is employed.

29 (j) If any authority employee shall have any financial interest,
30 direct or indirect, having a value of ten thousand dollars or more in
31 any activity which is subject to the jurisdiction of a regulatory agen-
32 cy, such authority employee shall file with the secretary of state a
33 written statement that such employee has such a financial interest in
34 such activity. Such statement shall be open to public inspection.

35 4. In addition to any applicable provision of law, any authority
36 employee who shall knowingly and intentionally violate any of the
37 provisions of this section may be fined, suspended, or removed from
38 office or employment.

39 § 1500-t. Contracting for municipal services. In addition to any other
40 general or special powers vested in public benefit corporations for the
41 performance of their respective functions, powers or duties on an indi-
42 vidual, cooperative, joint, or contract basis, the authority shall have
43 power to enter into, amend, cancel, and terminate agreements with the
44 city of Buffalo for the provision and reimbursement of services. Any
45 agreement entered into hereunder shall be subject to prior approval of
46 the common council of the city of Buffalo and the authority by a majori-
47 ty vote of the voting strength of its governing body.

48 § 1500-u. Termination of authority. Whenever all bonds or notes issued
49 by the authority shall have been redeemed or cancelled, and all trans-
50 actions, debt, and such other obligations have been satisfied or other-
51 wise terminated, the agency shall cease to exist and all rights, titles,
52 interest, and assets thereof vested in or possessed by the authority
53 shall thereupon vest in and be possessed by the city of Buffalo.

54 § 1500-v. Title not affected if in part unconstitutional or ineffec-
55 tive. If any section, clause or provision of this title shall be uncon-
56 stitutional or be ineffective in whole or in part, to the extent that it

1 is not unconstitutional or ineffective, it shall be valid and effective
 2 and no other section, clause or provision shall on account thereof be
 3 deemed invalid or ineffective.

4 § 1500-w. Inconsistent provisions in other acts superseded. Insofar as
 5 the provisions of this title are inconsistent with the provisions of any
 6 other act, general or special, or of any local law of the city, the
 7 provisions of this title shall be controlling.

8 § 2. This act shall take effect immediately.

9 PART KK

10 Section 1. Paragraph (a) of subdivision 1 of section 518 of the labor
 11 law, as amended by section 1 of part 0 of chapter 57 of the laws of
 12 2013, is amended to read as follows:

13 (a) "Wages" means all remuneration paid, except that such term does
 14 not include remuneration paid to an employee by an employer after eight
 15 thousand five hundred dollars have been paid to such employee by such
 16 employer with respect to employment during any calendar year, except
 17 that such term does not include remuneration paid to an employee by an
 18 employer with respect to employment during any calendar year beginning
 19 with the first day of

that exceeds

21	January 2014	\$10,300
22	January 2015	\$10,500
23	January 2016	\$10,700
24	January 2017	\$10,900
25	January 2018	\$11,100
26	January 2019	\$11,400
27	January 2020	\$11,600
28	January 2021	\$11,800
29	January 2022	\$12,000
30	January 2023	\$12,300
31	January 2024	\$12,500
32	January 2025	\$12,800
33	[January 2026	\$13,000]

34 and each year thereafter on the first day of January that exceeds
 35 [sixteen] eighteen percent of the state's average annual wage as deter-
 36 mined by the commissioner on an annual basis pursuant to section five
 37 hundred twenty-nine of this [article] title; provided, however, that in
 38 calculating such maximum amount of remuneration, the amount arrived at
 39 by multiplying the state's average annual wage times [sixteen] eighteen
 40 percent shall be rounded up to the nearest hundred dollars. In no event
 41 shall the state's annual average wage be reduced from the amount deter-
 42 mined in the previous year. The term "employment" includes for the
 43 purposes of this subdivision services constituting employment under any
 44 unemployment compensation law of another state or the United States.

45 § 2. Subdivision 1 of section 529 of the labor law, as added by
 46 section 3 of part 0 of chapter 57 of the laws of 2013, is amended to
 47 read as follows:

48 1. The "average annual wage" shall be the average annual wage of the
 49 state of New York for the previous calendar year as determined by the
 50 commissioner no later than the thirty-first day of May of each year.
 51 For purposes of calculating "wages" pursuant to paragraph (a) of subdi-
 52 vision one of section five hundred eighteen of this title only, the
 53 "average annual wage" shall be calculated using the four most recent



1 quarters of published New York state quarterly census of employment and
2 wages data.

3 § 3. Subdivision 5 of section 590 of the labor law, as amended by
4 section 8, paragraph (b) as added by section 10 of part 0 of chapter 57
5 of the laws of 2013 and paragraph (c) as added by chapter 277 of the
6 laws of 2021, is amended to read as follows:

7 5. Benefit rate. (a) A claimant's weekly benefit amount shall be one
8 twenty-sixth of the remuneration paid during the highest calendar quar-
9 ter of the base period by employers, liable for contributions or
10 payments in lieu of contributions under this article, provided the
11 claimant has remuneration paid in all four calendar quarters during [his
12 or her] such claimant's base period or alternate base period. However,
13 for any claimant who has remuneration paid in all four calendar quarters
14 during [his or her] such claimant's base period or alternate base period
15 and whose high calendar quarter remuneration during the base period is
16 three thousand five hundred seventy-five dollars or less, the benefit
17 amount shall be one twenty-fifth of the remuneration paid during the
18 highest calendar quarter of the base period by employers liable for
19 contributions or payments in lieu of contributions under this article. A
20 claimant's weekly benefit shall be one twenty-sixth of the average
21 remuneration paid in the two highest quarters paid during the base peri-
22 od or alternate base period by employers liable for contributions or
23 payments in lieu of contributions under this article when the claimant
24 has remuneration paid in two or three calendar quarters provided howev-
25 er, that a claimant whose high calendar quarter is four thousand dollars
26 or less but greater than three thousand five hundred seventy-five
27 dollars shall have a weekly benefit amount of one twenty-sixth of such
28 high calendar quarter. However, for any claimant who has remuneration
29 paid in two or three calendar quarters during [his or her] such claim-
30 ant's base period or alternate base period and whose high calendar quar-
31 ter remuneration during the base period is three thousand five hundred
32 seventy-five dollars or less, the benefit amount shall be one twenty-
33 fifth of the remuneration paid during the highest calendar quarter of
34 the base period by employers liable for contributions or payments in
35 lieu of contributions under this article. Any claimant whose high calen-
36 dar quarter remuneration during the base period is more than three thou-
37 sand five hundred seventy-five dollars shall not have a weekly benefit
38 amount less than one hundred forty-three dollars. The weekly benefit
39 amount, so computed, that is not a multiple of one dollar shall be
40 lowered to the next multiple of one dollar. On the first Monday of
41 September, nineteen hundred ninety-eight the weekly benefit amount shall
42 not exceed three hundred sixty-five dollars nor be less than forty
43 dollars, until the first Monday of September, two thousand, at which
44 time the maximum benefit payable pursuant to this subdivision shall
45 equal one-half of the state average weekly wage for covered employment
46 as calculated by the department no sooner than July first, two thousand
47 and no later than August first, two thousand, rounded down to the lowest
48 dollar. On and after the first Monday of October, two thousand fourteen,
49 the weekly benefit shall not be less than one hundred dollars, nor shall
50 it exceed four hundred twenty dollars until the first Monday of October,
51 two thousand fifteen when the maximum benefit amount shall be four
52 hundred twenty-five dollars, until the first Monday of October, two
53 thousand sixteen when the maximum benefit amount shall be four hundred
54 thirty dollars, until the first Monday of October, two thousand seven-
55 teen when the maximum benefit amount shall be four hundred thirty-five
56 dollars, until the first Monday of October, two thousand eighteen when



1 the maximum benefit amount shall be four hundred fifty dollars, until
2 the first Monday of October, two thousand nineteen when the maximum
3 benefit amount shall be thirty-six percent of the average weekly wage
4 until the first Monday of October[, two thousand twenty when the maximum
5 benefit amount shall be thirty-eight percent of the average weekly wage,
6 until the first Monday of October two thousand twenty-one when the maxi-
7 mum benefit amount shall be forty percent of the average weekly wage,
8 until the first Monday of October, two thousand twenty-two when the
9 maximum benefit amount shall be forty-two percent of the average weekly
10 wage, until the first Monday of October, two thousand twenty-three when
11 the maximum benefit amount shall be forty-four percent of the average
12 weekly wage, until the first Monday of October, two thousand twenty-four
13 when the maximum benefit amount shall be forty-six percent of the aver-
14 age weekly wage, until the first Monday of October], two thousand twen-
15 ty-five when the maximum benefit amount shall be [forty-eight percent of
16 the average weekly wage] eight hundred sixty-nine dollars, until the
17 first Monday of October, two thousand twenty-six and each year thereaft-
18 er on the first Monday of October when the maximum benefit amount shall
19 be fifty percent of the average weekly wage provided, however, that in
20 no event shall the maximum benefit amount be reduced from the previous
21 year.

22 (b) Notwithstanding the foregoing, except for the increase to the
23 maximum benefit amount that is scheduled to occur on the first Monday of
24 October in the year two thousand twenty-five, the maximum benefit amount
25 shall not be increased in accordance with the schedule set forth in
26 paragraph (a) of this subdivision in any year in which the balance of
27 the fund is determined by the commissioner to not have reached or
28 exceeded thirty percent of the average high cost multiple, as defined in
29 20 CFR Part 606 as the standard for receipt of interest-free federal
30 loans, on at least one day between April first and June thirtieth of the
31 same calendar year as the increase shall take effect. If, following such
32 suspension of an increase in the maximum benefit amount, the commission-
33 er shall determine, on at least one day between April first and June
34 thirtieth that the balance of the fund is greater than such thirty
35 percent average high cost multiple, then the maximum benefit amount
36 shall increase to the percentage for the year previously scheduled to be
37 established pursuant to paragraph (a) of this subdivision had the
38 increase not been suspended and increased annually thereafter in accord-
39 ance with the schedule set forth in paragraph (a) of this subdivision.
40 In no case shall such suspension result in a reduction of the maximum
41 benefit amount to less than the amount provided in the most recent year.

42 (c) Benefit for partial unemployment. [Except as provided in paragraph
43 (d) of this subdivision, any] Any claimant who is partially unemployed
44 with respect to any effective week shall be paid, with respect to such
45 effective week, a benefit equal to [his] their weekly benefit rate less
46 the total of the remuneration, if any, paid or payable to [him] them
47 with respect to such week for services performed which is in excess of
48 [his] their partial benefit credit.

49 § 4. This act shall take effect upon the transfer of sufficient funds,
50 as determined by the commissioner of labor, to the unemployment insur-
51 ance trust fund to permit changes to provisions of the labor law made by
52 this act; provided the commissioner of labor shall notify the legisla-
53 tive bill drafting commission of such transfer of such sufficient funds
54 in order that the commission may maintain an accurate and timely effec-
55 tive database of the official text of the laws of the state of New York

1 in furtherance of effectuating the provisions of section 44 of the
2 legislative law and section 70-b of the public officers law.

3

PART LL

4 Section 1. Paragraph (c) of subdivision 1 of section 245.10 of the
5 criminal procedure law, as added by section 2 of part LLL of chapter 59
6 of the laws of 2019, is amended to read as follows:

7 (c) The prosecution shall disclose statements of the defendant as
8 described in paragraph (a) of subdivision one of section 245.20 of this
9 article to any defendant who has been arraigned in a local criminal
10 court upon a currently undisposed of felony complaint charging an
11 offense which is a subject of a prospective or pending grand jury
12 proceeding, no later than forty-eight hours before the time scheduled
13 for the defendant to testify at a grand jury proceeding pursuant to
14 subdivision five of section 190.50 of this part. Provided, however, that
15 if no grand jury is open and available to hear cases in the time frame
16 necessary to allow the prosecution to provide a forty-eight hour notice,
17 such statement shall be provided no later than twenty-four hours prior
18 to the scheduled time for the defendant to testify before the grand jury
19 pursuant to subdivision five of section 190.50 of this part.

20 § 2. The opening paragraph, paragraphs (a), (b), (e), (h), (i), (k),
21 (l), (m), (n) and subparagraph (i) of paragraph (u) of subdivision 1,
22 and subdivisions 2 and 6 of section 245.20 of the criminal procedure
23 law, as added by section 2 of part LLL of chapter 59 of the laws of
24 2019, are amended, and subdivision 1 is amended by adding a new para-
25 graph (v) to read as follows:

26 The prosecution shall disclose to the defendant, and permit the
27 defendant to discover, inspect, copy, photograph and test[, all items]
28 the following material and information [that relate to the subject
29 matter of the case and are] in the possession, custody or control of the
30 prosecution or persons under the prosecution's direction or control[,
31 including but not limited to]:

32 (a) All written or recorded statements, and the substance of all oral
33 statements, made by the defendant or a co-defendant to a public servant
34 engaged in law enforcement activity or to a person then acting under
35 [his or her] their direction or in cooperation with [him or her] them
36 that relate to the subject matter of the charges against the defendant
37 or co-defendant in the instant case, or a defense thereto.

38 (b) All transcripts of the testimony of a person who has testified
39 before a grand jury that relate to the subject matter of the charges
40 against the defendant in the instant case, including but not limited to
41 the defendant or a co-defendant. If in the exercise of reasonable dili-
42 gence, and due to the limited availability of transcription resources, a
43 transcript is unavailable for disclosure within the time period speci-
44 fied in subdivision one of section 245.10 of this article, such time
45 period may be stayed by up to an additional thirty calendar days without
46 need for a motion pursuant to subdivision two of section 245.70 of this
47 article; except that such disclosure shall be made as soon as practica-
48 ble and not later than thirty calendar days before the first scheduled
49 trial date, unless an order is obtained pursuant to section 245.70 of
50 this article. When the court is required to review grand jury tran-
51 scripts, the prosecution shall disclose such transcripts to the court
52 expeditiously upon receipt by the prosecutor, notwithstanding the other-
53 wise-applicable time periods for disclosure in this article.



1 (e) All statements related to the subject matter of the case, written
2 or recorded or summarized in any writing or recording, made by persons
3 who have evidence or information relevant to any offense charged or to
4 any potential defense thereto, including all police reports, notes of
5 police and other investigators, [and] law enforcement agency reports[.
6 This provision also includes], and statements, written or recorded or
7 summarized in any writing or recording, by persons to be called as
8 witnesses at pre-trial hearings.

9 (h) All photographs and drawings that relate to the subject matter of
10 the charges against the defendant in the instant case or a defense ther-
11 eto made or completed by a public servant engaged in law enforcement
12 activity, or which were made by a person whom the prosecutor intends to
13 call as a witness at trial or a pre-trial hearing[, or which relate to
14 the subject matter of the case].

15 (i) All photographs, photocopies and reproductions made by or at the
16 direction of law enforcement personnel of any property that relate to
17 the subject matter of the charges against the defendant in the instant
18 case or a defense thereto prior to its release pursuant to section
19 450.10 of the penal law.

20 (k) All evidence and information that relate to the subject matter of
21 the case, including that which is known to police or other law enforce-
22 ment agencies acting on the government's behalf in the case, that tends
23 to: (i) negate the defendant's guilt as to a charged offense; (ii)
24 reduce the degree of or mitigate the defendant's culpability as to a
25 charged offense; (iii) support a potential defense to a charged offense;
26 (iv) impeach the credibility of a testifying prosecution witness; (v)
27 undermine evidence of the defendant's identity as a perpetrator of a
28 charged offense; (vi) provide a basis for a motion to suppress evidence;
29 or (vii) mitigate punishment. Information under this subdivision shall
30 be disclosed whether or not such information is recorded in tangible
31 form and irrespective of whether the prosecutor credits the information.
32 The prosecutor shall disclose the information expeditiously upon its
33 receipt and shall not delay disclosure if it is obtained earlier than
34 the time period for disclosure in subdivision one of section 245.10 of
35 this article.

36 (l) A summary of all promises, rewards and inducements made in
37 connection with the instant case to, or in favor of, persons who may be
38 called as witnesses, as well as requests for consideration by persons
39 who may be called as witnesses and copies of all documents relevant to a
40 promise, reward or inducement.

41 (m) A list of all tangible objects obtained from, or allegedly
42 possessed by, the defendant or a co-defendant in connection with the
43 criminal action or proceeding. The list shall include a designation by
44 the prosecutor as to which objects were physically or constructively
45 possessed by the defendant and were recovered during a search or seizure
46 by a public servant or an agent thereof, and which tangible objects were
47 recovered by a public servant or an agent thereof after allegedly being
48 abandoned by the defendant. If the prosecution intends to prove the
49 defendant's possession of any tangible objects by means of a statutory
50 presumption of possession, it shall designate such intention as to each
51 such object. If reasonably practicable, the prosecution shall also
52 designate the location from which each tangible object was recovered.
53 There is also a right to inspect, copy, photograph and test the listed
54 tangible objects.

55 (n) Whether a search warrant has been executed in connection with the
56 criminal action or proceeding and all documents relating thereto,

1 including but not limited to the warrant, the warrant application,
2 supporting affidavits, a police inventory of all property seized under
3 the warrant, and a transcript of all testimony or other oral communi-
4 cations offered in support of the warrant application.

5 (i) A copy of all electronically created or stored information seized
6 or obtained by or on behalf of law enforcement from: (A) the defendant
7 as described in subparagraph (ii) of this paragraph; or (B) a source
8 other than the defendant which relates to the subject matter of the
9 charges against the defendant in the instant case or a defense thereto.

10 (v) Any other material and information relevant to the subject matter
11 of the charges against the defendant in the instant case or a defense
12 thereto that are not designated in paragraphs (a) through (u) of this
13 subdivision.

14 2. Duties of the prosecution. The prosecutor shall make a diligent,
15 good faith effort to ascertain the existence of material or information
16 discoverable under subdivision one of this section and to cause such
17 material or information to be made available for discovery where it
18 exists but is not within the prosecutor's possession, custody or
19 control[; provided that the prosecutor shall not be required to obtain
20 by subpoena duces tecum material or information which the defendant may
21 thereby obtain]. The prosecutor shall not be required to obtain material
22 or information if it may be obtained with use of a subpoena duces tecum
23 where the defense is able to obtain the same material with the use of a
24 subpoena duces tecum. For purposes of subdivision one of this section,
25 all items and information related to the prosecution of a charge in the
26 possession of any New York state or local police or law enforcement
27 agency shall be deemed to be in the possession of the prosecution. The
28 prosecution shall also identify any laboratory having contact with
29 evidence related to the prosecution of a charge. This subdivision shall
30 not require the prosecutor to ascertain the existence of witnesses not
31 known to the police or another law enforcement agency, or the written or
32 recorded statements thereof, under paragraph (c) or (e) of subdivision
33 one of this section.

34 6. Redactions permitted. (a) Either party may redact the following
35 without the need to move for a protective order pursuant to section
36 245.70 of this article: social security numbers [and]; tax numbers [from
37 disclosures under this article]; the physical addresses or other forms
38 of contact information of witnesses, provided that for any witness
39 disclosed under paragraph (c) of subdivision one of this section, the
40 disclosing party provides at least one form of adequate contact informa-
41 tion; and material or information not otherwise required to be disclosed
42 under subdivision one of this section, so long as the party making
43 redactions based on the material not being required to be disclosed
44 under subdivision one of this section provides the underlying reason for
45 the redactions.

46 (b) If the contact information disclosed pursuant to paragraph (a) of
47 this subdivision is incorrect or inoperative, the party that made the
48 disclosure shall, upon request, furnish an alternative form of adequate
49 contact information for such witness.

50 § 3. Subdivision 1 of section 245.30 of the criminal procedure law, as
51 added by section 2 of part LLL of chapter 59 of the laws of 2019, is
52 amended to read as follows:

53 1. Order to preserve evidence. At any time, a party may move for a
54 court order to any individual, agency or other entity in possession,
55 custody or control of items which [relate to the subject matter of the
56 case or are otherwise relevant] are required to be disclosed under



1 subdivision one of section 245.20 of this article, requiring that such
2 items be preserved for a specified period of time. The court shall hear
3 and rule upon such motions expeditiously. The court may modify or vacate
4 such an order upon a showing that preservation of particular evidence
5 will create significant hardship to such individual, agency or entity,
6 on condition that the probative value of that evidence is preserved by a
7 specified alternative means.

