

Legislative Bill Drafting Commission
12008-01-3

S. -----
 Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
 Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

APPR

(Provides for emergency appropri-
ation for the period April 1, 2023
through April 20, 2023)

Emergency Approp. 4/1-4/20

AN ACT

making appropriations for the
support of government; to amend
chapter 121 of the laws of 2023
relating to making appropriations
for the support of government, in
relation thereto; and to amend chap-
ter 122 of the laws of 2023, relat-
ing to making appropriations for the
support of government, in relation
thereto, and providing for the
repeal of such provisions upon expi-
ration thereof

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s34 Fernandez	s28 Krueger	s01 Palumbo	s42 Skoufis
s43 Ashby	s60 Gallivan	s24 Lanza	s21 Parker	s11 Stavisky
s36 Bailey	s12 Gianaris	s16 Liu	s19 Persaud	s45 Stec
s57 Borrello	s59 Gonzalez	s50 Mannion	s13 Ramos	s35 Stewart-
s46 Breslin	s26 Gounardes	s04 Martinez	s05 Rhoads	Cousins
s25 Brisport	s53 Griffo	s07 Martins	s33 Rivera	s44 Tedisco
s55 Brouk	s40 Harckham	s02 Mattera	s39 Rolison	s06 Thomas
s09 Canzoneri-	s54 Helming	s48 May	s61 Ryan	s49 Walczyk
Fitzpatrick	s41 Hinchey	s37 Mayer	s18 Salazar	s52 Webb
s17 Chu	s47 Hoylman-	s03 Murray	s10 Sanders	s38 Weber
s30 Cleare	Sigal	s20 Myrie	s23 Scarcella-	s08 Weik
s14 Comrie	s31 Jackson	s51 Oberacker	Spanton	
s56 Cooney	s27 Kavanagh	s58 O'Mara	s32 Sepulveda	
s22 Felder	s63 Kennedy	s62 Ortt	s29 Serrano	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a078 Alvarez	a140 Conrad	a150 Goodell	a017 Mikulin	a016 Sillitti
a031 Anderson	a032 Cook	a116 Gray	a122 Miller	a052 Simon
a121 Angelino	a039 Cruz	a100 Gunther	a051 Mitaynes	a075 Simone
a037 Ardila	a043 Cunningham	a139 Hawley	a145 Morinello	a114 Simpson
a035 Aubry	a021 Curran	a083 Heastie	a144 Norris	a094 Slater
a120 Barclay	a018 Darling	a028 Hevesi	a045 Novakhov	a005 Smith
a106 Barrett	a053 Davila	a128 Hunter	a069 O'Donnell	a118 Smullen
a105 Beephan	a072 De Los Santos	a029 Hyndman	a091 Otis	a022 Solages
a107 Bendett	a003 DeStefano	a079 Jackson	a132 Palmesano	a110 Steck
a082 Benedetto	a070 Dickens	a104 Jacobson	a088 Paulin	a010 Stern
a042 Bichotte	a054 Dilan	a011 Jean-Pierre	a141 Peoples-	a127 Stirpe
Hermelyn	a081 Dinowitz	a134 Jensen	Stokes	a102 Tague
a117 Blankenbush	a147 DiPietro	a115 Jones	a023 Pheffer	a064 Tannousis
a015 Blumencranz	a009 Durso	a077 Joyner	Amato	a086 Tapia
a073 Bores	a099 Eachus	a125 Kelles	a063 Pirozzolo	a071 Taylor
a098 Brabenec	a048 Eichenstein	a040 Kim	a089 Pretlow	a001 Thiele
a026 Braunstein	a074 Epstein	a013 Lavine	a019 Ra	a033 Vanel
a138 Bronson	a109 Fahy	a065 Lee	a030 Raga	a055 Walker
a046 Brook-Krasny	a061 Fall	a126 Lemondes	a038 Rajkumar	a143 Wallace
a020 Brown, E.	a008 Fitzpatrick	a095 Levenberg	a006 Ramos	a112 Walsh
a012 Brown, K.	a004 Flood	a060 Lucas	a062 Reilly	a041 Weinstein
a093 Burdick	a057 Forrest	a135 Lunsford	a087 Reyes	a024 Weprin
a085 Burgos	a124 Friend	a123 Lupardo	a149 Rivera	a059 Williams
a142 Burke	a050 Gallagher	a129 Magnarelli	a027 Rosenthal, D.	a113 Woerner
a119 Buttenschon	a131 Gallahan	a101 Maher	a067 Rosenthal, L.	a080 Zaccaro
a133 Byrnes	a007 Gandolfo	a036 Mamdani	a025 Rozic	a096 Zebrowski
a044 Carroll	a068 Gibbs	a130 Manktelow	a111 Santabarbara	a056 Zinerman
a058 Chandler-	a002 Giglio, J.A.	a108 McDonald	a090 Sayegh	
Waterman	a148 Giglio, J.M.	a014 McDonough	a076 Seawright	
a049 Chang	a066 Glick	a097 McGowan	a084 Septimo	
a136 Clark	a034 Gonzalez-	a146 McMahon	a092 Shimsky	
a047 Colton	Rojas	a137 Meeks	a103 Shrestha	

