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A03006 Summary:

BILL NO	A03006C
SAME AS	SAME AS UNI. S04006-C
SPONSOR	Budget
COSPNSR	
MLTSPNSR	

Amd Various Laws, generally

Enacts into law major components of legislation necessary to implement the state education, labor, housing and family assistance budget for the 2023-2024 state fiscal year; relates to contracts for excellence; relates to maintenance of equity aid; provides a state subsidy for the federal community eligibility provision program; relates to the number of charters issued; relates to actual valuation; relates to average daily attendance; relates to supplemental public excess cost aid; relates to building aid for metal detectors, and safety devices for electrically operated partitions, room dividers and doors; relates to academic enhancement aid; relates to high tax aid; relates to prospective prekindergarten enrollment reporting; provides for guidance on utilizing building aid to support-district operated universal prekindergarten programs; extends provisions of the statewide universal full-day pre-kindergarten program; increases aid for certain transportation costs; requires zero emission bus progress reporting; relates to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to reimbursement for the 2022-2023 school year, withholding a portion of employment preparation education aid and in relation to the effectiveness thereof; extends aid for employment preparation education for certain persons age twenty-one and older; relates to conditional appointment of school district, charter school or BOCES employees, in relation to the effectiveness thereof; directs the commissioner of education to appoint a monitor for the Rochester city school district; establishes the powers and duties of such monitor and certain other officers; relates to the apportionment of aid to such school district, in relation to the effectiveness thereof; relates to the support of education, in relation to the effectiveness thereof; directs the education department to conduct a comprehensive study of alternative tuition rate-setting methodologies for approved providers operating school age programs receiving funding; provides for special apportionment for salary expenses; provides for special apportionment for public pension accruals; extends the school years to which apportionment for salary expenses apply; provides for an accelerated schedule for certain apportionments payable to Mount Vernon city school district; provides for set-asides from the state funds which certain districts are receiving from the total foundation aid; provides for support of public libraries; relates to the financial stability of the Rochester city school district, in relation to the effectiveness thereof; provides for the repeal of certain provisions upon expiration thereof (Part A); relates to tuition authorization at the state university of New York and the city university of New York (Part B); removes the maximum award caps for the liberty partnerships program (Part D); utilizes reserves in the mortgage insurance fund for the neighborhood preservation program, the rural preservation program, the rural rental assistance program, and the New York state supportive housing program (Part Q); relates to providing for increases in minimum wage requirements (Part S); expands eligibility for child care assistance; makes related provisions (Part U); extends provisions of law related to restructuring financing for residential school placements (Part V); extends certain provisions of law relating to the juvenile justice services close to home initiative (Part W); eliminates the requirement for combined education and other work/activity assignments; directs approval of certain education and vocational training activities up to two-year post-secondary degree programs; provides for a disregard of earned income received by a recipient of public assistance derived from participating in a qualified work activity or training program; provides for a one-time disregard of earned income following job entry for up to six consecutive months under certain circumstances (Part X); provides reimbursement to victims of public assistance fraud to include additional benefits (Part Y); increases the standards of monthly need for aged, blind and disabled persons living in the community (Part Z); requires the state university of New York trustees and the city university of New York trustees to develop long-term plans to address the impact fluctuations in student enrollment have on the academic and financial sustainability of state-operated institutions and community colleges (Part AA); increases the rent subsidy payable to a foster child living independently (Part BB); extends certain provisions relating to the calculation of weekly employment insurance benefits for workers who are partially unemployed (Part CC); establishes a statewide presumptive eligibility standard for child care assistance (Part DD); makes certain part-time students enrolled at a public agricultural and technical college eligible to receive part-time tuition assistance program awards (Part EE); relates to conducting a study of public and private museums in New York state (Part FF); increases fees for assigned counsel; increases the amount in extraordinary circumstances that the court may provide for compensation in excess of three thousand dollars per investigative, expert of other service provider (Part GG); expands eligibility for the empire state child credit (Part HH); expands the scope of scholarships for the state university of New York maritime college (Part II); relates to the appointment of the western regional off-track betting board of directors (Part JJ); provides state matching contributions to the endowments of the four university centers of the state university of New York; provides for the repeal of certain provisions upon expiration thereof (Part KK); authorizes the department of corrections to use body scanners for employees at state correctional facilities, visitors, and incarcerated individuals (Part LL); relates to bus operation-related traffic restrictions and parking infractions; establishes a bus rapid transit demonstration program; extends the effectiveness of certain provisions relating thereto; repeals certain provisions relating thereto (Part MM); directs the Metropolitan Transportation Authority to establish and implement a fare-free bus pilot program within the City of New York to understand certain impacts of fare-free bus routes (Part NN); relates to the utilization of funds in the Capital region off-track betting corporations capital acquisition funds (Part OO); provides for the administration of certain funds and accounts related to the 2023-2024 budget, authorizing certain payments and transfers; extends certain provisions of law; authorizes the issuance of certain bonds and notes (Part PP); advances renewable energy development; establishes the renewable energy access and community help program; provides funding to help prepare workers for employment in the renewable energy field (Part QQ); prohibits fossil-fuel equipment and building systems in certain new construction; provides exceptions for emergency power, manufactured homes and certain commercial buildings; establishes decarbonization action plans for state-owned facilities (Part RR); extends certain provisions relating to the provision of renewable power and energy by the Power Authority of the state of New York (Part SS); creates the New York climate action fund; makes provisions related to climate action fund revenues and accounts; provides wage requirements and a job transition plan for certain climate risk-related and energy transition projects (Part TT); relates to collection of tax revenue on adult-use cannabis products; imposes penalties on retailers and distributors for unauthorized sale of adult-use cannabis products; provides for emergency relief following service of a notice of violation; adds additional regulations to curb illegal cannabis retail establishments; permits removal of commercial tenants for unlicensed cannabis retail sale; authorizes investigators appointed by the cannabis control board to carry, possess, repair, or dispose of a firearm; makes related provisions (Part UU); relates to setting bail (Subpart A); relates to appearances for pretrial proceedings for arrests made without a warrant (Subpart B); requires the chief administrator of the courts to report on certain pretrial commitments to local correctional facilities (Subpart C) (Part VV).

