



Assemblymember
Jo Anne Simon

52nd District



State Budget Highlights

April 2022

A Message from Jo Anne...

The State Legislature recently enacted our \$221B budget for 2022-23. This budget is chock full of important provisions to help New Yorkers. We were fortunate to have an infusion of federal funds for social service programs and to boost New York's economic comeback. But like most budgets, this year's budget was also imperfect and contained some bitter pills and missed opportunities. The budget is made up of 10 different bills. I voted for 9 of them, and against the so-called "big ugly." Historically, that bill has many good things, but also many that legislators find distasteful, hence the nickname. I voted against the big ugly because it rolled back bail reforms and made unconstitutional changes to the due process protections of Kendra's Law. Please see a detailed summary below.

Sincerely,

Jo Anne Simon

Budget Highlights. The budget made **enormous strides towards educational opportunity and justice**. We are moving towards universal child care. We made progress towards a New Deal for CUNY and SUNY. We are well on our way to fully funding the Campaign for Fiscal Equity's mandate for our public schools. We closed the notorious TAP Gap, putting real dollars towards tuition assistance without taking it away with the other hand. We are finally providing TAP support to part-time students (which most states have done for decades), enabling more people to get a post-secondary education. Finally, we are re-instituting TAP support for those who are incarcerated, so that they can get an education that will give them a fighting chance to successfully re-enter society once their time has been served.

We have **invested in clean energy and environmental conservation**, are moving quickly to de-carbonize our vehicles, and have increased the Environmental Bond Act of 2022 to \$4.2 billion (this will be on the ballot for voter approval in November). There are several climate change initiatives that were not in the budget, but I'll keep fighting for these bills.

This budget puts money back into New Yorkers' pockets. After two years of economic setbacks and hardships from Covid, families and small businesses are now facing the brunt of the rising inflation. The increased costs of everyday necessities like groceries and common goods are impacting household budgets. The final state budget accelerates the phase-in of middle-class tax cuts that started in 2018, provides an extra Child Tax Credit and Earned Income Tax Credit payment, provides relief for renters and small landlords, and provides \$2.2 billion in property tax relief checks. We provide a \$250 million fund to help with utility arrears for those who had higher energy bills this past winter. The budget also includes a 6 month state gas tax holiday starting this June to ease drivers' expenses at the gas pump caused by the pandemic and exacerbated by Russia's invasion of Ukraine and our reliance on non-renewable energy.

We're supporting economic recovery and small businesses as they regain their financial footing, and we restored the sale of "drinks-to-go" that were critical to struggling restaurants and bars. The budget creates a refundable tax credit for small business COVID-related expenses, provides a \$100 million tax cut for small businesses, and reopens the Restaurant Return-to-Work Credit. We are also improving our roads and bridges.

Housing & Hunger Relief: This budget expands our investment in affordable housing, and includes \$350 million for capital improvements at NYCHA. The budget provides \$1.1 billion for the Emergency Rental Assistance Program and Landlord Rental Assistance Program, and adds funding to the arts recovery grants and hunger prevention programs. The

budget also provides \$35 million for the Homeowner Protection Program to help them avoid foreclosure, and provides \$41 million for flooding repairs for Hurricane Ida victims.

We made **significant investments in health**, Medicaid, reimbursement for telehealth services, and provided certain COVID frontline health and mental health workers a one-time bonus of \$3,000. We also expanded health care coverage for undocumented immigrants for one year after a pregnancy, and provided Medicaid coverage for undocumented seniors 65 and older. The budget ensures New Yorkers experiencing mental health and substance abuse challenges receive the help they need by providing significant funding to schools, SUNY & CUNY, agencies, nonprofits and localities.

We also included millions in capital and operational funding for **gun violence prevention programs**. The budget provides \$6.17 billion for MTA **transit assistance**, and includes a \$32.8 billion, 5-year DOT Capital Plan.

I am so disappointed that we weren't able to provide more pay for home care workers, but we have made important first steps into a more equitable future. I am part of a coalition that fought hard for [fair pay for home care attendants](#) who provide care for people who are older and disabled. This work is vastly underpaid, leading to NY's worst in the nation shortage of workers. We had advocated for an increase to 150% of the minimum wage, but only achieved a \$3/hour increase over two years, so we live to fight another day.

I also don't support funding for the NFL Buffalo Bills stadium or frankly, any taxpayer funding for stadiums or arenas because they [don't provide economic development for localities](#). They are all owned by billionaires who shake down local governments with emotional arguments, but the only ones making money are the team's owners, vendors & contractors. This is true nationwide.

Criminal justice and bail reforms also took a hit in this budget, despite the fact that no evidence supports a crime increase due to the 2019 reforms to cash bail for misdemeanors and non-violent felonies. Bail reform is working, and with a less than 1% re-arrest rate, it's 99% effective. Minor modifications could have been made to improve its functioning, but instead we now risk exposing people to pre-trial, pre-arraignment incarceration for minor offenses for which they would not be sentenced to jail time even if convicted. Let's not forget that our previous bail laws were deeply flawed, perpetuating racial bias and income bias, leaving individuals who couldn't afford bail behind bars for months or even years pretrial. I am relieved that we were able to negotiate significantly fewer rollbacks than the Executive first proposed. [See more on this topic in my previous newsletter, linked here](#). I voted no on this bill.

I am disappointed that **the budget allows the siting of up to three downstate casinos**, in locations to be determined. However, it requires the establishment of local community advisory committees, which must solicit public comment and hold public hearings on casino applications, ensuring a measure of public engagement.

As a disability civil rights lawyer, I believe that **changes made to Kendra's law are unconstitutional**. Kendra's law was meant to provide involuntary outpatient treatment to people who are so seriously mentally ill that their psychosis has overtaken their ability to function. This normally occurs because our mental health delivery systems have been inadequate and disjointed. The man who pushed Kendra Webdale in front of a subway train in 1999 because the voices in his head told him to, had begged for treatment for years, but had fallen through the cracks in our system. We need to narrow the cracks! Moreover, Kendra's law's forced treatment is not a violence prevention strategy, yet that was one of the stated reasons for the changes in this budget bill. In fact, people with mental illness are much more likely to be violently victimized than to victimize others.

As I said on the floor of the Assembly, I believe the changes in the budget bill will render Kendra's law unconstitutional because it would allow orders to be extended without the due process protections that formed the basis on which the Court of Appeals upheld the constitutionality of Kendra's Law in 2004. Simply stated, pulling the constitutional rug out from under severely mentally ill people was not something I could vote for. **Video with my full [remarks on Kendra's law](#)**.