

**SUMMARY OF RECOMMENDED CHANGES  
TO THE  
EXECUTIVE BUDGET  
STATE FISCAL YEAR 2023-24**

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# **FINANCIAL PLAN**

## SFY 2023-24 Enacted Financial Plan

<b>Enacted Disbursements - Difference from Executive (\$ in Millions)</b>				
	<b>SFY 2022-23 Close-Out</b>	<b>SFY 2023-24 Executive</b>	<b>SFY 2023-24 Enacted</b>	<b>Change from 2022-23 - 2023-24</b>
General Funds	92,799	106,933	108,085	15,286
State Operating Funds	123,750	125,184	127,157	3,407
State Funds	135,553	143,071	145,044	9,491
<b>All Funds</b>	<b>220,461</b>	<b>226,991</b>	<b>229,039</b>	<b>8,578</b>

### **All Funds**

The All Funds Budget is the broadest measure of spending; it accounts for unrestricted and restricted State funds as well as funds received from the Federal government.

The Enacted budget All Funds is estimated at \$229 billion for State Fiscal Year (SFY) 2023-24, which is \$2 billion over the Executive Plan. This is largely attributed to commitments to health care, school aid, higher education, housing, human services, public protection and other programs.

All Funds disbursements represent an increase of \$8.6 billion from SFY 2022-23 estimated levels primarily in local assistance grants and capital projects. These increases are partially offset by lower spending for debt service, which is expected to decline by \$6.9 billion due to prepayments.

The Enacted Financial Plan All Funds receipts are estimated at \$223.9 billion, an increase of \$107 million from the Executive Plan and a decrease of \$9.2 billion or 3.9 percent below SFY 2022-23 estimates. This is attributed to a decrease of \$3.5 billion in tax receipts, \$4.6 billion in miscellaneous receipts and \$996 million in Federal receipts.

### **State Funds**

State Funds spending consists of the General Fund, Debt Service Funds, Capital Projects Funds and Other State Funds. State Funds spending is projected to total \$145 billion in SFY 2023-24, representing an increase of roughly \$2 billion or 1.4 percent over the Executive's Plan, and an increase of \$9.5 billion over SFY 2022-23.

The Enacted Financial Plan estimates State Funds receipts in SFY 2023-24 will total \$137.2 billion, an increase of \$32 million from the Executive Plan, and a decrease of \$8.1 billion or 5.6 percent from SFY 2022-23.

## **State Operating Funds**

The State Operating Funds budget includes all State spending from the General Fund, State Special Revenue Funds, and Debt Service. This measure excludes Capital Projects Funds and Federal spending. The Enacted Plan assumes State Operating Funds spending of \$127.2 billion, an increase of \$2 billion, or 1.6 percent over the Executive's estimate and an increase of \$3.4 billion or 2.8 percent over SFY 2022-23.

State Operating Fund receipts are estimated at \$125 billion, an increase of \$32 million from the Executive Plan; and a decrease of \$12.7 billion or 9.2 percent from SFY 2022-23.

## **General Fund**

The General Fund is the primary operating fund of the State and accounts for all unrestricted tax revenue and other receipts not dedicated to a specific fund, program or activity. The General Fund receives monies from personal income taxes, sales and users taxes, business taxes, other taxes, miscellaneous receipts, and transfers from other funds.

The SFY 2023-24 Enacted Plan projects that General Fund spending will total \$108.1 billion. Proposed General Fund spending is \$1.2 billion over the Executive proposal, largely attributed commitments to health care, school aid, higher education, housing, human services, public protection and other programs. The Enacted Budget General Fund spending represents an increase of \$15.3 billion or 16.5 percent from SFY 2022-23 estimated levels.

In SFY 2023-24, General Fund receipts are estimated to total \$103.9 billion. The Enacted Budget General Fund receipts are \$141 million over the Executive SFY 2023-24 forecast and \$658 million or 0.5 percent over SFY 2022-23 receipts.

## **Reserves**

The Enacted Budget estimates the General Fund cash balance to be \$39.2 billion at the end of SFY 2023-24, a decrease of \$4.2 billion from SFY 2022-23 and a decrease of \$1 billion from estimates included in the Executive Proposal.

Table 1

<b>CASH FINANCIAL PLAN ALL FUNDS</b>				
<b>Closeout 2022-23 vs Enacted Plan 2023-24</b>				
<b>(\$ in millions)</b>				
	<b>2022-23 Closeout</b>	<b>2023-24 Enacted Plan</b>	<b>Change</b>	<b>% Change from 22-23 to 23-24</b>
Opening fund balance	<u>53,549</u>	<u>65,956</u>	<u>12,407</u>	<u>23.2%</u>
<b>Receipts:</b>				
Taxes	111,656	108,135	(3,521)	(3.2%)
Miscellaneous receipts	31,841	27,205	(4,636)	(14.6%)
Federal grants	89,563	88,567	(996)	(1.1%)
<b>Total Receipts</b>	<b><u>233,060</u></b>	<b><u>223,907</u></b>	<b><u>(9,153)</u></b>	<b><u>(3.9%)</u></b>
<b>Disbursements:</b>				
Grants to local governments	167,656	177,219	9,564	5.7%
State operations	23,524	25,113	1,589	6.8%
General State charges	10,588	10,403	(186)	(1.8%)
Debt service	10,481	3,498	(6,983)	(66.6%)
Capital projects	8,212	12,806	4,594	55.9%
<b>Total Disbursements</b>	<b><u>220,461</u></b>	<b><u>229,039</u></b>	<b><u>8,578</u></b>	<b><u>3.9%</u></b>
<b>Other financing sources (uses)</b>				
Transfers from other funds	52,324	57,477	5,153	9.8%
Transfers to other funds	(52,516)	(57,843)	(5,327)	10.1%
Bond and note proceeds		368	368	100.0%
<b>Net other financing sources (uses)</b>	<b><u>(193)</u></b>	<b><u>2</u></b>	<b><u>195</u></b>	<b><u>(101.0%)</u></b>
Deposit to/(use of) Community Projects Fund	0			
Deposit to/(use of) Prior Year Reserves	0			
Deposit to/(use of) Debt Reduction Reserve	0			
Change in fund balance	<u>12,407</u>	<u>(5,130)</u>		
Closing fund balance	<u>65,956</u>	<u>60,826</u>		

**Table 2**

<b>CASH FINANCIAL PLAN</b> <b>STATE FUNDS</b> <b>Closeout 2022-23 vs Enacted Plan 2023-24</b> <b>(\$ in millions)</b>				
	<b>2022-23 Closeout</b>	<b>2023-24 Enacted Plan</b>	<b>Change</b>	<b>% Change from 22-23 to 23-24</b>
Opening fund balance	40,010	51,609	11,599	29.0%
<b>Receipts:</b>				
Taxes	111,656	108,135	(3,521)	(3.2%)
Miscellaneous receipts	31,264	26,799	(4,465)	(14.3%)
Federal grants	2,427	2,305	(122)	(5.0%)
<b>Total Receipts</b>	<b>145,347</b>	<b>137,239</b>	<b>(8,108)</b>	<b>(5.6%)</b>
<b>Disbursements:</b>				
Grants to local governments	86,894	98,749	11,855	13.6%
State operations	21,189	22,323	1,134	5.4%
General State charges	10,203	10,012	(191)	(1.9%)
Debt service	10,481	3,498	(6,983)	(66.6%)
Capital projects	6,786	10,462	3,676	54.2%
<b>Total Disbursements</b>	<b>135,553</b>	<b>145,044</b>	<b>9,491</b>	<b>7.0%</b>
<b>Other financing sources (uses)</b>				
Transfers from other funds	52,804	57,439	4,635	8.8%
Transfers to other funds	(51,000)	(55,480)	(4,480)	8.8%
Bond and note proceeds	0	368	368	100.0%
<b>Net other financing sources (uses)</b>	<b>1,804</b>	<b>2,327</b>	<b>523</b>	<b>29.0%</b>
Deposit to/(use of) Community Projects Fund	0	0		
Deposit to/(use of) Prior Year Reserves	0	0		
Deposit to/(use of) Debt Reduction Reserve				
Change in fund balance	11,599	(5,478)		
<b>Closing fund balance</b>	<b>51,609</b>	<b>46,131</b>		

**Table 3**

<b>CASH FINANCIAL PLAN STATE OPERATING FUNDS</b> <b>Closeout 2022-23 vs Enacted Plan 2023-24</b> <b>(\$ in millions)</b>				
	<b>2022-23 Closeout</b>	<b>2023-24 Enacted Plan</b>	<b>Change</b>	<b>% Change from 22-23 to 23-24</b>
Opening fund balance	40,767	52,724	11,957	29.3%
<b>Receipts:</b>				
Taxes	110,397	106,634	(3,763)	(3.4%)
Miscellaneous receipts	24,902	16,064	(8,838)	(35.5%)
Federal grants	2,420	2,300	(120)	(5.0%)
<b>Total Receipts</b>	<b>137,719</b>	<b>124,998</b>	<b>(12,721)</b>	<b>(9.2%)</b>
<b>Disbursements:</b>				
Grants to local governments	81,877	91,324	9,447	11.5%
State operations	21,189	22,323	1,134	5.4%
General State charges	10,203	10,012	(191)	(1.9%)
Debt service	10,481	3,498	(6,983)	(66.6%)
Capital projects	0	0	0	0.0%
<b>Total Disbursements</b>	<b>123,750</b>	<b>127,157</b>	<b>3,407</b>	<b>2.75%</b>
<b>Other financing sources (uses)</b>				
Transfers from other funds	47,755	50,513	2,758	5.8%
Transfers to other funds	(49,767)	(54,124)	(4,357)	8.8%
Bond and note proceeds	0	0	0	0
<b>Net other financing sources (uses)</b>	<b>(2,012)</b>	<b>(3,611)</b>	<b>(1,599)</b>	<b>79.4%</b>
<b>Deposit to/(use of) Community Projects Fund</b>	<b>0</b>	<b>0</b>		
<b>Deposit to/(use of) Prior Year Reserves</b>	<b>0</b>	<b>0</b>		
<b>Deposit to/(use of) Debt Reduction Reserve</b>	<b>0</b>			
Change in fund balance	11,957	(5,770)		
<b>Closing fund balance</b>	<b>52,724</b>	<b>46,954</b>		

Table 4

<b>CASH FINANCIAL PLAN GENERAL FUND</b>				
<b>Closeout 2022-23 vs Enacted Plan 2023-24</b>				
(\$ in millions)				
	2022-23 Closeout	2023-24 Enacted Plan	Change	% Change from 22-23 to 23-24
Opening fund balance	33,053	43,451	10,398	31.5%
<b>Receipts:</b>				
Taxes				
Personal Income Tax	27,607	28,417	810	2.9%
User taxes and fees	7,240	9,832	2,592	35.8%
Business taxes	17,856	14,546	(3,310)	(18.5%)
Other taxes	2,204	1,276	(928)	(42.1%)
Miscellaneous Receipts	3,609	2,401	(1,208)	(33.5%)
Federal grants	2,351	2,250	(101)	(4.3%)
Transfers from other funds	42,332	45,020	2,688	6.3%
<b>Total Receipts</b>	<b>103,197</b>	<b>103,856</b>	<b>658</b>	<b>0.6%</b>
<b>Disbursements:</b>				
Grants to local governments	62,852	74,346	11,494	18.3%
State operations	12,507	14,519	2,012	16.1%
General State charges	9,115	8,802	(314)	(3.4%)
Transfers to other funds				
- Debt service	298	251	(47)	(15.8%)
- Capital projects	4,649	6,580	1,931	41.5%
- State Share Medicaid	329	0	(329)	0.0%
- SUNY Operations	1,491	1,587	96	6.4%
- Other purposes	1,558	2,001	444	28.5%
<b>Total Disbursements</b>	<b>92,799</b>	<b>108,085</b>	<b>15,286</b>	<b>16.5%</b>
Change in fund balance	10,398	(4,229)		
Closing fund balance	43,451	39,222		

## **Revenue Actions**

The Enacted Budget includes the following revenues actions:

- **Part A — Provide Authority to Abate Interest for Taxpayers Impacted by Declared Disasters:** The Legislature accepts the Executive proposal to authorize the Commissioner of Taxation and Finance to abate the interest penalties on the underpayment of tax for certain taxpayers impacted by a presidentially or gubernatorially declared disaster when a tax deadline has not been extended.
- **Part B — Clarification of the Treatment of Limited Partners for the Metropolitan Commuter Transportation Mobility Tax (MCTMT):** The Legislature accepts the Executive proposal to amend the definition of “net earnings from self-employment” for the purposes of the MCTMT, to include limited partners who are actively engaged in the management of the partnership.
- **Part C — Modify the Investment Tax Credit (ITC) for Farmers:** The Legislature modifies the Executive proposal to convert the ITC to a fully refundable tax credit for eligible farmers for five years, through December 31, 2027, to clarify that the credit is only refundable for property placed in service after January 1, 2023.
- **Part D — Extend and Enhance the Film Tax Credit:** The Legislature modifies and enhances the Executive proposal to:
  - accept the extension of the Empire State film production and post-production credits for five years, through 2034;
  - accept the increase in the annual aggregate cap from \$420 million to \$700 million, beginning in tax year 2024;
  - accept the increase in the annual post-production credit amount from \$25 million to \$45 million, beginning in tax year 2024;
  - accept the increase in the credit for qualified expenses from 25 percent to 30 percent;
  - accept the inclusion of “Above the Line” salaries of writers, directors, and other such professionals in the calculation of the credit;
  - include language that provides for “Above the Line” expenses within the enhanced 10 percent portion of the Upstate credit computation;
  - include language to allow non-wage production costs within the enhanced portion of the Upstate credit computation, for certain productions with a minimum budget of \$500k and shot principally Upstate;
  - amend language to remove the current \$5 million annual aggregate cap for the Enhanced Upstate portion;
  - include language to allow qualified relocation costs to be included in the calculation of the credit, to the extent such costs do not exceed \$6 million; and

- include language to allow for a certain re-branded variety show to be eligible for the credit.
- **Part E — Abatement of Penalties for Underpayment of Estimated Tax by a Corporation:** The Legislature accepts the Executive proposal to authorize the Department of Taxation and Finance (DTF) to waive or reduce penalties for the underpayment of estimated tax by a corporation under certain mitigating circumstances. Under current law, DTF is only allowed to waive or reduce the penalty for the underpayment of estimated personal income tax for taxpayers impacted by casualty, disaster or other unusual circumstances.
- **Part F — Extend the Application Deadline for COVID-19 Capital Costs Tax Credit Program:** The Legislature accepts the Executive proposal to extend, from March 31, 2023 to September 30, 2023, the application deadline for the COVID-19 Capital Costs Tax Credit Program. Under this program, small businesses with \$2.5 million or less of gross receipts are eligible for a credit of 50 percent of their qualifying costs, up to \$25,000, with a minimum credit of \$1,000.
- **Part G — Create a Tax Credit for Child Care Creation and Expansion:** The Legislature modifies the Executive proposal to establish a two-year, \$25 million refundable tax credit program for certain businesses that create or expand childcare slots for the children of their employees, by making a technical correction to a reference of law. The program would be available for eligible businesses statewide, and would be administered by the Office of Children and Family Services.
- **Part H — Create a NYC Biotech Tax Credit:** The Legislature modifies the Executive proposal to authorize the City of New York to provide a tax credit for certain small- and medium-sized businesses that operate in the biotechnology industry, by making conforming changes to the City of New York's Administrative Code and other technical changes. The City of New York previously offered a tax credit for biotechnology companies, which expired in 2019. This proposal would reinstate that authorization for three years, through 2025.
- **Part I — Extend Certain Provisions of the Tax Law:** The Legislature modifies the Executive proposal to amend various tax provisions, to:
  - extend the current Article 9-A business income tax rate of 7.25 percent for three years, through tax year 2026, for taxpayers with a business income base over \$5 million, and extend the current 0.1875 percent capital base tax rate for three years, through tax year 2026;
  - extend the Historic Properties Rehabilitation Credit for an additional five years, through taxable years beginning before January 1, 2030;

- extend the Empire State Commercial Production Tax Credit program for five years, through 2028;
  - extend for six months, from July 1, 2023 to January 1, 2024, the period during which a taxpayer can incur and pay eligible costs for the Grade Number 6 Heating Oil Conversion Tax Credit; and
  - make various changes to the New York City Musical and Theatrical Production Tax Credit, including extending the \$3 million per production cap to productions that have their first performance prior to January 1, 2025, extension of the initial application deadline to June 30, 2025, increase of the overall cap from \$200 million to \$300 million, providing a technical correction to ensure that successful production companies are required to make contributions to the New York State Council on the Arts Cultural Programs until December 31, 2027, and to allow certain Off-Broadway productions with budgets of least \$750,000 to be eligible for a credit up to \$350,000.
- **Part J — Various technical changes to the Tax Law:** The Legislature modifies the Executive proposal to amend various tax provisions, to:
  - update the regulatory reference for a tax credit for companies that provide transportation to individuals with disabilities;
  - correct an inadvertent mathematical error in the computation of certain income for the Pass-Through Entity Tax (PTET), as well as the New York City PTET; and
  - clarify that certain taxpayers that received a certificate of completion between July 1, 2015 and June 24, 2021, instead of taxpayers accepted into the program between such time frame, may be eligible for the Brownfield Redevelopment Tax Credit Program, to also allow certain taxpayers in the downstate area, that received a certificate of completion between January 1, 2017 and December 31, 2017, to be eligible for the site preparation credit.
- **Part K — Simplify and Modernize the Senior Citizens Real Property Tax Exemption:** The Legislature modifies the Executive proposal to amend the definition of income under the Senior Citizens Real Property Tax Exemption program by more closely aligning it with the income threshold used for the STAR Exemption program, to make the same conforming changes to the definition of income used for the Persons with Disabilities and Limited Incomes Exemption Program, the Rent Controlled Senior Citizens or Persons with Disabilities Exemption Programs, and for properties in Battery Park City Occupied by Senior Citizens or Persons with Disabilities Exemption.

- **Part L — Extend the Oil and Gas Fee:** The Legislature accepts the Executive proposal to extend the oil and gas fee by three years, which supports the cost of setting unit of production values for the gas and oil industry from March 31, 2024, to March 31, 2027.
- Part M — Intentionally Omitted.
- **Part N — Clarification of the Wind and Solar Valuation Model:** The Legislature accepts the Executive proposal to clarify that the solar and wind energy system appraisal model, as developed by the Department of Taxation and Finance to create a standardized statewide assessment method for solar and wind energy systems, is not subject to the State Administrative Procedure Act.
- Part O — Intentionally Omitted.
- **Part P — Eliminate Congestion Surcharge Registration Requirements:** The Legislature accepts the Executive proposal to remove a congestion surcharge registration requirement, and provide that any congestion surcharge registration fees already paid would not be refundable.
- **Part Q — Amend Motor Fuel Reporting Designation:** The Legislature accepts the Executive proposal to require distributors of motor fuel and diesel motor fuel to collect, report, and remit taxes to the Department of Taxation and Finance on every gallon of fuel sold, intended to capture gallons sold but not accounted for due to fluctuations in temperature.
- **Part R — Extend and Limit the Vending Machine Sales Tax Exemption to Business Enterprise Program Vendors:** The Legislature modifies the Executive proposal to extend the existing sales tax exemption for certain food and drink purchased from a vending machine for one year, through May 31, 2024, by keeping the extension period and applying the exemption to all vendors, not just vending machines operated by participants in the Business Enterprise Program for blind vendors.
- **Part S — Increase the State Excise Tax on Cigarettes:** The Legislature accepts the Executive proposal to increase the excise tax on cigarettes by one dollar, from \$4.35 to \$5.35, and to increase the existing use tax rate on cigarettes by the same amount.
- **Part T – Revoke Cigarette and Tobacco Taxes Certificate of Registration for Inspection Refusal:** The Legislature modifies an Executive proposal to explicitly *require* the Department of Tax and Finance to revoke the certificate of registration to sell cigarette and tobacco products for licensed retailers that refuse an inspection from the Tax Department, to instead provide that refusal to comply with certain record keeping and inspection requirements in existing law *may* result in such revocation, and to allow such licensed retailer the opportunity to have a revocation reviewed by the Department's

Commissioner. The Legislature further modifies the proposal to authorize the Department to impose civil penalties for unlicensed retailers that refuse an inspection, to lower the penalty for a first refusal from \$5,000 to \$4,000, and to lower the penalty for a second or subsequent offense within three years of a prior refusal from \$10,000 to \$8,000. Language was also included that would give such unlicensed retailer notice and an opportunity to be heard.