8 § 4. Subdivisions 1, 3 and 4 of section 245.50 of the criminal proce-
9 dure law, subdivisions 1 and 3 as amended by section 7 of part HHH of
10 chapter 56 of the laws of 2020 and subdivision 4 as amended by section 1
11 of subpart D of part UU of chapter 56 of the laws of 2022, are amended
12 and two new subdivisions 5 and 6 are added to read as follows:

13 1. By the prosecution. When the prosecution has [provided], pursuant
14 to this section, exercised due diligence and acted in good faith in
15 making reasonable inquiries and efforts to obtain and provide the
16 discovery required by subdivision one of section 245.20 of this article,
17 except for discovery that is lost or destroyed as provided by paragraph
18 (b) of subdivision one of section 245.80 of this article and except for
19 any [items] material or information that [are] is the subject of an
20 order pursuant to section 245.70 of this article, it shall serve upon
21 the defendant and file with the court a certificate of compliance. The
22 certificate of compliance shall state that, after exercising due dili-
23 gence and making reasonable inquiries and efforts to ascertain the
24 existence of, obtain, and disclose material and information subject to
25 discovery, the [prosecutor] prosecution has disclosed and made available
26 all known material and information it has obtained subject to discovery.
27 It shall also identify the items provided. [If additional discovery is
28 subsequently provided] The prosecution shall also identify the items
29 that the prosecution is required to disclose and of which the prose-
30 cution is aware, but has been unable to obtain despite the exercise of
31 due diligence as evaluated under this section. If the prosecution
32 provides additional discovery prior to trial pursuant to section 245.60
33 of this article, a supplemental certificate shall be served upon the
34 defendant and filed with the court identifying the additional material
35 and information provided. No adverse consequence to the prosecution or
36 the prosecutor shall result from the filing of a certificate of compli-
37 ance in good faith and reasonable under the circumstances; but the court
38 may grant a remedy or sanction for a discovery violation as provided in
39 section 245.80 of this article. The filing of a supplemental certificate
40 of compliance shall not impact the validity of the original certificate
41 of compliance if filed in good faith and after exercising due diligence
42 as assessed under this section.

43 3. Trial readiness. Notwithstanding the provisions of any other law,
44 absent an individualized finding of special circumstances in the instant
45 case by the court before which the charge is pending, the prosecution
46 shall not be deemed ready for trial for purposes of section 30.30 of
47 this chapter until it has filed a [proper] valid certificate pursuant to
48 subdivision one of this section. A court may deem the prosecution ready
49 for trial pursuant to section 30.30 of this chapter where information
50 that might be considered discoverable under this article cannot be
51 disclosed because it has been lost, destroyed, or otherwise unavailable
52 as provided by paragraph (b) of subdivision one of section 245.80 of
53 this article, despite diligent and good faith efforts, reasonable under
54 the circumstances. Provided, however, that the court may grant a remedy
55 or sanction for a discovery violation as provided by section 245.80 of
56 this article.



1 4. Challenges. (a) Challenges to, or questions related to a certifi-
2 cate of compliance shall be addressed by motion.

3 (b) To the extent that the party is aware of a potential defect or
4 deficiency related to a certificate of compliance or supplemental
5 certificate of compliance, the party entitled to disclosure shall notify
6 or alert the opposing party [as soon as practicable] in accordance with
7 the procedure set forth in this subdivision.

8 (c) Challenges [related to the sufficiency] to the validity of a
9 certificate of compliance or supplemental certificates of compliance
10 served on the defense and filed with the court pursuant to subdivision
11 one of this section shall be addressed by motion [as soon as practica-
12 ble, provided that nothing in this section shall be construed to waive a
13 party's right to make further challenges, including but not limited to a
14 motion pursuant to section 30.30 of this chapter] within thirty-five
15 days of the service of the certificate provided that the prosecution has
16 filed an indictment or information prior to filing the certificate of
17 compliance. Nothing in this section shall be construed to waive a
18 party's right to file a motion pursuant to section 30.30 of this chapter
19 on grounds unrelated to the validity of a certificate of compliance.
20 Provided, however, that any challenges to a certificate of compliance or
21 supplemental certificate of compliance shall be accompanied by an affir-
22 mation by the moving party that, after the filing of the opposing
23 party's certificate of compliance, such moving party timely conferred in
24 good faith or timely made good faith efforts to confer with the opposing
25 party regarding the specific and particularized matters forming the
26 basis for such challenge, that efforts to obtain the missing discovery
27 from the opposing party or otherwise resolve the issues raised were
28 unsuccessful, and that no accommodation could be reached. For the
29 purposes of this subdivision, the parties may confer informally, includ-
30 ing but not limited to communication by email, telephone, or any other
31 reasonable means.

32 (i) Upon request, the court may extend the time period to challenge a
33 certificate of compliance or supplemental certificate of compliance
34 beyond the thirty-five days for good cause shown. A request for exten-
35 sion shall be made before the expiration of the thirty-five days. Unless
36 the court finds that the prosecutor unreasonably delayed in responding
37 to the defense's good faith efforts to confer or that the prosecutor did
38 not file the certificate of compliance in good faith, any such extension
39 shall be excluded from a speedy trial calculation pursuant to paragraph
40 (b) of subdivision four of section 30.30 of this chapter.

41 (ii) Notwithstanding the provisions of this subdivision, a party may
42 challenge the validity of the certificate of compliance after the expi-
43 ration of the thirty-five day period where the grounds for such chal-
44 lenge are based upon a material change in circumstances, including but
45 not limited to the belated disclosure of discoverable material pursuant
46 to section 245.20 of this article, or, where the party entitled to
47 disclosure could not, with due diligence, have known of the specific and
48 particularized matters forming the basis of the challenge prior to the
49 expiration of such period.

50 (iii) Nothing in this subdivision shall limit the court's authority to
51 facilitate compliance pursuant to section 245.35 of this article. Any
52 extension of time granted pursuant to section 245.35 shall be excluded
53 from a speedy trial calculation pursuant to paragraph (b) of subdivision
54 four of section 30.30 of this chapter.

55 5. Assessing due diligence. In assessing a party's due diligence, the
56 court shall look at the totality of the party's efforts to comply with



1 the provisions of this article, rather than assess the party's efforts
2 item by item.

3 (a) Relevant factors for assessing the prosecutor's due diligence
4 include, but are not limited to: the efforts made by the prosecutor to
5 comply with the requirements of this article; the volume of discovery
6 provided and the volume of discovery outstanding; the complexity of the
7 case; whether the prosecutor knew that the belatedly disclosed or
8 allegedly missing material existed; the explanation for any alleged
9 discovery lapse; the prosecutor's response when apprised of any alleged-
10 ly missing discovery; whether the belated discovery was substantively
11 duplicative, insignificant, or easily remedied; whether the omission was
12 corrected; whether the prosecution self-reported the error and took
13 prompt remedial action without court intervention; and whether the pros-
14 ecution's delayed disclosure of discovery was prejudicial to the defense
15 or otherwise impeded the defense's ability to effectively investigate
16 the case or prepare for trial.

17 (b) The court's determination shall be based on consideration of all
18 factors listed in paragraph (a) of this subdivision and no one factor
19 shall be determinative. The court shall explain the basis for its
20 determination on the record or in writing.

21 (c) A finding of a valid certificate under this section shall consti-
22 tute a valid certificate pursuant to subdivision five of section 30.30
23 of this chapter. Upon a finding of a valid certificate, the court shall,
24 if warranted, fashion an appropriate and proportional remedy for any
25 discovery violation resulting from the belated disclosure pursuant to
26 subdivision two of section 245.80 of this article.

27 6. Determinations by the court. Notwithstanding any other section of
28 law to the contrary, a court shall not invalidate a certificate of
29 compliance where the party has exercised due diligence and acted in good
30 faith in making reasonable inquiries and efforts to obtain and provide
31 the material required to be disclosed pursuant to section 245.20 of this
32 article.

33 § 5. The criminal procedure law is amended by adding a new section
34 245.90 to read as follows:

35 § 245.90 Federal and state constitutional obligations.

36 Nothing in this article shall be construed to limit the people's obli-
37 gations to comply with federal and state constitutional law.

38 § 6. Subdivision 5 of section 30.30 of the criminal procedure law, as
39 amended by section 1 of part KKK of chapter 59 of the laws of 2019, is
40 amended to read as follows:

41 5. (a) Whenever pursuant to this section a prosecutor states or other-
42 wise provides notice that the people are ready for trial, the court
43 shall make inquiry on the record as to their actual readiness. If, after
44 conducting its inquiry, the court determines that the people are not
45 ready to proceed to trial, the prosecutor's statement or notice of read-
46 iness shall not be valid for purposes of this section. [Any statement of
47 trial readiness must be accompanied or preceded by a certification of
48 good faith compliance with the disclosure requirements of section 245.20
49 of this chapter and the defense shall be afforded an opportunity to be
50 heard on the record as to whether the disclosure requirements have been
51 met.] The court may deem the people not ready for trial based on the
52 people's failure to comply with the provisions of article two hundred
53 forty-five of this chapter only if it finds that the people's certifi-
54 cate of compliance that accompanied or preceded the people's statement
55 of readiness at issue was invalid under section 245.50 of this chapter.

(b) Pursuant to section 245.50 of this chapter, the certificate of compliance is deemed invalid when the court determined that the people did not exercise due diligence and, in making such determination, the court looked at the totality of the prosecution's efforts to comply with the provisions of article two hundred forty-five of this chapter, rather than assess the prosecution's efforts item by item, and considered the factors relevant to assessing due diligence, which include, but are not limited to: the efforts made by the prosecutor to comply with the requirements of article two hundred forty-five of this chapter; the volume of discovery provided and the volume of discovery outstanding; the complexity of the case; whether the prosecutor knew that the belatedly disclosed or allegedly missing material existed; the explanation for any alleged discovery lapse; the prosecutor's response when apprised of any allegedly missing discovery; whether the belated discovery was substantively duplicative, insignificant, or easily remedied; whether the omission was corrected; whether the prosecution self-reported the error and took prompt remedial action without court intervention; and whether the prosecution's delayed disclosure of discovery was prejudicial to the defense or otherwise impeded the defense's ability to effectively investigate the case or prepare for trial.

§ 7. Section 245.70 of the criminal procedure law is amended by adding a new subdivision 8 to read as follows:

8. A motion filed in good faith pursuant to subdivision one or two of this section shall be deemed a pre-trial motion for the purposes of paragraph (a) of subdivision four of section 30.30 of this chapter.

§ 8. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all criminal actions pending on such date and all actions commenced on or after such date. Any timeframes provided in this act regarding the time limitation to challenge a certificate of compliance shall run from the effective date of this act.

PART MM

Section 1. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the following funds and/or accounts:

1. DOL-Child performer protection account (20401).
2. Local government records management account (20501).
3. Child health plus program account (20810).
4. EPIC premium account (20818).
5. Education - New (20901).
6. VLT - Sound basic education fund (20904).
7. Sewage treatment program management and administration fund (21000).
8. Hazardous bulk storage account (21061).
9. Utility environmental regulatory account (21064).
10. Federal grants indirect cost recovery account (21065).
11. Low level radioactive waste account (21066).
12. Recreation account (21067).
13. Public safety recovery account (21077).
14. Environmental regulatory account (21081).
15. Natural resource account (21082).
16. Mined land reclamation program account (21084).
17. Great lakes restoration initiative account (21087).
18. Environmental protection and oil spill compensation fund (21200).



- 1 19. Public transportation systems account (21401).
- 2 20. Metropolitan mass transportation (21402).
- 3 21. Operating permit program account (21451).
- 4 22. Mobile source account (21452).
- 5 23. Statewide planning and research cooperative system account
- 6 (21902).
- 7 24. New York state thruway authority account (21905).
- 8 25. Financial control board account (21911).
- 9 26. Regulation of racing account (21912).
- 10 27. State university dormitory income reimbursable account (21937).
- 11 28. Criminal justice improvement account (21945).
- 12 29. Environmental laboratory reference fee account (21959).
- 13 30. Training, management and evaluation account (21961).
- 14 31. Clinical laboratory reference system assessment account (21962).
- 15 32. Indirect cost recovery account (21978).
- 16 33. Multi-agency training account (21989).
- 17 34. Bell jar collection account (22003).
- 18 35. Industry and utility service account (22004).
- 19 36. Real property disposition account (22006).
- 20 37. Parking account (22007).
- 21 38. Courts special grants (22008).
- 22 39. Asbestos safety training program account (22009).
- 23 40. Batavia school for the blind account (22032).
- 24 41. Investment services account (22034).
- 25 42. Surplus property account (22036).
- 26 43. Financial oversight account (22039).
- 27 44. Regulation of Indian gaming account (22046).
- 28 45. Rome school for the deaf account (22053).
- 29 46. Seized assets account (22054).
- 30 47. Administrative adjudication account (22055).
- 31 48. New York City assessment account (22062).
- 32 49. Cultural education account (22063).
- 33 50. Local services account (22078).
- 34 51. DHCR mortgage servicing account (22085).
- 35 52. Housing indirect cost recovery account (22090).
- 36 53. Voting Machine Examinations account (22099).
- 37 54. DHCR-HCA application fee account (22100).
- 38 55. Low income housing monitoring account (22130).
- 39 56. Restitution account (22134).
- 40 57. Corporation administration account (22135).
- 41 58. New York State Home for Veterans in the Lower-Hudson Valley
- 42 account (22144).
- 43 59. Deferred compensation administration account (22151).
- 44 60. Rent revenue other New York City account (22156).
- 45 61. Rent revenue account (22158).
- 46 62. Transportation aviation account (22165).
- 47 63. Tax revenue arrearage account (22168).
- 48 64. New York State Campaign Finance Fund account (22211).
- 49 65. New York state medical indemnity fund account (22240).
- 50 66. Behavioral health parity compliance fund (22246).
- 51 67. Pharmacy benefit manager regulatory fund (22255).
- 52 68. Virtual currency assessments account (22262).
- 53 69. Employers assessment account (22269).
- 54 70. State university general income offset account (22654).
- 55 71. Lake George park trust fund account (22751).
- 56 72. Highway safety program account (23001).



- 1 73. DOH drinking water program account (23102).
- 2 74. NYCCC operating offset account (23151).
- 3 75. Commercial gaming revenue account (23701).
- 4 76. Commercial gaming regulation account (23702).
- 5 77. Highway use tax administration account (23801).
- 6 78. New York state secure choice administrative account (23806).
- 7 79. New York state cannabis revenue fund (24800).
- 8 80. Cannabis education account (24801).
- 9 81. Fantasy sports administration account (24951).
- 10 82. Mobile sports wagering fund (24955).
- 11 83. Highway and bridge capital account (30051).
- 12 84. State university residence hall rehabilitation fund (30100).
- 13 85. State parks infrastructure account (30351).
- 14 86. Clean water/clean air implementation fund (30500).
- 15 87. Hazardous waste remedial cleanup account (31506).
- 16 88. Youth facilities improvement account (31701).
- 17 89. Housing assistance fund (31800).
- 18 90. Housing program fund (31850).
- 19 91. Highway facility purpose account (31951).
- 20 92. New York racing account (32213).
- 21 93. Capital miscellaneous gifts account (32214).
- 22 94. Information technology capital financing account (32215).
- 23 95. New York environmental protection and spill remediation account
- 24 (32219).
- 25 96. Department of financial services IT modernization capital account
- 26 (32230).
- 27 97. Mental hygiene facilities capital improvement fund (32300).
- 28 98. Correctional facilities capital improvement fund (32350).
- 29 99. OGS convention center account (50318).
- 30 100. Empire Plaza Gift Shop (50327).
- 31 101. Unemployment Insurance Benefit Fund, Interest Assessment Account
- 32 (50651).
- 33 102. Centralized services fund (55000).
- 34 103. Archives records management account (55052).
- 35 104. Federal single audit account (55053).
- 36 105. Civil service administration account (55055).
- 37 106. Civil service EHS occupational health program account (55056).
- 38 107. Banking services account (55057).
- 39 108. Cultural resources survey account (55058).
- 40 109. Neighborhood work project account (55059).
- 41 110. Automation & printing chargeback account (55060).
- 42 111. OFT NYT account (55061).
- 43 112. Data center account (55062).
- 44 113. Intrusion detection account (55066).
- 45 114. Domestic violence grant account (55067).
- 46 115. Centralized technology services account (55069).
- 47 116. Labor contact center account (55071).
- 48 117. Human services contact center account (55072).
- 49 118. Tax contact center account (55073).
- 50 119. Department of law civil recoveries account (55074).
- 51 120. Executive direction internal audit account (55251).
- 52 121. CIO Information technology centralized services account (55252).
- 53 122. Health insurance internal service account (55300).
- 54 123. Civil service employee benefits division administrative account
- 55 (55301).
- 56 124. Correctional industries revolving fund (55350).



1 125. Employees health insurance account (60201).
2 126. Medicaid management information system escrow fund (60900).
3 127. Animal shelter regulation account.
4 128. Climate initiative account.
5 129. Fire Island project account.
6 § 2. The state comptroller is hereby authorized and directed to loan
7 money in accordance with the provisions set forth in subdivision 5 of
8 section 4 of the state finance law to any account within the following
9 federal funds, provided the comptroller has made a determination that
10 sufficient federal grant award authority is available to reimburse such
11 loans:
12 1. Federal USDA-food and nutrition services fund (25000).
13 2. Federal health and human services fund (25100).
14 3. Federal education fund (25200).
15 4. Federal block grant fund (25250).
16 5. Federal miscellaneous operating grants fund (25300).
17 6. Federal unemployment insurance administration fund (25900).
18 7. Federal unemployment insurance occupational training fund (25950).
19 8. Federal emergency employment act fund (26000).
20 9. Federal capital projects fund (31350).
21 § 3. Notwithstanding any law to the contrary, and in accordance with
22 section 4 of the state finance law, the comptroller is hereby authorized
23 and directed to transfer, upon request of the director of the budget, on
24 or before March 31, 2026, up to the unencumbered balance or the follow-
25 ing amounts:
26 Economic Development and Public Authorities:
27 1. An amount up to the unencumbered balance from the miscellaneous
28 special revenue fund, underground facilities safety training account
29 (22172), to the general fund.
30 2. An amount up to the unencumbered balance from the miscellaneous
31 special revenue fund, business and licensing services account (21977),
32 to the general fund.
33 3. \$19,810,000 from the miscellaneous special revenue fund, code
34 enforcement account (21904), to the general fund.
35 4. \$3,000,000 from the general fund to the miscellaneous special
36 revenue fund, tax revenue arrearage account (22168).
37 Education:
38 1. \$2,591,119,000 from the general fund to the state lottery fund,
39 education account (20901), as reimbursement for disbursements made from
40 such fund for supplemental aid to education pursuant to section 92-c of
41 the state finance law that are in excess of the amounts deposited in
42 such fund for such purposes pursuant to section 1612 of the tax law.
43 2. \$1,131,000,000 from the general fund to the state lottery fund, VLT
44 education account (20904), as reimbursement for disbursements made from
45 such fund for supplemental aid to education pursuant to section 92-c of
46 the state finance law that are in excess of the amounts deposited in
47 such fund for such purposes pursuant to section 1612 of the tax law.
48 3. \$134,682,000 from the general fund to the New York state commercial
49 gaming fund, commercial gaming revenue account (23701), as reimbursement
50 for disbursements made from such fund for supplemental aid to education
51 pursuant to section 97-nnnn of the state finance law that are in excess
52 of the amounts deposited in such fund for purposes pursuant to section
53 1352 of the racing, pari-mutuel wagering and breeding law.
54 4. \$1,457,339,000 from the general fund to the mobile sports wagering
55 fund, education account (24955), as reimbursement for disbursements made
56 from such fund for supplemental aid to education pursuant to section



1 92-c of the state finance law that are in excess of the amounts deposit-
2 ed in such fund for such purposes pursuant to section 1367 of the
3 racing, pari-mutuel wagering and breeding law.

4 5. \$5,000,000 from the interactive fantasy sports fund, fantasy sports
5 education account (24950), to the state lottery fund, education account
6 (20901), as reimbursement for disbursements made from such fund for
7 supplemental aid to education pursuant to section 92-c of the state
8 finance law.