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and: in Assembly 2 copies of memorandum in support, in
Senate 4 copies of memorandum in support (single house); or 4 signed copies
of bill and 6 copies of memorandum in support (uni-bill).

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

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that the enactment of these appropriations provides sufficient
3 authority to the comptroller for the purpose of making payments for the
4 purposes described herein until such time as appropriation bills submit-
5 ted by the governor pursuant to article VII of the state constitution
6 for the support of government for the state fiscal year beginning April
7 1, 2023 are enacted.

8 § 2. Section 2 of chapter 121 of the laws of 2023, relating to making
9 appropriations for the support of government, as amended by chapter 122
10 of the laws of 2023, is amended to read as follows:

11 § 2. The amounts specified in this section, or so much thereof as
12 shall be sufficient to accomplish the purposes designated, is hereby
13 appropriated and authorized to be paid as hereinafter provided, to the
14 public officers and for the purpose specified, which amount shall be
15 available for the state fiscal year beginning April 1, 2023.

16 ALL STATE DEPARTMENTS AND AGENCIES

17 For the purpose of making payments for
18 personal service, including liabilities
19 incurred prior to April 1, 2023, on the
20 payrolls scheduled to be paid during the
21 period April 1 through April [17] 20, 2023
22 to state officers and employees of the
23 executive branch, including the governor,
24 lieutenant governor, comptroller, and
25 attorney general, and to employees of the
26 legislature. This appropriation also

1 includes funding for payment of health
2 care and mental hygiene bonuses to eligi-
3 ble state employees, and payments for
4 services performed by mentally ill or
5 developmentally disabled persons who are
6 employed in state-operated special employ-
7 ment, work-for-pay or sheltered workshop
8 programs [458,000,000] 714,000,000
9

10 § 3. Section 3 of chapter 121 of the laws of 2023, relating to making
11 appropriations for the support of government, as amended by chapter 122
12 of the laws of 2023, is amended to read as follows:

13 § 3. The amount specified in this section, or so much thereof as shall
14 be sufficient to accomplish the purpose designated, is hereby appropri-
15 ated and authorized to be paid as hereinafter provided, to the public
16 officers and for the purpose specified, which amount shall be available
17 for the state fiscal year beginning April 1, 2023.

18 ALL STATE DEPARTMENTS AND AGENCIES

19 For the payment of state operations non
20 personal service liabilities to the execu-
21 tive branch, including the comptroller,
22 and the attorney general, and legislature,
23 incurred in the ordinary course of busi-
24 ness, during the period April 1 through
25 April [17] 20, 2023, pursuant to existing

1 state law and for purposes for which the
2 legislature authorized the expenditure of
3 moneys during the 2022-2023 state fiscal
4 year; provided, however, that nothing
5 contained herein shall be deemed to limit
6 or restrict the power or authority of
7 state departments or agencies to conduct
8 their activities or operations in accord-
9 ance with existing law, and further
10 provided that nothing contained herein
11 shall be deemed to supersede, nullify or
12 modify the provisions of section 40 of the
13 state finance law prescribing when appro-
14 priations made for the 2022-2023 state
15 fiscal year shall have ceased to have
16 force and effect [22,000,000] 48,600,000
17

18 § 4. Section 4 of chapter 121 of the laws of 2023, relating to making
19 appropriations for the support of government, as amended by chapter 122
20 of the laws of 2023, is amended to read as follows:

21 § 4. The amounts specified in this section, or so much thereof as
22 shall be sufficient to accomplish the purposes designated, is hereby
23 appropriated and authorized to be paid as hereinafter provided, to the
24 public officers and for the purposes specified, which amount shall be
25 available for the state fiscal year beginning April 1, 2023.