- **Part U — Extend Reduced Transfer Tax Rates for Qualifying REITs For Three Years:** The Legislature accepts the Executive proposal to extend the tax rate reductions for Real Estate Investment Trusts (REITs) under the New York State and New York City real estate transfer tax for three years, from September 1, 2023, to September 1, 2026.
- **Part V – Allow the Department of Tax and Finance the Right to Appeal Tax Appeals Tribunal Decisions:** The Legislature modifies the proposal to give the Department of Taxation and Finance the right to seek judicial review for any adverse decisions made by the Tax Appeals Tribunal, to:
  - allow the Department the right to seek judicial review for certain decisions premised on the interpretation of the state or federal constitution, international law, federal law, the law of other states, or other legal issues beyond the purview of the State Legislature;
  - require the Department to consult with Attorney General before seeking judicial review; and
  - explicitly require that the Department must reimburse a taxpayer's reasonable litigation costs if the Department is unsuccessful.
- **Part W — Technical Correction to the Deposit Timeframe:** The Legislature accepts the Executive proposal to clarify that the Department of Taxation and Finance (DTF) has three *business* days to deposit monies received on account of the state, instead of three *calendar* days.
- **Part X — Authorize NYRA to Fund the Belmont Redevelopment Project:** The Legislature modifies the Executive proposal to authorize the New York Racing Association's (NYRA) \$455 million Belmont Redevelopment Project. The state would initially finance the project, through a \$455 million capital appropriation. The Executive would issue a capital loan to finance the project and NYRA would subsequently repay the state at least \$25.8 million per year from its capital expenditure funds until the amount is repaid in full. Furthermore, the Legislature modifies the Executive proposal by:
  - ensuring that the project is undertaken pursuant to a project labor agreement, require Minority- and Women-Owned Business Enterprises (MWBE) goals require the Franchise Oversight Board (FOB) to consult with NYSERDA on energy

efficiencies that could be realized, ensure that all reasonable steps are taken to retain employees. New language would also require documentation of the project to be published on the FOB/Gaming Commission's websites;

- The Assembly and Senate would have direct appointments to the FOB;
  - The FOB would have to ensure adequate funds are dedicated for maintained and repair at Belmont and Saratoga, as well as for the improvement of onsite backstretch personnel housing and quality of life; and
  - With respect to the Aqueduct property once it reverted back to the State, upon substantial completion of the Belmont project, a local advisory board would be formed to assess bids and make a recommendation to the FOB. The FOB would have to take a unanimous vote on the bid.
- Part Y — Intentionally Omitted.
  - Part Z — Intentionally Omitted.
  - **ELFA Part OO (Formerly Part AA) — Capital Region OTB Corporation Funds:** The Legislature modifies the Executive's proposal to extend the authorization of Capital Off-Track Betting Corporation to use monies from the capital acquisition fund for one year by instead extending similar authorization for both Capital and Catskill Off-Track Betting Corporation, and including additional oversight provisions to ensure that surcharge monies are being disbursed properly, Gaming Commission approval and review of the expenditure plan, as well as ensuring reimbursement to the fund if allocations are not in accordance with such expenditure plan.
  - **Part BB — Extend Pari-Mutuel Tax Rates and Simulcast Provisions for One Year:** The Legislature accepts the Executive proposal to extend the current pari-mutuel tax rate structure and other racing-related provisions for one year through June 13, 2024.
  - Part CC — Intentionally Omitted.
  - **Part DD — False Claims Act:** The Legislature includes language to enhance the False Claims Act, by including individuals that knowingly or improperly fail to file a tax return.
  - **Part EE — Repeal of Investment Tax Credit Transfer Provisions:** The Legislature includes language to repeal a provision from Tax Law that would allow for the transferability of the Corporate Franchise Investment Tax Credit. This provision was inadvertently carried over from the Corporate Tax reforms enacted by the State in 2014, and would have significant fiscal implications if it is not repealed.

- **Part FF – Enhance Alcoholic Beverage Production Credit:** The Legislature includes language to amend the Alcoholic Beverage Production Credit amounts for wine and liquor with the intent to provide parity to the various small producers of these New York State beverages.
- **Part GG – Article 9-A MTA Surcharge:** The Legislature includes language to establish a permanent 30 percent tax for the Article 9-A MTA surcharge. This rate begins in tax year 2023 and applies to all Article 9-A taxpayers, excluding New York S corporations.
- **ELFA Part HH - Expand the Empire State Child Credit to Include Children Under 4 Years Old:** The Legislature includes language to expand the Empire State Child Credit to include children under four years of age. The credit is currently only available for each child between four and 17 years old.
- **ELFA Part JJ – Western OTB Corporation:** The Legislature includes language to re-establish the makeup of the board of Western Off-Track Betting Corporation. New appointments would be made by the county executive for participating counties and the respective mayor for participating cities. It also establishes a weighted based vote system based on population by the board of directors.
- **TED Part HHH – Brownfields Credits:** The Legislature includes language to authorize a brownfield cleanup project for which a certificate of completion has been issued between 2014 and 2023 to be eligible for tax credits even though the transfer of ownership took place prior to the authorization.
- **PPGG Part AA – Extend Various Commercial Property and Sales Tax Incentives in New York City:** The Legislature modifies the Executive proposal to extend, for five years, various property and sales tax incentives in New York City which are currently set to expire. These programs include the Lower Manhattan sales and use tax exemption, the Energy Cost Savings Program Credit, the Lower Manhattan Energy Program, the Commercial Expansion Program and the Commercial Revitalization Program, to instead extend such programs for four years.

#### Executive Revenue Proposals that are not Included

- **Part M — Return Foreclosure Excess to Property Owners:** The Legislature does not include the Executive proposal to reform the tax foreclosure process by returning any excess funds, after the local government and any lien holders have been made whole, to the former owner following the sale of a property with delinquent property taxes.
- **Part O – Make Local Sales Tax Rate Authorizations Permanent:** The Legislature does not include the Executive proposal to make permanent all current law local sales tax-rate authorizations, and provide the 57 counties outside of New York City and the five cities

that currently have additional tax rates with permanent authority to impose a one percent additional rate of sales tax or their currently authorized rate, whichever is higher.

- **Part Y – Eliminate Quick Draw Restrictions:** The Legislature does not include the Executive proposal to remove certain restrictions for eligible vendors who sell tickets for the Quick Draw Game.
- **Part Z – Enact Procedures for an Off-Track Betting Corporation to Terminate Operations:** The Legislature does not include the Executive proposal to provide for the closure of Catskill Off-Track Betting Corporation once outstanding debts and obligations are paid.
- **Part CC – Require S-Corporation Conformity with Federal Returns:** The Legislature does not include the Executive proposal to require that all corporations that are treated as subchapter S corporations for federal tax purposes be similarly treated as subchapter S corporations for New York tax purposes.
- **ELFA Part M – Update Tax Abatement Incentives for Affordable Multiple Dwellings in New York City:** The Legislature does not include the Executive proposal to establish a partial real property tax abatement for capital improvements made to certain rental and owner-occupied buildings located in the City of New York or any city in which the multiple dwelling law applies at local option. Alterations and capital improvements made to eligible properties completed between June 29, 2022 and June 30, 2026 would be eligible for the partial abatement for a period of not more than 20 years.
- **ELFA Part N – Establish a Local Option Tax Incentive for Affordable Multi-Family Housing:** The Legislature does not include the Executive proposal to establish a real property tax exemption for the construction of certain multi-family housing projects on previously vacant or underutilized land. The exemption would be at local option, and would apply to municipalities located outside the City of New York.
- **ELFA Part O – Provide a Property Tax Exemption for Accessory Dwelling Units (ADUs):** The Legislature does not include the Executive proposal to create a real property exemption for the increase in value resulting from the addition of one or more accessory dwelling units located on certain residential properties at local option.
- **ELFA Part P – Authorize Tax Incentive Benefits for Converting Commercial Property to Affordable Housing:** The Legislature does not include the Executive proposal to establish the Affordable Housing from Commercial Conversions Tax Incentive Benefits (AHCC) program, which would provide a partial real property tax exemption for the conversion of commercial, manufacturing and other non-residential buildings to residential rental buildings located in the City of New York.

**Table 5**

		<b>Fiscal Impact - Enacted Revenue Proposals (\$ in Millions)</b>				
<b>Part</b>	<b>Proposal</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
A	Abate Interest for Taxpayers Impacted by Declared Disasters	-	-	-	-	-
B	Limited Partners for the Metropolitan Commuter Transportation Mobility Tax	-	-	-	-	-
C	Modify the Investment Tax Credit for Farmers	-	(7)	(7)	(7)	(7)
D	Extend and Enhance the Film Tax Credit	-	-	(115)	(208)	(280)
E	Abatement of Penalties for Underpayment of Estimated Tax by a Corporation	-	-	-	-	-
F	Extend Application Deadline for COVID-19 Capital Costs Tax Credit Program	-	-	-	-	-
G	Create a Tax Credit for Child Care Creation and Expansion	-	(25)	(25)	-	-
H	Create a NYC Biotech Tax Credit	-	-	-	-	-
I-A	Extend Temporary Article 9-A Tax Rates	-	810	1,170	880	-
I-B	Extend Rehabilitation of Historic Properties Credit	-	-	-	(94)	(94)
I-C	Extend Empire State Commercial Production Credit	-	-	(7)	(7)	(7)
I-D	Extend Tax Credit for the Phase Out of a Certain Grade of Fuel Oil	-	-	-	-	-
I-E	Extend and Enhance the NYC Musical and Theatrical Production Tax Credit	-	-	(50)	(50)	-
J-A	Make Technical Changes to the Tax Credit for Companies Who Provide Transportation to Individuals with Disabilities	-	-	-	-	-
J-B	Amend the Brownfield Redevelopment Tax Credit	-	-	-	-	-
J-C	Make Technical Changes to the New York State PTET and NYC PTET	-	-	-	-	-
K	Simplify and Modernize the Senior Citizens Real Property Tax Exemption	-	-	-	-	-
L	Extend the Oil and Gas Fee	-	-	-	-	-
N	Clarification of the Wind and Solar Valuation Model	-	-	-	-	-
P	Eliminate the Congestion Surcharge Registration Requirements	-	-	-	-	-
Q	Amend Motor Fuel Reporting Designation	2	4	4	4	4
R	Vending Machine Sales Tax Exemption Extension	(8)	(2)	-	-	-
S	Increase the State Excise Tax on Cigarettes	(13)	(25)	(24)	(22)	(22)
T	Revoke Cigarette and Tobacco Taxes Registration for Inspection Refusal	-	-	-	-	-
U	Extend Reduced Transfer Tax Rates for Qualifying REITs	-	-	-	-	-
V	Right to Appeal Tax Appeals Tribunal Decisions	-	-	-	-	-
W	Technical Correction to the Deposit Timeframe	-	-	-	-	-
X	Belmont Redevelopment Project	-	-	-	-	-
BB	Extend Pari-Mutuel Tax Rates and Simulcast Provisions	-	-	-	-	-
DD	False Claims Act - Expand to include individuals that failed to file a return	-	-	-	-	-
EE	Repeal of ITC Transfer Provisions	-	-	-	-	-
FF	Enhance Alcoholic Beverage Production Credit	-	(4)	(4)	(4)	(4)
GG	Establish a Permanent Article 9-A MTA SurchARGE	-	-	-	-	-
ELFA HH	Expand Empire State Child Credit to include children under 4 years-old	-	(179)	(179)	(179)	(179)
PPGG AA	Extend Various Commercial Property and Sales Tax Incentives in New York	-	(10)	(15)	(15)	(15)
<b>Total Fiscal Impact</b>		<b>(19)</b>	<b>562</b>	<b>748</b>	<b>298</b>	<b>(604)</b>

# **PUBLIC PROTECTION & GENERAL GOVERNMENT**

**By Agency**



## **Recommended Changes to the Executive Budget**

### **Division of Alcoholic Beverage Control**

**The Legislature provides an All Funds appropriation of \$83.2 million.**

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Capital Projects**

- Not applicable.

#### **Article VII**

- The Legislature includes language to provide the Office of Cannabis Management and the Department of Taxation and Finance with expanded enforcement authority over illegal and legal adult-use cannabis businesses. The language also includes enhanced civil penalties for people found possessing large amounts of illicit cannabis for sale in a commercial setting.
- The Legislature modifies the Executive proposal to extend temporary retail permits for one year.
- The Legislature does not include the Executive proposal to direct the State Liquor Authority (SLA) to review and re-write the Alcoholic Beverage Control Law.
- The Legislature does not include the Executive proposal to authorize the State Liquor Authority to issue temporary permits to applicants with pending wholesale license applications.
- The Legislature does not include the Executive proposal to issue pending applications for permission to make a corporate change to be deemed approved if the State Liquor Authority does not act within 90 days.

- The Legislature does not include the Executive proposal to allow a State Liquor Authority license applicant to submit a required notice to a municipality and an application to the SLA on the same day.

## **Recommended Changes to the Executive Budget**

### **Department of Audit and Control**

**The Legislature provides an All Funds appropriation of \$557.6 million.**

#### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

#### **Aid to Localities**

- **Not applicable.**

#### **Capital Projects**

- **The Legislature accepts the Executive proposal and recommends no changes.**

#### **Article VII**

- **Not applicable.**

## **Recommended Changes to the Executive Budget**

### **Division of the Budget**

**The Legislature provides an All Funds appropriation of \$50.7 million, an increase of \$537,000 over the Executive proposal.**

#### **State Operations**

- The Legislature restores \$537,000 for the following programs:
  - \$479,000 for the National Council of State Governments;
  - \$48,000 for the National Conference of State Legislators; and
  - \$10,000 for the National Conference of Insurance Legislators.

#### **Aid to Localities**

- Not applicable.

#### **Capital Projects**

- Not applicable.

#### **Article VII**

- Not applicable.

## Recommended Changes to the Executive Budget

### Department of Civil Service

**The Legislature provides an All Funds appropriation of \$87.3 million, an increase of \$2.5 million over the Executive proposal.**

#### **State Operations**

- The Legislature adds \$2.5 million for a pilot program to waive application fees associated with civil service examinations.
- The Legislature rejects appropriation language that required the Office of the State Comptroller to submit a plan to the Division of the Budget prior to audits of the New York State Health Insurance Program.

#### **Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Capital Projects**

- Not applicable.

#### **Article VII**

- The Legislature accepts the Executive proposal to permit the Department of Civil Service or a municipal civil service commission to establish continuing eligible lists for any positions in the competitive class which the Department or commission deems appropriate for continuous recruitment.
- The Legislature modifies the Executive proposal to increase the number of positions eligible to be filled through the 55-b program from 1,200 positions to 1,700 positions.
- The Legislature waives application fees for all civil service examinations held by the Department of Civil Service from July 1, 2023, to December 31, 2025, and authorizes municipal commissions to do the same.

## **Recommended Changes to the Executive Budget Department of Corrections and Community Supervision**

**The Legislature provides an All Funds appropriation of \$3.5 billion.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Capital Projects**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Article VII**

- The Legislature modifies the Executive proposal to expand the use of body imaging scanning equipment to state correctional facilities, and facilities run by the Office of Children and Family Services, to expand such use to state correctional facilities for individuals detained in, visiting, or employed in such facility. The Legislature also includes language to provide for alternative methods of screening and to ensure that no individual is subjected to harassment, intimidation, or disciplinary action for choosing such alternative method.
- The Legislature does not include the Executive proposal to lower the age at which an individual could be appointed as a correction officer from 21 years of age to 19 years of age.

## **Recommended Changes to the Executive Budget Commission of Correction**

**The Legislature provides an All Funds appropriation of \$3.86 million.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- Not applicable.

### **Capital Projects**

- Not applicable.

### **Article VII**

- Not applicable.

## Recommended Changes to the Executive Budget

### Division of Criminal Justice Services

**The Legislature provides an All Funds appropriation of \$824.4 million, a \$164.9 million increase over the Executive proposal.**

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- The Legislature provides an additional \$80 million for discovery, for a total of \$120 million.
- The Legislature provides an additional \$40 million in funding for Aid to Defense.
- The Legislature provides a new \$10 million for services and expenses of local and state law enforcement associated with enforcing and investigating extreme risk protection orders (ERPO).
- The Legislature provides \$7.2 million for services and expenses of community safety and restorative justice programs.
- The Legislature provides \$3.5 million for services and expenses of criminal and/or civil legal services in counties outside of the City of New York.
- The Legislature provides \$3.3 million to support criminal justice programs, including re-entry programs, community dispute resolution centers, community-based organizations, transitional housing, civil or criminal legal services, and crime prevention programs.
- The Legislature provides \$2.1 million for the New York State Defenders Association, for total funding of \$3.1 million.
- The Legislature provides an additional \$3.1 million for Prisoner's Legal Services, for total funding of \$5.3 million.
- The Legislature provides \$1.5 million for services and expenses of gun violence prevention, street outreach, anti-violence shooting/violence reduction programs

managed by local governments and/or community-based not-for-profits service providers.