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A03006 Actions:

BILL NO	A03006C
02/01/2023	referred to ways and means
03/06/2023	amend (t) and recommit to ways and means
03/06/2023	print number 3006a
03/14/2023	amend (t) and recommit to ways and means
03/14/2023	print number 3006b
05/01/2023	amend (t) and recommit to ways and means
05/01/2023	print number 3006c
05/02/2023	reported referred to rules
05/02/2023	reported
05/02/2023	rules report cal.131
05/02/2023	ordered to third reading rules cal.131
05/02/2023	message of necessity - 3 day message
05/02/2023	passed assembly
05/02/2023	delivered to senate
05/02/2023	REFERRED TO FINANCE
05/02/2023	SUBSTITUTED FOR S4006C
05/02/2023	3RD READING CAL.723
05/02/2023	MESSAGE OF NECESSITY - 3 DAY MESSAGE
05/02/2023	PASSED SENATE
05/02/2023	RETURNED TO ASSEMBLY
05/02/2023	delivered to governor
05/03/2023	signed chap.56

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Section 1. Subdivision 6 of section 11-104 of the energy law, as added by chapter 374 of the laws of 2022, is amended and two new subdivisions 7 and 8 are added to read as follows:

6. (a) To the fullest extent feasible, the standards for construction of buildings in the code shall be designed to help achieve the state's clean energy and climate agenda, including but not limited to greenhouse gas reduction, set forth within chapter one hundred six of the laws of two thousand nineteen, also known as the New York state climate leadership and community protection act, and as further identified by the New York state climate action council established pursuant to section 75-0103 of the environmental conservation law.