1 ALL STATE DEPARTMENTS AND AGENCIES

2 The sum of [thirty million dollars
3 (\$30,000,000)] one hundred seventy million
4 dollars (\$170,000,000), or so much thereof
5 as shall be sufficient to accomplish the
6 purpose designated, is hereby appropriated
7 for contracts and grants approved for
8 purposes for which the legislature author-
9 ized the expenditures of money during the
10 2022-2023 fiscal year. An amount up to
11 [thirty million dollars (\$30,000,000)] one
12 hundred seventy million dollars
13 (\$170,000,000) shall be available for the
14 payment of capital projects liabilities
15 incurred during the period from April 1
16 through April [17] 20, 2023 for contracts
17 and grants approved prior to April 1,
18 2023, provided, however, that nothing
19 contained herein shall be deemed to limit
20 or restrict the power or authority of
21 state departments or agencies to conduct
22 their activities or operations in accord-
23 ance with existing law, and further
24 provided that nothing contained herein
25 shall be deemed to supersede, nullify, or
26 modify the provisions of section 40 of the
27 state finance law prescribing when appro-

1	priations made for the 2022-2023 fiscal	
2	year shall have ceased to have force and	
3	effect	
4 [30,000,000]	<u>170,000,000</u>
5	-----	

6 § 5. Section 5 of chapter 121 of the laws of 2023, relating to making
7 appropriations for the support of government, as amended by chapter 122
8 of the laws of 2023, is amended to read as follows:

9 § 5. The several amounts specified in this section, or so much thereof
10 as shall be sufficient to accomplish the purposes designated, are hereby
11 appropriated and authorized to be paid as hereinafter provided, to the
12 respective public officers and for the several purposes specified, which
13 amounts shall be available for the state fiscal year beginning April 1,
14 2023.

15 ALL STATE DEPARTMENTS AND AGENCIES

16 The sum of [five million dollars
17 (\$5,000,000)] thirty million dollars
18 (\$30,000,000), or so much thereof as shall
19 be sufficient to accomplish the purpose
20 designated, is hereby appropriated for
21 contracts and grants approved for which
22 the legislature authorized the expendi-
23 tures of money during the 2022-2023 fiscal
24 year. An amount up to [five million
25 dollars (\$5,000,000)] thirty million

1 dollars (\$30,000,000) shall be available
2 for the payment of capital projects
3 liabilities incurred during the period
4 from April 1 through April [17] 20, 2023
5 for contracts and grants approved after
6 April 1, 2023, provided, however, that
7 nothing contained herein shall be deemed
8 to limit or restrict the power or authori-
9 ty of state departments or agencies to
10 conduct their activities or operations in
11 accordance with existing law, and further
12 provided that nothing contained herein
13 shall be deemed to supersede, nullify, or
14 modify the provisions of section 40 of the
15 state finance law prescribing when appro-
16 priations made for the 2022-2023 fiscal
17 year shall have ceased to have force and
18 effect [5,000,000] 30,000,000
19 -----

20 § 6. Section 6 of chapter 121 of the laws of 2023, relating to making
21 appropriations for the support of government, as amended by chapter 122
22 of the laws of 2023, is amended to read as follows:

23 § 6. The amounts specified in this section, or so much thereof as
24 shall be sufficient to accomplish the purposes designated, is hereby
25 appropriated and authorized to be paid as hereinafter provided, to the
26 public officers and for the purposes specified, which amount shall be
27 available for the state fiscal year beginning April 1, 2023.

1 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

2 GENERAL STATE CHARGES

3 STATE OPERATIONS

4 GENERAL STATE CHARGES [524,660,000] 559,815,000

5 -----

6 General Fund

7 State Purposes Account - 10050

8 For employee fringe benefits according to
9 the following project schedule including
10 those benefits which are related to
11 employees paid from funds, accounts, or
12 programs where the division of the budget
13 has issued waivers [522,460,000] 556,440,000

14 Project Schedule

15 PROJECT AMOUNT

16 -----

17 For the state's contribution

18 to the social security

19 contribution fund

20 [42,000,000] 70,000,000

21 For the state's share of

22 contributions to the volun-

23 tary defined contribution

1 plan made on behalf of
2 eligible employees pursuant
3 to chapter 18 of the laws of
4 2012 who elect to partic-
5 ipate in such plan and who
6 are not otherwise eligible
7 to participate in the SUNY
8 optional retirement program
9 [460,000] 690,000