- The Legislature provides \$750,000 for the cost of conducting a study on Missing Black Indigenous and People of Color Women and Girls.
- The Legislature restores \$609,000 for domestic violence related to civil and criminal legal services providers.
- The Legislature restores \$600,000 in support of immigrant legal services:
  - \$150,000 for Albany Law School - Immigration Clinic;
  - \$150,000 for Legal Aid Society - Immigration Law Unit;
  - \$150,000 for Legal Services NYC - DREAM Clinics; and
  - \$150,000 for Haitian - Americans United for Progress, Inc.
- The Legislature restores \$4.2 million in Legal Services Assistance Fund (LSAF) support as follows:
  - \$2.83 million for civil and criminal legal service grants; and
  - \$1.37 million for various legal and domestic violence grants
- The Legislature restores a legislative share of the federal Edward Byrne/Justice Assistance Grants of \$600,000.
- The Legislature restores \$147,000 in support for rape crisis centers.
- The Legislature also provides General Fund support of the following programs:
  - \$3.5 million for Civil Legal Services in upstate New York;
  - \$2.7 million for Westchester County Policing Program;
  - \$1.54 million for SNUG and other gun violence programs;
  - \$400,000 for Neighborhood Legal Services, Inc of Buffalo;
  - \$390,000 for Mobilization for Justice;
  - \$300,000 for the BARD Prison Initiative;
  - \$300,000 for Brooklyn Legal Services;
  - \$300,000 for the Next-Door Project;
  - \$275,000 for the Fortune Society;
  - \$250,000 for the Child Care Center of New York;
  - \$250,000 for the Brooklyn Conflicts Office;
  - \$250,000 for Kingsbridge Heights Community Center;
  - \$250,000 for Moshoula Montefiore Community Center;
  - \$250,000 for Bronx Legal Services;

- \$250,000 for Community Capacity Development;
- \$250,000 for Firemen's Association of the State of New York;
- \$225,000 for the Legal Education Opportunity Program;
- \$225,000 for the Center for Family Representation;
- \$225,000 for the John Jay Prison to College Pipeline Initiative;
- \$200,000 for Bergen Basin Development Corporation;
- \$200,000 for Common Justice;
- \$200,000 for the Greenburger Center for Social and Criminal Justice;
- \$200,000 for Heal the Violence Initiative – NYCHA Sheepshead-Nostrand Houses & Bay View Houses;
- \$200,000 for Glendale Civilian Patrol;
- \$200,000 for NYC Police Department;
- \$200,000 for Osborne Association;
- \$200,000 for Treatment Alternatives for Safer Communities of the Capital District;
- \$175,000 for the Brooklyn Defenders;
- \$175,000 for New York County Defender Services;
- \$160,000 for Capital District Women Bar Association Legal;
- \$150,000 for Kings Against Violence Initiative;
- \$150,000 for Shalom Task Force;
- \$150,000 for Central Family Life Center;
- \$150,000 for Girl Vow Inc.;
- \$135,000 for Housing Court Answers;
- \$127,000 for the Correctional Association;
- \$125,000 for Goddard Riverside Community Center;
- \$120,000 for Nassau/Suffolk Law Services Committee Inc.;
- \$115,000 for Lenox Hill Neighborhood House Inc – Housing;
- \$100,000 for Center for Court Innovation Youth SOS - Crown Heights;
- \$100,000 for Center for Court Innovation – Redhook;
- \$100,000 for SNUG Wyandanch;
- \$100,000 for the New York Wing Civil Air Patrol;
- \$100,000 for Bailey House-Project First;
- \$100,000 for Brownsville Think Tank Matters, Inc.;
- \$100,000 for Wildcat Service Corporation;
- \$100,000 for Cornell University (Criminal Justice Employment);
- \$100,000 for John Finn Institute for Public Safety;
- \$100,000 for Opportunities for a Better Tomorrow Inc.;
- \$100,000 for Richmond County District Attorney's Office;
- \$90,000 for Legal Services of the Hudson Valley – Domestic;
- \$85,500 for Pace Women's Justice Center;
- \$75,000 for Center for Employment Opportunities;
- \$75,000 for Groundswell;
- \$75,000 for The Legal Action Center;
- \$75,000 for Rockland County Sheriff;

- \$50,000 for Cityline Ozone Park Civilian Patrol;
- \$31,000 for Elmcor Youth and Adult Activities Program;
- \$26,000 for NYU Veterans Entrepreneurship Program;
- \$20,000 for New Hour for Women and Children; and
- \$10,000 for Suffolk County Police Asian Jade Society.

## Capital Projects

- The Legislature provides \$50 million for equipment, services, expenses, and grants related to the acquisition and development of technology to support discovery, including but not limited to, equipment, software, hardware, and consulting services.

## Article VII

- The Legislature accepts the Executive proposal to extend various criminal justice and public safety programs for two years.
- The Legislature modifies the Executive proposal to make various amendments to the Concealed Carry Improvement Act and other provisions related to body armor and semi-automatic rifles by instead making various technical amendments to the Concealed Carry Improvement Act, such as defining what a public park does not include, providing an exemption for those designated as security at places of worship for the prohibition of possessing such firearms, rifles and shotguns, and exempting certain lawful activity such as historical re-enactments, storage of antique firearms, and biathlons.
- The Legislature does not include the Executive proposal to require the Division of the State Police to maintain a repository of all criminal offenses involving the discharge of firearms, shotguns, or rifles.

## **Recommended Changes to the Executive Budget State Board of Elections**

**The Legislature provides an All Funds appropriation of \$82.8 million, an increase of \$15 million above the Executive proposal.**

### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Aid to Localities**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Capital Projects**

- **The Legislature provides \$15 million for technology upgrades and equipment at local Boards of Elections.**

### **Article VII**

- **Not applicable.**

## **Recommended Changes to the Executive Budget**

### **Office of Employee Relations**

**The Legislature provides an All Funds appropriation of \$12.02 million.**

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- Not applicable.

#### **Capital Projects**

- Not applicable.

#### **Article VII**

- Not applicable.

**Recommended Changes to the Executive Budget  
Executive Chamber/Office of the Lieutenant Governor**

**The Legislature provides an All Funds appropriation of \$24 million.**

**State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

**Aid to Localities**

- Not applicable.

**Capital Projects**

- Not applicable.

**Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget**

### **Department of Financial Services**

**The Legislature provides an All Funds appropriation of \$521.6 million, an increase of \$250,000 over the Executive proposal.**

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- The Legislature provides \$250,000 to support the Education Debt Consumer Assistance Program (EDCAP).

#### **Capital Projects**

- Not applicable.

#### **Article VII**

- The Legislature includes the Executive proposal to extend until June 30, 2024, the provisions of the Physicians Excess Medical Malpractice Program.
- The Legislature includes the Executive proposal to extend the Health Insurance Continuation Assistance Demonstration Project for one year.
- The Legislature modifies that Executive proposal to require health insurers to provide coverage for behavioral health crisis services, including assertive community treatment, critical time intervention, and mobile crisis intervention and for sub-acute care in residential facilities treating behavioral health conditions and eating disorders. This proposal will help those suffering from mental health conditions access the support and services they need to become stabilized in their communities.
- The Legislature modifies the Executive proposal to eliminate prior authorization for sub-acute care in behavioral health treatment facilities and prohibit concurrent utilization reviews of most in-patient hospital and residential stays for adults for 30 days following

admission. This will eliminate administrative barriers for those in need of residential and inpatient treatment for their mental health conditions.

- The Legislature modifies the Executive proposal to eliminate prior authorization requirements for prescription medications used to treat substance use disorders and for opioid overdose reversal, including buprenorphine, methadone, and long-acting injectable naltrexone.
- The Legislature modifies the Executive proposal to establish standards for “site of service” utilization review policies that determine coverage for services provided at an ambulatory surgical center rather than a hospital-based outpatient clinic. This proposal will help patients receive the care they need in settings that are clinically appropriate and that are often safer and cheaper, lowering the cost of insurance for all stakeholders.
- The Legislature modifies the Executive proposal to clarify insurance coverage requirements for prescription medications used for abortion. This proposal will protect access to Misoprostol, a drug medically recognized as safe and effective for abortions.
- The Legislature modifies the Executive proposal to add health insurers and certain property and casualty insurers into the Life Insurance Guaranty Fund. This proposal will immediately protect the long-term care insurance coverage of approximately 700 New Yorkers and will ensure all New Yorkers maintain their insurance coverage in the event their health insurer becomes insolvent.
- The Legislature adds language to requires insurance companies to use qualified physicians and health care professionals when conducting utilization review.
- The Legislature does not include the Executive proposal to allow insurers to waive the requirement that an automobile be inspected prior to the issuance of a policy.
- The Legislature does not include the Executive proposal to authorize the use of Owner Controlled Insurance Programs (OCIPs) and Contractor Controlled Insurance Programs (CCPs) for certain construction projects in New York City.
- The Legislature does not include the Executive proposal to require health insurers to pay emergency and inpatient services claims prior to conducting a utilization review.
- The Legislature does not include the Executive proposal to establish the Prescription Drug Price and Supply Chain Transparency Act of 2023.
- The Legislature does not include the Executive proposal to require DFS to promulgate rules and regulations relating to the order in which debit and credit card transactions are processed and the imposition of overdraft and insufficient fund fees.

## **Recommended Changes to the Executive Budget**

### **Office of General Services**

**The Legislature provides an All Funds appropriation of \$1.34 billion, an increase of \$3 million over the Executive proposal.**

#### **State Operations**

- **The Legislature accepts the Executive Proposal and recommends no changes.**

#### **Aid to Localities**

- **Not applicable.**

#### **Capital Projects**

- **The Legislature provides \$3 million for improvements to the New York State Legislative Library.**

### **Article VII**

- **The Legislature modifies the Executive proposal to establish a four-year pilot program to allow state agencies to require electronic submission of bids for commodity, service, and technology contracts, including the use of electronic signatures on required documents, with reporting requirements.**
- **The Legislature accepts the Executive proposal to extend the authority of the State Commission on the Restoration of the Capitol for an additional five years from April 1, 2023 to April 1, 2028.**

## **Recommended Changes to the Executive Budget Division of Homeland Security and Emergency Services**

**The Legislature provides an All Funds appropriation of \$9.1 billion, or an increase of \$26.95 million over the Executive proposal.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature provides \$1 million for services and expenses of the American Red Cross.
- The Legislature provides funding for various organizations including:
  - \$750,000 for the New York State Professional Fire Fighters Association (NYSPFFA); and
  - \$200,000 for the Village of Woodridge Fire Department.

### **Capital Projects**

- The Legislature provides \$25 million for grants to volunteer fire departments for construction, renovation and/or purchase of facilities or equipment.

### **Article VII**

- The Legislature modifies the Executive proposal to establish a state revolving loan fund to provide assistance to local governments for eligible hazard mitigation activities, as defined in the federal Safeguarding Tomorrow through Ongoing Risk Mitigation (STORM) Act.

## **Recommended Changes to the Executive Budget Office of Indigent Legal Services**

**The Legislature provides an All Funds appropriation of \$468.6 million, an increase of \$102 million over the Executive proposal.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature provides up to \$92 million for grants to counties for expenses related to increased counsel rates of \$158 per hour for 18-B adult representation in criminal court, to improve the quality of representation provided to persons who are entitled to counsel in court matters and are financially unable to obtain representation.
- The Legislature provides \$10 million for 18-B family court representation.

### **Capital Projects**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Article VII**

- The Legislature modifies the Executive proposal to increase the assigned counsel rates for all cases to \$158 per hour for downstate counties and \$119 per hour for all other counties by instead increasing the assigned counsel rates to \$158 per hour statewide. The Legislature also includes language to increase the case compensation caps, provide that a court may go above such limits in extraordinary circumstances, as well as increase the compensation for Attorney for the Child to \$158 statewide, and include increases for certain service providers to not exceed \$3,000 unless the court determines that more may be provided in extraordinary circumstances.

**Recommended Changes to the Executive Budget  
Office of the State Inspector General**

**The Legislature provides an All Funds appropriation of \$9.8 million.**

**State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

**Aid to Localities**

- Not applicable.

**Capital Projects**

- Not applicable.

**Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget Interest on Lawyer Account**

**The Legislature provides an All Funds appropriation of \$54.2 million.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Capital Projects**

- Not applicable.

### **Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget Department of Law**

**The Legislature provides an All Funds appropriation of \$347.2 million, an increase of \$2 million over the Executive proposal.**

### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Aid to Localities**

- **The Legislature provides \$2 million to establish a deed theft intervention program.**

### **Capital Projects**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Article VII**

- **Not applicable.**

**Recommended Changes to the Executive Budget**  
**Division of Military and Naval Affairs**

**The Legislature provides an All Funds appropriation of \$331.1 million.**

**State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

**Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

**Capital Projects**

- The Legislature accepts the Executive proposal and recommends no changes.

**Article VII**

- The Legislature accepts the Executive proposal to expand eligibility for World Trade Center death and disability benefits for members of the New York State organized militia who were activated into service on and after September 11, 2001, to ensure that such benefits are consistent with existing state programs for similar benefits.

## **Recommended Changes to the Executive Budget Office for the Prevention of Domestic Violence**

**The Legislature provides an All Funds appropriation of \$17 million, an increase of \$5.1 million over the Executive proposal.**

### **State Operations**

- The Assembly accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature restores \$50,000 for the Family Violence and Women's Rights Clinic at the University at Buffalo School of Law.
- The Legislature provides an additional \$5 million for grants to provide financial assistance to victims of domestic violence.

### **Capital Projects**

- Not applicable.

### **Article VII**

- The Legislature does not include the Executive proposal to require the Office for the Prevention of Domestic Violence to convene a task force to develop a model domestic and gender-based violence policy for adoption by state and local agencies.

## **Recommended Changes to the Executive Budget**

### **Public Employment Relations Board**

**The Legislature provides an All Funds appropriation of \$4.97 million.**

#### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

#### **Aid to Localities**

- **Not applicable.**

#### **Capital Projects**

- **The Legislature accepts the Executive proposal and recommends no changes.**

#### **Article VII**

- **Not applicable.**

## **Recommended Changes to the Executive Budget Commission on Ethics and Lobbying in Government**

**The Legislature provides an All Funds appropriation of \$7.9 million.**

### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Aid to Localities**

- **Not applicable.**

### **Capital Projects**

- **Not applicable.**

### **Article VII**

- **The Legislature accepts the Executive proposal and recommends no changes.**

## **Recommended Changes to the Executive Budget Division of State Police**

**The Legislature provides an All Funds appropriation of \$1.3 billion.**

### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Aid to Localities**

- **Not applicable.**

### **Capital Projects**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Article VII**

- **The Legislature does not include the Executive proposal to require the Division of State Police to maintain a depository of all criminal offenses involving the discharge of firearms.**

## **Recommended Changes to the Executive Budget Statewide Financial Services**

**The Legislature provides an All Funds appropriation of \$32.1 million.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- Not applicable.

### **Capital Projects**

- Not applicable.

### **Article VII**

- Not applicable.

**Recommended Changes to the Executive Budget  
Office of Information Technology Services**

**The Legislature provides an All Funds appropriation of \$994 million.**

**State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

**Aid to Localities**

- Not applicable.

**Capital Projects**

- The Legislature accepts the Executive proposal and recommends no changes.

**Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget Office of Victim Services**

**The Legislature provides an All Funds appropriation of \$218.46 million.**

### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Aid to Localities**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Capital Projects**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Article VII**

- **Not applicable.**

## **Recommended Changes to the Executive Budget Workers' Compensation Board**

**The Legislature provides an All Funds appropriation of \$212.38 million.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- Not applicable.

### **Capital Projects**

- Not applicable.

### **Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget General State Charges**

**The Legislature provides an All Funds appropriation of \$7.08 billion, an increase of \$14.9 million over the Executive proposal.**

### **State Operations**

- The Legislature includes \$14.6 million related to the cost of modifying the heart presumption benefit for police officer member of the New York State and Local Retirement System.
- The Legislature does not include a proposal that would require the rate of interest paid upon any judgment or accrued claim to be calculated based on the market rate and instead restores \$2.5 million.
- The Legislature includes language to allow the State to make prepayments to the pension fund for future fiscal year obligations, and to increase flexibility regarding notice for outside council.
- The Legislature includes \$322,000 for a pilot program to reimburse the City of Kingston and the Town of Ulster for tax revenues lost resulting from the creation of the Sojourner Truth State Park.

### **Aid to Localities**

- Not applicable.

### **Capital Projects**

- Not applicable.

### **Article VII**

- The Legislature does not include the Executive proposal to authorize the president of the Civil Service Commission to require the payment of interest on late payments made by certain employers for the administration of the New York State Health Insurance Plan.

- The Legislature accepts the Executive proposal to extend provisions of law waiving the income cap for retirees employed by a public school or board of cooperative educational services for one year, from June 30, 2023 to June 30, 2024.
- The Legislature accepts the Executive proposal to allow employers who participate in the New York State and Local Retirement System's Contribution Stabilization Program to access their reserve fund when the employer contribution rate exceeds the employer graded rate, and establish provisions to opt out of the program.
- The Legislature accepts the Executive proposal to include counties as payors for special accidental death benefits to families of deceased members of county sheriff departments and provide for the payment of such benefit to the families of employees who died prior to April 1, 2023.
- The Legislature includes language to provide that the death benefit payable to beneficiaries of correction officers employed by Westchester County and fire marshals employed by Nassau County who are eligible for service retirement at the time of death shall be the greater of the pension reserve that would have been established had the member retired on the date of his or her death, or the death benefit and the reserve-for-increased-take-home-pay.
- The Legislature includes language to allow members of the New York City Fire Department Pension Fund to obtain service credit in such fund for service rendered as an EMT member of the New York City Employees Retirement System.
- The Legislature includes language to permit Tier 3 original, revised, and enhanced members of the New York City Police Pension Fund to borrow from their pensions.
- The Legislature includes language to authorize Monroe County to permit deputy sheriffs-civil to retire pursuant to the optional 25-year retirement plan for sheriffs, undersheriffs, deputy sheriffs, and correction officers.
- The Legislature includes language to provide that police officer members of the New York State and Local Retirement System subject to a presumption that any disease of the heart resulting in disability or death was incurred in the line of duty shall not be required to establish that such disability or death was sustained in an accident.
- The Legislature includes the Executive proposal to extend provisions of law granting the Public Employment Relations Board authority to engage the Metropolitan Transportation Authority and its recognized employee organization in binding interest arbitration for two years, from July 1, 2023 to July 1, 2025.

## Recommended Changes to the Executive Budget

### Miscellaneous: Public Protection and General Government

#### Local Government Assistance

The Legislature provides an All Funds appropriation of \$838 million, an increase of \$5.2 million over the Executive proposal.

#### State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

#### Aid to Localities

- The Legislature provides \$2 million for a one-time payment to the North Shore Water Authority.
- The Legislature restores and includes support for the following programs:
  - \$1.96 million in miscellaneous financial assistance to municipalities including:
    - \$500,000 for the Town of Niskayuna;
    - \$300,000 for the Village of New Paltz;
    - \$300,000 for the Town of Oswego;
    - \$300,000 for the County of Albany;
    - \$295,000 for the County of Monroe;
    - \$115,000 to the County of Broome;
    - \$100,000 for the Town of Whitestown; and
    - \$55,000 for the County of Sullivan.
  - \$1.2 million to the County of Onondaga to continue a school discipline pilot project in conjunction with the Syracuse City School District.

#### Capital Projects

- Not applicable.

## **Article VII**

- The Legislature rejects the Executive proposal to establish housing growth targets in each municipality and override zoning in municipalities that do not meet targets or that fail to implement certain land use actions.
- The Legislature rejects the Executive proposal to require local governments to permit the construction of residential dwelling units within half a mile of any non-seasonal rail station.
- The Legislature accepts the Executive proposal to repeal the authorization for a \$1 million annual payment to the North Shore Water Authority from the County-Wide Shared Services Initiative.
- The Legislature provides technical amendments to ensure that Suffolk County can continue to receive payments for its Traffic and Parking Violations Agency.
- The Legislature modifies the Executive proposal to create the Suffolk County Wastewater Management District to include language requested by Suffolk County that would authorize a 1/8 percent county sales tax increase.
- The Legislature modifies the Executive proposal to authorize municipalities to pay training stipends to volunteer firefighters without rescinding their “volunteer” status.
- The Legislature modifies the Executive proposal to eliminate certain purchasing requirements for New York agricultural products by municipalities, boards of education and BOCES, by increasing the threshold for competitive bidding to \$150,000 for boards of education and BOCES.
- The Legislature does not include the Executive proposal to provide for alternative project bidding methods for New York City.
- The Legislature does not include the Executive proposal to authorize New York City to allow for the conversion of existing illegal basement dwelling units to legal dwelling units, notwithstanding of any state or local law.
- The Legislature does not include the Executive proposal to establish an Office of Community and Workforce Development for New York City.

