

# STATE OF NEW YORK

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S. 3006--C

A. 3006--C

## SENATE - ASSEMBLY

January 22, 2025

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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:

4	Labor Force Region	Index
5	Capital District	1.124
6	Southern Tier	1.045
7	Western New York	1.091
8	Hudson Valley	1.314
9	Long Island/NYC	1.425
10	Finger Lakes	1.141
11	Central New York	1.103
12	Mohawk Valley	1.000
13	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-

1 ered approved transportation expenses eligible for transportation aid,  
2 provided further that for the two thousand thirteen--two thousand four-  
3 teen school year such aid shall be limited to eight million one hundred  
4 thousand dollars and for the two thousand fourteen--two thousand fifteen  
5 school year such aid shall be limited to the sum of twelve million six  
6 hundred thousand dollars plus the base amount and for the two thousand  
7 fifteen--two thousand sixteen school year through two thousand eigh-  
8 teen--two thousand nineteen school year such aid shall be limited to the  
9 sum of eighteen million eight hundred fifty thousand dollars plus the  
10 base amount and for the two thousand nineteen--two thousand twenty  
11 school year such aid shall be limited to the sum of nineteen million  
12 three hundred fifty thousand dollars plus the base amount and for the  
13 two thousand twenty--two thousand twenty-one school year such aid shall  
14 be limited to the sum of nineteen million eight hundred fifty thousand  
15 dollars plus the base amount and for the two thousand twenty-two--two  
16 thousand twenty-three school year such aid shall be limited to the sum  
17 of twenty-two million three hundred fifty thousand dollars plus the base  
18 amount and for the two thousand twenty-three--two thousand twenty-four  
19 school year such aid shall be limited to the sum of twenty-four million  
20 eight hundred fifty thousand dollars plus the base amount and for the  
21 two thousand twenty-four--two thousand twenty-five school year [and  
22 thereafter] such aid shall be limited to the sum of twenty-nine million  
23 eight hundred fifty thousand dollars plus the base amount and for the  
24 two thousand twenty-five--two thousand twenty-six school year and there-  
25 after such aid shall be limited to the product of (i) the maximum amount  
26 of aid authorized by this subdivision for the base year, and (ii) the  
27 sum of one plus the product of (a) two and one-half multiplied by (b)  
28 the percentage increase in the consumer price index as defined in para-  
29 graph hh of subdivision one of section thirty-six hundred two of this  
30 article. For purposes of this subdivision, "base amount" means the  
31 amount of transportation aid paid to the school district for expendi-  
32 tures incurred in the two thousand twelve--two thousand thirteen school  
33 year for transportation that would have been eligible for aid pursuant  
34 to this section had this section been in effect in such school year,  
35 except that subdivision six of this section shall be deemed not to have  
36 been in effect. And provided further that the school district shall  
37 continue to annually expend for the transportation described in subdivi-  
38 sion one of this section at least the expenditures used for the base  
39 amount.

40 § 12-a. Section 11 of chapter 378 of the laws of 2010 amending the  
41 education law relating to paperwork reduction, as amended by section 1  
42 of item FF of subpart B of part XXX of chapter 58 of the laws of 2020,  
43 is amended to read as follows:

44 § 11. This act shall take effect immediately; provided, however, that  
45 the commissioner of education shall promulgate any rules or regulations  
46 necessary to implement the provisions of this act on or before July 1,  
47 2010; provided, further that if section ten of this act shall take  
48 effect after July 1, 2010 it shall be deemed to have been in full force  
49 and effect on and after July 1, 2010; and provided further that section  
50 ten of this act shall expire and be deemed repealed [on] June 30, [2025]  
51 2030.