9 6. \$4,856,000 from the cannabis revenue fund cannabis education
10 account (24801), to the state lottery fund, education account (20901),
11 as reimbursement for disbursements made from such fund for supplemental
12 aid to education pursuant to section 99-ii of the state finance law.

13 7. An amount up to the unencumbered balance in the fund on March 31,
14 2025 from the charitable gifts trust fund, elementary and secondary
15 education account (24901), to the general fund, for payment of general
16 support for public schools pursuant to section 3609-a of the education
17 law.

18 8. Moneys from the state lottery fund (20900) up to an amount deposit-
19 ed in such fund pursuant to section 1612 of the tax law in excess of the
20 current year appropriation for supplemental aid to education pursuant to
21 section 92-c of the state finance law.

22 9. \$300,000 from the New York state local government records manage-
23 ment improvement fund, local government records management account
24 (20501), to the New York state archives partnership trust fund, archives
25 partnership trust maintenance account (20351).

26 10. \$900,000 from the general fund to the miscellaneous special reven-
27 ue fund, Batavia school for the blind account (22032).

28 11. \$900,000 from the general fund to the miscellaneous special reven-
29 ue fund, Rome school for the deaf account (22053).

30 12. \$343,400,000 from the state university dormitory income fund
31 (40350) to the miscellaneous special revenue fund, state university
32 dormitory income reimbursable account (21937).

33 13. \$24,000,000 from any of the state education department's special
34 revenue and internal service funds to the miscellaneous special revenue
35 fund, indirect cost recovery account (21978).

36 14. \$4,200,000 from any of the state education department's special
37 revenue or internal service funds to the capital projects fund (30000).

38 15. \$30,013,000 from the general fund to the miscellaneous special
39 revenue fund, HESC-insurance premium payments account (21960).

40 16. \$312,000,000 from the state university income fund, state univer-
41 sity hospitals income reimbursable account (22656), and the state
42 university income fund, state university-wide hospital reimbursable
43 account (22658) to the General Fund for the payment of SUNY Hospitals
44 Health Insurance premiums on or before March 31, 2026.

45 17. \$25,000,000 from the general fund to the miscellaneous capital
46 projects fund, state university of New York green energy loan fund.

47 Environmental Affairs:

48 1. \$16,000,000 from any of the department of environmental conserva-
49 tion's special revenue federal funds, and/or federal capital funds, to
50 the environmental conservation special revenue fund, federal indirect
51 recovery account (21065).

52 2. \$5,000,000 from any of the department of environmental conserva-
53 tion's special revenue federal funds, and/or federal capital funds, to
54 the conservation fund (21150) or Marine Resources Account (21151) as
55 necessary to avoid diversion of conservation funds.



1 3. \$3,000,000 from any of the office of parks, recreation and historic
2 preservation capital projects federal funds and special revenue federal
3 funds to the miscellaneous special revenue fund, federal grant indirect
4 cost recovery account (22188).

5 4. \$125,000,000 from the general fund to the environmental protection
6 fund, environmental protection fund transfer account (30451).

7 5. \$10,000,000 from the general fund to the hazardous waste remedial
8 fund, hazardous waste cleanup account (31506).

9 6. An amount up to or equal to the cash balance within the special
10 revenue-other waste management & cleanup account (21053) to the capital
11 projects fund (30000) for services and capital expenses related to the
12 management and cleanup program as put forth in section 27-1915 of the
13 environmental conservation law.

14 7. \$1,800,000 from the miscellaneous special revenue fund, public
15 service account (22011) to the miscellaneous special revenue fund, util-
16 ity environmental regulatory account (21064).

17 8. \$7,000,000 from the general fund to the enterprise fund, state fair
18 account (50051).

19 9. \$3,000,000 from the waste management & cleanup account (21053) to
20 the general fund.

21 10. \$3,000,000 from the waste management & cleanup account (21053) to
22 the environmental protection fund transfer account (30451).

23 11. \$14,000,000 from the general fund to the miscellaneous special
24 revenue fund, patron services account (22163).

25 12. \$15,000,000 from the enterprise fund, golf account (50332) to the
26 state park infrastructure fund, state park infrastructure account
27 (30351).

28 13. \$10,000,000 from the general fund to the environmental protection
29 and oil spill compensation fund (21203).

30 14. \$5,000,000 from the general fund to the enterprise fund, golf
31 account (50332).

32 Family Assistance:

33 1. \$7,000,000 from any of the office of children and family services,
34 office of temporary and disability assistance, or department of health
35 special revenue federal funds and the general fund, in accordance with
36 agreements with social services districts, to the miscellaneous special
37 revenue fund, office of human resources development state match account
38 (21967).

39 2. \$4,000,000 from any of the office of children and family services
40 or office of temporary and disability assistance special revenue federal
41 funds to the miscellaneous special revenue fund, family preservation and
42 support services and family violence services account (22082).

43 3. \$18,670,000 from any of the office of children and family services,
44 office of temporary and disability assistance, or department of health
45 special revenue federal funds and any other miscellaneous revenues
46 generated from the operation of office of children and family services
47 programs to the general fund.

48 4. \$205,000,000 from any of the office of temporary and disability
49 assistance or department of health special revenue funds to the general
50 fund.

51 5. \$2,500,000 from any of the office of temporary and disability
52 assistance special revenue funds to the miscellaneous special revenue
53 fund, office of temporary and disability assistance program account
54 (21980).

55 6. \$35,000,000 from any of the office of children and family services,
56 office of temporary and disability assistance, department of labor, and



1 department of health special revenue federal funds to the office of
2 children and family services miscellaneous special revenue fund, multi-
3 agency training contract account (21989).
4 7. \$205,000,000 from the miscellaneous special revenue fund, youth
5 facility per diem account (22186), to the general fund.
6 8. \$788,000 from the general fund to the combined gifts, grants, and
7 bequests fund, WB Hoyt Memorial account (20128).
8 9. \$5,000,000 from the miscellaneous special revenue fund, state
9 central registry (22028), to the general fund.
10 10. \$900,000 from the general fund to the Veterans' Remembrance and
11 Cemetery Maintenance and Operation account (20201).
12 11. \$7,000,000 from the general fund to the housing program fund
13 (31850).
14 12. \$15,000,000 from any of the office of children and family services
15 special revenue federal funds to the office of court administration
16 special revenue other federal iv-e funds account.
17 13. \$10,000,000 from any of the office of children and family services
18 special revenue federal funds to the office of indigent legal services
19 special revenue other federal iv-e funds account.
20 General Government:
21 1. \$9,000,000 from the general fund to the health insurance revolving
22 fund (55300).
23 2. \$292,400,000 from the health insurance reserve receipts fund
24 (60550) to the general fund.
25 3. \$150,000 from the general fund to the not-for-profit revolving loan
26 fund (20650).
27 4. \$150,000 from the not-for-profit revolving loan fund (20650) to the
28 general fund.
29 5. \$3,000,000 from the miscellaneous special revenue fund, surplus
30 property account (22036), to the general fund.
31 6. \$19,000,000 from the miscellaneous special revenue fund, revenue
32 arrearage account (22024), to the general fund.
33 7. \$3,828,000 from the miscellaneous special revenue fund, revenue
34 arrearage account (22024), to the miscellaneous special revenue fund,
35 authority budget office account (22138).
36 8. \$1,000,000 from the miscellaneous special revenue fund, parking
37 account (22007), to the general fund, for the purpose of reimbursing the
38 costs of debt service related to state parking facilities.
39 9. \$11,460,000 from the general fund to the agencies internal service
40 fund, central technology services account (55069), for the purpose of
41 enterprise technology projects.
42 10. \$10,000,000 from the general fund to the agencies internal service
43 fund, state data center account (55062).
44 11. \$12,000,000 from the miscellaneous special revenue fund, parking
45 account (22007), to the centralized services, building support services
46 account (55018).
47 12. \$33,000,000 from the general fund to the internal service fund,
48 business services center account (55022).
49 13. \$9,500,000 from the general fund to the internal service fund,
50 building support services account (55018).
51 14. \$1,500,000 from the combined expendable trust fund, plaza special
52 events account (20120), to the general fund.
53 15. \$50,000,000 from the New York State cannabis revenue fund (24800)
54 to the general fund.



1 16. A transfer from the general fund to the miscellaneous special
2 revenue fund, New York State Campaign Finance Fund Account (22211), up
3 to an amount equal to total reimbursements due to qualified candidates.

4 17. \$6,000,000 from the miscellaneous special revenue fund, standards
5 and purchasing account (22019), to the general fund.

6 18. \$12,400,000 from the banking department special revenue fund
7 (21970) funded by the assessment to defray operating expenses authorized
8 by section 206 of the financial services law to the IT Modernization
9 Capital Fund.

10 19. \$12,400,000 from the insurance department special revenue fund
11 (21994) funded by the assessment to defray operating expenses authorized
12 by section 206 of the financial services law to the IT Modernization
13 Capital Fund.

14 20. \$1,550,000 from the pharmacy benefits bureau special revenue fund
15 (22255) funded by the assessment to defray operating expenses authorized
16 by section 206 of the financial services law, to the IT Modernization
17 Capital Fund.

18 21. \$4,650,000 from the virtual currency special revenue fund (22262)
19 funded by the assessment to defray operating expenses authorized by
20 section 206 of the financial services law, to the IT Modernization Capi-
21 tal Fund.

22 Health:

23 1. A transfer from the general fund to the combined gifts, grants and
24 bequests fund, breast cancer research and education account (20155), up
25 to an amount equal to the monies collected and deposited into that
26 account in the previous fiscal year.

27 2. A transfer from the general fund to the combined gifts, grants and
28 bequests fund, prostate cancer research, detection, and education
29 account (20183), up to an amount equal to the moneys collected and
30 deposited into that account in the previous fiscal year.

31 3. A transfer from the general fund to the combined gifts, grants and
32 bequests fund, Alzheimer's disease research and assistance account
33 (20143), up to an amount equal to the moneys collected and deposited
34 into that account in the previous fiscal year.

35 4. \$3,600,000 from the miscellaneous special revenue fund, certificate
36 of need account (21920), to the miscellaneous capital projects fund,
37 healthcare IT capital subfund (32216).

38 5. \$4,000,000 from the miscellaneous special revenue fund, vital
39 health records account (22103), to the miscellaneous capital projects
40 fund, healthcare IT capital subfund (32216).

41 6. \$6,000,000 from the miscellaneous special revenue fund, profes-
42 sional medical conduct account (22088), to the miscellaneous capital
43 projects fund, healthcare IT capital subfund (32216).

44 7. \$127,000,000 from the HCRA resources fund (20800) to the capital
45 projects fund (30000).

46 8. \$6,550,000 from the general fund to the medical cannabis trust
47 fund, health operation and oversight account (23755).

48 9. An amount up to the unencumbered balance from the charitable gifts
49 trust fund, health charitable account (24900), to the general fund, for
50 payment of general support for primary, preventive, and inpatient health
51 care, dental and vision care, hunger prevention and nutritional assist-
52 ance, and other services for New York state residents with the overall
53 goal of ensuring that New York state residents have access to quality
54 health care and other related services.



1 10. \$500,000 from the miscellaneous special revenue fund, New York
2 State cannabis revenue fund (24800), to the miscellaneous special revenue
3 fund, environmental laboratory fee account (21959).

4 11. An amount up to the unencumbered balance from the public health
5 emergency charitable gifts trust fund (23816), to the general fund, for
6 payment of goods and services necessary to respond to a public health
7 disaster emergency or to assist or aid in responding to such a disaster.

8 12. \$1,000,000,000 from the general fund to the health care transformation
9 fund (24850).

10 13. \$2,590,000 from the miscellaneous special revenue fund, patient
11 safety center account (22139), to the general fund.

12 14. \$1,000,000 from the miscellaneous special revenue fund, nursing
13 home receivership account (21925), to the general fund.

14 15. \$130,000 from the miscellaneous special revenue fund, quality of
15 care account (21915), to the general fund.

16 16. \$2,200,000 from the miscellaneous special revenue fund, adult home
17 quality enhancement account (22091), to the general fund.

18 17. \$17,283,000 from the general fund, to the miscellaneous special
19 revenue fund, helen hayes hospital account (22140).

20 18. \$3,672,000 from the general fund, to the miscellaneous special
21 revenue fund, New York city veterans' home account (22141).

22 19. \$2,731,000 from the general fund, to the miscellaneous special
23 revenue fund, New York state home for veterans' and their dependents at
24 oxford account (22142).

25 20. \$1,455,000 from the general fund, to the miscellaneous special
26 revenue fund, western New York veterans' home account (22143).

27 21. \$4,683,000 from the general fund, to the miscellaneous special
28 revenue fund, New York state for veterans in the lower-hudson valley
29 account (22144).

30 22. \$350,000,000 from the general fund, to the miscellaneous special
31 revenue fund, healthcare stability fund account (22267).

32 23. \$5,000,000 from the general fund to the occupational health clinics
33 account (22177).

34 24. \$88,000 from the miscellaneous special revenue fund, veterans home
35 assistance account (20208), to the miscellaneous special revenue fund,
36 New York city veterans' home account (22141).

37 25. \$88,000 from the miscellaneous special revenue fund, veterans home
38 assistance account (20208), to the miscellaneous special revenue fund,
39 New York state home for veterans' and their dependents at oxford account
40 (22142).

41 26. \$88,000 from the miscellaneous special revenue fund, veterans
42 assistance account (20208), to the miscellaneous special revenue fund,
43 western New York veterans' home account (22143).

44 27. \$88,000 from the miscellaneous special revenue fund, veterans
45 assistance account (20208), to the miscellaneous special revenue fund,
46 New York state for veterans in the lower-Hudson valley account (22144).

47 28. \$88,000 from the miscellaneous special revenue fund, veterans
48 assistance account (20208), to the state university income fund, Long
49 Island Veterans' Home Account (22652).

50 29. \$159,000,000 from the miscellaneous special revenue fund, health-
51 care stability fund account (22267) to the HCRA resources fund, HCRA
52 program account (20807).

53 Labor:

54 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
55 penalty account (21923), to the child performer's protection fund, child
56 performer protection account (20401).



1 2. \$11,700,000 from the unemployment insurance interest and penalty
2 fund, unemployment insurance special interest and penalty account
3 (23601), to the general fund.

4 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
5 ment insurance special interest and penalty account (23601), and public
6 work enforcement account (21998), to the general fund.

7 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator
8 safety program fund (22252) to the miscellaneous special revenue fund,
9 DOL fee and penalty account (21923).

10 5. \$22,000,000 from the miscellaneous special revenue fund, Interest
11 and Penalty Account (23601), to the Training and Education Program on
12 Occupation Safety and Health Fund, OSHA Training and Education Account
13 (21251).

14 6. \$1,000,000 from the miscellaneous special revenue fund, Public Work
15 Enforcement account (21998), to the Training and Education Program on
16 Occupation Safety and Health Fund, OSHA Training and Education Account
17 (21251).

18 7. \$250,000,000 from the general fund to the enterprise fund, unem-
19 ployment insurance benefit fund, interest assessment account (50651).

20 8. \$4,000,000 from the miscellaneous special revenue fund, Public Work
21 Enforcement account (21998), to the Training and Education Program on
22 Occupational Safety and Health Fund, OSHA Inspection Account (21252).

23 9. \$8,000,000,000 from the general fund to the enterprise fund, unem-
24 ployment insurance benefit fund, unemployment insurance benefit account
25 (50650).

26 Mental Hygiene:

27 1. \$2,000,000 from the general fund, to the mental hygiene facilities
28 capital improvement fund (32300).

29 2. \$20,000,000 from the opioid settlement fund (23817) to the miscel-
30 laneous capital projects fund, opioid settlement capital account
31 (32200).

32 3. \$20,000,000 from the miscellaneous capital projects fund, opioid
33 settlement capital account (32200) to the opioid settlement fund
34 (23817).

35 Public Protection:

36 1. \$2,587,000 from the general fund to the miscellaneous special
37 revenue fund, recruitment incentive account (22171).

38 2. \$23,773,000 from the general fund to the correctional industries
39 revolving fund, correctional industries internal service account
40 (55350).

41 3. \$2,000,000,000 from any of the division of homeland security and
42 emergency services special revenue federal funds to the general fund.

43 4. \$115,420,000 from the state police motor vehicle law enforcement
44 and motor vehicle theft and insurance fraud prevention fund, state
45 police motor vehicle enforcement account (22802), to the general fund
46 for state operation expenses of the division of state police.

47 5. \$138,272,000 from the general fund to the correctional facilities
48 capital improvement fund (32350).

49 6. \$5,000,000 from the general fund to the dedicated highway and
50 bridge trust fund (30050) for the purpose of work zone safety activities
51 provided by the division of state police for the department of transpor-
52 tation.

53 7. \$10,000,000 from the miscellaneous special revenue fund, statewide
54 public safety communications account (22123), to the capital projects
55 fund (30000).



1 8. \$9,830,000 from the miscellaneous special revenue fund, legal
2 services assistance account (22096), to the general fund.

3 9. \$1,000,000 from the general fund to the agencies internal service
4 fund, neighborhood work project account (55059).

5 10. \$7,980,000 from the miscellaneous special revenue fund, finger-
6 print identification & technology account (21950), to the general fund.

7 11. \$1,100,000 from the state police motor vehicle law enforcement and
8 motor vehicle theft and insurance fraud prevention fund, motor vehicle
9 theft and insurance fraud account (22801), to the general fund.

10 12. \$38,938,000 from the general fund to the miscellaneous special
11 revenue fund, criminal justice improvement account (21945).

12 13. \$6,000,000 from the general fund to the miscellaneous special
13 revenue fund, hazard mitigation revolving loan account (22266).

14 14. \$234,000,000 from the indigent legal services fund, indigent legal
15 services account (23551) to the general fund.

16 Transportation:

17 1. \$20,000,000 from the general fund to the mass transportation oper-
18 ating assistance fund, public transportation systems operating assist-
19 ance account (21401), of which \$12,000,000 constitutes the base need for
20 operations.

21 2. \$727,500,000 from the general fund to the dedicated highway and
22 bridge trust fund (30050).

23 3. \$244,250,000 from the general fund to the MTA financial assistance
24 fund, mobility tax trust account (23651).

25 4. \$477,000 from the miscellaneous special revenue fund, traffic adju-
26 dication account (22055), to the general fund.

27 5. \$5,000,000 from the miscellaneous special revenue fund, transporta-
28 tion regulation account (22067) to the general fund, for disbursements
29 made from such fund for motor carrier safety that are in excess of the
30 amounts deposited in the general fund for such purpose pursuant to
31 section 94 of the transportation law.

32 Miscellaneous:

33 1. \$250,000,000 from the general fund to any funds or accounts for the
34 purpose of reimbursing certain outstanding accounts receivable balances.

35 2. \$500,000,000 from the general fund to the debt reduction reserve
36 fund (40000).

37 3. \$15,500,000 from the general fund, community projects account GG
38 (10256), to the general fund, state purposes account (10050).

39 4. \$100,000,000 from any special revenue federal fund to the general
40 fund, state purposes account (10050).

41 5. An amount up to the unencumbered balance from the special revenue
42 federal fund, ARPA-Fiscal Recovery Fund (25546) to the general fund.

43 6. \$1,000,000,000 from the general fund to the hazardous waste cleanup
44 account (31506), State parks infrastructure account (30351), environ-
45 mental protection fund transfer account (30451), the correctional facil-
46 ities capital improvement fund (32350), housing program fund (31850), or
47 the Mental hygiene facilities capital improvement fund (32300), up to an
48 amount equal to certain outstanding accounts receivable balances.

49 § 4. Notwithstanding any law to the contrary, and in accordance with
50 section 4 of the state finance law, the comptroller is hereby authorized
51 and directed to transfer, on or before March 31, 2026:

52 1. Upon request of the commissioner of environmental conservation, up
53 to \$12,745,400 from revenues credited to any of the department of envi-
54 ronmental conservation special revenue funds, including \$4,000,000 from
55 the environmental protection and oil spill compensation fund (21200),



1 and \$1,834,600 from the conservation fund (21150), to the environmental
2 conservation special revenue fund, indirect charges account (21060).