## **Deferred Compensation Board**

- The Legislature accepts the Executive proposal and recommends no changes.

## **Labor Management Committees**

- The Legislature accepts the Executive proposal and recommends no changes.

# **EDUCATION, LABOR & FAMILY ASSISTANCE**

**By Agency**



## **Recommended Changes to the Executive Budget**

### **Department of Veterans' Services**

The Legislature provides an All Funds appropriation of \$32.9 million, an increase of \$2.87 million over the Executive proposal.

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- The Legislature includes reporting requirements to the Justice for Heroes program.
- The Legislature provides \$2.87 million in restorations and adds for the following programs:
  - \$500,000 for New York State Defender's Association;
  - \$405,000 for Legal Services of Hudson Valley;
  - \$325,000 for Clear Path for Veterans;
  - \$300,000 for Helmets to Hardhats;
  - \$220,000 for the New York State Defenders Association Veterans Defense Program – Long Island Expansion;
  - \$200,000 for Legal Services of NYC Veterans Justice Project;
  - \$200,000 for SAGE Veterans Project;
  - \$150,000 for the Outdoor RX program;
  - \$125,000 for North County Veterans Association;
  - \$125,000 for Veterans of Foreign Wars Department of New York;
  - \$100,000 for the Buffalo and Erie County Naval and Military Park;
  - \$100,000 for the Utica Center for Development;
  - \$100,000 for Vietnam Veterans of America – New York State Council; and
  - \$15,000 for the Hunts Point WWI Veteran Monument.

## **Capital Projects**

- The Legislature accepts the Executive proposal and recommends no changes.

## **Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget Council on the Arts**

**The Legislature provides an All Funds appropriation of \$97 million, an increase of \$49 million over the Executive proposal.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature provides \$40 million in additional support for New York State Council on the Arts (NYSCA) operating grants.
- The Legislature provides an additional \$8 million in arts grants to be distributed through Regional Arts and Cultural Councils, including:
  - \$1 million for ArtsWestchester;
  - \$1 million for the Arts Services Initiative of Western New York;
  - \$1 million for Arts Mid-Hudson;
  - \$1 million for the Huntington Arts Council;
  - \$1 million for the Arts Center of the Capital Region;
  - \$1 million for Genesee Valley;
  - \$1 million for the Arts Center of CNY Arts;
  - \$500,000 for the Auburn Public Theater; and
  - \$500,000 for the Earlville Opera House.
- The Legislature restores \$1 million in support for stabilization grants for small and mid-sized arts organizations.

### **Capital Projects**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget City University of New York (CUNY)**

**The Legislature provides an All Funds appropriation of \$6.3 billion, which is an increase of \$617 million, or 11 percent, over the Executive proposal.**

### **State Operations**

- The Legislature increases funding for CUNY Operating Aid by \$103 million over the Executive, which is \$103 million over the 2023-24 Academic Year (AY), and includes the following:
  - \$50 million in new operating aid, in lieu of the Executive proposed tuition increase;
  - \$53 million for a transformation fund; and
  - SUNY and CUNY operating aid will grow by a combined \$90 million for the 2024-25 AY and \$90 million for the 2025-26 AY.
- The Legislature provides \$2.25 million for the School of Labor and Urban Studies, a \$750,000 increase over SFY 2022-23, for a total of \$5.9 million.
- The Legislature restores \$1.1 million for Search for Education, Elevation, and Knowledge (SEEK), for total funding of \$38.2 million.
- The Legislature restores \$1 million for CUNY Mental Health Programs, for a total of \$2 million.
- The Legislature restores \$1 million for CUNY Nursing Programs, for a total of \$3 million.
- The Legislature also provides the following adds and restorations:
  - \$1 million for Medgar Evers Du Bois Environmental Job Training;
  - \$750,000 for the Medgar Evers Du Bois Bunche Center for Public Policy;
  - \$500,000 for the CUNY Black Male Initiative;
  - \$350,000 for the W Haywood Burns Chair in Human and Civil Rights;
  - \$200,000 for CUNY Lehman College BronxNet; and
  - \$81,500 for the CUNY Mock Senate.

## Aid to Localities

- The Legislature rejects the Executive proposal to require community colleges to withhold up to 20 percent of base aid funding until they complete a restructuring plan.
- The Legislature provides \$54,000 for College Discovery, for a total of \$1.8 million.

## Capital Projects

- The Legislature provides \$435 million in new flexible Capital Funding.

## Article VII

- The Legislature rejects the Executive proposal to increase resident undergraduate tuition but will allow differential non-resident undergraduate and graduate tuition increases within CUNY based on a plan from the system's Board of Trustees. This authorization will last for three years, and CUNY must explain the reasoning behind their adopted methodology.
- The Legislature rejects the Executive proposal related to providing access to medication abortion at CUNY and has instead passed legislation outside of the budget process.
- The Legislature includes a requirement that CUNY to develop a long-term plan to address the impact of fluctuations in student enrollment on the academic and financial sustainability of state-operated institutions, senior colleges, and community colleges.

## Recommended Changes to the Executive Budget State Education Department (SED)

The Legislature provides an All Funds appropriation of \$44.3 billion, which is an increase of \$436.9 million, or one percent, over the Executive proposal.

### State Operations

- The Legislature provides \$1 million to revive the Summer School for the Arts.
- The Legislature restores \$150,000 for the Rochester Fiscal Consultant.

### Aid to Localities

#### Office of Prekindergarten through Grade 12 Education

- The Legislature rejects the Executive proposal to set aside \$250 million within Foundation Aid to establish tutoring programs in grades three through eight for students at risk of falling behind State standards.
- The Legislature provides total funding for Universal Prekindergarten (UPK) is increased by \$25 million over the Executive, for a total of \$150 million over School Year (SY) 2022-23. This includes \$100 million in additional prekindergarten funding provided by the Executive through a formula-based distribution, and \$50 million for the Statewide Universal Full-Day Prekindergarten (SUFDPK) grant. Additionally, the Legislature removes “supplement not supplant” language from the appropriation language to facilitate adoption of programs.
- The Legislature provides \$130 million to help provide reimbursement at the free-lunch funding level for school meals to districts that participate in the Federal Community Eligibility Provision (CEP) Program.
- The Legislature adjust the funding cap for Transportation After 4 pm is increased by \$2.5 million, for a total of \$24.9 million.
- The Legislature adds nursing and teaching to computer science and computer engineering as priority fields within the Early College High School and Pathways in Technology (P-TECH) program.

- The Legislature restores \$21.4 million for Teacher Resource and Computer Training Centers.
- The Legislature provides \$2 million for Specialized High School Prep programs.
- The Legislature restores \$1.5 million for the Consortium for Worker Education (CWE), for a total of \$13 million.
- The Legislature restores funding for the following state-appointed monitors;
  - \$225,000 for the East Ramapo Monitor;
  - \$175,000 for the Hempstead Monitor;
  - \$175,000 for the Rochester Monitor; and
  - \$175,000 for the Wyandanch Monitor.
- The Legislature restores \$385,000 for Bilingual or Multilingual Training Programs for Teachers.
- The Legislature also provides the following adds and restorations:
  - \$12 million for the Yonkers City School District;
  - \$2 million for Tax Certiorari Grants;
  - \$1.2 million for Buffalo City School District Health Services;
  - \$1.2 million for Rochester City School District Health Services;
  - \$1.1 million for Implicit Bias Training;
  - \$974,500 for the Executive Leadership Institute;
  - \$750,000 for Long Island Pre-K Tech Assistance;
  - \$650,000 for NYC Kids RISE;
  - \$500,000 for the Center for Educational Innovation;
  - \$500,000 for Autism Research at SUNY Albany;
  - \$500,000 for the Teacher Diversity Pipeline Pilot;
  - \$475,000 for the Magellan Foundation, Inc;
  - \$461,000 for Bard Early College High School-Queens;
  - \$450,000 for United Community Schools, Inc.;
  - \$400,000 for the Biobus;
  - \$365,000 for the Mind Builders Creative Arts Center;
  - \$250,000 for the CWE Credentialling;
  - \$250,000 for the Fund for the City of New York-Promise Project;
  - \$250,000 for the Queens College Townsend Harris High School;
  - \$250,000 for the Universal Hip Hop Museum;
  - \$240,000 for the Future Giants Advancing Classroom Technology Program;
  - \$150,000 for BRIC Arts Media;
  - \$150,000 for the DIA Arts Foundation;

- \$150,000 for Education Through Music, Inc;
- \$150,000 for Flushing Town Hall;
- \$150,000 for the Underground Railroad Cultural Education Center;
- \$100,000 for the African American Cultural Museum;
- \$100,000 for the Center for Jewish History;
- \$50,000 for the Storm King Arts Center; and
- \$40,000 for the Long Island Latino Teachers Association.

### **Special Education**

- The Legislature restores \$2 million for Schools for the Blind and Deaf (4201 Schools) and provides an additional \$4 million, for a total of \$112 million.
- The Legislature adds and restores funding for the following Independent Schools for the Blind and Deaf:
  - \$903,000 for the Henri Visconti School for the Deaf;
  - \$903,000 for the New York School for the Deaf;
  - \$500,000 for the Cleary School for the Deaf;
  - \$500,000 for the Mill Neck Manor School for the Deaf;
  - \$150,000 for the St. Francis de Sales School for the Deaf; and
  - \$150,000 for the St. Mary's School for the Deaf.

### **Nonpublic Schools**

- The Legislature restores \$1.9 million for Nonpublic School Aid.
- The Legislature provides an additional \$3 million for Nonpublic School STEM Programs for a total of \$73 million, which is \$15 million above SFY 2022-23.
- The Legislature restores \$1 million for the State Sponsored Immunization Program.

### Cultural Education

- The Legislature restores \$3.5 million for Aid to Public Libraries, for a total of \$99.6 million.
- The Legislature restores \$375,000 for the Schomburg Center for Research in Black Culture.
- The Legislature increases funding from the Love Your Library account from \$150,000 to \$176,000 to ensure that every library system receives a minimum of \$6,000 for summer reading programs.

- The Legislature restores \$112,500 for the Langston Hughes Community Library.

#### Adult Career and Continuing Education Services

- The Legislature restores \$1.5 million for Adult Literacy Education, for a total of \$9.3 million.

#### Office of Higher Education and the Professions

- The Legislature restores the following Opportunity Programs:
  - \$1.4 million for the Higher Education Opportunity Program (HEOP), for a total of \$48.3 million;
  - \$738,000 for the Liberty Partnerships Program (LPP), for a total of \$25 million;
  - \$636,000 for the Science and Technology Entry Program (STEP), for a total of \$21.5 million;
  - \$482,000 for the Collegiate Science and Technology Entry Program (CSTEP), for a total of \$16.3 million; and
  - \$241,000 for the Foster Youth Initiative, for a total of \$8.2 million.
- The Legislature provides an additional \$2 million for Students with Disabilities, for a total of \$4 million.
- The Legislature restores \$750,000 for the Dental Grants Program at SUNY Buffalo.
- The Legislature restores \$350,000 for Latino U College Access.
- The Legislature restores \$200,000 for On Point for College.

#### Capital Projects

- The Legislature provides \$20 million for Library Construction Aid, for a total of \$34 million.
- The Legislature allows a portion of appropriated capital funds for Schools on Native American Reservations to be used to conduct feasibility studies for the construction of new school facilities.

## **Article VII**

- The Legislature rejects the Executive proposal to restrict nonpublic school aid funding to the appropriation in any given year.
- The Legislature rejects the Executive proposal to freeze Reimbursable Aids to the lesser of the Executive proposal or updated data.
- The Legislature modifies the Executive proposal to require the State Education Department to study the rate setting methodology for special education providers to remove the cost neutral language, remove regular consultation with the Division of the Budget, and require the Legislature to receive the findings.
- The Legislature modifies the Executive proposal related to charter schools to:
  - maintain the regional cap in New York City;
  - provide that no more than 22 charters that have been surrendered, revoked, terminated or not renewed after January 1, 2015, but before July 1, 2022 may be reissued, of which no more than 14 may be reissued in New York City; and
  - prohibit such charters from being reissued in New York City if the total enrollment of students attending charter schools within the respective community district is greater than or equal to 55 percent of the total public-school enrollment within such community district.
- The Legislature rejects the Executive proposal to extend the requirement that school districts report on school level funding because it is duplicative of federal requirements.
- The Legislature modifies the Executive proposal related to reporting on Zero-Emission School Bus implementation to delay the start of the report.
- The Legislature modifies the date for when NYSERDA must annually report on the availability of zero-emission school buses from 2026 to 2025.
- The Legislature modifies the Executive proposal related to reporting on prekindergarten unmet need to streamline the reporting requirements.
- The Legislature extends the authorization for State aid for up to 75 percent of project costs for library construction in economically disadvantaged communities until 2026.
- The Legislature authorizes a Lottery Aid spin up for the Mount Vernon City School District.

- The Legislature accepts the Executive proposal to remove the maximum cap on the Liberty Partnerships Program (LPP).
- The Legislature rejects the Executive proposal related to ownership of public accountancy firms.
- The Legislature rejects the Executive proposal related to the transfer of oversight of certain healthcare professions from SED to DOH.
- The Legislature rejects the Executive proposal related to pharmacists prescribing certain contraceptives since a bill was passed outside of budget.
- The Legislature rejects the Executive proposal related to scope of practice expansions for certain health care professions.
- The Legislature rejects the Executive proposal to authorize New York to join the interstate medical and nurse licensure compacts.
- The Legislature extends the current authorization for advanced home health care aides to provide certain services for another six years.
- The Legislature rejects the Executive proposal to authorize certain unlicensed support staff in non-facility OPWDD programs to provide nursing services without nurse supervision.
- The Legislature rejects the Executive proposal to authorize out-of-state applicants seeking licensure in qualified high need health care professions to request a six-month temporary practice permit.

## **Recommended Changes to the Executive Budget Office of Children and Family Services (OCFS)**

The Legislature provides an All Funds appropriation of \$5.92 billion an increase of \$103.2 million over the Executive proposal.

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature includes a total of \$500 million for Child Care Workforce Recruitment and Retention Grants. Under this proposal, existing center and family based childcare workers will receive \$2,000 bonuses, or \$1,500 bonuses for those working in School Aged Child Care programs. Programs will also receive additional payment to support recruitment, ranging from \$800 to \$4,000 depending on modality.
- The Legislature provides funding for Facilitated Enrollment programs to expand eligibility to families earning up to 400 percent of the federal poverty level (FPL) who are otherwise ineligible for the State Child Care program. Programs will also be authorized to continue with assisting families earning up to 85 percent of the state median income with enrollment in the state's child care program.
- The Legislature includes an additional \$5.1 million to increase the Human Services Cost of Living Adjustment (COLA) from 2.5 percent to 4.0 percent.
- The Legislature includes language to allow authority for OCFS to defer the local maintenance of effort for up to two fiscal years. This would allow the state to retain an estimated \$140 million in unspent federal funding that will otherwise expire by September 30, 2023. Funds would be redirected to localities to reserve for future child care obligations.
- The Legislature provides an additional \$89.0 million in funding for the following programs:
  - \$29.3 million for various initiatives;
  - \$10 million for the Statewide Youth Sports Grant Program;
  - \$5.5 million for Facilitated Enrollment Pilot Program (400 percent FPL);
  - \$5.4 million for YMCA of Greater NY;

- \$5 million additional for Advantage Afterschool;
- \$5 million for United Way of Greater Rochester;
- \$2.45 million for Settlement Houses;
- \$2.4 million for United Way 2-1-1;
- \$2 million for Child Advocacy Centers;
- \$1.9 million for Kinship Care;
- \$1.85 million for Facilitated Enrollment 85 percent SMI program;
- \$1.6 million for Fresh Air Fund;
- \$1.5 million for the Youth Development Program;
- \$1.25 million for the New York State Alliance of Boys and Girls Clubs;
- \$1 million for Safe Harbor;
- \$1 million for the New York State YMCA Foundation;
- \$1 million for Help Me Grow New York;
- \$700,000 for the Hispanic Federation;
- \$635,000 for Common Point Queens;
- \$600,000 for Runaway and Homeless Youth;
- \$600,000 for the Metropolitan New York Coordinating Council on Jewish Poverty;
- \$450,000 for New Alternatives For Children (NAC);
- \$400,000 for Legal Services of the Hudson Valley;
- \$260,000 for Westchester County Youth Bureau;
- \$250,000 for the East Flatbush Village;
- \$250,000 for the Junior Achievement of New York;
- \$250,000 for the West Indian Day Carnival Association;
- \$250,000 for Make the Road;
- \$250,000 for the Chinese American Planning Council;
- \$225,000 for Association of New York State Youth Bureaus, Inc.;
- \$225,000 for Astor Services for Children and Families;
- \$200,000 for Citizens Committee NYC;
- \$200,000 for the Bergen Basin Community Development Corporation;
- \$200,000 for Open Buffalo;
- \$200,000 for Parent Child Plus;
- \$200,000 for Urban Upbound;
- \$200,000 for Grandpas United;
- \$175,000 for Shalom Task Force Inc;
- \$175,000 for the Boys and Girls Club of Harlem;
- \$151,667 for Legal Services of the Hudson Valley;
- \$150,000 for Tri Community Youth Agency;
- \$150,000 for Riseboro;
- \$150,000 for the Simon Wiesenthal Center;
- \$150,000 for Boys and Girls Club of Western New York;
- \$150,000 for El Centro Hispano;
- \$150,000 for Center for Family Representation;
- \$150,000 for Cornell ILR Buffalo Co-Lab;

- \$125,000 for United Jewish Organizations of Williamsburg;
- \$125,000 for Center For Elder Law and Justice;
- \$100,000 for Family Justice Center of Erie County;
- \$100,000 for Hispanic Heritage Cultural Institute;
- \$100,000 for Minkwon Center for Community Action;
- \$100,000 for New Rochelle Boys and Girls Club;
- \$100,000 for Sesame Flyers;
- \$100,000 for Kinship Navigator;
- \$100,000 for Afikim Foundation;
- \$100,000 for Children of Promise;
- \$100,000 for Fund for the City Of New York- The New Pride Agenda Inc;
- \$100,000 for Jewish Board;
- \$100,000 for Southside United HDFC/Los Sures;
- \$100,000 for NYPD Youth Explorers Program;
- \$100,000 for the Afro Latin Jazz Alliance;
- \$100,000 for the Council of Peoples Organization;
- \$100,000 for Little Haiti BK, Inc;
- \$90,000 for Dominico American Society of Queens Inc;
- \$75,000 for the Federation of Protestant Welfare Agencies (FPWA);
- \$75,000 for Fun in the Son;
- \$75,000 for Jamaica Bay Rockaway Conservancy Parks;
- \$75,000 for South End Children's Café;
- \$65,000 for Helen Keller Services for the Blind;
- \$65,000 for Fearless! (Safe Homes of Orange County);
- \$50,000 for The Black Institute;
- \$50,000 for BRAATA Productions Corp;
- \$50,000 for the Center for Advocacy Support and Transformation;
- \$50,000 for Connect Center for Youth;
- \$50,000 for Flatbush Development Corp;
- \$50,000 for JCC Rockland;
- \$50,000 for Long Island Cares;
- \$30,000 for Wizkids Books B4 Basketball Program;
- \$25,000 for St. Luke's Community Food Program;
- \$20,000 for the Extolling Excellence Foundation for service and scholarship;
- \$20,000 for One Stop Richmond Hill Community Center;
- \$15,000 for Latina Moms Connect Inc;
- \$10,000 for Hidden Gem Inc;
- \$10,000 for the Pakistani American Society of New York; and
- \$10,000 for St. Nicholas Chess 4 Kids, Inc.

## Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

## **Article VII**

- The Legislature modifies the Executive proposal to expand eligibility for child care assistance and allow the OCFS to establish uniform priority standards for applicants of child care assistance by including language that would reduce the copayment cap from 10 percent to one percent of a family's income, increase the number of allowable absences from 24 to 80, and ensure families currently in receipt of child care assistance who were identified as a priority population under a local social services district's consolidated service plan, continue to receive assistance.
- The Legislature modifies the Executive proposal to eliminate state reimbursement for residential Committee on Special Education placements made outside of New York City by maintaining the current financing structure for reimbursement for one year.
- The Legislature modifies the Executive proposal to make permanent the juvenile justice services Close to Home initiative by extending the legal authorization for the program through March 31, 2028.
- The Legislature adds a proposal to increase the rent subsidy for foster children living independently from \$300 to \$725 a month.
- The Legislature adds a proposal to allow local social services districts to utilize a presumptive eligibility standard for child care assistance.

## **Recommended Changes to the Executive Budget Office of Temporary and Disability Assistance (OTDA)**

The Legislature provides an All Funds appropriation of \$8.98 billion, an increase of \$419.3 million over the Executive proposal.

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature provides \$356 million for the Emergency Rental Assistance Program (ERAP) for costs associated with applications submitted on or before January 20, 2023, including those for subsidized public housing authorities or other federal or state funded subsidized housing, as well as \$35 million for additional rental arrears for the New York City Housing Authority (NYCHA).
- The Legislature provides \$15 million for statewide Eviction Prevention Legal Services.
- The Legislature provides an additional \$5 million for Refugee Resettlement, for a total of \$7 million.
- The Legislature provides an additional \$1.5 million for the Disability Advocacy Program, for a total of \$6.8 million.
- The Legislature provides an additional \$2 million for the Nutritional Outreach and Education Program, for a total of \$5.5 million.
- The Legislature restores \$2 million for Double Up Food Bucks.
- The Legislature provides TANF funding for legislative initiatives that were eliminated in the Executive Budget, including:
  - \$4 million for ATTAIN;
  - \$1.425 million for Career Pathways;
  - \$800,000 for ACCESS;
  - \$785,000 for Preventive Services;

- \$475,000 for Wage Subsidy Program;
  - \$334,000 for SUNY/CUNY Child Care;
  - \$200,000 for Jewish Child Care Association of New York;
  - \$200,000 for additional funding for non-residential domestic violence;
  - \$144,000 for Wheels for Work;
  - \$82,000 for Rochester Genesee Regional Transportation Authority; and
  - \$25,000 for Centro of Oneida.
- The Legislature provides an additional \$2.5 million for the following programs:
  - \$500,000 for National Diaper Banks;
  - \$500,000 for the Campaign Against Hunger;
  - \$300,000 for Island Harvest Food Bank;
  - \$150,000 for the Center for Community Alternatives;
  - \$150,000 for Urban Resource Institute;
  - \$150,000 for SAGE;
  - \$125,000 for Goddard Riverside Community Center;
  - \$125,000 for West Side Federation of Senior & Supportive Housing;
  - \$125,000 for HIAS;
  - \$75,000 for City Mission of Schenectady Downtown Ambassador Program;
  - \$50,000 for Arab American Family Support Center;
  - \$50,000 for Caring for the Hungry and Homeless of Peekskill;
  - \$50,000 for Meals on Wheels of Rockland County;
  - \$50,000 for People to People; and
  - \$50,000 for Housing Help.
- The Legislature restores HIV AIDS/ Welfare to Work language to ensure that participants in this program are connected to health insurance through their employers or any other participating health insurance companies.

## Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

## **Article VII**

- The Legislature modifies the Executive proposal to authorize a one-time disregard of earned income for public assistance recipients enrolled in educational or vocational training by ensuring the earned income disregard follows the recipient for the full six months, regardless of if the individual changes district.
- The Legislature modifies the Executive proposal to replace public assistance funds stolen due to fraudulent activities by adding language to ensure that local social services districts will not require a police report in order to verify, and to allow the commissioner to promulgate regulations to provide additional replacement benefits in extenuating circumstances, and to expand the retroactive date in which public assistance recipients can recover stolen benefits to January 1, 2022.
- The Legislature accepts the Executive proposal to authorize the Federal Supplemental Security Income (SSI) COLA pass-through for 2024.

## **Recommended Changes to the Executive Budget Higher Education Services Corporation**

**The Legislature provides an All Funds appropriation of \$1.2 billion, a \$3.6 million increase over the Executive proposal.**

### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Aid to Localities**

- **The Legislature provides:**
  - **\$2.5 million for the Say Yes Buffalo Scholarship Program;**
  - **a \$1 million restoration for the Patricia McGee Nursing Faculty Scholarship, for a total of \$3.9 million; and**
  - **a \$50,000 restoration for the Young Farmer Loan Forgiveness Program, for a total of \$200,000.**

### **Capital Projects**

- **Not applicable.**

### **Article VII**

- **The Legislature includes language clarifying the definition of eligible non-degree workforce credential programs for the purposes of the part-time Tuition Assistance Program.**

## **Recommended Changes to the Executive Budget Division of Housing and Community Renewal (DHCR)**

The Legislature provides an All Funds appropriation of \$1.05 billion, an increase of \$280.3 million over the Executive proposal.

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature provides funding for the following programs:
  - \$40 million for the Homeowner Protection Program;
  - \$25 million for a new First Time Homeowner Program to assist first-time homebuyers with incomes between 50 percent and 120 percent Area Median Income (AMI) with down payments and closing costs;
  - \$10 million for Land Banks;
  - \$3 million for various legislative initiatives;
  - \$500,000 for Tilden Towers II;
  - \$250,000 for Association for Neighborhood & Housing Development;
  - \$210,000 for Dennis Lane Apartments Inc.;
  - \$175,000 for Home Headquarters Inc.;
  - \$100,000 for PA'LANTE Harlem Inc.; and
  - \$20,000 for Allerton Avenue Homeowners & Tenants Association Inc.
- The Legislature provides \$356 million for the ERAP for costs associated with applications submitted on or before January 20, 2023, including those for subsidized public housing authorities or other federal or state funded subsidized housing, as well as \$35 million for additional rental arrears for the NYCHA.

### **Capital Projects**

- The Legislature provides funding for the following programs:
  - \$135 million for the New York City Housing Authority (NYCHA);
  - \$50 million for the Mitchell-Lama preservation;

- \$7 million increase for the Housing Opportunities Program for the Elderly (HOPE/RESTORE), for a total of \$8.4 million;
- \$7 million for Small Rental Housing Development Initiative; and
- \$2 million increase for Access to Home, for a total of \$3 million.

## Article VII

- The Legislature increases Mortgage Insurance Fund (MIF) allocations by \$7 million including a \$4.8 million increase for the Neighborhood Preservation Program and \$2.2 million increase for the Rural Preservation Program. The Legislature also carves out \$250,000 each for the Neighborhood Preservation and Rural Housing Coalitions.
- The Legislature does include the Executive proposal to require municipalities to annually submit information on local zoning and data on housing production to the Division of Housing and Community Renewal (DHCR).
- The Legislature does include the Executive proposal to allow the conversion of certain commercial properties within specified areas of New York City.
- The Legislature does include the Executive proposal to authorize New York City via a zoning law, ordinance, or resolution, or after consultation with local officials, as provided in a general project plan of the New York State Urban Development Corporation (UDC) to deviate from the state law capping the floor area ratio of a building.
- The Legislature does include the Executive proposal to extend the completion deadline for 421-a projects commenced between December 31, 2015 and June 15, 2022 by four years from June 15, 2026 to June 15, 2030.

## **Recommended Changes to the Executive Budget**

### **Division of Human Rights**

**The Legislature provides an All Funds appropriation of \$28.9 million.**

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- Not applicable.

#### **Capital Projects**

- Not applicable.

#### **Article VII**

- Not applicable.

## Recommended Changes to the Executive Budget

### Department of Labor

**The Legislature provides an All Funds appropriation of \$7.27 billion, an increase of \$23.9 million over the Executive proposal.**

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- The Legislature provides an additional \$23.9 million in funding for the following programs:
  - \$4 million for the AFL-CIO Workforce Development Institute (WDI);
  - \$3 million for the Cornell Cannabis Workforce Initiative;
  - \$2.5 million for Youthbuild Projects;
  - \$2.5 million for the Workforce Development Institute - Manufacturing Program;
  - \$2 million for the Cornell ILR Labor Leading on Climate Initiative;
  - \$1.62 million for the Displaced Homemaker Program;
  - \$1 million for the Manufacturers Intermediary Apprenticeship Program (MIAP);
  - \$750,000 for the Manufacturers Association of Central New York;
  - \$500,000 for New Jewish Home;
  - \$500,000 for the WDI Statewide Pre-Apprenticeship Program (SPAP);
  - \$500,000 for the Edward J. Malloy Initiative for Construction Skills, Inc.;
  - \$375,000 for Non-Traditional Employment for Women Childcare Program;
  - \$350,000 for New York Committee on Occupational Safety and Health (NYCOSH);
  - \$300,000 for the Cornell University Worker Institute;
  - \$300,000 for the NYS AFL-CIO/Cornell Union Leadership Institute;
  - \$200,000 for the HOPE Program;
  - \$200,000 for NYCOSH in Western New York;
  - \$200,000 for NYCOSH Long Island;
  - \$200,000 for the Building Trades Pre-Apprenticeship Program (BTPAP) Albany/M.A.P.P.;
  - \$200,000 for the Building Trades Pre-Apprenticeship Program - Nassau County (BTPAP);
  - \$200,000 for the Multi-craft Apprenticeship Program (M.A.P.P)-Rochester;
  - \$200,000 for BTPAP in Western New York;
  - \$200,000 for BTPAP in Newburgh;

- \$180,000 for LGBTQ Black & Latino Institute for Leadership Training;
- \$180,000 for Gay Men's Health Crisis;
- \$175,000 for the WDI Hazard Abatement Program;
- \$150,000 for the Cornell ILR Sexual Harassment Prevention Program;
- \$150,000 for the Cornell University Domestic Violence Program;
- \$150,000 for Crenulated Company, LTD (YAOI);
- \$150,000 for the New Settlement Youth Adult Opportunity Initiative;
- \$140,000 for NYS Pipe Trades Industry United;
- \$120,000 for Collective Food Works;
- \$100,000 for the NYU Law Unemployment Action Center;
- \$100,000 for Nonprofit Westchester;
- \$100,000 for LGBTQ Works;
- \$100,000 for Solar ONE;
- \$100,000 for N Power;
- \$85,000 for NYCOSH of Northeastern New York;
- \$75,000 for Youth Build Schenectady;
- \$50,000 for Urban League of Rochester; and
- \$50,000 for the Cornell Training and Education, Criminal Records Program.

## **Capital Projects**

- Not applicable.

## **Article VII**

- The Legislature includes language to establish New York Youth Jobs Connector Program which will connect unemployed and underemployed youth between the ages of 16 and 24 years with targeted educational, occupational, and training services to help prepare such individuals for employment and improve employment opportunities.
- The Legislature accepts the extension of the effective date of the new system for calculating partial unemployment insurance benefits to April 1, 2024.
- The Legislature provides scheduled increases to the minimum wage as follows:
  - In New York City and the counties of Nassau, Suffolk, and Westchester the minimum wage will be:
    - \$16.00 on and after January 1, 2024;
    - \$16.50 on and after January 1, 2025; and
    - \$17.00 on and after January 1, 2026.

- In the remainder of the state, the minimum wage will be:
  - \$15.00 on and after January 1, 2024;
  - \$15.50 on and after January 1, 2025; and
  - \$16.00 on and after January 1, 2026.
- Beginning on January 1, 2027, these wages will be annually indexed to inflation.

## **Recommended Changes to the Executive Budget State of New York Mortgage Agency**

**The Legislature provides an All Funds appropriation of \$283.8 million.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Capital Projects**

- Not applicable.

### **Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget State University of New York (SUNY)**

**The Legislature provides an All Funds appropriation of \$14.1 billion, which is an increase of \$269 million over the Executive Proposal.**

### **State Operations**

- SUNY Operating Aid is funded \$103 million over the Executive, which is \$178 million over the 2022-23 AY, and includes the following:
  - \$103 million in new operating aid, in lieu of the Executive proposed tuition increase;
  - \$75 million which was included in the Executive Budget for a Transformation Fund; and
  - in addition, SUNY and CUNY operating aid will grow by a combined \$90 million for the 2024-25 AY and \$90 million for the 2025-26 AY.
- The \$500 million Endowment Matching Fund for the four SUNY University Centers will be modified to provide a minimum of \$25 million and a maximum of 40 percent for any individual University Center. The maximum of 40 percent cap will sunset after three years.
- The Legislature shifts the cost of the SUNY hospital debt service to the State for the upcoming fiscal year, saving the SUNY hospitals \$65 million.
- The Legislature restores \$1.3 million for the Educational Opportunity Program, for a total of \$44 million.
- The Legislature restores \$1 million for SUNY Nursing Programs, for a total of \$2.7 million.
- The Legislature restores \$1 million for SUNY Mental Health Programs, for a total of \$2 million.
- The Legislature restores \$1 million for the SUNY Maritime Scholarship, for a total of \$1.2 million, and allows students to use the Scholarship for the Summer at Sea Program.

- The Legislature also provides the following adds and restorations:
  - \$433,000 for the Immigrant Integration Research and Policy Institute;
  - \$350,000 for the SUNY Black Leadership Institute;
  - \$250,000 for SUNY Farmingdale;
  - \$165,000 for the Long Island Veteran's Home for the hiring and retaining of nurses; and
  - \$150,000 for the SUNY Benjamin Center.

## Aid to Localities

- The Legislature rejects the Executive proposal to require community colleges to withhold up to 20 percent of base aid funding until they complete a restructuring plan.
- The Legislature also provides the following adds and restorations:
  - restores \$1.7 million for the Cornell Cooperative Extension, including \$500,000 for the New York City program;
  - \$200,000 for SUNY Schenectady Community College; and
  - \$150,000 for SUNY Dutchess Community College Housing and Food Insecurity Services.

## Capital Projects

- The Legislature modifies the Executive proposal to create a \$200 million digital transformation fund to instead be used as flexible capital.
- The Legislature also provides an additional \$170 million in flexible capital funding.

## Article VII

- The Legislature rejects the Executive proposal to increase resident undergraduate tuition but will allow differential non-resident undergraduate and graduate tuition increases within SUNY based on a plan from the system's Board of Trustees. This authorization will last for three years, and SUNY must explain the reasoning behind their adopted methodology.
- The Legislature rejects the Executive proposal related to providing access to medication abortion at SUNY and has instead passed legislation outside of the budget process; and

- The Legislature includes a requirement for SUNY to develop a long-term plan to address the impact of fluctuations in student enrollment on the academic and financial sustainability of state-operated institutions, senior colleges, and community colleges.

**Recommended Changes to the Executive Budget  
Office of Welfare Inspector General**

**The Legislature provides an All Funds appropriation of \$1.3 million.**

**State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

**Aid to Localities**

- Not applicable.

**Capital Projects**

- Not applicable.

**Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget Miscellaneous: Education, Labor, and Family Assistance**

### **Arts and Cultural Facilities Improvement Program**

**The Legislature provides an All Funds appropriation of \$20 million, an increase of \$20 million above the Executive proposal.**

#### **Capital Projects**

- The Legislature provides \$20 million in additional support for the Arts and Cultural Facilities Improvement Program, which provides facility enhancement grants to small and mid-sized organizations, to be administered by the New York State Council on the Arts. This funding would require regional balance in the selection of awards and does not place matching requirements upon grant recipients.

### **Nonprofit Infrastructure Capital Investment Program**

#### **Capital Projects**

- The Legislature modifies reappropriation language for the Nonprofit Infrastructure Capital Investment Program to ensure that nonprofits on publicly own land can apply for certain capital purposes.

### **Raise the Age**

#### **Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

## **Higher Education Facilities Capital Matching Grants Program**

**The Assembly provides an All Funds appropriation of \$40 million, a \$40 million increase over the Executive proposal.**

### **Capital Projects**

- The Assembly provides \$40 million for the Higher Education Capital Matching Grants Program (HECap), a \$40 million increase over the Executive proposal.

# **HEALTH & MENTAL HYGIENE**

**By Agency**



## Recommended Changes to the Executive Budget State Office for the Aging

The Legislature provides an All Funds appropriation of \$310.83 million, an increase of \$19.8 million over the Executive proposal.

### State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

### Aid to Localities

- The Legislature provides \$8.5 million to provide a four percent Human Services COLA.
- The Legislature provides \$9.3 million in additional funding for the Expanded In-home Services for the Elderly (EISEP) program.
- The Legislature provides \$2.5 million to support the Long-Term Care Ombudsman Program.
- The Legislature provides \$1.43 million to support the Holocaust Survivor's Initiative.
- The Legislature provides \$1 million to support Naturally Occurring Retirement Communities (NORC) and Neighborhood Naturally Occurring Retirement Communities (NNORC) nursing services.
- The Legislature provides funding for the following programs:
  - \$1 million for the Guardianship Hotline;
  - \$900,000 for the Metropolitan New York Coordinating Council on Jewish Poverty;
  - \$500,000 for the LISMA Foundation;
  - \$375,000 for Lifespan of Greater Rochester;
  - \$325,000 for the Center for Elder Law and Justice;
  - \$300,000 for SAGE LGBT Welcome Elder Housing;
  - \$300,000 for Regional Aid for Interim Needs;
  - \$250,000 for the Jewish Community Council of Greater Coney Island;
  - \$200,000 for the Older Adults Technology Center;
  - \$200,000 for the Queens Community House;
  - \$200,000 for LiveOn New York;

- \$200,000 for the Statewide Senior Action Council Patients' Rights Hotline;
- \$150,000 for Wayside Out-Reach Development;
- \$112,000 for Guardianship Corp.;
- \$112,000 for Project Guardianship;
- \$100,000 for Selfhelp Community Services;
- \$100,000 for Services Now for Adult Persons;
- \$50,000 for the Glen Cove Senior Center;
- \$50,000 for India Home;
- \$50,000 for Spring Creek Senior Partners; and
- 25,000 for the Jewish Association for Services of the Aged Bay Eden Senior Center.

### **Capital Projects**

- Not applicable.

### **Article VII**

- The Legislature accepts the Executive proposal and recommends no changes.

## **Recommended Changes to the Executive Budget Developmental Disabilities Planning Council**

**The Legislature provides an All Funds appropriation of \$4.76 million.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- Not applicable.

### **Capital Projects**

- Not applicable.

### **Article VII**

- Not applicable.

## Recommended Changes to the Executive Budget Department of Health (DOH)

The Legislature provides an All Funds appropriation of \$211.57 billion, an increase of \$1.04 billion over the Executive proposal.