10 For the state's contribution
11 to the health insurance fund
12 and deposit into the retiree
13 health benefit trust fund
14 pursuant to section 99-aa of
15 the state finance law. The
16 state's share of the health
17 insurance program dividends
18 shall be available to pay
19 for the premiums in 2023-24 .. 400,000,000

20 For payments to the state
21 insurance fund for workers'
22 compensation benefits and
23 other related workers'
24 compensation costs prior to
25 or after they become
26 incurred including but not
27 limited to the benefits

1 defined in chapters 302 and
2 303 of the laws of 1985 45,000,000
3 For the state's contribution
4 to employee benefit fund
5 programs 35,000,000
6 For the state's contribution
7 to the dental insurance plan ... 4,250,000
8 For the state's contribution
9 to the vision care plan 1,500,000
10
11 Project schedule total ...
12 [522,460,000] 556,440,000
13

14 For the payment of the metropolitan commuter
15 transportation mobility tax pursuant to
16 article 23 of the tax law as added by
17 chapter 25 of the laws of 2009 on behalf
18 of the state employees employed in the
19 metropolitan commuter transportation
20 district [2,200,000] 3,300,000
21

22 For payment of claims for damage to personal
23 or real property or for bodily injuries or
24 wrongful death caused by officers, employ-
25 ees, or other authorized persons providing
26 service to state government while provid-

ing such service, and the state university
construction fund while acting within the
scope of their employment, and while oper-
ating motor vehicles, and for any individ-
uals operating motor vehicles which are
assigned on a permanent basis with unre-
stricted use to state officers and employ-
ees when the person is permanently
assigned the motor vehicle (80559) 75,000

§ 7. Section 7 of chapter 121 of the laws of 2023, relating to making appropriations for the support of government, as amended by chapter 122 of the laws of 2023, is amended to read as follows:

§ 7. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2023.

JUDICIARY

For the purpose of making payments for personal service, including liabilities incurred prior to April 1, 2023, on the payrolls scheduled to be paid during the period April 1 through April [17] 20, 2023

1 to officers and employees of the judiciary

2 65,000,000

3 For the payment of state operations nonper-

4 sonal service liabilities, the sum of

5 fifty million dollars (\$50,000,000), or so

6 much thereof as shall be sufficient to

7 accomplish the purpose designated, is

8 hereby appropriated to the judiciary out

9 of any moneys in the general fund or other

10 funds to the credit of the state purposes

11 account not otherwise appropriated. The

12 comptroller is hereby authorized and

13 directed to utilize this appropriation for

14 the purpose of making payments for non-

15 personal service liabilities incurred by

16 the judiciary from April 1 through April

17 [17] 20, 2023 50,000,000

18 For the payment of aid to localities liabil-

19 ities, the sum of fifteen million dollars

20 (\$15,000,000), or so much thereof as shall

21 be sufficient to accomplish the purpose

22 designated, is hereby appropriated to the

23 judiciary out of any moneys in the general

24 fund or other funds to the credit of the

25 state purposes account not otherwise

26 appropriated. The comptroller is hereby

27 authorized and directed to utilize this

1 appropriation for the purpose of making
2 payments for aid to localities liabilities
3 incurred by the judiciary from April 1
4 through April [17] 20, 2023 15,000,000
5 For the payment of employee fringe benefit
6 programs including, but not limited to,
7 the judiciary's contributions to the
8 health insurance fund, the employees'
9 retirement system pension accumulation
10 fund, the social security contribution
11 fund, employee benefit fund programs, the
12 dental insurance plan, the vision care
13 plan, the unemployment insurance fund, and
14 for workers' compensation benefits, the
15 sum of [seventy-five million dollars
16 (\$75,000,000)] two hundred eighty-one
17 million dollars (\$281,000,000), or so much
18 thereof as shall be sufficient to accom-
19 plish the purpose designated, is hereby
20 appropriated to the judiciary out of any
21 moneys in the general fund or other funds
22 to the credit of the state purposes
23 account not otherwise appropriated. The
24 comptroller is hereby authorized and
25 directed to utilize this appropriation for
26 the purpose of making payments for employ-
27 ee fringe benefit liabilities incurred by

1 the judiciary from April 1 through April

2 [10] 20, 2023 [75,000,000] 281,000,000

3 § 8. Section 8 of chapter 122 of the laws of 2023, relating to making
4 appropriations for the support of government, is amended to read as
5 follows:

6 § 8. The amount specified in this section, or so much thereof as shall
7 be sufficient to accomplish the purpose designated, is hereby appropri-
8 ated and authorized to be paid as hereinafter provided, to the public
9 officers and for the purpose specified, which amount shall be available
10 for the state fiscal year beginning April 1, 2023.