3 2. Upon request of the commissioner of agriculture and markets, up to
4 \$3,000,000 from any special revenue fund or enterprise fund within the
5 department of agriculture and markets to the general fund, to pay appro-
6 priate administrative expenses.

7 3. Upon request of the commissioner of the division of housing and
8 community renewal, up to \$6,221,000 from revenues credited to any divi-
9 sion of housing and community renewal federal or miscellaneous special
10 revenue fund to the miscellaneous special revenue fund, housing indirect
11 cost recovery account (22090).

12 4. Upon request of the commissioner of the division of housing and
13 community renewal, up to \$5,500,000 may be transferred from any miscel-
14 laneous special revenue fund account, to any miscellaneous special
15 revenue fund.

16 5. Upon request of the commissioner of health up to \$13,694,000 from
17 revenues credited to any of the department of health's special revenue
18 funds, to the miscellaneous special revenue fund, administration account
19 (21982).

20 6. Upon the request of the attorney general, up to \$5,000,000 from
21 revenues credited to the federal health and human services fund, federal
22 health and human services account (25117) or the miscellaneous special
23 revenue fund, recoveries and revenue account (22041), to the miscella-
24 neous special revenue fund, litigation settlement and civil recovery
25 account (22117).

26 § 5. On or before March 31, 2026, the comptroller is hereby authorized
27 and directed to deposit earnings that would otherwise accrue to the
28 general fund that are attributable to the operation of section 98-a of
29 the state finance law, to the agencies internal service fund, banking
30 services account (55057), for the purpose of meeting direct payments
31 from such account.

32 § 6. Notwithstanding any law to the contrary, and in accordance with
33 section 4 of the state finance law, the comptroller is hereby authorized
34 and directed to transfer, upon request of the director of the budget and
35 upon consultation with the state university chancellor or their desig-
36 nee, on or before March 31, 2026, up to \$16,000,000 from the state
37 university income fund general revenue account (22653) to the state
38 general fund for debt service costs related to campus supported capital
39 project costs for the NY-SUNY 2020 challenge grant program at the
40 University at Buffalo.

41 § 7. Notwithstanding any law to the contrary, and in accordance with
42 section 4 of the state finance law, the comptroller is hereby authorized
43 and directed to transfer, upon request of the director of the budget and
44 upon consultation with the state university chancellor or their desig-
45 nee, on or before March 31, 2026, up to \$6,500,000 from the state
46 university income fund general revenue account (22653) to the state
47 general fund for debt service costs related to campus supported capital
48 project costs for the NY-SUNY 2020 challenge grant program at the
49 University at Albany.

50 § 8. Notwithstanding any law to the contrary, the state university
51 chancellor or their designee is authorized and directed to transfer
52 estimated tuition revenue balances from the state university collection
53 fund (61000) to the state university income fund, state university
54 general revenue offset account (22655) on or before March 31, 2026.

55 § 8-a. Notwithstanding any law to the contrary, and in accordance with
56 section 4 of the state finance law, the comptroller is hereby authorized

1 and directed to transfer, upon request of the director of the budget, a
2 total of up to \$100,000,000 from the general fund to the state universi-
3 ty income fund, state university general revenue offset account (22655)
4 and/or the state university income fund, state university hospitals
5 income reimbursable account (22656) during the period July 1, 2025
6 through June 30, 2026 to pay costs attributable to the state university
7 health science center at Brooklyn and/or the state university of New
8 York hospital at Brooklyn, respectively, pursuant to a plan approved by
9 the director of the budget.

10 § 9. Notwithstanding any law to the contrary, and in accordance with
11 section 4 of the state finance law, the comptroller is hereby authorized
12 and directed to transfer, upon request of the director of the budget, up
13 to \$1,522,673,500 from the general fund to the state university income
14 fund, state university general revenue offset account (22655) during the
15 period of July 1, 2025 through June 30, 2026 to support operations at
16 the state university.

17 § 10. Notwithstanding any law to the contrary, and in accordance with
18 section 4 of the state finance law, the comptroller is hereby authorized
19 and directed to transfer, upon request of the director of the budget, up
20 to \$55,848,000 from the general fund to the state university income
21 fund, state university general revenue offset account (22655) during the
22 period of July 1, 2025 to June 30, 2026 for general fund operating
23 support pursuant to subparagraph (4-b) of paragraph h of subdivision 2
24 of section three hundred fifty-five of the education law.

25 § 11. Notwithstanding any law to the contrary, upon the direction of
26 the director of the budget and the chancellor of the state university of
27 New York or their designee, and in accordance with section 4 of the
28 state finance law, the comptroller is hereby authorized and directed to
29 transfer monies from any special revenue fund of the state university of
30 New York to the state university of New York green energy loan fund for
31 the discrete purposes of the state university of New York green energy
32 loan fund and from the state university of New York green energy loan
33 fund to any special revenue fund of the state university of New York to
34 support such activity in an amount not to exceed \$25,000,000 from each
35 fund for the time period of July 1 to June 30 annually.

36 § 12. Notwithstanding any law to the contrary, and in accordance with
37 section 4 of the state finance law, the comptroller is hereby authorized
38 and directed to transfer, upon request of the state university chancel-
39 lor or their designee, up to \$55,000,000 from the state university
40 income fund, state university hospitals income reimbursable account
41 (22656), for services and expenses of hospital operations and capital
42 expenditures at the state university hospitals; and the state university
43 income fund, Long Island veterans' home account (22652) to the state
44 university capital projects fund (32400) on or before June 30, 2026.

45 § 13. Notwithstanding any law to the contrary, and in accordance with
46 section 4 of the state finance law, the comptroller, after consultation
47 with the state university chancellor or their designee, is hereby
48 authorized and directed to transfer moneys, in the first instance, from
49 the state university collection fund, Stony Brook hospital collection
50 account (61006), Brooklyn hospital collection account (61007), and Syra-
51 cuse hospital collection account (61008) to the state university income
52 fund, state university hospitals income reimbursable account (22656) in
53 the event insufficient funds are available in the state university
54 income fund, state university hospitals income reimbursable account
55 (22656) to permit the full transfer of moneys authorized for transfer,
56 to the general fund for payment of debt service related to the SUNY

1 hospitals. Notwithstanding any law to the contrary, the comptroller is
2 also hereby authorized and directed, after consultation with the state
3 university chancellor or their designee, to transfer moneys from the
4 state university income fund to the state university income fund, state
5 university hospitals income reimbursable account (22656) in the event
6 insufficient funds are available in the state university income fund,
7 state university hospitals income reimbursable account (22656) to pay
8 hospital operating costs or to permit the full transfer of moneys
9 authorized for transfer, to the general fund for payment of debt service
10 related to the SUNY hospitals on or before March 31, 2026.

11 § 14. Notwithstanding any law to the contrary, upon the direction of
12 the director of the budget and the chancellor of the state university of
13 New York or their designee, and in accordance with section 4 of the
14 state finance law, the comptroller is hereby authorized and directed to
15 transfer monies from the state university dormitory income fund (40350)
16 to the state university residence hall rehabilitation fund (30100), and
17 from the state university residence hall rehabilitation fund (30100) to
18 the state university dormitory income fund (40350), in an amount not to
19 exceed \$125 million from each fund.

20 § 15. Notwithstanding any law to the contrary, and in accordance with
21 section 4 of the state finance law, the comptroller is hereby authorized
22 and directed to transfer, at the request of the director of the budget,
23 up to \$1,000,000,000 from the unencumbered balance of any special reven-
24 ue fund or account, agency fund or account, internal service fund or
25 account, enterprise fund or account, or any combination of such funds
26 and accounts, to the general fund. The amounts transferred pursuant to
27 this authorization shall be in addition to any other transfers expressly
28 authorized in the 2025-26 budget. Transfers from federal funds, debt
29 service funds, capital projects funds, the community projects fund, or
30 funds that would result in the loss of eligibility for federal benefits
31 or federal funds pursuant to federal law, rule, or regulation as assent-
32 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
33 1951 are not permitted pursuant to this authorization.

34 § 16. Notwithstanding any law to the contrary, and in accordance with
35 section 4 of the state finance law, the comptroller is hereby authorized
36 and directed to transfer, at the request of the director of the budget,
37 up to \$100 million from any non-general fund or account, or combination
38 of funds and accounts, to the miscellaneous special revenue fund, tech-
39 nology financing account (22207), the miscellaneous capital projects
40 fund, the federal capital projects account (31350), information technol-
41 ogy capital financing account (32215), or the centralized technology
42 services account (55069), for the purpose of consolidating technology
43 procurement and services. The amounts transferred to the miscellaneous
44 special revenue fund, technology financing account (22207) pursuant to
45 this authorization shall be equal to or less than the amount of such
46 monies intended to support information technology costs which are
47 attributable, according to a plan, to such account made in pursuance to
48 an appropriation by law. Transfers to the technology financing account
49 shall be completed from amounts collected by non-general funds or
50 accounts pursuant to a fund deposit schedule or permanent statute, and
51 shall be transferred to the technology financing account pursuant to a
52 schedule agreed upon by the affected agency commissioner. Transfers from
53 funds that would result in the loss of eligibility for federal benefits
54 or federal funds pursuant to federal law, rule, or regulation as assent-
55 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
56 1951 are not permitted pursuant to this authorization.



1 § 17. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller is hereby authorized
3 and directed to transfer, at the request of the director of the budget,
4 up to \$400 million from any non-general fund or account, or combination
5 of funds and accounts, to the general fund for the purpose of consol-
6 idating technology procurement and services. The amounts transferred
7 pursuant to this authorization shall be equal to or less than the amount
8 of such monies intended to support information technology costs which
9 are attributable, according to a plan, to such account made in pursuance
10 to an appropriation by law. Transfers to the general fund shall be
11 completed from amounts collected by non-general funds or accounts pursu-
12 ant to a fund deposit schedule. Transfers from funds that would result
13 in the loss of eligibility for federal benefits or federal funds pursu-
14 ant to federal law, rule, or regulation as assented to in chapter 683 of
15 the laws of 1938 and chapter 700 of the laws of 1951 are not permitted
16 pursuant to this authorization.

17 § 18. Notwithstanding any provision of law to the contrary, as deemed
18 feasible and advisable by its trustees, the power authority of the state
19 of New York is authorized and directed to transfer to the state treasury
20 to the credit of the general fund up to \$10,000,000 for the state fiscal
21 year commencing April 1, 2025, the proceeds of which will be utilized to
22 support energy-related state activities.

23 § 19. Notwithstanding any provision of law to the contrary, as deemed
24 feasible and advisable by its trustees, the power authority of the state
25 of New York is authorized to transfer to the state treasury to the cred-
26 it of the general fund up to \$25,000,000 for the state fiscal year
27 commencing April 1, 2025, the proceeds of which will be utilized to
28 support programs established or implemented by or within the department
29 of labor, including but not limited to the office of just energy transi-
30 tion and programs for workforce training and retraining, to prepare
31 workers for employment for work in the renewable energy field.

32 § 20. Notwithstanding any provision of law, rule or regulation to the
33 contrary, the New York state energy research and development authority
34 is authorized and directed to contribute \$913,000 to the state treasury
35 to the credit of the general fund on or before March 31, 2026.

36 § 21. Notwithstanding any provision of law, rule or regulation to the
37 contrary, the New York state energy research and development authority
38 is authorized and directed to transfer five million dollars to the cred-
39 it of the Environmental Protection Fund on or before March 31, 2026 from
40 proceeds collected by the authority from the auction or sale of carbon
41 dioxide emission allowances allocated by the department of environmental
42 conservation.

43 § 22. Section 56 of part XX of chapter 56 of the laws of 2024, amend-
44 ing the state finance law and other laws relating to providing for the
45 administration of certain funds and accounts related to the 2023-2024
46 budget, authorizing certain payments and transfers, is amended to read
47 as follows:

48 § 56. This act shall take effect immediately and shall be deemed to
49 have been in full force and effect on and after April 1, 2024; provided,
50 however, that the provisions of sections one, two, three, four, five,
51 six, seven, eight, fourteen, fifteen, sixteen, seventeen, eighteen,
52 nineteen, twenty, twenty-one, twenty-two, [twenty-three,] and twenty-
53 four of this act shall expire March 31, 2025; and provided, further,
54 that sections twenty-five and twenty-six of this act shall expire March
55 31, 2027, when upon such dates the provisions of such sections shall be
56 deemed repealed.

1 § 23. Subdivision 5 of section 97-rrr of the state finance law, as
2 amended by section 23 of part XX of chapter 56 of the laws of 2024, is
3 amended to read as follows:

4 5. Notwithstanding the provisions of section one hundred seventy-one-a
5 of the tax law, as separately amended by chapters four hundred eighty-
6 one and four hundred eighty-four of the laws of nineteen hundred eight-
7 y-one, and notwithstanding the provisions of chapter ninety-four of the
8 laws of two thousand eleven, or any other provisions of law to the
9 contrary, during the fiscal year beginning April first, two thousand
10 [twenty-four] twenty-five, the state comptroller is hereby authorized
11 and directed to deposit to the fund created pursuant to this section
12 from amounts collected pursuant to article twenty-two of the tax law and
13 pursuant to a schedule submitted by the director of the budget, up to
14 [\$1,575,393,000] \$1,396,911,000 as may be certified in such schedule as
15 necessary to meet the purposes of such fund for the fiscal year begin-
16 ning April first, two thousand [twenty-four] twenty-five.

17 § 24. Subdivision 2 of section 8-b of the state finance law is
18 REPEALED.

19 § 24-a. The opening paragraph of subdivision 3 of section 93-b of the
20 state finance law, as amended by section 23 of part JJJ of chapter 59 of
21 the laws of 2021, is amended to read as follows:

22 Notwithstanding any other provisions of law to the contrary, commenc-
23 ing on April first, two thousand [twenty-one] twenty-five, and continu-
24 ing through March thirty-first, two thousand [twenty-five] thirty, the
25 comptroller is hereby authorized to transfer monies from the dedicated
26 infrastructure investment fund to the general fund, and from the general
27 fund to the dedicated infrastructure investment fund, in an amount
28 determined by the director of the budget to the extent moneys are avail-
29 able in the fund; provided, however, that the comptroller is only
30 authorized to transfer monies from the dedicated infrastructure invest-
31 ment fund to the general fund in the event of an economic downturn as
32 described in paragraph (a) of this subdivision; and/or to fulfill disal-
33 lowances and/or settlements related to over-payments of federal medicare
34 and medicaid revenues in excess of one hundred million dollars from
35 anticipated levels, as determined by the director of the budget and
36 described in paragraph (b) of this subdivision.

37 § 25. Notwithstanding any law to the contrary, the comptroller is
38 hereby authorized and directed to transfer, upon request of the director
39 of the budget, on or before March 31, 2026, the following amounts from
40 the following special revenue accounts to the capital projects fund
41 (30000), for the purposes of reimbursement to such fund for expenses
42 related to the maintenance and preservation of state assets:

43 1. \$43,000 from the miscellaneous special revenue fund, administrative
44 program account (21982).

45 2. \$1,583,110 from the miscellaneous special revenue fund, helen hayes
46 hospital account (22140).

47 3. \$488,220 from the miscellaneous special revenue fund, New York city
48 veterans' home account (22141).

49 4. \$610,790 from the miscellaneous special revenue fund, New York
50 state home for veterans' and their dependents at oxford account (22142).

51 5. \$182,310 from the miscellaneous special revenue fund, western New
52 York veterans' home account (22143).

53 6. \$422,524 from the miscellaneous special revenue fund, New York
54 state for veterans in the lower-hudson valley account (22144).

55 7. \$2,550,000 from the miscellaneous special revenue fund, patron
56 services account (22163).



1 8. \$11,909,000 from the miscellaneous special revenue fund, state
2 university general income reimbursable account (22653).

3 9. \$182,988,000 from the miscellaneous special revenue fund, state
4 university revenue offset account (22655).

5 10. \$55,103,000 from the state university dormitory income fund, state
6 university dormitory income fund (40350).

7 11. \$1,000,000 from the miscellaneous special revenue fund, litigation
8 settlement and civil recovery account (22117).

9 § 26. Section 89-g of the state finance law is REPEALED.

10 § 27. Section 22 of the state finance law, as amended by chapter 762
11 of the laws of 1992, subdivisions 1-c, 14, 15 and 16 as added and para-
12 graphs d-2, e, e-2 and i of subdivision 3 and subdivision 4 as amended
13 by chapter 1 of the laws of 2007, paragraphs a-1, a-2 and a-3 of subdi-
14 vision 3 as added by chapter 10 of the laws of 2006, paragraph j of
15 subdivision 3 as added by chapter 453 of the laws of 2015, subdivision 9
16 as amended by chapter 260 of the laws of 1993 and subdivisions 5, 6, 7,
17 8, 9, 10, 11, 12 and 13 as renumbered by section 2 of part F of chapter
18 389 of the laws of 1997, is amended to read as follows:

19 § 22. The budget; contents. The budget submitted annually by the
20 governor to the legislature, in accordance with article seven of the
21 constitution, in addition to the information required by the constitu-
22 tion to be set forth therein, shall:

23 1. include a summary financial plan showing for each of the govern-
24 mental fund types: (a) the disbursements estimated to be made before the
25 close of the current fiscal year and the moneys estimated to be avail-
26 able from receipts and other sources therefor; and (b) the disbursements
27 proposed to be made during the ensuing fiscal year, and the moneys esti-
28 mated to be available from receipts and other sources therefor inclusive
29 of any receipts which are expected to result from proposed legislation
30 which [he] the governor deems necessary to provide receipts sufficient
31 to meet such proposed disbursements. For the purposes of this summary
32 financial plan, disbursements shall be presented by the following
33 purposes: state purposes, local assistance, capital projects, debt
34 service, and general state charges; receipts shall be presented for each
35 fund type by each revenue source which accounts for at least one per
36 centum of all such receipts and otherwise by categories of revenue
37 sources; receipts and disbursements for special revenue funds shall be
38 presented separately for federal funds and all other special revenue
39 funds. Whenever receipts or disbursements are proposed to be moved to a
40 different fund type, each significant amount so moved shall be identi-
41 fied.

42 1-a. within ten days following the submission of the financial plans
43 presented in accordance with subdivision one of this section, the direc-
44 tor of the budget shall submit to the chairs of the senate finance and
45 the assembly ways and means committees and the comptroller summary
46 financial plans of receipts and disbursements for the internal service,
47 enterprise, and fiduciary fund types.

48 1-b. within ten days of the submission of the financial plan for the
49 special revenue fund type, the director of the budget shall submit to
50 the chairs of the senate finance and assembly ways and means committees
51 a schedule of receipts and disbursements by account within each special
52 revenue fund, excluding those which are financed primarily by federal
53 grants.

54 1-c. within ten days following the submission of the financial plans
55 presented in accordance with subdivision one of this section, the direc-
56 tor of the budget shall submit to the chairs of the senate finance and

1 the assembly ways and means committees and the comptroller an estimate
2 of the fiscal impact of the executive budget general fund changes on
3 local governments and, where practicable, the fiscal impact on local
4 governments of the executive budget all fund changes concerning the
5 medicaid program, homeland security program, and workforce investment
6 programs. Such estimate shall be presented by class of local government
7 and shall measure all of the impacts of the executive budget, including
8 aid program changes, reimbursement changes, statutory changes in author-
9 izations for local taxation, mandates on local governments and other
10 requirements. Such estimate shall show the impact on local governments
11 by local fiscal years affected and shall cover the first local fiscal
12 year affected as well as the ensuing local fiscal year. Where such
13 estimate depends on any local option or action, the estimate shall
14 explicitly describe the assumptions used to calculate the estimate. When
15 under existing law a local tax option or program would end and the exec-
16 utive budget proposes the continuation thereof, the impact shall be
17 identified as a "deferral of sunset" and shall be calculated as a sepa-
18 rate component of such estimate.

19 2. [include a summary financial plan showing for each of the govern-
20 mental fund types: (a) all of the expenditures estimated to be made, in
21 accordance with generally accepted accounting principles, before the
22 close of the current fiscal year and all of the expenditures proposed to
23 be made, in accordance with generally accepted accounting principles,
24 during the ensuing fiscal year; and (b) all of the revenues estimated to
25 accrue, in accordance with generally accepted accounting principles,
26 before the close of the current fiscal year and during the ensuing
27 fiscal year inclusive of any revenues which are expected to result from
28 the proposed legislation which he deems necessary to provide receipts
29 sufficient to meet proposed disbursements. For the purposes of this
30 summary financial plan, expenditures shall be presented by the following
31 purposes: state purposes, local assistance, capital projects, debt
32 service, and general state charges; and revenues shall be presented by
33 each revenue source which accounts for at least one per centum of all
34 such revenues and otherwise by categories of revenue sources.