### State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

### Aid to Localities

#### Medicaid

- The Legislature provides \$500 million for additional support for Distressed and Safety-Net Hospitals.
- The Legislature provides \$318.8 million to increase hospital inpatient rates by 7.5 percent.
- The Legislature provides \$76 million to increase hospital outpatient rates by 6.5 percent.
- The Legislature provides \$71.6 million for additional Disproportionate Share Hospital (DSH) support at SUNY.
- The Legislature provides \$51.8 million to restore Managed Long-Term Care (MLTC) Quality Pool Payments.
- The Legislature provides \$216.5 million to increase Nursing Home and Assisted Living Program reimbursement rates by up to 7.5 percent.
- The Legislature provides \$53 million to increase home health care wages by \$1.55 beginning January 1, 2024, with yearly 55 cents increases through January 1, 2026, with indexing thereafter.
- The Legislature provides \$70.6 million in additional Quality Incentive Vital Access Provider (QIVAP) funding.

- The Legislature provides \$405 million to partially restore a proposed reduction to County ACA eFMAP in SFY 2023-24, \$270 million in SFY 2024-25, and fully phases out ACA eFMAP pass through in SFY 2025-26.
- The Legislature accepts the Executive recommendation to transition the pharmacy benefit from managed care to fee-for-service (\$410 million). The Legislature reinvests \$30 million of associated savings to support Ryan White Clinics, \$125 million to support Federally Qualified Health Centers and Diagnostic Treatment Centers, and \$45 million in flexible funding to ensure providers are made whole with the loss of 340b revenue.
- The Legislature provides \$8.6 million to not include a proposal to reduce coverage of over-the-counter drugs.
- The Legislature provides \$49.5 million to restore prescriber prevails.
- The Legislature provides \$60 million to expand the Medicaid Buy-In program for those with disabilities.
- The Legislature provides \$53.6 million to expand Medicaid coverage for preventative care.
- The Legislature saves \$7.7 million by not including the Pay and Resolve proposal.
- The Legislature provides \$46 million to improve access to primary care.
- The Legislature provides \$13.7 million to increase transportation service reimbursement rates.
- The Legislature provides \$8.3 million to strengthen New York's reproductive health system.
- The Legislature provides \$58.9 million to expand Mental Hygiene programs in Medicaid.

## Public Health

- The Legislature provides \$22 million for the Hunger Prevention and Nutrition Assistance Program (HPNAP).
- The Legislature provides \$18.54 million to support a lead abatement program.
- The Legislature provides \$12.3 million to modernize the State Health Reporting Systems.
- The Legislature provides \$7.5 million for the Tobacco Control Program.

- The Legislature provides \$5.235 million to establish the Division of Vaccine Excellence.
- The Legislature provides \$5 million for the Indian Health Program.
- The Legislature provides \$5 million for the United Way of Greater New York.
- The Legislature provides \$3.824 million to restore funding for School-Based Health Centers.
- The Legislature provides \$3.1 million to strengthen regional health department infrastructure.
- The Legislature provides \$2.5 million for the Cancer Services Program.
- The legislature provides \$1.2 million for the Nurse-Family Partnership Program.
- In addition, the Legislature provides:
  - \$2.5 million for a Maternal Health Grant program;
  - \$1.1 million for the Rural Health Care Access Development and Rural Health Network Development Program;
  - An additional \$1 million for the Transgender and Gender Non-Conforming Wellness and Equity Fund;
  - \$1 million for Family Planning Services;
  - \$1 million for the Diversity in Medicine Program;
  - \$1 million for the Elizabeth Seton Children's Rehabilitation Center;
  - \$1 million for the Community Service Society;
  - \$875,000 for Sickle Cell Anemia;
  - \$525,000 for the HIV/AIDS Multi Services Agencies;
  - \$525,000 for HIV/AIDS Community Service Programs;
  - \$525,000 for the AFYA foundation;
  - \$500,000 for the Alliance for Donation;
  - \$500,000 for Area Health Education Centers;
  - \$500,000 for New York Common Pantry;
  - \$500,000 for the Alliance for Donation;
  - \$500,000 for Area Health Education Centers;
  - \$475,000 for the LGBT Health and Human Services Network;
  - \$450,000 for the Primary Care Development Corporation;
  - \$409,000 for the Finger Lakes Health Systems Agency;
  - \$400,000 for New Alternatives for Children;
  - \$350,000 for the Alzheimer's Community Assistance Program;
  - \$266,000 for Community Health Advocates;

- \$250,000 for Safe Motherhood;
- \$250,000 for the ALS Association;
- \$209,071 for Crisis Services of Buffalo and Erie County;
- \$200,000 for LiveOn RISE;
- \$175,000 for the Athletic Trainer and Brain Injury Association;
- \$150,000 for the Long Term Care Community Coalition;
- \$150,000 for the Coalition for the Institutionalized, Aged and Disabled;
- \$150,000 for the Breast Cancer Coalition of Rochester;
- \$150,000 for Comunilife;
- \$150,000 for the Brain Injury Alliance for Continuum of Care Program,
- \$150,000 for the Adelphi NY Statewide Breast Cancer Hotline;
- \$125,000 for the New York State Dental Association;
- \$100,000 for the Urban HealthPlan;
- \$100,000 for ConnectLife Blood Bus;
- \$100,000 for the Lighthouse Guild;
- \$100,000 for the Rural Health Network of SCNY;
- \$100,000 for the AIDS Community Resource Health Q Center;
- \$100,000 for the American Parkinson's Disease Association;
- \$100,000 for the Maternal Depression Peer Support Program;
- \$90,000 for the International Lymphatic Disease Patient Registry and Biorepository;
- \$84,000 for the NYS Coalition for School Based Health Centers;
- \$50,000 for the Spina Bifida Association of Northeast NY;
- \$50,000 for the Academy of Medical and Public Health Services;
- \$50,000 for Island Harvest Food Bank;
- \$50,000 for Julia Dyckman Andrus Memorial;
- \$50,000 for the Westchester Medical Center Health Network;
- \$30,000 for Choice Matters;
- \$25,000 for the Medicare Rights Center; and
- \$3.5 million in additional services and program.

## Capital Projects

- The Legislature provides \$10 million for the Primary Care Development Corporation revolving loan fund.

## Article VII

- The Legislature accepts the Executive proposal to extend the legal authorization of the Medicaid Global Cap through SFY 2024-25.

- The Legislature modifies the Executive proposal to extend the legal authority of various provisions of the public health, education, and social services law, by extending programs based on historical practices and including an extender to assist small pharmacies.
- The Legislature accepts the Executive proposal to reauthorize provisions which are part of the Health Care Reform Act (HCRA) through March 31, 2026.
- The Legislature does not include the Executive proposal to remove certain over-the-counter drugs that are reimbursable by Medicaid and remove prescriber prevails protections under Medicaid Fee-For-Service and Managed Care.
- The Legislature accepts the Executive proposal to extend the Indigent Care Pool (ICP) and provide additional ICP funding to major public hospitals; modifies the Executive proposal to establish Rural Emergency Hospitals by enhancing notification requirements; modifies the Executive proposal to expand eligible VAPAP recipients by including public benefit corporations as eligible entities and allowing for long-term contingency plans to be part of VAPAP funding; and modifies an Executive proposal to increase inpatient hospital rates by five percent by providing a 7.5 percent Medicaid rate increase for hospital inpatient services and a 6.5 percent rate increase for outpatient services.
- The Legislature modifies the Executive proposal to delay the expansion of Medicaid eligibility for undocumented seniors by prompting the Executive to begin by no later than January 1, 2024; and accepts the Executive proposal submit a 1332 state innovation program waiver to authorize pregnant women to maintain coverage for pregnancy and up to one-year postpartum under the Essential Plan and expand income eligibility for the Essential Plan to 250 percent FPL.
- The Legislature accepts the Executive proposal to reauthorize Medicaid Managed Long Term Care (MLTC) through April 1, 2027 and to extend the moratorium on the authorization of managed long term care plans until 2027; does not include the Executive proposal to competitively procure MLTC plans; modifies the proposal to place performance metrics on MLTCs by eliminating enrollment minimums and requiring MLTCs to become Medicare Dual Eligible Special Needs Plans; does not include the Executive proposal to eliminate the fiscal intermediary Request for Offers for the Consumer Directed Personal Assistance Program; and modifies the Executive proposal of providing a 5 percent Medicaid rate increase to Nursing Homes and Assisted Living Programs (ALPs) by providing a 6.5 percent Medicaid rate increase to ALPs and up to 7.5 percent for Nursing Homes if the federal government approves.
- The Legislature accepts the Executive proposal to expand eligibility for certain Medicaid services provided to individuals in a correctional institution within 30 days of release; and modifies the Executive proposal to submit an 1115 waiver for children in an

Institute for Mental Disease by requiring DOH to submit a report on the impact of the waiver on childcare agencies and beds.

- The Legislature does not include the Executive proposal to modify the Certificate of Need process for hospitals, NHs and D&TCs; and modifies the Executive proposal to authorize DOH to regulate and approve “material transactions” involving health care entities by requiring notice of transactions over \$25 million and removing approval processes.
- The Legislature modifies the Executive proposal to expand the Medicaid Buy-in Program for Working People with Disabilities by limiting monthly premium payments based on an enrollee’s income on a sliding scale.
- The Legislature does not include the Executive proposal to prohibit the sale of flavored tobacco, vapor products, menthol cigarettes and hookah, and authorize DOH to expand penalties on stores who do not follow compliance inspections.
- The Legislature modifies the Executive proposal to establish the Statewide Health Care Facility Transformation Program V to provide \$1 billion in funding for capital projects in licensed health care facilities over a multi-year period by adding midwifery birth centers as eligible providers, enabling projects to be funded that would assist in developing underserved areas, adding more funds to projects under Statewide IV, and adding performance requirements for funds.
- The Legislature modifies the Executive proposal to establish Medicaid reimbursement for certain community health workers, by delineating the services provided by these professionals and accept the Executive proposal to expand reimbursement for services provided by licensed mental health counselors, licensed social workers, and licensed marriage and family therapists who provide services in outpatient clinics.
- The Legislature modifies the Executive proposal to establish Medicaid reimbursement for the care and services provided by certified nutritionists and dietitians and establish Medicaid reimbursement for Chronic Disease Self-Management Program by enabling any health care professional to refer a patient for those services.
- The Legislature modifies the Executive proposal to enact several EMS reforms by accepting expanded State Emergency Medical Services Council (SEMSCO) and Regional Emergency Medical Services Council (REMSCO) consultation roles, enabling SEMSCO and REMSCO to create uniform performance metrics, establishing a statewide EMS taskforce, and accepting a public campaign on the recruitment and retention of workers.
- The Legislature modifies the Executive proposal to establish a registry for all multiple dwellings built before 1980 that are available for rent or lease within a community of

concern outside of New York City; require all qualifying residential dwellings to be certified as free of lead paint hazards based on tri-annual inspections and authorizes DOH to establish inspection requirements and qualifications for inspectors by delineating the responsibilities of DOH and the Local Health Departments.

- The Legislature modifies the executive proposal to prohibit any person or entity in the State from complying with reproductive health related warrants issued by out of state law enforcement and prohibit the use of geofencing to provide location-targeted digital advertisements at healthcare facilities to additionally require law enforcement officers to obtain a warrant before acquiring electronic health data and information.
- The Legislature modifies the Executive proposal to establish a registration process and minimum standards for temporary health care services agencies by ensuring that app-based platforms are required to register with New York State.
- The Legislature does not include the Executive proposal to require assisted living residences and enhanced assisted living residences to submit an annual report on quality measures to the Department of Health and authorize the Department of Health to grant new classifications based on assisted living quality reporting that would ease inspection requirements by including a description of quality measure and a process for getting consumer and provider input.
- The Legislature accepts the Executive proposal to require Article 28 facilities to offer individuals over the age of 18 a Hepatitis C Virus (HCV) screening during hospital or emergency room visits and require HCV screening during pregnancy; and require screening for syphilis of pregnant patients during the third trimester of pregnancy to end preventable epidemics.
- The Legislature modifies the Executive proposal to amend the State Controlled Substance Schedule I and II list of controlled substances to include fentanyl analogues and fentanyl-related substances by only adding fentanyl analogues that are on the permanent Federal Controlled Substance Schedule.
- The Legislature includes a new part that would establish a home care minimum wage that increases by \$1.55 on January 1, 2024, which then indexes with the minimum wage metric (CPI-W) after three years; maintaining a consistent difference between the home care wage and non-home care wage up to \$3 by 2031; enable DOH to obtain information related to rate payments made by health care providers and managed care plans to ensure the funding increase reaches the workers and require the DOH to report to the Legislature on the flow of funding; and establishes Electronic Visit Verification (EVV) requirements to conform with federal guidance.

**Recommended Changes to the Executive Budget  
Office of the Medicaid Inspector General**

**The Legislature provides an All Funds appropriation of \$57.5 million.**

**State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

**Aid to Localities**

- Not applicable.

**Capital Projects**

- Not applicable.

**Article VII**

- Not applicable.

**Recommended Changes to the Executive Budget  
Department of Mental Hygiene**

**The Legislature provides an All Funds appropriation of \$600 million.**

**State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

**Aid to Localities**

- Not applicable.

**Capital Projects**

- Not applicable.

**Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget Office of Addiction Services and Supports**

The Legislature provides an All Funds appropriation of \$1.34 billion, an increase of \$105.7 million over the Executive proposal.

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature modifies the Executive proposal by increasing the Human Services Cost of Living Adjustment (COLA) by 1.5 percent for a total COLA of four percent. The State fiscal year cost for the Human Services agencies is \$324.32 million including \$21.3 million for OASAS.
- The Legislature provides \$212.3 million, an increase of \$88.6 million above the Executive proposal to match the receipts the state is receiving from the Opioid Settlement Fund in State Fiscal Year 2024.
- The Legislature provides \$2 million to fund Substance Abuse Prevention and Intervention Specialists (SAPIS) in New York City Schools.
- The Legislature provides support for the following programs:
  - \$950,000 for the Family and Children's Association (Recovery Community and Outreach Center);
  - \$500,000 for Save the Michaels of the World, Inc;
  - \$250,000 for Catholic Charities of Orange, Sullivan and Ulster;
  - \$250,000 for Addiction Recovery Supportive Transportation Services Demo Program; and
  - \$250,000 for the Alcoholism and Substance Abuse Providers of New York State.

### **Capital Projects**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Article VII**

- Not applicable.

## Recommended Changes to the Executive Budget Office of Mental Health (OMH)

**The Legislature provides an All Funds appropriation of \$6.4 billion, an increase of \$46.4 million over the Executive proposal.**

### **State Operations**

- The Legislature does not include \$650,000 to support the creation of the title of Qualified Mental Health Associate for paraprofessionals.

### **Aid to Localities**

- The Legislature modifies the Executive proposal by increasing the Human COLA by 1.5 percent for a total COLA of 4 percent. The state fiscal year cost for the Human Services agencies would be \$324.32 million, including \$81 million for OMH.
- The Legislature provides \$2 million for Crisis Intervention Teams.
- The Legislature provides funding for the following programs:
  - \$1.75 million for various mental health, addiction treatment, crisis intervention and behavioral health programs;
  - \$1 million for Daniel's Law Task Force;
  - \$300,000 for Crisis Services of Buffalo and Erie County (Suicide Prevention and Crisis Service Inc.);
  - \$300,000 for Veterans Mental Health Training Initiative;
  - \$400,000 for the Self-Directed Care Demo Program;
  - \$250,000 for EverGreen Meadow;
  - \$250,000 for a Maternal Mental Health Workgroup;
  - \$200,000 for Child Mind Institute;
  - \$200,000 for Westchester Jewish Community Services (WJCS);
  - \$175,000 for North Fork Mental Health Initiative;
  - \$175,000 for South Fork Behavioral Health Initiative;
  - \$150,000 for The Trevor Project;
  - \$150,000 for Unconditional Support Incorporated;
  - \$125,000 for The Harris Project (Encompass Project);
  - \$120,000 for The Harris Project (Include Project);
  - \$100,000 for FarmNet;
  - \$100,000 for the Mental Health Association in NYS, Inc (MHANYS);

- \$100,000 for Family Service League;
- \$100,000 for Children of Promise NYC
- \$50,000 for Rainbow Heights Club; and
- \$10,000 for NY Mental Health Association in Orange County Inc.

## **Capital Projects**

- The Legislature provides \$9 million in funding to support inpatient beds operated by Fountain House Inc.

## **Article VII**

- The Legislature does not include the Executive language that would create the title of Qualified Mental Health Associate.
- The Legislature modifies the Executive language that would establish a 2.5 percent Human Services COLA for the 2023-2024 Fiscal year, by establishing a 4.0 percent COLA for the 2023-2024 Fiscal Year.
- The Legislature modifies the Executive language that would authorize the OMH to jointly certify Community Behavioral Health Clinics (CCBHCs) with the Office of Addiction Services and Supports (OASAS); create an indigent care program for CCBHCs; and grant authority for OMH and OASAS create a single process for receiving criminal background information for programs jointly licensed by OMH and OASAS, by authorizing the Justice Center and OASAS to create a single process for receiving background information from the Department of Criminal Justice Services, to determine the suitability of prospective employees or service providers licensed under Article 36 of the mental hygiene law or under both Articles 31 and 32 of the mental hygiene law.
- The Legislature modifies the Executive language that would authorize the commissioner of the OMH to impose sanctions and fines against service providers who fail to meet the terms of their operating certificate and issue penalties at the individual bed level for any unauthorized bed closure in an inpatient setting, by authorizing the commissioner of OMH to impose civil penalties for a service provider that fails to meet the terms of its operating certificate; restoring the statutory language which sets a maximum amount for any penalty imposed but increase the maximum penalty from \$15,000 to \$25,000 per violation; require the office to consider certain factors for each violation imposed; and prohibit any service provider in violation of their operating certificate from using as a defense, the inability to obtain proper staffing levels or resources, if circumstances were foreseeable and planned.

- The Legislature adds language to direct the commissioner of the OMH to establish a maternal mental health workgroup to study and issue recommendations related to maternal mental health, perinatal, and postpartum mood, and anxiety disorders.
- The Legislature adds language to establish the Daniel's Law Task Force. The Task Force will examine the effectiveness of programs providing mental health and substance use crisis and diversion services in New York State and make recommendations for the expansion of programs and services for individuals experiencing mental health, alcohol use, or substance abuse crises, while limiting arrest or incarceration.

## **Recommended Changes to the Executive Budget Office for People with Developmental Disabilities (OPWDD)**

**The Legislature provides an All Funds appropriation of \$7.5 billion, an increase of \$47.5 million over the Executive proposal.**

### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Aid to Localities**

- **The Legislature modifies the Executive proposal by increasing the Human Services COLA by 1.5 percent for a total COLA of four percent. The State fiscal year cost for the Human Services agencies would be \$324.2 million, including \$119.7 million for OPWDD.**
- **The Legislature provides funding for the following programs:**
  - **\$260,000 for Jawonio, Inc;**
  - **\$200,000 for Autism Society of the Greater Capital Region;**
  - **\$150,000 for Brain Injury Alliance;**
  - **\$150,000 for Best Buddies New York;**
  - **\$150,000 for Special Olympics New York; and**
  - **\$50,000 for Family Residences and Essential Enterprises (F.R.E.E.).**

### **Capital Projects**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Article VII**

- **The Legislature modifies the Executive proposal to extend the legal authority for OPWDD to implement managed care plans through 2025 by extending the authorization through the end of 2025.**
- **The Legislature adds a proposal to create an ombudsman intellectual and developmental disability ombudsman program.**

- The Legislature does not include the Executive proposal that would authorize direct support staff under OPWDD that are working in non-certified settings to perform certain nursing activities.