11 DEPARTMENT OF FAMILY ASSISTANCE

12 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

13 AID TO LOCALITIES

14 EMPLOYMENT AND INCOME SUPPORT PROGRAM 235,416,000

15

16 General Fund

17 Local Assistance Account - 10000

18 For state reimbursement of the safety net

19 assistance program as established pursuant

20 to chapter 436 of the laws of 1997.

21 Notwithstanding section 153 of the social

22 services law or any other inconsistent

1 provision of law, funds appropriated here-
2 in shall reimburse 29 percent of safety
3 net assistance expenditures, including the
4 cost of providing shelter supplements for
5 safety net assistance households at local
6 option, including eligible households
7 containing a household member who has been
8 released from prison, in order to prevent
9 eviction and address homelessness in
10 accordance with social services district
11 plans approved by the office of temporary
12 and disability assistance and the director
13 of the budget, provided, however, that in
14 social services districts with a popu-
15 lation over five million no shelter
16 supplements other than [those to prevent
17 eviction] the family homelessness and
18 eviction prevention supplement shall be
19 reimbursed, provided however funds appro-
20 priated herein shall only be used to reim-
21 burse rental costs up to the maximum rent
22 levels in place as of January 1, 2021,
23 then adjusted consistent with the annual
24 year-over-year percentage changes in fair
25 market rent, provided, however, in the
26 event of a decrease in fair market rent
27 the value of the maximum rent levels reim-
28 bursed with funds appropriated herein

1 shall not decrease and shall be set at the
2 maximum rent levels established during the
3 prior year, and further provided that such
4 supplements shall not be part of the stan-
5 dard of need pursuant to section 131-a of
6 the social services law. Funds appropri-
7 ated herein shall also reimburse 29
8 percent of safety net assistance expendi-
9 tures, in social services districts with a
10 population over five million, for emergen-
11 cy shelter, transportation, or nutrition
12 payments which the district determines are
13 necessary to establish or maintain inde-
14 pendent living arrangements among persons
15 living with medically diagnosed HIV
16 infection as defined by the AIDS institute
17 of the state department of health and who
18 are homeless or facing homelessness and
19 for whom no viable and less costly alter-
20 native to housing is available; provided,
21 however, that funds appropriated herein
22 may only be used for such purposes if the
23 cost of such allowances are not eligible
24 for reimbursement under medical assistance
25 or other programs. Funds appropriated
26 herein shall reimburse 29 percent of safe-
27 ty net assistance expenditures, in social
28 services districts with a population of

1 five million or fewer, for emergency shel-
2 ter payments promulgated by the office of
3 temporary and disability assistance which
4 the district determines are necessary to
5 establish or maintain independent living
6 arrangements among persons living with
7 medically diagnosed HIV infection as
8 defined by the AIDS institute of the state
9 department of health and who are homeless
10 or facing homelessness and for whom no
11 viable and less costly alternative to
12 housing is available; provided, however,
13 that funds appropriated herein may only be
14 used for such purposes if the cost of such
15 allowances are not eligible for reimburse-
16 ment under medical assistance or other
17 programs. Funds appropriated herein shall
18 reimburse 29 percent of safety net assist-
19 ance expenditures, in social services
20 districts with a population of five
21 million or fewer, for emergency shelter
22 payments in excess of those promulgated by
23 the office of temporary and disability
24 assistance but not exceeding an amount
25 reasonably approximate to 100 percent of
26 fair market rent, at local option which
27 the district determines are necessary to
28 establish or maintain independent living

1 arrangements among persons living with
2 medically diagnosed HIV infection as
3 defined by the AIDS institute of the State
4 department of health and who are homeless
5 or facing homelessness and for whom no
6 viable and less costly alternative to
7 housing is available; provided, however,
8 that funds appropriated herein may only be
9 used for such purposes if the cost of such
10 allowances are not eligible for reimburse-
11 ment under medical assistance or other
12 programs. Such emergency shelter payments
13 shall only be made at local option and in
14 accordance with a plan approved by the
15 office of temporary and disability assist-
16 ance and the director of the budget.
17 Provided, however, notwithstanding section
18 153 of the social services law or any
19 other inconsistent provision of law, if
20 necessary funding, as determined by the
21 director of the budget, is secured in a
22 social services district from the medical
23 assistance program by reducing the capita-
24 tion rates paid to medicaid managed care
25 organizations by the amount of savings
26 resulting from stably housing individuals
27 living with medically diagnosed HIV
28 infection as defined by the AIDS institute