35 3.] show for each fund type (unless otherwise specified) in a form
36 suitable for comparison:

37 a. The appropriations, including reappropriations, made for the
38 current fiscal year, the appropriations and reappropriations recommended
39 for the ensuing fiscal year, the disbursements estimated to be made
40 before the close of the current fiscal year and proposed to be made
41 during the ensuing fiscal year based upon available and recommended
42 appropriations and reappropriations. Disbursements proposed to be made
43 shall be shown in separate parts as follows: those disbursements
44 proposed to be made for state purposes shall be set forth in one part,
45 those disbursements proposed to be made for local assistance shall be
46 set forth in another separate and distinct part, those disbursements
47 proposed to be made for capital projects shall be set forth in a third
48 separate and distinct part and those disbursements proposed to be made
49 for debt service shall be set forth in a fourth separate and distinct
50 part. The effect of any proposed changes in the payment dates of partic-
51 ular disbursements on the financial plan presented in accordance with
52 subdivision one of this section shall be set forth separately.

53 a-1. For each state agency, the appropriations, including reappropri-
54 ations, made for the current fiscal year and recommended for the ensuing
55 fiscal year for contracts for services made for state purposes.



1 a-2. For each state agency, the disbursements estimated to be made
2 before the close of the current fiscal year and proposed to be made
3 during the ensuing fiscal year for contracts for services made for state
4 purposes.

5 a-3. For each state agency, the estimated number of employees hired
6 for the current fiscal year and anticipated to be hired during the ensu-
7 ing fiscal year pursuant to contracts for services made for state
8 purposes based upon annual employment reports submitted by contractors
9 pursuant to section one hundred sixty-three of this chapter.

10 b. In separate sections for each fund type, the receipts actually had
11 and received during the preceding fiscal year, the receipts estimated to
12 be available and received during the current and ensuing fiscal years
13 respectively listed by each major source, including statistical and
14 summary tables and a narrative which includes a discussion of the
15 assumptions used in estimating such receipts. The effect of any proposed
16 changes in the rates, bases, payment dates or other aspects of partic-
17 ular sources of receipts on the financial plan presented in accordance
18 with subdivision one of this section shall be set forth separately and
19 the assumptions used in calculating such effect. Whenever a new fee or a
20 new financing mechanism is proposed, a schedule of the new fee or
21 financing mechanism shall be included for purposes of showing the effect
22 of the new fee or financing mechanism on the financial plan.

23 c. [The expenditures estimated to be made in accordance with generally
24 accepted accounting principles before the close of the current fiscal
25 year and proposed to be made in accordance with generally accepted
26 accounting principles during the ensuing fiscal year. Expenditures esti-
27 mated and proposed to be made shall be shown in separate parts as
28 follows: those expenditures for state purposes shall be set forth in one
29 part, those expenditures for local assistance shall be set forth in
30 another separate and distinct part, those expenditures for capital
31 projects shall be set forth in a third separate and distinct part, and
32 those expenditures for debt service shall be set forth in a fourth sepa-
33 rate and distinct part.

34 d. The revenues actually accrued in the preceding fiscal year, the
35 revenues estimated to accrue during current and ensuing fiscal years
36 respectively. Revenues from each tax shall be shown both in total and
37 net of refunds.

38 d-1. A schedule for the general fund showing the differences between
39 projected operating results on a cash basis and those on the basis of
40 generally accepted accounting principles.

41 d-2.] Within ten days following the submission of the financial plans
42 presented in accordance with [subdivisions] subdivision one [and two] of
43 this section, the director of the budget shall submit to the comptroller
44 and the chairs of the senate finance committee and the assembly ways and
45 means committee:

46 (i) a detailed schedule by fund of the receipts and disbursements
47 comprising such summary financial plan;

48 (ii) [a schedule for each governmental fund type other than the gener-
49 al fund showing the differences between projected operating results on a
50 cash basis and those on the basis of generally accepted accounting prin-
51 ciples;

52 (iii) a detailed schedule by fund of revenues and expenditures within
53 the general fund;

54 (iv)] a detailed schedule by fund of receipts for the prior, current
55 and next three fiscal years. Such schedule shall present the major



1 revenue sources for each fund, including detail for each major tax, and
2 major components of miscellaneous receipts; and
3 [(v)] (iii) an itemized list of transfers to and from the general
4 fund.

5 [e.] d. The anticipated general fund quarterly schedule and fiscal
6 year total for the prior, current and next ensuing fiscal years of:
7 disbursements; receipts; repayments of advances; total tax refunds; and
8 refunds for the tax imposed under article twenty-two of the tax law.
9 Such information shall be presented in the same form as the summary
10 financial plans presented in accordance with [subdivisions] subdivision
11 one [and two] of this section. A separate, detailed, report of such
12 schedule shall be provided with receipts shown by each major revenue
13 category, including detail for each major tax and major components of
14 miscellaneous receipts, and with disbursements shown by major function
15 or program. The director of the division of the budget shall submit
16 concurrent with the submission of the financial plan to the legislature
17 pursuant to subdivision [two] one of this section and with each update
18 thereafter a revised monthly general fund cash flow projection of
19 receipts and disbursements for the current fiscal year that: (1)
20 compares actual results to (i) actual results through the same period
21 for the prior year and (ii) the most recent prior update to the finan-
22 cial plan and to the enacted budget financial plan; (2) summarizes the
23 reasons for any variances; and (3) describes the revisions to the cash
24 flow projections. The monthly general fund cash flow projection shall be
25 stated by major category of local assistance, personal service, nonper-
26 sonal service, general state charges, and debt service, and by major
27 category of revenue. Such reports shall utilize a format that shall
28 facilitate comparison and analysis with those reports submitted to the
29 legislature by the office of audit and control pursuant to subdivision
30 nine of section eight of this chapter.

31 [e-1.] d-1. Within ten days following the submission of the financial
32 plans presented in accordance with [subdivisions] subdivision one [and
33 two] of this section, the anticipated general fund monthly and govern-
34 mental fund types quarterly schedule and fiscal year total for the ensu-
35 ing fiscal year of: disbursements; receipts; repayments of advances;
36 total tax refunds; and refunds for the tax imposed under article twen-
37 ty-two of the tax law. Such information shall be presented in the same
38 form as the summary financial plans presented in accordance with [subdi-
39 visions] subdivision one [and two] of this section.

40 [e-2.] d-2. A description of employment levels for each state depart-
41 ment, division or office, for the prior, current and next ensuing fiscal
42 year containing:

- 43 (1) separate schedules for each fund type; and
44 (2) an all funds summary. Such information shall be presented in a
45 form that facilitates comparisons among agencies and across fiscal
46 years, and shall include:
47 (i) actual and projected full-time equivalents; and
48 (ii) proposed changes to the work force in the executive budget,
49 including but not limited to: new positions, layoffs, attrition, and
50 changes in funding sources. To the extent practicable, the division of
51 the budget shall facilitate the provision of other relevant information
52 on employment to the legislature in a timely manner during the state
53 fiscal year.

54 [f.] e. A statement explaining any differences between the significant
55 accounting policies used in the preparation of the documents required to
56 be submitted pursuant to this section and those used by the comptroller

1 in the preparation of the financial statements contained in the annual
2 report to the legislature for the preceding fiscal year issued pursuant
3 to subdivision nine of section eight of this chapter.

4 [g.] f. The estimated borrowings in anticipation of the receipt of
5 taxes and revenues and the amount of interest estimated to be paid there-
6 on during the current and ensuing fiscal years respectively, and the
7 amounts actually so borrowed and the interest actually paid thereon
8 during the preceding fiscal year.

9 [h.] g. In connection with each statement of receipts from taxes
10 imposed pursuant to state law, the total amounts collected or estimated
11 to be collected therefrom.

12 [i.] h. A statement setting forth state involvement in the fiscal
13 operations of those public authorities and public benefit corporations
14 which may be part of the development of a comprehensive state budget
15 system and provided therefor in the state financial plan. Such statement
16 shall include those public authorities and public benefit corporations
17 with disbursements which are not currently reflected in the state
18 central accounting system from proceeds of any notes or bonds issued by
19 any public authority, and which bonds or notes would be considered as
20 state-supported debt as defined in section sixty-seven-a of this chap-
21 ter. Such statement shall set forth the amount of all of the bonds,
22 notes and other obligations of each public authority, public benefit
23 corporation and all other agencies and instrumentalities of the state
24 for which the full faith and credit of the state has been pledged or on
25 account of which the state has by law given its pledge or assurance for
26 the continued operation and solvency of the authority, public corpo-
27 ration, or other agency or instrumentality of the state, as the case may
28 be. Such statement shall also set forth all proposed appropriations to
29 be made to any public authority, public benefit corporation, and any
30 other agency or instrumentality of the state which has been created or
31 continued by law and which is separate and distinct from the state
32 itself.

33 [j.] i. Include a summary financial plan for the funds of the state
34 receiving tax check-off monies which shall include estimates of all
35 receipts and all disbursements for the current and succeeding fiscal
36 years, along with the actual results from the prior fiscal year.

37 [4. a.] 3. Include a three year financial projection showing the
38 anticipated disbursements and receipts for each of the governmental fund
39 types of the state. For the purposes of this three year financial
40 projection, disbursements shall be presented by the following purposes:
41 state purposes, local assistance, capital projects, debt service, trans-
42 fers and general state charges with each major function or major program
43 identified separately within each purpose; and receipts shall be
44 presented by each major revenue category, including detail for each
45 major tax, and major components of miscellaneous receipts and with
46 disbursements shown by major function or program for the prior year,
47 current year and next three fiscal years, and otherwise by each major
48 source which is separately estimated and presented pursuant to paragraph
49 b of subdivision [three] two of this section. Receipts and disbursements
50 for special revenue funds shall be presented separately for federal
51 funds and all other special revenue funds. Whenever receipts and
52 disbursements are proposed to be moved to a different fund type, each
53 significant amount so moved shall be explained. This three year finan-
54 cial projection shall include an explanation of any changes to the
55 financial plans submitted in accordance with subdivision one of this
56 section and include explanations of the economic, statutory and other



1 assumptions used to estimate the disbursements and receipts which are
2 presented. Whenever the projections for receipts and disbursements are
3 based on assumptions other than the current levels of service, such
4 assumptions shall be separately identified and explained. The three year
5 financial projections shall include a description of any projected defi-
6 cits or surpluses.

7 [5.] 4. Include a summary statement of operations for the proprietary
8 and fiduciary fund types. Such summary statement of operations shall
9 include the estimated and projected receipts of and disbursements from
10 appropriations and reappropriations available or recommended from such
11 fund types in the budget bills submitted by the governor pursuant to
12 section twenty-four of this [chapter] article. Such summary statement
13 of operations shall be revised as soon as is practical after the legis-
14 lature has completed action on such budget bills.

15 [6.] 5. Include a list of proposed legislation submitted pursuant to
16 section three of article seven of the constitution.

17 [7.] 6. Notwithstanding any provision of law to the contrary, budgets
18 submitted pursuant to this section shall not recommend first instance
19 expenditures. Any anticipated reimbursement of proposed expenditures
20 shall be shown as receipts or revenues to the appropriate fund.

21 [8.] 7. Within ten days following the submission of the budget by the
22 governor, the director of the budget shall transmit to the chairs of the
23 senate finance committee and the assembly ways and means committee a
24 report, by agency, program, and fund, including but not limited to, the
25 following information pertaining to financed equipment acquisitions for
26 state departments, agencies and units of the state university and the
27 city university of New York including those financed equipment acquisi-
28 tions financed by the issuance of certificates of participation or simi-
29 lar instruments for state departments, agencies and units of the state
30 and city universities of New York:

31 [1.] a. For new financed equipment acquisitions to be financed in the
32 ensuing fiscal year:

33 [(a)] (1) An identification of the purposes of such financings,
34 including:

35 [(1)] (i) The nature of the equipment to be financed.

36 [(2)] (ii) Whether the purposes are new financings or refinancings of
37 outstanding lease purchase and installment purchase agreements.

38 [(3)] (iii) The recommended method of financing.

39 [(b)] (2) The estimated purchase cost of the equipment if purchased
40 outright.

41 [(c)] (3) The estimated interest rate and term of such financings.

42 [(d)] (4) The estimated expenses for the issuances of such certif-
43 icates or similar instruments as such expenses are defined in section
44 sixty-six-b of this chapter.

45 [(e)] (5) A schedule of estimated lease purchase payments by state
46 fiscal year for such financings, and estimated total financing costs.

47 [2.] b. For outstanding financed equipment acquisitions as of April
48 first of the ensuing fiscal year the total estimated amount for lease or
49 installment purchase payments for the ensuing fiscal year.

50 [3.] c. For outstanding financed equipment acquisitions financed by
51 certificates of participation the financing costs of outstanding certif-
52 icates of participation and similar instruments issued pursuant to
53 section sixty-six-b of this chapter with estimated payment schedules of
54 all such outstanding obligations.

55 [9.] 8. Include a summary of disbursements by function of state
56 government for the preceding fiscal year and the estimated disbursements

1 for the current and ensuing fiscal years in a form suitable for compar-
2 ison. Such summary shall present such disbursements by purpose as set
3 forth in subdivision one of this section and also including special
4 revenue funds-federal and special revenue funds-other. Such summary
5 shall also describe the state entities, as defined by [subdivisions
6 five, six, seven and eight of] section two-a of this chapter, within
7 each function. For the fiscal year beginning in nineteen hundred nine-
8 ty-three, such summary shall be presented within ten days of the budget
9 submission for the general fund, special revenue funds-other, capital
10 projects funds and debt service funds. For the fiscal year beginning in
11 nineteen hundred ninety-four, such summary shall be presented with the
12 budget for the general fund and within ten days of the budget submission
13 for special revenue funds-other, capital projects funds and debt service
14 funds. For fiscal years beginning in nineteen hundred ninety-five and
15 thereafter, such summary shall be presented with the budget.

16 [10.] 9. Include a statement showing projected disbursement for the
17 current fiscal year and proposed disbursements for the ensuing fiscal
18 year by agency and bill and fund type. For the fiscal year beginning in
19 nineteen hundred ninety-three, such statement shall be presented within
20 ten days of the budget submission for the general fund, special revenue
21 funds-other, capital projects funds and debt service funds. For the
22 fiscal year beginning in nineteen hundred ninety-four, such summary
23 shall be presented with the budget for the general fund and within ten
24 days of the budget submission for special revenue funds-other, capital
25 projects funds and debt service funds. For fiscal years beginning in
26 nineteen hundred ninety-five and thereafter, such summary shall be
27 presented with the budget.

28 [11.] 10. Within ten days following the submission of the financial
29 plans presented in accordance with [subdivisions] subdivision one [and
30 two] of this section, the director of the budget shall submit to the
31 chairs of the senate finance committee and the assembly ways and means
32 committee for the prior, the current and next ensuing fiscal years
33 detailed schedules by agency for the general fund showing proposed
34 appropriations in the state operations and aid to localities budget
35 bills with disbursements to be made against such appropriations, as well
36 as disbursements to be made against any existing appropriations.

37 [12.] 11. a. With respect to any proposed appropriations for the
38 purpose of remedying state agency violations or past problems of the
39 environmental conservation law or regulations adopted thereunder within
40 the proposed budget submitted annually by the governor to the legisla-
41 ture shall, set forth the amount recommended to remedy each functional
42 category of violation. A priority criterion to be considered in deter-
43 mining such recommended appropriations shall be the ranking of such
44 violations and past problems as determined by the agency pursuant to
45 paragraph b of subdivision one of section 3-0311 of the environmental
46 conservation law, with any reordering of rankings as determined by the
47 department of environmental conservation. Amounts appropriated shall be
48 disbursed for remediation of the violation or problem only after review
49 and determination by the department of environmental conservation of the
50 adequacy of the remedial plan pursuant to paragraph g of subdivision
51 three of section 3-0311 of the environmental conservation law.

52 b. Within thirty days following the submission of the budget by the
53 governor for each fiscal year, beginning with the nineteen hundred nine-
54 ty-three--ninety-four fiscal year, the director of the budget shall
55 transmit to the chairs of the senate finance committee and the assembly
56 ways and means committee a report which includes project specific infor-



1 mation for proposed appropriations for the purposes of remedying state
2 agency environmental violations or problems, as identified pursuant to
3 section 3-0311 of the environmental conservation law, contained within
4 such submitted budget.

5 [13.] 12. Include a summary financial plan for all research institutes
6 which shall set forth:

7 a. estimates of all revenues and all expenses for the current and
8 succeeding fiscal years, along with the actual results from the prior
9 fiscal year; and

10 b. any agreement whereby any state agency will provide financial
11 support or any other assistance to cover any operating loss for such
12 research institute.

13 [14.] 13. a. With respect to information technology projects, depend-
14 ent on funding in the executive budget, involving one or more contracts
15 projected to total ten million dollars or more, within thirty days
16 following the submission of the budget by the governor for each fiscal
17 year, beginning with the two thousand eight--two thousand nine fiscal
18 year, the director of the budget shall transmit to the chairs of the
19 senate finance committee and the assembly ways and means committee a
20 report which shall set forth the following:

21 (1) project summary describing the project purpose, proposed approach,
22 key milestones, current status and timetable;

23 (2) the proposed method of procurement, including whether the project
24 will, in whole or in part, utilize a centralized contract or a sole-
25 source contract; and

26 (3) the proposed funding source, financing method and estimated costs
27 by fiscal year.

28 b. Information provided pursuant to paragraph a of this subdivision
29 may not be disclosed to any party other than a governmental entity as
30 defined in section one hundred thirty-nine-j of this chapter, if such
31 disclosure would impair the fairness or competitiveness of a pending or
32 potential procurement process.

33 Estimated costs by fiscal year shall not be disclosed.

34 [15.] 14. The division of the budget shall prepare the reports, sched-
35 ules, and other information described in this subdivision. To the extent
36 practicable, such reports, schedules, and information shall be in a
37 form, and presented at a level of detail, that facilitates comparison on
38 an annual basis and against actual results, as appropriate, and in a
39 manner consistent with the other reporting requirements enumerated in
40 this section. The reports, schedules, and other information required by
41 this subdivision shall be submitted to the chair of the senate finance
42 committee, the chair of the assembly ways and means committee, the
43 minority leaders of both houses, and the comptroller according to the
44 schedules set forth in this section. In determining the final content
45 and format of the information required by this section, the division of
46 the budget shall consult annually with the designees of the temporary
47 president of the senate, the speaker of the assembly, the minority lead-
48 ers of both houses, and the comptroller. All information described in
49 this subdivision shall be made available to the public.

50 a. The executive budget, the enacted budget report and each quarterly
51 update to the financial plan shall include an updated general fund fore-
52 cast of receipts and disbursements for the current and two succeeding
53 fiscal years. Such updated forecast shall clearly identify and explain
54 the revisions to the receipts and disbursements projections from the
55 most recent prior update to the financial plan, and any significant
56 revisions to the underlying factors affecting receipts and disbursements



1 by major function, and may include, but not be limited to: caseload,
2 service, and utilization rates; demographic trends; economic variables;
3 pension fund performance; incarceration rates; prescription drug prices;
4 health insurance premiums; inflation; contractual obligations; liti-
5 gation; and state employment trends.

6 b. The capital program and financing plan submitted pursuant to
7 section twenty-two-c of this article, and the update thereto required
8 pursuant to section twenty-three of this article, shall include a report
9 on the management of state-supported debt. Such report may include, but
10 is not limited to: (1) an assessment of the affordability of state debt,
11 including debt as a percent of personal income, debt per capita, and
12 debt service costs as a percent of the budget; (2) a summary and analy-
13 sis of the interest rate exchange agreements and variable rate exposure;
14 and (3) an assessment of financing opportunities related to the state's
15 debt portfolio.