(b) In addition to the foregoing, to support the goal of zero on-site greenhouse gas emissions and help achieve the state's clean energy and climate agenda, including but not limited to greenhouse gas reduction requirements set forth within chapter one hundred six of the laws of two thousand nineteen, also known as the New York state climate leadership and community protection act, the code shall prohibit the installation of fossil-fuel equipment and building systems, in any new building not more than seven stories in height, except for a new commercial or industrial building greater than one hundred thousand square feet in conditioned floor area, on or after December thirty-first, two thousand twenty-five, and the code shall prohibit the installation of fossil-fuel equipment and building systems, in all new buildings after December thirty-first, two thousand twenty-eight.

7. (a) The provisions set forth in paragraph (b) of subdivision six of this section shall not be construed as applying to buildings existing prior to the effective date of the applicable prohibition, including to:

(i) the repair, alteration, addition, relocation, or change of occupancy or use of such buildings; and

(ii) the installation or continued use and maintenance of fossil-fuel equipment and building systems, including as related to cooking equipment, in any such buildings.

(b) In addition, in effectuating the provisions set forth in paragraph (b) of subdivision six of this section the code shall include exemptions for the purposes of allowing the installation and use of fossil-fuel equipment and building systems where such are installed and used:

(i) for generation of emergency back-up power and standby power systems;

(ii) in a manufactured home as defined in subdivision seven of section six hundred one of the executive law; or

(iii) in a building or part of a building that is used as a manufacturing facility, commercial food establishment, laboratory, car wash, laundromat, hospital, other medical facility, critical infrastructure, including but not limited to emergency management facilities, wastewater treatment facilities, and water treatment and pumping facilities, agricultural building, fuel cell system, or crematorium, as such terms are defined by the code council.

(c) Where the code includes an allowed exemption pursuant to subparagraph (i) or (iii) of paragraph (b) of this subdivision, other than

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agricultural buildings as defined by the council, such exemption shall include provisions that, to the fullest extent feasible, limit the use of fossil-fuel equipment and building systems to the system and area of the building for which a prohibition on fossil-fuel equipment and building systems is infeasible; require the area or service within a new building where fossil-fuel equipment and building systems are installed be electrification ready, except with respect to servicing manufacturing or industrial processes; and minimize emissions from the fossil-fuel equipment and building systems that are allowed to be used, provided that the provisions set forth in this paragraph do not adversely affect health, safety, security, or fire protection. Financial considerations shall not be sufficient basis to determine physical or technical infeasibility.

(d) Exemptions included in the code pursuant to this subdivision shall be periodically reviewed by the state fire prevention and building code council to assure that they continue to effectuate the purposes of subdivision six of this section to the fullest extent feasible.

(e) The code shall allow for exemption of a new building construction project that requires an application for new or expanded electric service, pursuant to subdivision one of section thirty-one of the public service law and/or section twelve of the transportation corporations law, when electric service cannot be reasonably provided by the grid as operated by the local electric corporation or municipality pursuant to subdivision one of section sixty-five of the public service law; provided, however, that the public service commission shall determine reasonableness for purposes of this exemption. For the purposes of this paragraph, "grid" shall have the same meaning as electric plant, as defined in subdivision twelve of section two of the public service law.

8. For the purposes of this section:

(a) "Fossil-fuel equipment and building systems" shall mean (i) equipment, as such term is defined in section 11-102 of this article, that uses fossil-fuel for combustion; or (ii) systems, other than items supporting an industrial or commercial process as referred to in the definition of equipment in section 11-102 of the energy law, associated with a building that will be used for or to support the supply, distribution, or delivery of fossil-fuel for any purpose, other than for use by motor vehicles.

(b) "Electrification ready" means the new building or portion thereof where fossil-fuel equipment and building systems are allowed to be used which contains electrical systems and designs that provide sufficient capacity for a future replacement of such fossil-fuel equipment and building systems with electric-powered equipment, including but not limited to sufficient space, drainage, electrical conductors or raceways, bus bar capacity, and overcurrent protective devices for such electric-powered equipment.