**Recommended Changes to the Executive Budget  
Justice Center for the Protection of People with Special Needs**

**The Legislature provides an All Funds appropriation of \$61.7 million.**

**State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

**Aid to Localities**

- Not applicable.

**Capital Projects**

- Not applicable.

**Article VII**

- Not applicable.

# **TRANSPORTATION, ECONOMIC DEVELOPMENT & ENVIRONMENTAL CONSERVATION**

**By Agency**



## **Recommended Changes to the Executive Budget Adirondack Park Agency**

**The Legislature provides an All Funds appropriation of \$6.33 million.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- Not applicable.

### **Capital Projects**

- Not applicable.

### **Article VII**

- Not applicable.

## Recommended Changes to the Executive Budget

### Department of Agriculture and Markets

The Legislature provides an All Funds appropriation of \$305.6 million, an increase of \$8.7 million over the Executive proposal.

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- The Legislature provides \$56.5 million for agricultural programs, an increase of \$8.7 million over the Executive proposal as follows:
  - \$1 million for Economically and Socially Disadvantaged Farmers;
  - \$1 million for the Beginner Farmers Fund;
  - \$1 million for a Cornell Agrovoltaics study;
  - \$900,000 for the New York Farm Viability Institute for a total of \$2,000,000;
  - \$500,000 for American Farmland Trust, Farmland for a New Generation;
  - \$481,000 for Cornell University "Core" Diagnostic Lab;
  - \$307,000 for the New York State Apple Growers Association, for a total of \$790,000;
  - \$300,000 for Northern NY Agricultural Development;
  - \$300,000 for the Cornell Hops Breeding and Research and Extension;
  - \$250,000 for Grow NYC Food Access Sites;
  - \$250,000 for Cornell Pro Dairy, for a total of \$1.46 million;
  - \$250,000 for Cornell Pro-Livestock
  - \$199,000 for Cornell Farm Labor Specialist, for a total of \$401,000;
  - \$175,000 for the Northeast Organic Farming Association;
  - \$175,000 for Turfgrass Environmental Stewardship;
  - \$150,000 for the New York Wine and Grape Foundation, for a total of \$1,225,000;
  - \$110,000 for Agriculture Migrant Child Care, for a total of \$10.4 million;
  - \$100,000 for Black Farmers United of NYS, for a total of \$200,000;
  - \$100,000 for the Cannabis Association of New York;
  - \$100,000 for the John May Farm Safety Fund;
  - \$100,000 for Cornell CCE Dutchess County;
  - \$100,000 for Cornell CCE Bridging the Upstate Downstate Food Network Divide;
  - \$75,000 for the Maple Producers Association, for a total of \$227,000;

- \$75,000 for Cornell University Maple Research, for a total of \$151,000;
- \$75,000 for Cornell University Vegetable Research, for a total of \$126,000;
- \$75,000 for Volunteers Improving Neighborhood Environment;
- \$50,000 for Malting Barley Research and Extension and Hops Breeding Research and Extension, for a total of \$353,000;
- \$50,000 for Cornell University Concord Grape Research, for a total of \$252,000;
- \$50,000 for Empire Sheep Producers;
- \$50,000 for Hop Growers of New York;
- \$50,000 for the Pitney Meadows Community Farm;
- \$50,000 for Comfort Food Community;
- \$50,000 for CNY Lyme and Tick-Borne Disease Alliance;
- \$49,000 for the New York Corn and Soybean Growers Association;
- \$25,000 for Teens for food Justice Youth Training;
- \$24,000 for the New York State Brewers Association, for a total of \$100,000;
- \$24,000 for the New York State Cider Association, for a total of \$100,000;
- \$24,000 for the New York State Distillers Guild, for a total of \$100,000; and
- \$20,000 for Cornell University Onion Research, for a total of \$71,000.

## **Capital Projects**

- The Legislature accepts the Executive proposal and recommends no changes.

## **Article VII**

- Not applicable.

## **Recommended Changes to the Executive Budget**

### **Department of Economic Development**

**The Legislature provides an All Funds appropriation of \$107.3 million, an increase of \$4.4 million over the Executive proposal.**

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- The Legislature restores \$1 million in additional support for Local Tourism Matching Grants.
- The Legislature provides support for the following programs:
  - \$1.97 million in additional support to provide \$1 million in total support for each of the 14 Centers of Excellence; and
  - \$1.47 million in additional support for the Centers for Advanced Technology, for total support of \$15 million.

#### **Capital Projects**

- Not applicable.

#### **Article VII**

- The Legislature modifies the Executive proposal to increase the Excelsior Linked Deposit Program's statutory lending caps, by increasing the maximum loan amount from \$2 million to \$4 million and the lifetime cap from \$2 million to \$6 million.
- The Legislature does not include the Executive proposal to establish a cosmetology trainee program.
- The Legislature does not include the Executive proposal to rebrand the START-UP NY program as EPIC.

**Recommended Changes to the Executive Budget  
New York State Energy and Research Development Authority**

**The Legislature provides an All Funds appropriation of \$225.8 million.**

**State Operations**

- Not applicable.

**Aid to Localities**

- Not applicable.

**Capital Projects**

- The legislature modifies language for a new \$200 million appropriation for the EmPower Plus program to ensure program eligibility applies to residential ratepayers.

**Article VII**

- The Legislature accepts the Executive proposal to extend for one year the authorization for NYSERDA to receive funds from an assessment on gas and electric corporations.
- The Legislature modifies the Executive's All Electric Building Act to apply only to new buildings, provide for exemptions based on grid capacity, and require NYPA to establish decarbonization action plans for existing State buildings.

## Recommended Changes to the Executive Budget

### Department of Environmental Conservation

**The Legislature provides an All Funds appropriation of \$2.58 billion, an increase of \$18.4 million over the Executive proposal.**

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- The Legislature funds the following programs, totaling \$860,000:

- \$500,000 for the Great Lakes Commission;
- \$140,000 for the Hope Program;
- \$120,000 for the Adirondack Diversity Initiative;
- \$50,000 for Catskill Mountainkeeper; and
- \$50,000 for the Catskill Center for Conservation and Development.

#### **Capital Projects**

##### **Environmental Protection Fund (EPF)**

- The Legislature includes the Executive Proposal to fund the EPF at \$400 million. The Legislature makes the following changes to the Executive proposal:

- \$26 million for municipal parks, an increase of \$1 million;
- \$20 million for Zoos, Botanic Gardens and Aquaria, an increase of \$2 million;
- \$19 million for municipal recycling, an increase of \$575,000;
- \$13 million for Environmental Justice, an increase of \$1 million;
- \$8 million for Adirondack and Catskill park overuse;
- \$2.75 million for the Finger Lakes-Lake Ontario Watershed Protection Alliance (FLLOWPA), an increase of \$250,000;
- \$2 million for a survey of climate change and Adirondack Lake ecosystems (SCALE);
- \$1 million for Cornell CALS and SUNY ESF Climate and Applied Forestry Institute, an increase of \$500,000;
- \$1 million for municipal EV fast chargers;

- \$1 million for Saratoga PLAN for the acquisition of Snake Hill;
- \$550,000 for the Peconic Bay Estuary, an increase of \$100,000;
- \$500,000 for Camp Santanoni;
- \$500,000 for Save the Great South Bay, Inc;
- \$500,000 for the maintenance of forests and woodlands on agricultural land;
- \$250,000 for SUNY ESF to support the Newcomb Adirondack Interpretive Center, an increase of \$100,000;
- \$250,000 for Paul Smith Adirondack Interpretive Center, an increase of \$25,000;
- \$250,000 for the Amherst Splashpad;
- \$225,000 for the Western New York Land Conservancy for The Riverline;
- \$100,000 for the Town of Southeast for restoration of the Peach Lake Brook;
- \$100,000 for the High Peaks Information Center; and
- \$25,000 for the Ossi Sport Club, Inc. for the restoration of Lake Ossi.

## Water Projects

- The Legislature includes \$17.5 million for the State's share of the US Army Corps of Engineers Mamaroneck Sheldrake Flood Risk Management Project.

## Article VII

- The Legislature accepts the Executive proposal to make permanent the pesticide registration fees.
- The Legislature accepts the Executive proposal to establish a bond issuance length of 30 years for lead service line replacement programs and allow municipal bonding for private property owners.
- The Legislature rejects the Executive proposal to create a cap and invest program and instead creates a Climate Action Fund to ensure that any revenues generated pursuant to relevant existing regulatory authority will be appropriated for rebates for consumers and small businesses and that labor standards will apply to projects financed through the fund.
- The Legislature modifies the Executive proposal to extend the youth hunting program for two years.
- The Legislature does not include legislation that would create an extended producer responsibility program for packaging and paper products.

- The Legislature does not include legislation that would revise the Environmental Restoration Program to expand its purposes to include investigation of PFAS contamination.

## **Recommended Changes to the Executive Budget Metropolitan Transportation Authority (MTA)**

**The Legislature provides an All Funds appropriation of \$4.4 billion.**

### **State Operations**

- Not applicable.

### **Aid to Localities**

- The Legislature provides, without appropriation, \$1.6 billion in new revenues on a full-year basis, to close the MTA's operating deficit, including:
  - \$1.15 billion from a City of New York only Payroll Mobility Tax increase;
  - \$165 million from increasing the City of New York's paratransit contribution to 80 percent from 50 percent. Annual cost shifts to the City of New York are \$335 million lower than proposed in the Executive proposal; and
  - \$300 million from a one-time State subsidy.
- The new revenues include funding for the following:
  - \$65 million to reduce the proposed MTA fare increase from 5.5 percent to four percent;
  - \$35 million for subway service frequency enhancements; and
  - \$15 million for a fare-free bus pilot program in the City of New York, with one fare-free bus route in each borough.

### **Capital Projects**

- Not applicable.

### **Article VII**

- The Legislature modifies the Executive proposal to make permanent the authorization for municipalities to create "mass transportation capital districts" to facilitate Tax Increment Financing (TIF) of MTA capital projects and make permanent certain MTA

procurement provisions by extending the TIF program by one year and extending the procurement provisions by five years.

- The Legislature modifies the Executive proposal to increase the City of New York's funding to the MTA in relation to paratransit services, student MetroCards and the Metropolitan Commuter Transportation Mobility Tax by removing the increase to the City's funding for student MetroCards and the Metropolitan Commuter Transportation Mobility Tax and increasing the City's paratransit liability to 80 percent.
- The Legislature does not include the Executive proposal to permit the MTA to expand its Owner Controlled Insurance Program to capital projects related to buses, bridges, and tunnels.
- The Legislature does not include the Executive proposal to add additional protected titles to a section of the Penal Law which increases penalties for attacking or physically injuring certain workers during the course of their duties.
- The Legislature does not include the Executive proposal to expand MTA transit bans allowing persons convicted of certain crimes within and adjacent to MTA facilities as a condition of sentencing.
- The Legislature modifies the Executive proposal to direct any State portion of fees and recurring revenue received from the three remaining casino licenses in the downstate region to the MTA instead of the Commercial Gaming Fund for educational purposes, to:
  - direct 100 percent of the license fees received to the MTA;
  - split the recurring revenues from a newly built casino facility in New York City evenly between the MTA and Education; and
  - split the recurring revenues from a newly built casino facility outside New York City as follows: 40 percent to education; 40 percent to the MTA; and 20 percent to the localities.

For a Video Lottery Terminal (VLT) facility that converts to a casino outside New York City, until the state education hold harmless amount was paid, the recurring revenue would be split 80 percent to education and 20 percent to localities, and once the hold harmless amount was achieved, the recurring revenue would be split 80 percent to the MTA and 20 percent to localities until the MTA receives the same amount as the education hold harmless amount, at which point the recurring revenue would be split 40 percent to the MTA, 40 percent to Education, and 20 percent to localities. For a VLT conversion in New York City, until the hold harmless amount is achieved, 80 percent would go to education and 20 percent to the MTA. Once the education hold harmless amount is hit, 100 percent of the recurring revenue would be directed to the MTA until

it receives the same amount as the education hold harmless amount, at which point any excess recurring revenue would be split evenly between the MTA and Education.

- The Legislature modifies the Executive proposal to increase the top Payroll Mobility Tax rate from 0.34 percent to 0.50 percent for all businesses located in the MCTD with quarterly payroll expenses of at least \$437,500, to instead raise the top rate from 0.34 percent to 0.60 percent for such businesses located in the City of New York.
- The Legislature includes Article VII legislation to establish a permanent 30 percent tax rate for the Article 9-A MTA surcharge. Under current law the rate is 30 percent, however it is annually determined by the Commissioner of Tax and Finance.
- The Legislature includes Article VII legislation to require the MTA to establish a fare-free bus pilot program in the City of New York. One route shall be established in each borough, with consideration for service adequacy and equity for low-income and economically disadvantaged communities, and access to employment and commercial activity.
- The Legislature includes Article VII legislation to expand information included in the MTA capital projects dashboard and requires the MTA to report on the implementation of recommendations included in the 2019 MTA forensic performance audit report.

## Recommended Changes to the Executive Budget New York State Gaming Commission

**The Legislature provides an All Funds appropriation of \$344.83 million, a decrease of \$1 million from the Executive proposal.**

### **State Operations**

- The Legislature rejects the Executive proposal to provide \$1 million for a Racing Impact Study.

### **Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Capital Projects**

- Not applicable.

### **Article VII**

- The Legislature accepts the Executive proposal to extend the current pari-mutuel tax rates and provisions related to the simulcasting of out of state thoroughbred and harness races for one year.
- The Legislature modifies the Executive proposal to authorize the New York Racing Association's (NYRA) \$455 million Belmont Redevelopment Project. The State would initially finance the project, through a \$455 million capital appropriation. The Executive would issue a capital loan to finance the project and NYRA would subsequently repay the State at least \$25.8 million per year from its capital expenditure funds until the amount is repaid in full. Furthermore, the Legislature modifies the Executive proposal by:
  - ensuring that the project is undertaken pursuant to a project labor agreement, require MWBE goals require the Franchise Oversight Board (FOB) to consult with NYSERDA on energy efficiencies that could be realize, ensure that all reasonable steps are taken to retain employees. New language would also require

documentation of the project to be published on the FOB/Gaming Commission's websites;

- the Assembly and Senate would have direct appointments to the FOB;
  - the FOB would have to ensure adequate funds are dedicated for maintained and repair at Belmont and Saratoga, as well as for the improvement of onsite backstretch personnel housing and quality of life; and
  - with respect to the Aqueduct property once it reverts back to the state, upon substantial completion of the Belmont project, a local advisory board would be formed to assess bids and make recommendations to the FOB. The FOB would have to take a unanimous vote on the bid.
- The Legislature modifies the Executive's proposal to extend the authorization of Capital Off-Track Betting Corporation to use monies from the capital acquisition fund for one year by instead extending authorization for both Capital and Catskill Off-Track Betting Corporation, and including additional oversight provisions to ensure that surcharge monies are being disbursed properly, Gaming Commission approval and review of the expenditure plan, and ensuring reimbursement to the fund if allocations are not in accordance with such expenditure plan.
  - The Legislature modifies the Executive proposal to direct any State portion of fees and recurring revenue received from the three remaining casino licenses in the downstate region to the MTA instead of the Commercial Gaming Fund for educational purposes, to:
    - direct 100 percent of the license fees received to the MTA;
    - split the recurring revenues from a newly built casino facility in New York City evenly between the MTA and Education; and
    - split the recurring revenues from a newly built casino facility outside New York City as follows: 40 percent to education; 40 percent to the MTA; and 20 percent to the localities.

For a Video Lottery Terminal (VLT) facility that converts to a casino outside New York City, until the State education hold harmless amount was paid, the recurring revenue would be split 80 percent to education and 20 percent to localities, and once the hold harmless amount was achieved, the recurring revenue would be split 80 percent to the MTA and 20 percent to localities until the MTA receives the same amount as the education hold harmless amount, at which point the recurring revenue would be split 40 percent to the MTA, 40 percent to Education, and 20 percent to localities. For a VLT conversion in New York City, until the hold harmless amount is achieved, 80 percent would go to education and 20 percent to the MTA. Once the education hold harmless

**amount is hit, 100 percent of the recurring revenue would be directed to the MTA until it receives the same amount as the education hold harmless amount, at which point any excess recurring revenue would be split evenly between the MTA and Education.**

- **The Legislature does not include the Executive proposal to remove certain restrictions for eligible vendors who sell tickets for the Quick Draw Game.**
- **The Legislature does not include the Executive proposal to provide for the closure of Catskill Off-Track Betting Corporation once outstanding debts and obligations are paid.**

## **Recommended Changes to the Executive Budget Department of Motor Vehicles (DMV)**

**The Legislature provides an All Funds appropriation of \$478.2 million, an increase of \$500,000 over the Executive proposal.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature provides \$500,000 to support the STOP-DWI program.

### **Capital Projects**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Article VII**

- The Legislature modifies Article VII legislation related to authorizing a new five-year bus operation-related camera demonstration program in New York City to enforce bus operation-related traffic regulations to extend the current New York City bus lane camera program to 2028 and to provide additional due process and privacy protections to both the current and new camera demonstration programs.
- The Legislature does not include the Executive proposal to authorize a speed camera enforcement demonstration program for the Triborough Bridge and Tunnel Authority.
- The Legislature does not include the Executive proposal to impose additional administrative sanctions and increase penalties for violations relating to toll evasion.
- The Legislature accepts the Executive proposal to extend for one year the law authorizing the demonstration and testing of autonomous vehicles on public roads.
- The Legislature does not include the Executive proposal to authorize lower maximum speed limits in the City of New York.

- The Legislature does not include the Executive proposal to modify a provision of law restricting the reissuance of driver's licenses following convictions for driving while intoxicated or impaired where physical injury resulted.
- The Legislature accepts the Executive proposal to modify county clerk retention fees for in-person and online DMV transactions.
- The Legislature does not include the Executive proposal to increase penalties for certain overnight parking violations in New York City and modify provisions of law relating to parking tickets and parking violation adjudication and appeals.
- The Legislature includes legislation to authorize DMV to issue dealer registrations to bus manufacturers exclusively for the sale of buses to public mass transportation providers.

## **Recommended Changes to the Executive Budget Olympic Regional Development Authority**

**The Legislature provides an All Funds appropriation of \$104.1 million.**

### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Aid to Localities**

- **Not applicable.**

### **Capital Projects**

- **The Legislature accepts the Executive proposal and recommends no changes.**

### **Article VII**

- **Not applicable.**

## **Recommended Changes to the Executive Budget Office of Parks, Recreation and Historical Preservation**

**The Legislature provides an All Funds appropriation of \$720.2 million, an increase of \$10 million over the Executive proposal.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Capital Projects**

- The Legislature provides \$10 million for zoos, botanical gardens, and aquaria for capital projects.

### **Article VII**

- The Legislature modifies the Executive proposal that would increase fees for the registration of snowmobiles, by accepting such fee increases but rejecting the elimination of the deadline by which applications for grants funded by such fees must be submitted to the Office of Parks, Recreation, and Historic Preservation.
- The Legislature does not include the Executive proposal that would update safety equipment standards for pleasure vessels, including rowboats, canoes, and kayaks.