16 [16.] 15. The governor shall make all practicable efforts to amend or
17 supplement the budget and submit supplemental bills or amendments to any
18 bills pursuant to article seven of the constitution within twenty-one
19 days after the budget is submitted to the legislature.

20 16. The amended executive budget required to be submitted within thir-
21 ty days after the submission of the executive budget to the legislature
22 in accordance with article seven of the constitution of the state of New
23 York, in addition to the information required by the constitution of the
24 state of New York to be set forth therein, shall include:

25 a. a summary financial plan showing for each of the governmental fund
26 types: (1) all of the expenditures estimated to be made, in accordance
27 with generally accepted accounting principles, before the close of the
28 current fiscal year and all of the expenditures proposed to be made, in
29 accordance with generally accepted accounting principles, during the
30 ensuing fiscal year; and (2) all of the revenues estimated to accrue, in
31 accordance with generally accepted accounting principles, before the
32 close of the current fiscal year and during the ensuing fiscal year
33 inclusive of any revenues which are expected to result from the proposed
34 legislation which is deemed necessary to provide receipts sufficient to
35 meet proposed disbursements. For the purposes of such summary financial
36 plan, expenditures shall be presented by the following purposes: state
37 purposes, local assistance, capital projects, debt service, and general
38 state charges; and revenues shall be presented by each revenue source
39 which accounts for at least one per centum of all such revenues and
40 otherwise by categories of revenue sources;

41 b. the expenditures estimated to be made in accordance with generally
42 accepted accounting principles before the close of the current fiscal
43 year and proposed to be made in accordance with generally accepted
44 accounting principles during the ensuing fiscal year. Expenditures esti-
45 imated and proposed to be made shall be shown in separate parts as
46 follows: those expenditures for state purposes shall be set forth in one
47 part, those expenditures for local assistance shall be set forth in
48 another separate and distinct part, those expenditures for capital
49 projects shall be set forth in a third separate and distinct part, and
50 those expenditures for debt service shall be set forth in a fourth sepa-
51 rate and distinct part;

52 c. the revenues actually accrued in the preceding fiscal year and the
53 revenues estimated to accrue during current and ensuing fiscal years,
54 respectively. Revenues from each tax shall be shown both in total and
55 net of refunds;

1 d. a schedule for the general fund showing the differences between
2 projected operating results on a cash basis and those on the basis of
3 generally accepted accounting principles;

4 e. a schedule for each governmental fund type other than the general
5 fund showing the differences between projected operating results on a
6 cash basis and those on the basis of generally accepted accounting prin-
7 ciples; and

8 f. a detailed schedule by fund of revenues and expenditures within the
9 general fund.

10 § 28. Subparagraph (vi) of paragraph (d) of subdivision 3 of section
11 22-c of the state finance law, as amended by section 3 of part F of
12 chapter 389 of the laws of 1997, is amended to read as follows:

13 (vi) the total amount of disbursements for the project estimated to be
14 made during the current fiscal year and during each of the next ensuing
15 five fiscal years, provided however, that (A) the information required
16 by this subparagraph may be provided for groupings of projects in those
17 cases where the governor determines it cannot be provided on a project
18 by project basis, and (B) the total of all disbursements estimated in
19 accordance with the requirements of this subparagraph to be made for all
20 capital projects during the current fiscal year and during each of the
21 next ensuing five fiscal years, excluding those disbursements which are
22 estimated in accordance with the requirements of this subparagraph to be
23 made by public benefit corporations and which are not subject to appro-
24 priations, shall be equal, respectively, to the total of all disburse-
25 ments estimated, in the financial projections required by subdivisions
26 one and [four] three of section twenty-two of this article, to be made
27 for all capital projects during the then current fiscal year and during
28 each of the next ensuing five fiscal years,

29 § 29. Subdivisions 3 and 4 of section 23 of the state finance law, as
30 amended by chapter 1 of the laws of 2007, are amended to read as
31 follows:

32 3. Financial plans and capital improvement program; revisions. Not
33 later than thirty days after the legislature has completed action on the
34 budget bills submitted by the governor and the period for the governor's
35 review has elapsed, the governor shall cause to be submitted to the
36 legislature the revisions to the financial plans and the capital plan
37 required by subdivisions one, two, three, four and [five] paragraph (a)
38 of subdivision sixteen of section twenty-two of this article as are
39 necessary to account for all enactments affecting the financial plans
40 and the capital plan. The financial plan shall also contain a cash flow
41 analysis of projected receipts and disbursements and other financing
42 sources or uses for each month of the state's fiscal year. Notwithstand-
43 ing any other law to the contrary, such revised plans and accompanying
44 cash flow analysis shall be submitted to the legislature and the comp-
45 troller in the same form as the plans required by such subdivisions.

46 4. Financial plan updates. Quarterly, throughout the fiscal year, the
47 governor shall submit to the comptroller, the chairs of the senate
48 finance and the assembly ways and means committees, within thirty days
49 of the close of the quarter to which it shall pertain, a report which
50 summarizes the actual experience to date and projections for the remain-
51 ing quarters of the current fiscal year and for each of the next two
52 fiscal years of receipts, disbursements, tax refunds, and repayments of
53 advances presented in forms suitable for comparison with the financial
54 plan submitted pursuant to subdivisions one, three and four[, and five,]
55 of section twenty-two of this article and revised in accordance with the
56 provisions of subdivision three of this section. The governor shall

1 submit with the budget a similar report that summarizes revenue and
2 expenditure experience to date in a form suitable for comparison with
3 the financial plan submitted pursuant to paragraph a of subdivision
4 [two] sixteen of section twenty-two of this article and revised in
5 accordance with the provisions of subdivision three of this section.
6 Such reports shall provide an explanation of the causes of any major
7 deviations from the revised financial plans and, shall provide for the
8 amendment of the plan or plans to reflect those deviations. The governor
9 may, if [he] the governor determines it advisable, provide more frequent
10 reports to the legislature regarding actual experience as compared to
11 the financial plans. The quarterly financial plan update most proximate
12 to October thirty-first of each year shall include the calculation of
13 the limitations on the issuance of state-supported debt computed pursu-
14 ant to the provisions of subdivisions one and two of section sixty-sev-
15 en-b of this chapter.

16 § 30. Notwithstanding any law to the contrary, the comptroller is
17 hereby authorized and directed to transfer, upon request of the director
18 of the budget, on or before March 31, 2026 the following amounts from
19 the following special revenue accounts or enterprise funds to the gener-
20 al fund, for the purposes of offsetting principal and interest costs,
21 incurred by the state pursuant to section 53 of part PP of chapter 56 of
22 the laws of 2023, provided that the annual amount of the transfer shall
23 be no more than the principal and interest that would have otherwise
24 been due to the power authority of the state of New York, from any state
25 agency, in a given state fiscal year. Amounts pertaining to special
26 revenue accounts assigned to the state university of New York shall be
27 considered interchangeable between the designated special revenue
28 accounts as to meet the requirements of this section and section 52 of
29 part RR of chapter 56 of the laws of 2023:

30 1. \$15,000,000 from the miscellaneous special revenue fund, state
31 university general income reimbursable account (22653).

32 2. \$5,000,000 from state university dormitory income fund, state
33 university dormitory income fund (40350).

34 3. \$5,000,000 from the enterprise fund, city university senior college
35 operating fund (60851).

36 § 31. Notwithstanding any law to the contrary, the comptroller is
37 hereby authorized to transfer, on or before March 31, 2026, up to
38 \$25,000,000 from various state bond funds (30600 through 30690) to the
39 general debt service fund (40150), for the purposes of redeeming or
40 defeasing outstanding state bonds.

41 § 32. Paragraph (a) of subdivision 2 of section 47-e of the private
42 housing finance law, as amended by section 29 of part XX of chapter 56
43 of the laws of 2024, is amended to read as follows:

44 (a) Subject to the provisions of chapter fifty-nine of the laws of two
45 thousand, in order to enhance and encourage the promotion of housing
46 programs and thereby achieve the stated purposes and objectives of such
47 housing programs, the agency shall have the power and is hereby author-
48 ized from time to time to issue negotiable housing program bonds and
49 notes in such principal amount as shall be necessary to provide suffi-
50 cient funds for the repayment of amounts disbursed (and not previously
51 reimbursed) pursuant to law or any prior year making capital appropri-
52 ations or reappropriations for the purposes of the housing program;
53 provided, however, that the agency may issue such bonds and notes in an
54 aggregate principal amount not exceeding [fourteen billion five hundred
55 twenty-six million eighty-nine thousand dollars \$14,526,089,000, plus a
56 principal amount of bonds issued to fund the debt service reserve fund

1 in accordance with the debt service reserve fund requirement established
2 by the agency and to fund any other reserves that the agency reasonably
3 deems necessary for the security or marketability of such bonds and to
4 provide for the payment of fees and other charges and expenses, includ-
5 ing underwriters' discount, trustee and rating agency fees, bond insur-
6 ance, credit enhancement and liquidity enhancement related to the issu-
7 ance of such bonds and notes] sixteen billion seven hundred
8 seventy-seven million nine hundred sixty-four thousand dollars
9 \$16,777,964,000, excluding bonds issued after April first, two thousand
10 twenty-five to (i) fund one or more debt service reserve funds, (ii) pay
11 costs of issuance of such bonds, and (iii) refund or otherwise repay
12 such bonds or notes previously issued, provided that nothing herein
13 shall affect the exclusion of refunding debt issued prior to such date.

14 No reserve fund securing the housing program bonds shall be entitled or
15 eligible to receive state funds apportioned or appropriated to maintain
16 or restore such reserve fund at or to a particular level, except to the
17 extent of any deficiency resulting directly or indirectly from a failure
18 of the state to appropriate or pay the agreed amount under any of the
19 contracts provided for in subdivision four of this section.

20 § 33. Paragraph (b) of subdivision 1 of section 385 of the public
21 authorities law, as amended by section 30 of part XX of chapter 56 of
22 the laws of 2024, is amended to read as follows:

23 (b) The authority is hereby authorized, as additional corporate
24 purposes thereof solely upon the request of the director of the budget:
25 (i) to issue special emergency highway and bridge trust fund bonds and
26 notes for a term not to exceed thirty years and to incur obligations
27 secured by the moneys appropriated from the dedicated highway and bridge
28 trust fund established in section eighty-nine-b of the state finance
29 law; (ii) to make available the proceeds in accordance with instructions
30 provided by the director of the budget from the sale of such special
31 emergency highway and bridge trust fund bonds, notes or other obli-
32 gations, net of all costs to the authority in connection therewith, for
33 the purposes of financing all or a portion of the costs of activities
34 for which moneys in the dedicated highway and bridge trust fund estab-
35 lished in section eighty-nine-b of the state finance law are authorized
36 to be utilized or for the financing of disbursements made by the state
37 for the activities authorized pursuant to section eighty-nine-b of the
38 state finance law; and (iii) to enter into agreements with the commis-
39 sioner of transportation pursuant to section ten-e of the highway law
40 with respect to financing for any activities authorized pursuant to
41 section eighty-nine-b of the state finance law, or agreements with the
42 commissioner of transportation pursuant to sections ten-f and ten-g of
43 the highway law in connection with activities on state highways pursuant
44 to these sections, and (iv) to enter into service contracts, contracts,
45 agreements, deeds and leases with the director of the budget or the
46 commissioner of transportation and project sponsors and others to
47 provide for the financing by the authority of activities authorized
48 pursuant to section eighty-nine-b of the state finance law, and each of
49 the director of the budget and the commissioner of transportation are
50 hereby authorized to enter into service contracts, contracts, agree-
51 ments, deeds and leases with the authority, project sponsors or others
52 to provide for such financing. The authority shall not issue any bonds
53 or notes in an amount in excess of [twenty-one billion four hundred
54 fifty-eight million three hundred nine thousand dollars \$21,458,309,000]
55 twenty-two billion three hundred nine million two hundred ninety-four
56 thousand dollars \$22,309,294,000, plus a principal amount of bonds or



1 notes: (A) to fund capital reserve funds; (B) to provide capitalized
2 interest; and, (C) to fund other costs of issuance. In computing for the
3 purposes of this subdivision, the aggregate amount of indebtedness
4 evidenced by bonds and notes of the authority issued pursuant to this
5 section, as amended by a chapter of the laws of nineteen hundred nine-
6 ty-six, there shall be excluded the amount of bonds or notes issued that
7 would constitute interest under the United States Internal Revenue Code
8 of 1986, as amended, and the amount of indebtedness issued to refund or
9 otherwise repay bonds or notes.

10 § 34. Paragraph (c) of subdivision 14 of section 1680 of the public
11 authorities law, as amended by section 31 of part XX of chapter 56 of
12 the laws of 2024, is amended to read as follows:

13 (c) Subject to the provisions of chapter fifty-nine of the laws of two
14 thousand, (i) the dormitory authority shall not deliver a series of
15 bonds for city university community college facilities, except to refund
16 or to be substituted for or in lieu of other bonds in relation to city
17 university community college facilities pursuant to a resolution of the
18 dormitory authority adopted before July first, nineteen hundred eighty-
19 five or any resolution supplemental thereto, if the principal amount of
20 bonds so to be issued when added to all principal amounts of bonds
21 previously issued by the dormitory authority for city university commu-
22 nity college facilities, except to refund or to be substituted in lieu
23 of other bonds in relation to city university community college facili-
24 ties will exceed the sum of four hundred twenty-five million dollars and
25 (ii) the dormitory authority shall not deliver a series of bonds issued
26 for city university facilities, including community college facilities,
27 pursuant to a resolution of the dormitory authority adopted on or after
28 July first, nineteen hundred eighty-five, except to refund or to be
29 substituted for or in lieu of other bonds in relation to city university
30 facilities and except for bonds issued pursuant to a resolution supple-
31 mental to a resolution of the dormitory authority adopted prior to July
32 first, nineteen hundred eighty-five, if the principal amount of bonds so
33 to be issued when added to the principal amount of bonds previously
34 issued pursuant to any such resolution, except bonds issued to refund or
35 to be substituted for or in lieu of other bonds in relation to city
36 university facilities, will exceed [eleven billion seven hundred sixty-
37 three million twenty-two thousand dollars \$11,763,022,000] twelve
38 billion three hundred million three hundred sixty-eight thousand dollars
39 \$12,300,368,000, excluding bonds issued after April first, two thousand
40 twenty-five to (i) fund one or more debt service reserve funds, (ii) pay
41 costs of issuance of such bonds, and (iii) refund or otherwise repay
42 such bonds or notes previously issued, provided that nothing herein
43 shall affect the exclusion of refunding debt issued prior to such date.

44 The legislature reserves the right to amend or repeal such limit, and
45 the state of New York, the dormitory authority, the city university, and
46 the fund are prohibited from covenanting or making any other agreements
47 with or for the benefit of bondholders which might in any way affect
48 such right.

49 § 35. Subdivision 1 of section 1689-i of the public authorities law,
50 as amended by section 32 of part XX of chapter 56 of the laws of 2024,
51 is amended to read as follows:

52 1. The dormitory authority is authorized to issue bonds, at the
53 request of the commissioner of education, to finance eligible library
54 construction projects pursuant to section two hundred seventy-three-a of
55 the education law, in amounts certified by such commissioner not to

1 exceed a total principal amount of [four hundred eleven million dollars
2 \$411,000,000] four hundred fifty-five million dollars \$455,000,000.

3 § 36. Paragraph (c) of subdivision 19 of section 1680 of the public
4 authorities law, as amended by section 33 of part XX of chapter 56 of
5 the laws of 2024, is amended to read as follows:

6 (c) Subject to the provisions of chapter fifty-nine of the laws of two
7 thousand, the dormitory authority shall not issue any bonds for state
8 university educational facilities purposes if the principal amount of
9 bonds to be issued when added to the aggregate principal amount of bonds
10 issued by the dormitory authority on and after July first, nineteen
11 hundred eighty-eight for state university educational facilities will
12 exceed [eighteen billion nine hundred eighty-eight million one hundred
13 sixty-four thousand dollars \$18,988,164,000; provided, however, that
14 bonds issued or to be issued shall be excluded from such limitation if:

15 (1) such bonds are issued to refund state university construction bonds
16 and state university construction notes previously issued by the housing
17 finance agency; or (2) such bonds are issued to refund bonds of the
18 authority or other obligations issued for state university educational
19 facilities purposes and the present value of the aggregate debt service
20 on the refunding bonds does not exceed the present value of the aggre-
21 gate debt service on the bonds refunded thereby; provided, further that
22 upon certification by the director of the budget that the issuance of
23 refunding bonds or other obligations issued between April first, nine-
24 teen hundred ninety-two and March thirty-first, nineteen hundred nine-
25 ty-three will generate long term economic benefits to the state, as
26 assessed on a present value basis, such issuance will be deemed to have
27 met the present value test noted above. For purposes of this subdivi-
28 sion, the present value of the aggregate debt service of the refunding
29 bonds and the aggregate debt service of the bonds refunded, shall be
30 calculated by utilizing the true interest cost of the refunding bonds,
31 which shall be that rate arrived at by doubling the semi-annual interest
32 rate (compounded semi-annually) necessary to discount the debt service
33 payments on the refunding bonds from the payment dates thereof to the
34 date of issue of the refunding bonds to the purchase price of the
35 refunding bonds, including interest accrued thereon prior to the issu-
36 ance thereof. The maturity of such bonds, other than bonds issued to
37 refund outstanding bonds, shall not exceed the weighted average economic
38 life, as certified by the state university construction fund, of the
39 facilities in connection with which the bonds are issued, and in any
40 case not later than the earlier of thirty years or the expiration of the
41 term of any lease, sublease or other agreement relating thereto;
42 provided that no note, including renewals thereof, shall mature later
43 than five years after the date of issuance of such note] twenty billion
44 nine hundred forty-eight million one hundred sixty-four thousand dollars
45 \$20,948,164,000, excluding bonds issued after April first, two thousand
46 twenty-five to (i) fund one or more debt service reserve funds, (ii) pay
47 costs of issuance of such bonds, and (iii) refund or otherwise repay
48 such bonds or notes previously issued, provided that nothing herein
49 shall affect the exclusion of refunding debt issued prior to such date.
50 The legislature reserves the right to amend or repeal such limit, and
51 the state of New York, the dormitory authority, the state university of
52 New York, and the state university construction fund are prohibited from
53 covenanting or making any other agreements with or for the benefit of
54 bondholders which might in any way affect such right.



1 § 37. Subdivision 10-a of section 1680 of the public authorities law,
2 as amended by section 34 of part XX of chapter 56 of the laws of 2024,
3 is amended to read as follows:

4 10-a. Subject to the provisions of chapter fifty-nine of the laws of
5 two thousand, but notwithstanding any other provision of the law to the
6 contrary, the maximum amount of bonds and notes to be issued after March
7 thirty-first, two thousand two, on behalf of the state, in relation to
8 any locally sponsored community college, shall be [one billion three
9 hundred sixty-five million three hundred eight thousand dollars
10 \$1,365,308,000] one billion four hundred ninety-five million seven
11 hundred seventy-four thousand dollars \$1,495,774,000. Such amount shall
12 be exclusive of bonds and notes issued to fund any reserve fund or
13 funds, costs of issuance and to refund any outstanding bonds and notes,
14 issued on behalf of the state, relating to a locally sponsored community
15 college.