52 § 12-b. Subdivision 4 of section 3638 of the education law, as added  
53 by section 1 of subpart A of part B of chapter 56 of the laws of 2022,  
54 is amended to read as follows:

55 4. (a) A school district may apply to the commissioner, and the  
56 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-

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

3 § 22-a. Section 12 of part C of chapter 56 of the laws of 2020 direct-  
4 ing the commissioner of education to appoint a monitor for the Rochester  
5 city school district, establishing the powers and duties of such monitor  
6 and certain other officers and relating to the apportionment of aid to  
7 such district, as amended by section 25 of part A of chapter 56 of the  
8 laws of 2023, is amended to read as follows:

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

14 § 22-b. Section 12 of chapter 19 of the laws of 2020 authorizing the  
15 commissioner of education to appoint a monitor to oversee the Hempstead  
16 union free school district and establishing the powers and duties of  
17 such monitor, is amended to read as follows:

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

27 § 22-c. Section 13 of chapter 18 of the laws of 2020 authorizing the  
28 commissioner of education to appoint a monitor to oversee the Wyandanch  
29 union free school district and establishing the powers and duties of the  
30 monitor, is amended to read as follows:

31 § 13. This act shall take effect immediately, provided however:  
32 Section one of this act shall take effect on the same date as a chap-  
33 ter of the laws of 2019, authorizing the commissioner of education, in  
34 consultation with the comptroller to appoint a monitor to oversee the  
35 Wyandanch union free school district and establishing the powers and  
36 duties of the monitor, as proposed in legislative bills numbers S.6588-A  
37 and A.8422-A, takes effect.

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

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

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

51 § 22-d. Section 13 of chapter 89 of the laws of 2016 relating to  
52 supplementary funding for dedicated programs for public school students  
53 in the East Ramapo central school district, as amended by chapter 173 of  
54 the laws of 2021, is amended to read as follows:

55 § 13. This act shall take effect July 1, 2016 and shall expire and be  
56 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.

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

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

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

14 PART U

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

17 1-a. On behalf of any employee paid less than the wage to which [he or  
18 she is] they are entitled under the provisions of this article, the  
19 commissioner may bring any legal action necessary, including administra-  
20 tive action, to collect such claim and as part of such legal action, in  
21 addition to any other remedies and penalties otherwise available under  
22 this article, the commissioner shall assess against the employer the  
23 full amount of any such underpayment, and an additional amount as liqui-  
24 dated damages, unless the employer proves a good faith basis for believ-  
25 ing that its underpayment of wages was in compliance with the law.  
26 Liquidated damages shall be calculated by the commissioner as no more  
27 than one hundred percent of the total amount of wages found to be due,  
28 except such liquidated damages may be up to three hundred percent of the  
29 total amount of the wages found to be due for a willful violation of  
30 section one hundred ninety-four of this article. In any action insti-  
31 tuted in the courts upon a wage claim by an employee or the commissioner  
32 in which the employee prevails, the court shall allow such employee to  
33 recover the full amount of any underpayment, all reasonable attorney's  
34 fees, prejudgment interest as required under the civil practice law and  
35 rules, and, unless the employer proves a good faith basis to believe  
36 that its underpayment of wages was in compliance with the law, an addi-  
37 tional amount as liquidated damages equal to one hundred percent of the  
38 total amount of the wages found to be due, except such liquidated  
39 damages may be up to three hundred percent of the total amount of the  
40 wages found to be due for a willful violation of section one hundred  
41 ninety-four of this article. Notwithstanding the provisions of this  
42 subdivision, liquidated damages shall not be applicable to violations of  
43 paragraph a of subdivision one of section one hundred ninety-one of this  
44 article where the employer paid the employee wages on a regular payday,  
45 no less frequently than semi-monthly. Such violations shall be subject  
46 to damages as follows:

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

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

16 § 2. This act shall take effect immediately.

17 PART Z

18 Intentionally Omitted

19 PART AA

20 Section 1. On or before September 1, 2025, the commissioner of educa-  
21 tion shall submit a report to the governor, the speaker of the assembly,  
22 and the temporary president of the senate providing information regard-  
23 ing usage, budgeting, staffing, assets, and functions of the New York  
24 state museum in a form and manner as determined by the director of the  
25 budget. Such report shall include but not be limited to the following  
26 information:

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

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

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

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

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

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

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

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

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

50 § 2. On or before September 1, 2026 and annually thereafter, the  
51 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.

