

STATE OF NEW YORK

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Extraordinary Session

IN SENATE

September 1, 2021

Introduced by BUDGET BILL -- (at request of the Budget) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend chapter 53 of the laws of 2021, enacting the aid to localities budget, in relation to making additional appropriations associated with an emergency rental assistance program

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

1 Section 1. Section 1 of chapter 53 of the laws of 2021, enacting the
2 aid to localities budget, is amended by repealing the items hereinbelow
3 set forth in brackets and by adding to such section the other items
4 underscored in this section.

5 DEPARTMENT OF FAMILY ASSISTANCE
6 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

7 AID TO LOCALITIES 2021-22

8 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
10 General Fund	[1,675,578,000 <u>1,825,578,000</u>]	189,624,345
11		
12 Special Revenue Funds - Federal	[7,101,484,000 <u>7,351,484,000</u>]	4,137,709,000
13		
14 Special Revenue Funds - Other	19,900,000	500,000
15 Fiduciary Funds	10,000,000	0
16	-----	-----
17 All Funds	[8,806,962,000 <u>9,206,962,000</u>]	4,327,833,345
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EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD12030-04-1

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SPECIALIZED SERVICES PROGRAM [~~2,785,196,000~~] 3,185,196,000

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General Fund

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Local Assistance Account - 10000

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~~[For supplemental costs associated with an emergency rental assistance program pursuant to a plan approved by the office of temporary and disability assistance and director of the budget. Such expenses shall be for costs exceeding any special revenue - federal appropriation made available for such purposes, or for providing assistance to households with incomes that exceed the limitations set forth in such program and with a household member in a priority population as provided for in such program, or for assistance to landlords.]~~

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For supplemental costs associated with an emergency rental assistance program pursuant to a plan approved by the office of temporary and disability assistance and director of the budget. Such expenses shall be (a) for forty-five days following the date when applications begin to be accepted, for providing assistance to households with incomes that exceed eighty percent of area median income but do not exceed one hundred percent of area median income, (b) after forty-five days following the date when applications begin to be accepted, for providing assistance to households with incomes that exceed eighty percent of area median income but do not exceed one hundred twenty percent of area median income, (c) for forty-five days following the date when applications begin to be accepted, for assistance to small landlords as defined in subdivision 12 of section 2 of subpart A of part BB of chapter 56 of the laws of 2021, of a unit charging rent that does not exceed one hundred fifty percent of the fair market rent by unit size, with rental arrears accrued by a tenant, if such landlord has used best efforts to contact and assist

48 such tenant in applying for a program
49 funded with emergency rental assistance
50 dollars, without success, including
51 instances in which such tenant has vacated
52 while owing such rental arrears, or (d)
53 after forty-five days following the date

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1 when applications begin to be accepted,
2 for assistance to landlords of a unit
3 charging rent that does not exceed one
4 hundred fifty percent of the fair market
5 rent by unit size, with rental arrears
6 accrued by a tenant, if such landlord has
7 used best efforts to contact and assist
8 such tenant in applying for a program
9 funded with emergency rental assistance
10 dollars, without success, including
11 instances in which such tenant has vacated
12 while owing such rental arrears. Until
13 such time as the commissioner determines
14 that the need justifies a reallocation, no
15 more than one hundred twenty-five million
16 dollars shall be available for purposes
17 noted in subdivision (a) or (b), and no
18 more than one hundred twenty-five million
19 dollars shall be made available for the
20 purposes noted in subdivision (c) or (d),
21 provided however in no case shall the
22 commissioner make such reallocation earli-
23 er than ninety days after the date when
24 applications begin to be accepted; and
25 provided further that the commissioner
26 shall report to the speaker of the assem-
27 bly and the temporary president of the
28 senate when such reallocations are made
29 and the reasons for such reallocations.

30 Funds appropriated herein may be transferred
31 or suballocated to any other state agency
32 or authority.

33 Notwithstanding any inconsistent provision
34 of law, the budget director is hereby
35 authorized to transfer any of the amount
36 appropriated herein to state operations
37 for administration of supplemental emer-
38 gency rental assistance activities

39	[100,000,000]	<u>250,000,000</u>
40	-----	
41 Program account subtotal ..	[338,796,000]	<u>488,796,000</u>
42	-----	

43 Special Revenue Funds - Federal

44 Federal Miscellaneous Operating Grants Fund
45 CARES Emergency Rent - 25544

46 For services and expenses of an emergency
47 rental assistance program. Households
48 eligible for assistance under such program
49 shall include one or more individual that
50 has experienced financial hardship, is at
51 risk of homelessness or housing instabili-
52 ty, and earns up to eighty percent of area
53 median income as determined by the United
54 States department of housing and urban

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1 development. Such assistance shall be
2 prioritized for those who are unemployed
3 for at least 90 days and those earning up
4 to fifty percent of area median income as
5 determined by the United States department
6 of housing and urban development. Such
7 assistance shall support the payment of up
8 to 12 months of rental arrears due at the
9 time of application and up to 3 months of
10 prospective rent and other purposes set
11 forth in Public Law No. 116-260, Public
12 Law 117-2, or any other federal funds made
13 available for this purpose. Notwithstand-
14 ing any inconsistent provision of law,
15 twenty-five million dollars of the funds
16 appropriated herein shall be available to
17 provide legal services or attorney's fees
18 to tenants related to eviction proceedings
19 and maintaining housing stability pursuant
20 to a plan approved by the commissioner of
21 the office of temporary and disability
22 assistance. The plan for such funds shall
23 grant priority to areas where access to
24 free legal assistance for such services is
25 not already provided. To the extent prac-
26 ticable, such expenses shall be paid from
27 funds otherwise available for administra-
28 tive purposes. Funds may also be used to
29 support a hardship fund for undocumented
30 workers.

31 [~~Funds appropriated herein shall only be~~]
32 [~~expended in local governments not in~~]
33 [~~receipt of a direct allocation from the~~]
34 [~~U.S. Treasury pursuant to the Emergency~~]
35 [~~Rental Assistance funding enacted in~~]
36 [~~Public Law No. 116-260, Public Law 117-2,~~]
37 [~~or any other federal funds made available~~]
38 [~~for this purpose, unless a local govern-~~]