16 § 38. Paragraph b of subdivision 2 of section 9-a of section 1 of
17 chapter 392 of the laws of 1973, constituting the New York state medical
18 care facilities finance agency act, as amended by section 35 of part XX
19 of chapter 56 of the laws of 2024, is amended to read as follows:

20 b. The agency shall have power and is hereby authorized from time to
21 time to issue negotiable bonds and notes in conformity with applicable
22 provisions of the uniform commercial code in such principal amount as,
23 in the opinion of the agency, shall be necessary, after taking into
24 account other moneys which may be available for the purpose, to provide
25 sufficient funds to the facilities development corporation, or any
26 successor agency, for the financing or refinancing of or for the design,
27 construction, acquisition, reconstruction, rehabilitation or improvement
28 of mental health services facilities pursuant to paragraph a of this
29 subdivision, the payment of interest on mental health services improve-
30 ment bonds and mental health services improvement notes issued for such
31 purposes, the establishment of reserves to secure such bonds and notes,
32 the cost or premium of bond insurance or the costs of any financial
33 mechanisms which may be used to reduce the debt service that would be
34 payable by the agency on its mental health services facilities improve-
35 ment bonds and notes and all other expenditures of the agency incident
36 to and necessary or convenient to providing the facilities development
37 corporation, or any successor agency, with funds for the financing or
38 refinancing of or for any such design, construction, acquisition, recon-
39 struction, rehabilitation or improvement and for the refunding of mental
40 hygiene improvement bonds issued pursuant to section 47-b of the private
41 housing finance law; provided, however, that the agency shall not issue
42 mental health services facilities improvement bonds and mental health
43 services facilities improvement notes in an aggregate principal amount
44 exceeding [twelve billion nine hundred twenty-one million seven hundred
45 fifty-six thousand dollars \$12,921,756,000, excluding mental health
46 services facilities improvement bonds and mental health services facili-
47 ties improvement notes issued to refund outstanding mental health
48 services facilities improvement bonds and mental health services facili-
49 ties improvement notes; provided, however, that upon any such refunding
50 or repayment of mental health services facilities improvement bonds
51 and/or mental health services facilities improvement notes the total
52 aggregate principal amount of outstanding mental health services facili-
53 ties improvement bonds and mental health facilities improvement notes
54 may be greater than twelve billion nine hundred twenty-one million seven
55 hundred fifty-six thousand dollars \$12,921,756,000, only if, except as
56 hereinafter provided with respect to mental health services facilities



1 bonds and mental health services facilities notes issued to refund
2 mental hygiene improvement bonds authorized to be issued pursuant to the
3 provisions of section 47-b of the private housing finance law, the pres-
4 ent value of the aggregate debt service of the refunding or repayment
5 bonds to be issued shall not exceed the present value of the aggregate
6 debt service of the bonds to be refunded or repaid. For purposes hereof,
7 the present values of the aggregate debt service of the refunding or
8 repayment bonds, notes or other obligations and of the aggregate debt
9 service of the bonds, notes or other obligations so refunded or repaid,
10 shall be calculated by utilizing the effective interest rate of the
11 refunding or repayment bonds, notes or other obligations, which shall be
12 that rate arrived at by doubling the semi-annual interest rate
13 (compounded semi-annually) necessary to discount the debt service
14 payments on the refunding or repayment bonds, notes or other obligations
15 from the payment dates thereof to the date of issue of the refunding or
16 repayment bonds, notes or other obligations and to the price bid includ-
17 ing estimated accrued interest or proceeds received by the authority
18 including estimated accrued interest from the sale thereof. Such bonds,
19 other than bonds issued to refund outstanding bonds, shall be scheduled
20 to mature over a term not to exceed the average useful life, as certi-
21 fied by the facilities development corporation, of the projects for
22 which the bonds are issued, and in any case shall not exceed thirty
23 years and the maximum maturity of notes or any renewals thereof shall
24 not exceed five years from the date of the original issue of such notes.
25 Notwithstanding the provisions of this section, the agency shall have
26 the power and is hereby authorized to issue mental health services
27 facilities improvement bonds and/or mental health services facilities
28 improvement notes to refund outstanding mental hygiene improvement bonds
29 authorized to be issued pursuant to the provisions of section 47-b of
30 the private housing finance law and the amount of bonds issued or
31 outstanding for such purposes shall not be included for purposes of
32 determining the amount of bonds issued pursuant to this section] thir-
33 teen billion six hundred thirty-nine million five hundred fifty-four
34 thousand dollars \$13,639,554,000, excluding bonds issued after April
35 first, two thousand twenty-five to (i) fund one or more debt service
36 reserve funds, (ii) pay costs of issuance of such bonds, and (iii)
37 refund or otherwise repay such bonds or notes previously issued,
38 provided that nothing herein shall affect the exclusion of refunding
39 debt issued prior to such date. The director of the budget shall allo-
40 cate the aggregate principal authorized to be issued by the agency among
41 the office of mental health, office for people with developmental disa-
42 bilities, and the office of addiction services and supports, in consul-
43 tation with their respective commissioners to finance bondable appropri-
44 ations previously approved by the legislature.

45 § 39. Subdivision (a) of section 48 of part K of chapter 81 of the
46 laws of 2002, relating to providing for the administration of certain
47 funds and accounts related to the 2002-2003 budget, as amended by
48 section 36 of part XX of chapter 56 of the laws of 2024, is amended to
49 read as follows:

50 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
51 notwithstanding the provisions of section 18 of the urban development
52 corporation act, the corporation is hereby authorized to issue bonds or
53 notes in one or more series in an aggregate principal amount not to
54 exceed [five hundred twenty-two million five hundred thousand dollars
55 \$522,500,000] five hundred fifty million five hundred thousand dollars
56 \$550,500,000, excluding bonds issued to fund one or more debt service

1 reserve funds, to pay costs of issuance of such bonds, and bonds or
2 notes issued to refund or otherwise repay such bonds or notes previously
3 issued, for the purpose of financing capital costs related to homeland
4 security and training facilities for the division of state police, the
5 division of military and naval affairs, and any other state agency,
6 including the reimbursement of any disbursements made from the state
7 capital projects fund, and is hereby authorized to issue bonds or notes
8 in one or more series in an aggregate principal amount not to exceed
9 [one billion eight hundred fifty-five million two hundred eighty-six
10 thousand dollars \$1,855,286,000] two billion one hundred sixty-eight
11 million three hundred thirty-one thousand dollars \$2,168,331,000,
12 excluding bonds issued to fund one or more debt service reserve funds,
13 to pay costs of issuance of such bonds, and bonds or notes issued to
14 refund or otherwise repay such bonds or notes previously issued, for the
15 purpose of financing improvements to State office buildings and other
16 facilities located statewide, including the reimbursement of any
17 disbursements made from the state capital projects fund. Such bonds and
18 notes of the corporation shall not be a debt of the state, and the state
19 shall not be liable thereon, nor shall they be payable out of any funds
20 other than those appropriated by the state to the corporation for debt
21 service and related expenses pursuant to any service contracts executed
22 pursuant to subdivision (b) of this section, and such bonds and notes
23 shall contain on the face thereof a statement to such effect.

24 § 40. Subdivision 1 of section 47 of section 1 of chapter 174 of the
25 laws of 1968, constituting the New York state urban development corpo-
26 ration act, as amended by section 37 of part XX of chapter 56 of the
27 laws of 2024, is amended to read as follows:

28 1. Notwithstanding the provisions of any other law to the contrary,
29 the dormitory authority and the corporation are hereby authorized to
30 issue bonds or notes in one or more series for the purpose of funding
31 project costs for the office of information technology services, depart-
32 ment of law, and other state costs associated with such capital
33 projects. The aggregate principal amount of bonds authorized to be
34 issued pursuant to this section shall not exceed [one billion seven
35 hundred forty-two million seven hundred twelve thousand dollars
36 \$1,742,712,000] one billion eight hundred seventy-three million four
37 hundred twelve thousand dollars \$1,873,412,000, excluding bonds issued
38 to fund one or more debt service reserve funds, to pay costs of issuance
39 of such bonds, and bonds or notes issued to refund or otherwise repay
40 such bonds or notes previously issued. Such bonds and notes of the
41 dormitory authority and the corporation shall not be a debt of the
42 state, and the state shall not be liable thereon, nor shall they be
43 payable out of any funds other than those appropriated by the state to
44 the dormitory authority and the corporation for principal, interest, and
45 related expenses pursuant to a service contract and such bonds and notes
46 shall contain on the face thereof a statement to such effect. Except for
47 purposes of complying with the internal revenue code, any interest
48 income earned on bond proceeds shall only be used to pay debt service on
49 such bonds.

50 § 41. Subdivision (b) of section 11 of chapter 329 of the laws of
51 1991, amending the state finance law and other laws relating to the
52 establishment of the dedicated highway and bridge trust fund, as amended
53 by section 38 of part XX of chapter 56 of the laws of 2024, is amended
54 to read as follows:

55 (b) Any service contract or contracts for projects authorized pursuant
56 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section

1 14-k of the transportation law, and entered into pursuant to subdivision
2 (a) of this section, shall provide for state commitments to provide
3 annually to the thruway authority a sum or sums, upon such terms and
4 conditions as shall be deemed appropriate by the director of the budget,
5 to fund, or fund the debt service requirements of any bonds or any obli-
6 gations of the thruway authority issued to fund or to reimburse the
7 state for funding such projects having a cost not in excess of [fourteen
8 billion eight hundred forty-four million five hundred eighty-seven thou-
9 sand dollars \$14,844,587,000 cumulatively by the end of fiscal year
10 2024-25] fifteen billion eight hundred twenty-two million three hundred
11 eighty-four thousand dollars \$15,822,384,000. Such limit shall exclude
12 bonds issued after April first, two thousand twenty-five to (i) fund one
13 or more debt service reserve funds, (ii) pay costs of issuance of such
14 bonds, and (iii) refund or otherwise repay such bonds or notes previous-
15 ly issued, provided that nothing herein shall affect the exclusion of
16 refunding debt issued prior to such date. For purposes of this subdivi-
17 sion, such projects shall be deemed to include capital grants to cities,
18 towns and villages for the reimbursement of eligible capital costs of
19 local highway and bridge projects within such municipality, where allo-
20 cations to cities, towns and villages are based on the total number of
21 New York or United States or interstate signed touring route miles for
22 which such municipality has capital maintenance responsibility, and
23 where such eligible capital costs include the costs of construction and
24 repair of highways, bridges, highway-railroad crossings, and other
25 transportation facilities for projects with a service life of ten years
26 or more.

27 § 42. Subdivision 1 of section 53 of section 1 of chapter 174 of the
28 laws of 1968, constituting the New York state urban development corpo-
29 ration act, as amended by section 39 of part XX of chapter 56 of the
30 laws of 2024, is amended to read as follows:

31 1. Notwithstanding the provisions of any other law to the contrary,
32 the dormitory authority and the urban development corporation are hereby
33 authorized to issue bonds or notes in one or more series for the purpose
34 of funding project costs for the acquisition of equipment, including but
35 not limited to the creation or modernization of information technology
36 systems and related research and development equipment, health and safe-
37 ty equipment, heavy equipment and machinery, the creation or improvement
38 of security systems, and laboratory equipment and other state costs
39 associated with such capital projects. The aggregate principal amount
40 of bonds authorized to be issued pursuant to this section shall not
41 exceed [five hundred ninety-three million dollars \$593,000,000] six
42 hundred ninety-three million dollars \$693,000,000, excluding bonds
43 issued to fund one or more debt service reserve funds, to pay costs of
44 issuance of such bonds, and bonds or notes issued to refund or otherwise
45 repay such bonds or notes previously issued. Such bonds and notes of the
46 dormitory authority and the urban development corporation shall not be a
47 debt of the state, and the state shall not be liable thereon, nor shall
48 they be payable out of any funds other than those appropriated by the
49 state to the dormitory authority and the urban development corporation
50 for principal, interest, and related expenses pursuant to a service
51 contract and such bonds and notes shall contain on the face thereof a
52 statement to such effect. Except for purposes of complying with the
53 internal revenue code, any interest income earned on bond proceeds shall
54 only be used to pay debt service on such bonds.



1 § 43. Subdivision 3 of section 1285-p of the public authorities law,
2 as amended by section 40 of part XX of chapter 56 of the laws of 2024,
3 is amended to read as follows:

4 3. The maximum amount of bonds that may be issued for the purpose of
5 financing environmental infrastructure projects authorized by this
6 section shall be [ten billion eight hundred sixty-six million five
7 hundred sixty thousand dollars \$10,866,560,000] fourteen billion four
8 hundred eighty million eight hundred sixty thousand dollars
9 \$14,480,860,000, exclusive of bonds issued to fund any debt service
10 reserve funds, pay costs of issuance of such bonds, and bonds or notes
11 issued to refund or otherwise repay bonds or notes previously issued.
12 Such bonds and notes of the corporation shall not be a debt of the
13 state, and the state shall not be liable thereon, nor shall they be
14 payable out of any funds other than those appropriated by the state to
15 the corporation for debt service and related expenses pursuant to any
16 service contracts executed pursuant to subdivision one of this section,
17 and such bonds and notes shall contain on the face thereof a statement
18 to such effect.

19 § 44. Subdivision 1 and paragraph (a) of subdivision 2 of section 17
20 of part D of chapter 389 of the laws of 1997, relating to the financing
21 of the correctional facilities improvement fund and the youth facility
22 improvement fund, subdivision 1 as amended by section 41 of part XX of
23 chapter 56 of the laws of 2024, and paragraph (a) of subdivision 2 as
24 amended by section 20 of part P2 of chapter 62 of the laws of 2003, are
25 amended to read as follows:

26 1. Subject to the provisions of chapter 59 of the laws of 2000, but
27 notwithstanding the provisions of section 18 of section 1 of chapter 174
28 of the laws of 1968, the New York state urban development corporation is
29 hereby authorized to issue bonds, notes and other obligations in an
30 aggregate principal amount not to exceed [one billion sixty-six million
31 seven hundred fifty-five thousand dollars \$1,066,755,000, which] one
32 billion two hundred seventeen million seven hundred fifty-five thousand
33 dollars \$1,217,755,000, excluding bonds issued after April first, two
34 thousand twenty-five to (a) fund one or more debt service reserve funds,
35 (b) to pay costs of issuance of such bonds, and (c) refund or otherwise
36 repay such bonds or notes previously issued, provided that nothing here-
37 in shall affect the exclusion of refunding debt issued prior to such
38 date. Which authorization increases the aggregate principal amount of
39 bonds, notes and other obligations authorized by section 40 of chapter
40 309 of the laws of 1996, and shall include all bonds, notes and other
41 obligations issued pursuant to chapter 211 of the laws of 1990, as
42 amended or supplemented. The proceeds of such bonds, notes or other
43 obligations shall be paid to the state, for deposit in the youth facili-
44 ties improvement fund or the capital projects fund, to pay for all or
45 any portion of the amount or amounts paid by the state from appropri-
46 ations or reappropriations made to the office of children and family
47 services from the youth facilities improvement fund or the capital
48 projects fund for capital projects. [The aggregate amount of bonds,
49 notes and other obligations authorized to be issued pursuant to this
50 section shall exclude bonds, notes or other obligations issued to refund
51 or otherwise repay bonds, notes or other obligations theretofore issued,
52 the proceeds of which were paid to the state for all or a portion of the
53 amounts expended by the state from appropriations or reappropriations
54 made to the office of children and family services; provided, however,
55 that upon any such refunding or repayment the total aggregate principal
56 amount of outstanding bonds, notes or other obligations may be greater



1 than one billion sixty-six million seven hundred fifty-five thousand
2 dollars \$1,066,755,000, only if the present value of the aggregate debt
3 service of the refunding or repayment bonds, notes or other obligations
4 to be issued shall not exceed the present value of the aggregate debt
5 service of the bonds, notes or other obligations so to be refunded or
6 repaid. For the purposes hereof, the present value of the aggregate debt
7 service of the refunding or repayment bonds, notes or other obligations
8 and of the aggregate debt service of the bonds, notes or other obli-
9 gations so refunded or repaid, shall be calculated by utilizing the
10 effective interest rate of the refunding or repayment bonds, notes or
11 other obligations, which shall be that rate arrived at by doubling the
12 semi-annual interest rate (compounded semi-annually) necessary to
13 discount the debt service payments on the refunding or repayment bonds,
14 notes or other obligations from the payment dates thereof to the date of
15 issue of the refunding or repayment bonds, notes or other obligations
16 and to the price bid including estimated accrued interest or proceeds
17 received by the corporation including estimated accrued interest from
18 the sale thereof.]

19 (a) The New York state office of general services shall be responsible
20 for the undertaking of studies, planning, site acquisition, design,
21 construction, reconstruction, renovation and development of youth facil-
22 ities and the Tonawanda Indian Community House, including the making of
23 any purchases therefor, on behalf of the New York state office of chil-
24 dren and family services.

25 § 45. Subdivision 1 of section 386-b of the public authorities law, as
26 amended by section 42 of part XX of chapter 56 of the laws of 2024, is
27 amended to read as follows:

28 1. Notwithstanding any other provision of law to the contrary, the
29 authority, the dormitory authority and the urban development corporation
30 are hereby authorized to issue bonds or notes in one or more series for
31 the purpose of financing peace bridge projects and capital costs of
32 state and local highways, parkways, bridges, the New York state thruway,
33 Indian reservation roads, and facilities, and transportation infrastruc-
34 ture projects including aviation projects, non-MTA mass transit
35 projects, and rail service preservation projects, including work appur-
36 tenant and ancillary thereto. The aggregate principal amount of bonds
37 authorized to be issued pursuant to this section shall not exceed
38 [fifteen billion two hundred forty million six hundred sixty-nine thou-
39 sand dollars \$15,240,669,000] seventeen billion thirty million twenty-
40 seven thousand dollars \$17,030,027,000, excluding bonds issued to fund
41 one or more debt service reserve funds, to pay costs of issuance of such
42 bonds, and to refund or otherwise repay such bonds or notes previously
43 issued. Such bonds and notes of the authority, the dormitory authority
44 and the urban development corporation shall not be a debt of the state,
45 and the state shall not be liable thereon, nor shall they be payable out
46 of any funds other than those appropriated by the state to the authori-
47 ty, the dormitory authority and the urban development corporation for
48 principal, interest, and related expenses pursuant to a service contract
49 and such bonds and notes shall contain on the face thereof a statement
50 to such effect. Except for purposes of complying with the internal
51 revenue code, any interest income earned on bond proceeds shall only be
52 used to pay debt service on such bonds.

53 § 46. Subdivision 1 of section 44 of section 1 of chapter 174 of the
54 laws of 1968, constituting the New York state urban development corpo-
55 ration act, as amended by section 43 of part XX of chapter 56 of the
56 laws of 2024, is amended to read as follows:



1 1. Notwithstanding the provisions of any other law to the contrary,
2 the dormitory authority and the corporation are hereby authorized to
3 issue bonds or notes in one or more series for the purpose of funding
4 project costs for the regional economic development council initiative,
5 the economic transformation program, state university of New York
6 college for nanoscale and science engineering, projects within the city
7 of Buffalo or surrounding environs, the New York works economic develop-
8 ment fund, projects for the retention of professional football in west-
9 ern New York, the empire state economic development fund, the clarkson-
10 trudeau partnership, the New York genome center, the Cornell university
11 college of veterinary medicine, the olympic regional development author-
12 ity, projects at nano Utica, Onondaga county revitalization projects,
13 Binghamton university school of pharmacy, New York power electronics
14 manufacturing consortium, regional infrastructure projects, high tech
15 innovation and economic development infrastructure program, high tech-
16 nology manufacturing projects in Chautauqua and Erie county, an indus-
17 trial scale research and development facility in Clinton county, upstate
18 revitalization initiative projects, downstate revitalization initiative,
19 market New York projects, fairground buildings, equipment or facilities
20 used to house and promote agriculture, the state fair, the empire state
21 trail, the moynihan station development project, the Kingsbridge armory
22 project, strategic economic development projects, the cultural, arts and
23 public spaces fund, water infrastructure in the city of Auburn and town
24 of Owasco, a life sciences laboratory public health initiative, not-for-
25 profit pounds, shelters and humane societies, arts and cultural facili-
26 ties improvement program, restore New York's communities initiative,
27 heavy equipment, economic development and infrastructure projects,
28 Roosevelt Island operating corporation capital projects, Lake Ontario
29 regional projects, Pennsylvania station and other transit projects,
30 athletic facilities for professional football in Orchard Park, New York,
31 Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other
32 state costs associated with such projects. The aggregate principal
33 amount of bonds authorized to be issued pursuant to this section shall
34 not exceed [twenty billion eight hundred seventy-eight million one
35 hundred ninety-four thousand dollars \$20,878,194,000] twenty-three
36 billion seven hundred five million two hundred fifty-three thousand
37 dollars \$23,705,253,000, excluding bonds issued to fund one or more debt
38 service reserve funds, to pay costs of issuance of such bonds, and bonds
39 or notes issued to refund or otherwise repay such bonds or notes previ-
40 ously issued. Such bonds and notes of the dormitory authority and the
41 corporation shall not be a debt of the state, and the state shall not be
42 liable thereon, nor shall they be payable out of any funds other than
43 those appropriated by the state to the dormitory authority and the
44 corporation for principal, interest, and related expenses pursuant to a
45 service contract and such bonds and notes shall contain on the face
46 thereof a statement to such effect. Except for purposes of complying
47 with the internal revenue code, any interest income earned on bond
48 proceeds shall only be used to pay debt service on such bonds.