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

10 § 2. Subparagraph (xii) of paragraph (c) of subdivision 1 of section  
11 803-b of the correction law, as amended by chapter 322 of the laws of  
12 2021, is amended and a new subparagraph (xiii) is added to read as  
13 follows:

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

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

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

27 PART FF

28 Section 1. Definitions. As used in this act:

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

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

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

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

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

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

41 § 2. Appointment of a monitor. The commissioner shall appoint one  
42 monitor to provide oversight, guidance and technical assistance related  
43 to the educational and fiscal policies, practices, programs and deci-  
44 sions of the school district, the board of education and the superinten-  
45 dent.

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

48 (i) elementary and secondary education;

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

50 (iii) educating students with disabilities; and

51 (iv) educating English language learners.

52 (b) The monitor shall be a non-voting ex-officio member of the board  
53 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-eeee to read as follows:

13 § 352-eeee. 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 tricted 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 or 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 condomin-  
34 ium 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 plied 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 expand 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 accountability 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

20		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 certif-  
54 icate of compliance that accompanied or preceded the people's statement  
55 of readiness at issue was invalid under section 245.50 of this chapter.

1 (b) Pursuant to section 245.50 of this chapter, the certificate of  
2 compliance is deemed invalid when the court determined that the people  
3 did not exercise due diligence and, in making such determination, the  
4 court looked at the totality of the prosecution's efforts to comply with  
5 the provisions of article two hundred forty-five of this chapter, rather  
6 than assess the prosecution's efforts item by item, and considered the  
7 factors relevant to assessing due diligence, which include, but are not  
8 limited to: the efforts made by the prosecutor to comply with the  
9 requirements of article two hundred forty-five of this chapter; the  
10 volume of discovery provided and the volume of discovery outstanding;  
11 the complexity of the case; whether the prosecutor knew that the belat-  
12 edly disclosed or allegedly missing material existed; the explanation  
13 for any alleged discovery lapse; the prosecutor's response when apprised  
14 of any allegedly missing discovery; whether the belated discovery was  
15 substantively duplicative, insignificant, or easily remedied; whether  
16 the omission was corrected; whether the prosecution self-reported the  
17 error and took prompt remedial action without court intervention; and  
18 whether the prosecution's delayed disclosure of discovery was prejudi-  
19 cial to the defense or otherwise impeded the defense's ability to effec-  
20 tively investigate the case or prepare for trial.

21 § 7. Section 245.70 of the criminal procedure law is amended by adding  
22 a new subdivision 8 to read as follows:

23 8. A motion filed in good faith pursuant to subdivision one or two of  
24 this section shall be deemed a pre-trial motion for the purposes of  
25 paragraph (a) of subdivision four of section 30.30 of this chapter.

26 § 8. This act shall take effect on the ninetieth day after it shall  
27 have become a law and shall apply to all criminal actions pending on  
28 such date and all actions commenced on or after such date. Any time-  
29 frames provided in this act regarding the time limitation to challenge a  
30 certificate of compliance shall run from the effective date of this act.

31

## PART MM

32 Section 1. The state comptroller is hereby authorized and directed to  
33 loan money in accordance with the provisions set forth in subdivision 5  
34 of section 4 of the state finance law to the following funds and/or  
35 accounts:

- 36 1. DOL-Child performer protection account (20401).
- 37 2. Local government records management account (20501).
- 38 3. Child health plus program account (20810).
- 39 4. EPIC premium account (20818).
- 40 5. Education - New (20901).
- 41 6. VLT - Sound basic education fund (20904).
- 42 7. Sewage treatment program management and administration fund  
43 (21000).
- 44 8. Hazardous bulk storage account (21061).
- 45 9. Utility environmental regulatory account (21064).
- 46 10. Federal grants indirect cost recovery account (21065).
- 47 11. Low level radioactive waste account (21066).
- 48 12. Recreation account (21067).
- 49 13. Public safety recovery account (21077).
- 50 14. Environmental regulatory account (21081).
- 51 15. Natural resource account (21082).
- 52 16. Mined land reclamation program account (21084).
- 53 17. Great lakes restoration initiative account (21087).
- 54 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 reven-  
3 ue 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 transfor-  
9 mation 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 clin-  
33 ics 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 a  
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.