## **Recommended Changes to the Executive Budget**

### **Department of Public Service**

**The Legislature provides an All Funds appropriation of \$317.5 million.**

#### **State Operations**

- **The Legislature accepts the Executive proposal and recommends no changes.**

#### **Aid to Localities**

- **The Legislature modifies appropriation language for the expanded Energy Affordability Program to establish clarity on program parameters.**

#### **Capital Projects**

- **The Legislature accepts the Executive proposal and recommends no changes.**

#### **Article VII**

- **The Legislature modifies the Executive proposal that would permanently extend the authorization of certain State agencies to receive funding from an assessment on cable television and utilities, by instead extending the authorization for one year.**

## **Recommended Changes to the Executive Budget Department of State**

**The Legislature provides an All Funds appropriation of \$579.7 million, an increase of \$59.1 million over the Executive proposal.**

### **State Operations**

- **The Legislature provides:**
  - **\$250,000 to the Inspector General for reimbursements of costs associated with appointing monitors for the Orange County IDA, to provide oversight into their financial and contracting activities; and**
  - **\$500,000 for the Authorities Budget Office.**

### **Aid to Localities**

- **The Legislature provides:**
  - **\$30 million for Asian Americans and Pacific Islanders (AAPI) Crisis Intervention and Services to Combat Bias Based Crimes;**
  - **\$20 million for programs that assist non-citizens;**
  - **\$3.7 million for Local Initiatives;**
  - **\$2 million for NYS Immigration Coalition;**
  - **\$1.4 million for Public Utility Law Project (PULP);**
  - **\$500,000 for County of Rockland Code Enforcement Efforts;**
  - **\$224,000 for Westchester Opportunity Centers;**
  - **\$200,000 for Doe Fund Inc.;**
  - **\$200,000 for Caribbean Preparedness and Response;**
  - **\$100,000 for Rockefeller Institute of Government for Municipal Studies; and**
  - **\$75,000 for NY Legal Assistance Group Inc.**

### **Capital Projects**

- **The Legislature accepts the Executive proposal and recommends no changes.**

## **Article VII**

- The Legislature modifies the Executive proposal to allow public bodies to adopt procedures for the use of videoconferencing by individuals with disabilities to count towards quorum requirements under the Open Meetings Law.
- The Legislature rejects the Executive proposal to authorize businesses who are approved by the Department of State to perform natural organic reduction.
- The Legislature rejects the Executive proposal to eliminate the requirement that condominium declarations be filed with the Department of State.
- The Legislature adds new language to authorize the Unmarked Burial Site Protection Act.
- The Legislature adds new language that authorizes the Inspector General to appoint a monitor for the Orange County IDA to provide guidance and technical assistance related to the IDA's financial assistance policies and practices.

## **Recommended Changes to the Executive Budget**

### **Department of Taxation and Finance**

**The Legislature provides an All Funds appropriation of \$479.8 million.**

#### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Aid to Localities**

- The Legislature accepts the Executive proposal and recommends no changes.

#### **Capital Projects**

- Not applicable.

#### **Article VII**

- The Legislature modifies the Executive proposal to update the definition of income for eligibility purposes relating to the Senior Citizens Homeowner exemption, the Persons with Disabilities Homeowners exemption, the Senior Citizen Rent Increase exemption, and the Disability Rent Increase Exemption (DRIE). The new definition of income will make it easier for municipalities to process applications and for applicants to gauge their eligibility.
- The Legislature accepts the Executive proposal to extend the oil and gas fee, which supports the cost of setting unit of production values for the gas and oil industry, for three years, from March 31, 2024 until March 31, 2027.
- The Legislature does not include the Executive proposal to reform the tax foreclosure process by returning any excess funds, after the local government and any lien holders have been made whole, to the former owner following the sale of a property with delinquent property taxes.
- The Legislature accepts the Executive proposal to clarify that the solar and wind energy system appraisal model, developed by the Department of Taxation and Finance (DTF) to

create a standardized statewide assessment method for solar and wind energy systems, is not subject to the State Administrative Procedure Act.

- The Legislature modifies the Executive proposal to give DTF the right to appeal decisions made by the Tax Appeals Tribunal by requiring them to receive permission to appeal from the Attorney General. The Tax Appeals Tribunal is an independent authority with the power to cancel assessments, invalidate regulations, and reverse prior decisions of the State Tax Commission. Currently, taxpayers may appeal such decisions, but DTF is unable to.
- The Legislature accepts the Executive proposal to clarify that DTF has three business days to deposit monies received on account of the State, instead of three calendar days.

## **Recommended Changes to the Executive Budget Division of Tax Appeals**

**The Legislature provides an All Funds appropriation of \$3.38 million.**

### **State Operations**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Aid to Localities**

- Not applicable.

### **Capital Projects**

- Not applicable.

### **Article VII**

- Not applicable.

## Recommended Changes to the Executive Budget

### Department of Transportation

The Legislature provides an All Funds appropriation of \$14.6 billion, an increase of \$133.1 million over the Executive proposal.

#### State Operations

- The Legislature provides \$1.8 million for the Rail Safety Program, an increase of \$800,000 over the Executive proposal.

#### Aid to Localities

- The Legislature provides \$306.6 million for Upstate transit operating assistance, an increase of \$20 million, or seven percent, over the Executive proposal, for a total increase of \$39 million, or 14.6 percent, over the SFY 2022-23 level.
- The Legislature provides \$7 million for the Verrazzano Narrows Bridge Rebate Program.
- The Legislature provides \$5 million to the Metropolitan Transportation Authority's Outer Borough Fund.
- The Legislature provides \$750,000 for the operating costs of the South Fork Commuter Bus Service, an increase of \$250,000 over the Executive proposal.

#### Capital Projects

- The Legislature provides \$1.3 billion for capital aid to localities, an increase of \$100 million over the Executive proposal, including:
  - \$60 million for the Consolidated Highway Improvement Program (CHIPs); and
  - \$40 million for the State Touring Routes program.
- The Legislature reallocates appropriations for engineering costs to support DOT State workforce engineers.

## **Article VII**

- The Legislature does not include the Executive proposal to authorize DOT to impound or immobilize passenger carrying motor vehicles under DOT's jurisdiction that have certain out-of-service defects.
- The Legislature does not include the Executive proposal to expand the crime of second-degree assault to include certain transportation and highway workers.
- The Legislature does not include the Executive proposal to require drivers involved in crashes with property damage but no physical injuries to move their vehicles off the road.

## **Recommended Changes to the Executive Budget Urban Development Corporation**

The Legislature provides an All Funds appropriation of \$1.58 billion, an increase of \$292.3 million over the Executive proposal.

### **State Operations**

- Not applicable.

### **Aid to Localities**

- The Legislature provides \$5 million in support for participating arts and cultural venues of Alive Downtowns!, including:
  - \$1.2 million for Shea's Performing Arts Center;
  - \$968,000 for the Proctor's Theater;
  - \$900,000 for the Rochester Broadway Theater League;
  - \$300,000 for the Palace Theater in the City of Albany;
  - \$300,000 for the Landmark Theater in the City of Syracuse;
  - \$300,000 for the Troy Savings Bank Music Hall;
  - \$300,000 for the Ulster Performing Arts Center;
  - \$191,200 for the Bardavon 1869 Opera House;
  - \$120,600 for the Clemens Center in the City of Elmira;
  - \$120,600 for the Stanley Theater in the City of Utica;
  - \$103,000 for the Smith Center for the Arts in the City of Geneva;
  - \$103,000 for the State Theatre of Ithaca; and
  - \$95,900 for the Reg Lenna Center.
- The Legislature provides \$1 million for a statewide study of public and private museums.
- The Legislature provides \$400,000 for the establishment of a pilot entrepreneurship training grant program.
- The Legislature also provides funding for the following:
  - \$1.365 million in additional support for the Minority and Women-owned Business Development and Lending Program;
  - \$1 million for the Stony Brook Medicine's National Cancer Institute;
  - \$750,000 for the Rochester-Monroe Anti-Poverty (RMAP) Initiative;

- \$700,000 for the Bronx Overall Economic Development Corporation;
- \$700,000 for CenterState CEO;
- \$650,000 for the Brooklyn Alliance, Inc.;
- \$650,000 for the Queens Chamber of Commerce;
- \$375,000 for the New York Medical College BioInc;
- \$250,000 for the Adirondack Sports Council;
- \$225,000 for the North Country Chamber of Commerce;
- \$150,000 for the Historic Hudson Hoosick Rivers Partnership;
- \$150,000 for Harlem Week, Inc.;
- \$150,000 for the Association of Community Employment Programs;
- \$150,000 for the Brooklyn Chamber of Commerce;
- \$150,000 for the Finger Lakes Tourism Alliance;
- \$140,000 for the Kingsbridge Riverdale Van Cortlandt Development Corp.;
- \$100,000 for the Brooklyn Neighborhood Improvement Association;
- \$100,000 for the Queens Economic Development Council;
- \$100,000 for the Adirondack North Country Association;
- \$100,000 for the Buffalo Niagara Partnership;
- \$75,000 for the People's Theatre Project;
- \$50,000 for the Hampton Bays Chamber of Commerce; and
- \$50,000 for the Staten Island Economic Development Corporation.

## **Capital Projects**

- The Legislature provides the following:

  - \$130 million for the redevelopment of the Hunts Point Produce Market in the Bronx;
  - \$50 million for the Restore New York Communities Initiative;
  - \$30 million for the replacement of absorption chillers in the central chiller plant at SUNY Albany;
  - \$24 million for FeedMore Western New York;
  - \$19 million for the redevelopment of Monument Square in the City of Troy;
  - \$10 million for the redevelopment of Victory Mills in Saratoga County;
  - \$7.5 million for the American Museum of Lesbian Gay Bisexual Transgender History and Culture; and
  - \$7.5 million for the Dominican American Cultural Center.

## **Article VII**

- The Legislature modifies the Executive proposal to extend the general loan powers of the Urban Development Corporation by providing a one-year extension.

- The Legislature modifies the Executive proposal to extend the authorization of the Urban Development Corporation to administer the Economic Development Fund by providing a one-year extension.
- The Legislature modifies the Executive proposal to establish a matching grant program for small businesses who have been awarded funds under the federal Small Business Innovation Research or Small Business Technology Transfer programs by increasing grant amounts, authorizing Empire State Development to issue a commitment letter to those seeking a federal grant, and providing assistance to access existing ESD small business programs.
- The Legislature provides for a statewide study of public and private museums.
- The Legislature establishes a new Pilot Entrepreneurial Training Grants Program. This program will provide grants to entrepreneurs and small businesses of at least \$5,000 up to \$25,000. Eligible businesses would have to successfully complete the Entrepreneurial Assistance Center training program to qualify for a grant. This pilot program would sunset after two-years.
- The Legislature extends the statewide disparity study regarding the participation of minority and women-owned business enterprises in state contracts by one year.
- The Legislature rejects the Executive proposal to require the State and any municipalities that have a MWBE program to enter into a memorandum of understanding regarding the acceptance certification verification for MWBE applicants; and increase the discretionary procurement purchase threshold for State MWBEs and Service-Disabled Veteran Owned Businesses (SDVOBs) from \$500,000 to \$1.5 million and for New York City MWBEs from \$1 million to \$1.5 million.

**Recommended Changes to the Executive Budget**  
**Miscellaneous: Transportation, Economic Development and**  
**Environmental Conservation**

### **Commercial Gaming Payment Reduction Offset**

#### **Aid to Localities**

- The Legislature provides \$17 million for payments to the local governments related to commercial gaming.

### **NY Waterfront Commission**

#### **Aid to Localities**

- The Legislature includes \$2 million for the newly authorized New York State Waterfront Commission.

### **Article VII**

- The Legislature includes language to allow New York to operate the Waterfront Commission for one year as New Jersey's withdrawal from the existing compact takes effect.

### **Green Thumb Program**

- The Legislature accepts the Executive proposal and recommends no changes.

### **Greenway Heritage Conservancy for the Hudson River Valley**

- The Legislature accepts the Executive proposal and recommends no changes.

## **Hudson River Park Trust**

- The Legislature accepts the Executive proposal and recommends no changes.

## **Hudson River Valley Greenway Communities Council**

- The Legislature accepts the Executive proposal and recommends no changes.

## **New York Power Authority**

- The Legislature accepts the Executive proposal and recommends no changes.

## **Article VII**

- The Legislature modifies the Executive proposal to allow NYPA to build renewable energy generating projects by requiring a strategic plan for meeting the CLCPA goals, maintaining a reliable supply of electricity, and supporting the REACH program to provide bill credits to low- and moderate-income residents in disadvantaged communities, with projects subject to labor standards.
- The Legislature modifies the Executive proposal to extend NYPA's authority to buy and sell market power by 20 years by instead extending the authorization until 2033.

# **LEGISLATURE & JUDICIARY**

**By Agency**



## **Recommended Changes to the Executive Budget Legislature**

The Legislature provides an All Funds appropriation of \$285.9 million, a \$9.8 million increase over the Executive proposal.

- The Legislature provides \$6.8 million to provide for salaries of members of the Assembly and Senate.
- The Legislature provides an additional \$3 million to the Legislative Bill Drafting Commission for maintenance and operating expenses.

### **Article VII**

- The Legislature includes new language to allow for the Secretary of the Senate and the Clerk of the Assembly to establish a cost for the sale of the last chair occupied by a Member of the Senate and Assembly, respectively, to such Member or their family.

## **Recommended Changes to the Executive Budget Judiciary**

The Legislature provides an All Funds appropriation of \$3.4 billion.

### **State Operations**

- The Legislature accepts the Judiciary proposal and recommends no changes.

### **Aid to Localities**

- The Legislature accepts the Judiciary proposal and recommends no changes.

### **Capital Projects**

- The Legislature accepts the Judiciary proposal and recommends no changes.

### **Article VII**

- The Legislature modifies the Executive proposal to increase assigned counsel rates for all cases to \$158 per hour for downstate counties and \$119 per hour for all other counties by instead increasing assigned counsel rates to \$158 per hour statewide. The Legislature also includes language to increase the case compensation caps, provide that a court may go above such limits in extraordinary circumstances, as well as increase the compensation for Attorney for the Child to \$158 statewide, and include increases for certain service providers to not exceed \$3,000 unless the court determines that more may be provided in extraordinary circumstances.
- The Legislature does not include the Executive proposal to qualify a vacant dwelling and provide that such property may be deemed abandoned when it has certain outstanding code violations for one year.

# **DEBT SERVICE**



## **Recommended Changes to the Executive Budget Debt Service/Capital Projects**

**The Legislature accepts the Debt Service appropriation of \$15.57 billion. The Legislature provides All Funds Capital appropriations totaling \$23.22 billion, an increase of \$1.52 billion over the Executive.**

### **State Operations**

- Not applicable.

### **Aid to Localities**

- Not applicable.

### **Capital Projects**

- The Legislature modifies the Executive's proposal for the Statewide Equipment Finance program to provide an allocation of \$10 million to allow certain legislative servers to interface with the State Financial System (SFS).
- The Legislature modifies the Executive proposal to provide additional support for the following initiatives:
  - \$100 million for roadway repair, for a total of \$878 million; and
  - \$20 million for Public Libraries.
- The Legislature adds appropriations to support the following Housing initiatives:
  - \$135 million for NYCHA;
  - \$50 million for Mitchel Lama Preservation;
  - \$7 million for Housing Opportunities for the Elderly;
  - \$7 million for Small Rental Development; and
  - \$2 million for Access to Home.

- The Legislature adds appropriations for the following initiatives:
  - \$435 million for CUNY Flexible funding;
  - \$385 million for Community Resiliency, Economic Sustainability, and Technology Program (CREST);
  - \$350 million for SUNY Flexible Funding;
  - \$130 million for Hunts Point Redevelopment;
  - \$60 million for RESTORE NY Communities Initiative;
  - \$50 million for criminal discovery;
  - \$40 million for Higher Education Facilities Capital (HeCAP);
  - \$30 million for a Chiller Plant at SUNY;
  - \$25 million for Volunteer Fire Departments;
  - \$24 million for Feedmore WNY;
  - \$20 million for Arts Grants;
  - \$20 million for SUNY Polytech;
  - \$19 million for Monument Square;
  - \$15 million for Local Boards of Elections;
  - \$10 million for Zoos, Botanical Gardens, and Aquariums;
  - \$9 million for The Foundation House;
  - \$7.5 million for the LGBTQ Museum;
  - \$7.5 million for the Dominican American Cultural Center; and
  - \$3 million for the Legislative Library.
  
- The Legislature does not include the Executive's proposal to provide support to the following initiatives:
  - \$250 for Supporting Growth Fund;
  - \$200 million for SUNY IT; and
  - \$15 million for Statewide Housing Database.

## Article VII

- The Legislature accepts the Executive proposal to extend the Mental Health Arbitrage Rebate for one year.
  
- The Legislature accepts the Executive proposal to authorize the transfer \$25 million from special revenue accounts or enterprise funds to the general fund to repay principle and interest incurred by the state from NYPA energy projects.
  
- The Legislature accepts the Executive proposal to increase the bond issuance for NYPA energy efficiency projects at state agencies from \$200 million to \$475 million.

- The Legislature accepts the Executive proposal to extend the amortization of MTA bonds up to 50 years for one year.
- The Legislature accepts the Executive proposal to extend for one additional year the authorization to issue up to \$3 billion in short-term PIT notes.
- The Legislature modifies the Executive proposal to extend for one additional year the authorization to enter into line of credit agreements of up to \$1 billion.
- The Legislature modifies the Executive proposal to extend the Comptroller's authority to reserve amounts necessary to cover the debt service and related expenses in the general debt service fund for an additional three years.
- The Legislature modifies the Executive proposal to authorize an increase of the State contribution of the Gateway Commission from \$2.35 billion to \$2.85 billion and includes a permanent Debt Service set aside.
- The Legislature modifies the following bond caps:
  - Economic Development Initiatives from \$14.97 billion to \$17.66 billion;
  - SUNY Education Facilities from \$16.61 billion to \$18.11 billion;
  - CUNY Education Facilities from \$10.25 billion to \$18.11 billion;
  - Consolidated Highway Improvement Program from \$13.05 billion to \$13.95 billion;
  - Library Facilities from \$333 million to \$367 million;
  - Housing Capital Programs from \$13.08 billion to \$13.64 billion;
  - Mental Health Programs from \$10.94 billion to \$12.42 billion;
  - Environment and Beginning Farmers from \$8.17 billion to \$9.34 billion;
  - Higher Education Capital Matching Grants from \$345 million to \$385 million;
  - Homeland Security and Training Programs from \$383.5 million to \$501.5 million;
  - State Offices from \$1.60 billion to \$1.71 billion; and
  - Office of ITS and Department of Law from \$1.15 billion to \$1.35 billion.

**Recommended Changes to the Executive Budget  
Dormitory Authority of the State of New York (DASNY)**

**Article VII**

- The Legislature modifies the Executive proposal to extend DASNY's pilot program for MWBEs by four years and include reporting requirements on the program.
- The Legislature modifies the Executive proposal to extend DASNY authorization to enter into design and construction management agreements with the New York State Department of Environmental Conservation and the New York state Department of Parks, Recreation, and Historic Preservation for an additional two years.
- The Legislature does not include the Executive proposal to increase the DASNY authority to issue hospital and nursing home bonds.
- The Legislature does not include the Executive proposal to authorize DASNY to provide services to any municipal entity that receives loans or grants through the Downtown Revitalization Program or the NY Forward Program.

## **Recommended Changes to the Executive Budget Public Authorities**

### **Article VII**

- The Legislature modifies the Executive proposal to increase the Battery Park City Authority's existing bond cap by \$1 billion for the purposes of climate resiliency and infrastructure maintenance.