49 § 47. Subdivision (a) of section 28 of part Y of chapter 61 of the
50 laws of 2005, relating to providing for the administration of certain
51 funds and accounts related to the 2005-2006 budget, as amended by
52 section 44 of part XX of chapter 56 of the laws of 2024, is amended to
53 read as follows:

54 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
55 notwithstanding any provisions of law to the contrary, one or more
56 authorized issuers as defined by section 68-a of the state finance law



1 are hereby authorized to issue bonds or notes in one or more series in
2 an aggregate principal amount not to exceed [two hundred ninety-seven
3 million dollars \$297,000,000] three hundred ninety-seven million dollars
4 \$397,000,000, excluding bonds issued to finance one or more debt service
5 reserve funds, to pay costs of issuance of such bonds, and bonds or
6 notes issued to refund or otherwise repay such bonds or notes previously
7 issued, for the purpose of financing capital projects for public
8 protection facilities in the Division of Military and Naval Affairs,
9 debt service and leases; and to reimburse the state general fund for
10 disbursements made therefor. Such bonds and notes of such authorized
11 issuer shall not be a debt of the state, and the state shall not be
12 liable thereon, nor shall they be payable out of any funds other than
13 those appropriated by the state to such authorized issuer for debt
14 service and related expenses pursuant to any service contract executed
15 pursuant to subdivision (b) of this section and such bonds and notes
16 shall contain on the face thereof a statement to such effect. Except for
17 purposes of complying with the internal revenue code, any interest
18 income earned on bond proceeds shall only be used to pay debt service on
19 such bonds.

20 § 48. Subdivision 1 of section 50 of section 1 of chapter 174 of the
21 laws of 1968, constituting the New York state urban development corpo-
22 ration act, as amended by section 45 of part XX of chapter 56 of the
23 laws of 2024, is amended to read as follows:

24 1. Notwithstanding the provisions of any other law to the contrary,
25 the dormitory authority and the urban development corporation are hereby
26 authorized to issue bonds or notes in one or more series for the purpose
27 of funding project costs undertaken by or on behalf of the state educa-
28 tion department, special act school districts, state-supported schools
29 for the blind and deaf, approved private special education schools,
30 non-public schools, community centers, day care facilities, residential
31 camps, day camps, Native American Indian Nation schools, and other state
32 costs associated with such capital projects. The aggregate principal
33 amount of bonds authorized to be issued pursuant to this section shall
34 not exceed [three hundred ninety-six million eight hundred ninety-eight
35 thousand dollars \$396,898,000] four hundred forty million three hundred
36 ninety-seven thousand dollars \$440,397,000, excluding bonds issued to
37 fund one or more debt service reserve funds, to pay costs of issuance of
38 such bonds, and bonds or notes issued to refund or otherwise repay such
39 bonds or notes previously issued. Such bonds and notes of the dormitory
40 authority and the urban development corporation shall not be a debt of
41 the state, and the state shall not be liable thereon, nor shall they be
42 payable out of any funds other than those appropriated by the state to
43 the dormitory authority and the urban development corporation for prin-
44 cipal, interest, and related expenses pursuant to a service contract and
45 such bonds and notes shall contain on the face thereof a statement to
46 such effect. Except for purposes of complying with the internal revenue
47 code, any interest income earned on bond proceeds shall only be used to
48 pay debt service on such bonds.

49 § 49. Subdivision 1 of section 1680-k of the public authorities law,
50 as amended by section 46 of part XX of chapter 56 of the laws of 2024,
51 is amended to read as follows:

52 1. Subject to the provisions of chapter fifty-nine of the laws of two
53 thousand, but notwithstanding any provisions of law to the contrary, the
54 dormitory authority is hereby authorized to issue bonds or notes in one
55 or more series in an aggregate principal amount not to exceed [forty-one
56 million sixty thousand dollars \$41,060,000] forty-one million one



1 hundred seventy-five thousand dollars \$41,175,000, excluding bonds
2 issued to finance one or more debt service reserve funds, to pay costs
3 of issuance of such bonds, and bonds or notes issued to refund or other-
4 wise repay such bonds or notes previously issued, for the purpose of
5 financing the construction of the New York state agriculture and markets
6 food laboratory. Eligible project costs may include, but not be limited
7 to the cost of design, financing, site investigations, site acquisition
8 and preparation, demolition, construction, rehabilitation, acquisition
9 of machinery and equipment, and infrastructure improvements. Such bonds
10 and notes of such authorized issuers shall not be a debt of the state,
11 and the state shall not be liable thereon, nor shall they be payable out
12 of any funds other than those appropriated by the state to such author-
13 ized issuers for debt service and related expenses pursuant to any
14 service contract executed pursuant to subdivision two of this section
15 and such bonds and notes shall contain on the face thereof a statement
16 to such effect. Except for purposes of complying with the internal
17 revenue code, any interest income earned on bond proceeds shall only be
18 used to pay debt service on such bonds.

19 § 50. Subdivision 1 of section 1680-r of the public authorities law,
20 as amended by section 46 of part PP of chapter 56 of the laws of 2023,
21 is amended to read as follows:

22 1. Notwithstanding the provisions of any other law to the contrary,
23 the dormitory authority and the urban development corporation are hereby
24 authorized to issue bonds or notes in one or more series for the purpose
25 of funding project costs for the capital restructuring financing program
26 for health care and related facilities licensed pursuant to the public
27 health law or the mental hygiene law and other state costs associated
28 with such capital projects, the health care facility transformation
29 programs, the essential health care provider program, and other health
30 care capital project costs. The aggregate principal amount of bonds
31 authorized to be issued pursuant to this section shall not exceed [five
32 billion one hundred fifty-three million dollars \$5,153,000,000] six
33 billion one hundred sixty-eight million dollars \$6,168,000,000, exclud-
34 ing bonds issued to fund one or more debt service reserve funds, to pay
35 costs of issuance of such bonds, and bonds or notes issued to refund or
36 otherwise repay such bonds or notes previously issued. Such bonds and
37 notes of the dormitory authority and the urban development corporation
38 shall not be a debt of the state, and the state shall not be liable
39 thereon, nor shall they be payable out of any funds other than those
40 appropriated by the state to the dormitory authority and the urban
41 development corporation for principal, interest, and related expenses
42 pursuant to a service contract and such bonds and notes shall contain on
43 the face thereof a statement to such effect. Except for purposes of
44 complying with the internal revenue code, any interest income earned on
45 bond proceeds shall only be used to pay debt service on such bonds.

46 § 51. Subdivision 1 of section 386-a of the public authorities law, as
47 amended by section 55 of part XX of chapter 56 of the laws of 2024, is
48 amended to read as follows:

49 1. Notwithstanding any other provision of law to the contrary, the
50 authority, the dormitory authority and the urban development corporation
51 are hereby authorized to issue bonds or notes in one or more series for
52 the purpose of assisting the metropolitan transportation authority in
53 the financing of transportation facilities as defined in subdivision
54 seventeen of section twelve hundred sixty-one of this chapter or other
55 capital projects. The aggregate principal amount of bonds authorized to
56 be issued pursuant to this section shall not exceed [twelve billion five

1 hundred fifteen million eight hundred fifty-six thousand dollars
2 \$12,515,856,000] fifteen billion five hundred fifteen million eight
3 hundred fifty-six thousand dollars \$15,515,856,000, excluding bonds
4 issued to fund one or more debt service reserve funds, to pay costs of
5 issuance of such bonds, and to refund or otherwise repay such bonds or
6 notes previously issued. Such bonds and notes of the authority, the
7 dormitory authority and the urban development corporation shall not be a
8 debt of the state, and the state shall not be liable thereon, nor shall
9 they be payable out of any funds other than those appropriated by the
10 state to the authority, the dormitory authority and the urban develop-
11 ment corporation for principal, interest, and related expenses pursuant
12 to a service contract and such bonds and notes shall contain on the face
13 thereof a statement to such effect. Except for purposes of complying
14 with the internal revenue code, any interest income earned on bond
15 proceeds shall only be used to pay debt service on such bonds. Notwith-
16 standing any other provision of law to the contrary, including the limi-
17 tations contained in subdivision four of section sixty-seven-b of the
18 state finance law, (A) any bonds and notes issued prior to April first,
19 two thousand twenty-seven pursuant to this section may be issued with a
20 maximum maturity of fifty years, and (B) any bonds issued to refund such
21 bonds and notes may be issued with a maximum maturity of fifty years
22 from the respective date of original issuance of such bonds and notes.

23 § 52. Subdivision (a) of section 27 of part Y of chapter 61 of the
24 laws of 2005, relating to providing for the administration of certain
25 funds and accounts related to the 2005-2006 budget, as amended by
26 section 28 of part PP of chapter 56 of the laws of 2023, is amended to
27 read as follows:

28 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
29 notwithstanding any provisions of law to the contrary, the urban devel-
30 opment corporation is hereby authorized to issue bonds or notes in one
31 or more series in an aggregate principal amount not to exceed [five
32 hundred thirty-eight million one hundred thousand dollars \$538,100,000]
33 five hundred fifty million one hundred thousand dollars \$550,100,000,
34 excluding bonds issued to finance one or more debt service reserve
35 funds, to pay costs of issuance of such bonds, and bonds or notes issued
36 to refund or otherwise repay such bonds or notes previously issued, for
37 the purpose of financing capital projects including IT initiatives for
38 the division of state police, debt service and leases; and to reimburse
39 the state general fund for disbursements made therefor. Such bonds and
40 notes of such authorized issuer shall not be a debt of the state, and
41 the state shall not be liable thereon, nor shall they be payable out of
42 any funds other than those appropriated by the state to such authorized
43 issuer for debt service and related expenses pursuant to any service
44 contract executed pursuant to subdivision (b) of this section and such
45 bonds and notes shall contain on the face thereof a statement to such
46 effect. Except for purposes of complying with the internal revenue code,
47 any interest income earned on bond proceeds shall only be used to pay
48 debt service on such bonds.

49 § 53. Subdivision 1 of section 16 of part D of chapter 389 of the laws
50 of 1997, relating to the financing of the correctional facilities
51 improvement fund and the youth facility improvement fund, as amended by
52 section 28 of part XX of chapter 56 of the laws of 2024, is amended to
53 read as follows:

54 1. Subject to the provisions of chapter 59 of the laws of 2000, but
55 notwithstanding the provisions of section 18 of section 1 of chapter 174
56 of the laws of 1968, the New York state urban development corporation is

1 hereby authorized to issue bonds, notes and other obligations in an
2 aggregate principal amount not to exceed [ten billion two hundred nine-
3 ty-nine million three hundred fifty-nine thousand dollars
4 \$10,299,359,000, and shall include all bonds, notes and other obli-
5 gations issued pursuant to chapter 56 of the laws of 1983, as amended or
6 supplemented. The proceeds of such bonds, notes or other obligations
7 shall be paid to the state, for deposit in the correctional facilities
8 capital improvement fund to pay for all or any portion of the amount or
9 amounts paid by the state from appropriations or reappropriations made
10 to the department of corrections and community supervision from the
11 correctional facilities capital improvement fund for capital projects.
12 The aggregate amount of bonds, notes or other obligations authorized to
13 be issued pursuant to this section shall exclude bonds, notes or other
14 obligations issued to refund or otherwise repay bonds, notes or other
15 obligations theretofore issued, the proceeds of which were paid to the
16 state for all or a portion of the amounts expended by the state from
17 appropriations or reappropriations made to the department of corrections
18 and community supervision; provided, however, that upon any such refund-
19 ing or repayment the total aggregate principal amount of outstanding
20 bonds, notes or other obligations may be greater than ten billion two
21 hundred ninety-nine million three hundred fifty-nine thousand dollars
22 \$10,299,359,000, only if the present value of the aggregate debt service
23 of the refunding or repayment bonds, notes or other obligations to be
24 issued shall not exceed the present value of the aggregate debt service
25 of the bonds, notes or other obligations so to be refunded or repaid.
26 For the purposes hereof, the present value of the aggregate debt service
27 of the refunding or repayment bonds, notes or other obligations and of
28 the aggregate debt service of the bonds, notes or other obligations so
29 refunded or repaid, shall be calculated by utilizing the effective
30 interest rate of the refunding or repayment bonds, notes or other obli-
31 gations, which shall be that rate arrived at by doubling the semi-annual
32 interest rate (compounded semi-annually) necessary to discount the debt
33 service payments on the refunding or repayment bonds, notes or other
34 obligations from the payment dates thereof to the date of issue of the
35 refunding or repayment bonds, notes or other obligations and to the
36 price bid including estimated accrued interest or proceeds received by
37 the corporation including estimated accrued interest from the sale ther-
38 eof] eleven billion one hundred seventeen million three hundred fifty-
39 nine thousand dollars \$11,117,359,000, excluding bonds issued after
40 April first, two thousand twenty-five to (i) fund one or more debt
41 service reserve funds, (ii) pay costs of issuance of such bonds, and
42 (iii) refund or otherwise repay such bonds or notes previously issued,
43 provided that nothing herein shall affect the exclusion of refunding
44 debt issued prior to such date.

45 § 54. The opening paragraph of section 3573 of the public authorities
46 law, as added by chapter 5 of the laws of 1997, is amended to read as
47 follows:

48 Notwithstanding any provision of this article or any other provision
49 of law to the contrary, so long as bonds issued by the dormitory author-
50 ity [to finance facilities for] on or before March thirty-first, two
51 thousand twenty-five to make loans to the department of health of the
52 state of New York to finance state hospital facilities listed in section
53 four hundred three of the public health law remain outstanding as
54 defined in the bond resolution under which such bonds were issued, the
55 following provisions shall be applicable:



1 § 55. Paragraph (a) of subdivision 2 of section 409 of the public
2 health law, as amended by chapter 5 of the laws of 1997, is amended and
3 a new subdivision 6 is added to read as follows:

4 (a) The commissioner shall, after the first day of July, nineteen
5 hundred seventy-one, pay over moneys received by the department includ-
6 ing, subject to subdivision six of this section, moneys received from
7 the Roswell Park Cancer Institute corporation for the care, maintenance
8 and treatment of patients at state hospitals in the department as
9 enumerated in section four hundred three of this chapter, together with
10 money received from fees, including parking fees, refunds, reimburse-
11 ments, payments received pursuant to leases, sales of property and
12 miscellaneous receipts of such hospitals other than gifts, grants,
13 bequests and moneys received under research contracts, and clinical
14 practice income received pursuant to a clinical practice plan estab-
15 lished pursuant to subdivision fourteen of section two hundred six of
16 this chapter except for the amount of money required by the comptroller
17 to be maintained on deposit in the department of health income fund
18 pursuant to paragraph (c) of this subdivision less payments required to
19 be made into pools created by this chapter and for assessments estab-
20 lished pursuant to this chapter and less refunds made pursuant to law,
21 to the comptroller to be deposited by [him] the comptroller in the
22 department of health income fund. Such moneys shall be kept separate and
23 shall not be commingled with any other moneys in the hands of the comp-
24 troller. All deposits of such money shall, if required by the comp-
25 troller, be secured by obligations of the United States or of the state
26 of market value equal at all times to the amount of the deposit and all
27 banks and trust companies are authorized to give such securities for
28 such deposits. The commissioner shall identify to the comptroller moneys
29 received from Roswell Park Cancer Institute corporation or its subsid-
30 iaries.

31 6. Notwithstanding the foregoing provisions of this section, upon the
32 payment or provision for payment of all outstanding bonds issued on or
33 before March thirty-first, two thousand twenty-five by the dormitory
34 authority to make loans to the department to finance or refinance state
35 hospital facilities in accordance with the terms of the bond resolution
36 under which such bonds were issued, the provisions of subdivisions two
37 and five of this section requiring (i) the payment and identification by
38 the department to the comptroller of moneys received from the Roswell
39 Park Cancer Institute corporation, (ii) the deposit and maintenance of
40 such moneys from the Roswell Park Cancer Institute corporation by the
41 comptroller in the department of health income fund, and (iii) the
42 release of excess moneys in the department of health income fund attri-
43 buted to the operation of the Roswell Park Cancer Institute corporation
44 or its subsidiaries, shall no longer be applicable and, thereafter, all
45 such moneys from the operation of the Roswell Park Cancer Institute
46 corporation shall remain in the custody and/or control of the corpo-
47 ration and/or its subsidiaries.

48 § 56. Paragraph (b) of subdivision 1 of section 54-b of section 1 of
49 chapter 174 of the laws of 1968 constituting the urban development
50 corporation act, as amended by section 54 of part XX of chapter 56 of
51 the laws of 2024, is amended to read as follows:

52 (b) Notwithstanding any other provision of law to the contrary,
53 including, specifically, the provisions of chapter 59 of the laws of
54 2000 and section sixty-seven-b of the state finance law, the dormitory
55 authority of the state of New York and the corporation are hereby
56 authorized to issue personal income tax revenue anticipation notes with



1 a maturity no later than March 31, [2025] 2026, in one or more series in
2 an aggregate principal amount for each fiscal year not to exceed three
3 billion dollars, and to pay costs of issuance of such notes, for the
4 purpose of temporarily financing budgetary needs of the state. Such
5 purpose shall constitute an authorized purpose under subdivision two of
6 section sixty-eight-a of the state finance law for all purposes of arti-
7 cle five-C of the state finance law with respect to the notes authorized
8 by this paragraph. Such notes shall not be renewed, extended or
9 refunded. For so long as any notes authorized by this paragraph shall be
10 outstanding, the restrictions, limitations and requirements contained in
11 article five-B of the state finance law shall not apply.

12 § 57. Subdivision 8 of section 68-b of the state finance law, as
13 amended by section 60 of part JJJ of chapter 59 of the laws of 2021, is
14 amended to read as follows:

15 8. Revenue bonds may only be issued for authorized purposes, as
16 defined in section sixty-eight-a of this article. Notwithstanding the
17 foregoing, the dormitory authority of the state of New York, the urban
18 development corporation and the New York state thruway authority may
19 issue revenue bonds for any authorized purpose of any other such author-
20 ized issuer through March thirty-first, two thousand [twenty-five] thir-
21 ty. Any such revenue bonds issued by the New York state thruway authori-
22 ty shall be subject to the approval of the New York state public
23 authorities control board, pursuant to section fifty-one of the public
24 authorities law. The authorized issuers shall not issue any revenue
25 bonds in an amount in excess of statutory authorizations for such
26 authorized purposes. Authorizations for such authorized purposes shall
27 be reduced in an amount equal to the amount of revenue bonds issued for
28 such authorized purposes under this article. Such reduction shall not be
29 made in relation to revenue bonds issued to fund reserve funds, if any,
30 and costs of issuance, [if these items are not counted under existing
31 authorizations,] nor shall revenue bonds issued to refund bonds issued
32 under existing authorizations reduce the amount of such authorizations.

33 § 58. Section 93-a of the state finance law is REPEALED.

34 § 59. Section 46 of section 1 of chapter 174 of the laws of 1968,
35 constituting the New York state urban development corporation act, is
36 REPEALED.

37 § 60. This act shall take effect immediately and shall be deemed to
38 have been in full force and effect on and after April 1, 2025; provided,
39 however, that the provisions of sections one, two, three, four, five,
40 six, seven, eight, thirteen, fourteen, fifteen, sixteen, seventeen,
41 eighteen, nineteen, twenty and twenty-one of this act shall expire March
42 31, 2026.

43 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
44 sion, section or part of this act shall be adjudged by any court of
45 competent jurisdiction to be invalid, such judgment shall not affect,
46 impair, or invalidate the remainder thereof, but shall be confined in
47 its operation to the clause, sentence, paragraph, subdivision, section
48 or part thereof directly involved in the controversy in which such judg-
49 ment shall have been rendered. It is hereby declared to be the intent of
50 the legislature that this act would have been enacted even if such
51 invalid provisions had not been included herein.

52 § 3. This act shall take effect immediately provided, however, that
53 the applicable effective date of Parts A through MM of this act shall be
54 as specifically set forth in the last section of such Parts.