1 of the state department of health, the
2 social services district shall make such
3 emergency shelter payments in excess of
4 those promulgated by the office of tempo-
5 rary and disability assistance but not
6 exceeding an amount reasonably approximate
7 to 100 percent of fair market rent, and
8 the savings shall be used to reimburse 100
9 percent of the cost of such excess emer-
10 gency shelter payments for cases reim-
11 bursed under the safety net assistance or
12 family assistance programs in social
13 services districts with a population of
14 five million or fewer, in accordance with
15 a plan approved by the office of temporary
16 and disability assistance and the director
17 of the budget; provided further that
18 reimbursement shall be provided to medi-
19 caid managed care organizations through
20 adjustments to capitation rates should
21 actual gross savings not be realized as
22 determined by the director of the budget.
23 For persons living with medically diag-
24 nosed HIV infection as defined by the AIDS
25 institute of the state department of
26 health living in social service districts
27 with a population over five million who
28 are receiving public assistance, funds

1 appropriated herein shall be used to reim-
2 burse 29 percent of the additional rental
3 costs determined based on limiting such
4 person's earned and/or unearned income
5 contribution to 30 percent. For persons
6 living with medically diagnosed HIV
7 infection as defined by the AIDS institute
8 of the state department of health living
9 in social services districts with a popu-
10 lation of five million or fewer who are
11 receiving public assistance, funds appro-
12 priated herein may be used to reimburse up
13 to 100 percent of the additional rental
14 costs determined based on limiting such
15 person's earned and/or unearned income
16 contribution to 30 percent. Such payments
17 of additional rental costs shall only be
18 made at local option and in accordance
19 with a plan approved by the office of
20 temporary and disability assistance and
21 the director of the budget. Provided,
22 however, notwithstanding section 153 of
23 the social services law or any other
24 inconsistent provision of law, if neces-
25 sary funding, as determined by the direc-
26 tor of the budget, is secured in a social
27 services district from the medical assist-
28 ance program by reducing the capitation

1 rates paid to medicaid managed care organ-
2 izations by the amount of savings result-
3 ing from stably housing individuals living
4 with medically diagnosed HIV infection as
5 defined by the AIDS institute of the state
6 department of health, the social services
7 district shall make such payments of addi-
8 tional rental costs, for cases reimbursed
9 under the safety net assistance and family
10 assistance program, and the savings shall
11 be used to reimburse 100 percent of the
12 cost of the additional rental costs deter-
13 mined based on limiting such person's
14 earned and/or unearned income contribution
15 to 30 percent in social services districts
16 with a population of five million or
17 fewer, in accordance with a plan approved
18 by the office of temporary and disability
19 assistance and the director of the budget;
20 provided further that reimbursement shall
21 be provided to medicaid managed care
22 organizations through adjustments to capi-
23 tation rates should actual gross savings
24 not be realized as determined by the
25 director of the budget. Amounts appropri-
26 ated herein may be used to enter into
27 contracts with persons or entities author-
28 ized pursuant to subdivision [(i)] (j) of

1 section 17 of the social services law
2 consistent with federal law and require-
3 ments. Such contracts will be consistent
4 with subdivision [(i)] (j) of section 17
5 of the social services law. Notwithstand-
6 ing section 153 of the social services law
7 or any other inconsistent provision of
8 law, the office may reduce reimbursement
9 otherwise payable to social services
10 districts to recover 29 percent of costs
11 incurred by the office for expenditures
12 related to subdivision [(i)] (j) of
13 section 17 of the social services law.
14 Such funds are to be available for payment
15 of aid heretofore accrued or hereafter to
16 accrue to municipalities. Subject to the
17 approval of the director of the budget,
18 such funds shall be available to the
19 office of temporary and disability assist-
20 ance net of disallowances, refunds,
21 reimbursements, and credits, including
22 those related to title IV-E of the social
23 security act; and including, but not
24 limited to, additional federal funds
25 resulting from any changes in federal cost
26 allocation methodologies. Notwithstanding
27 any inconsistent provision of law, the
28 amount herein appropriated may be

1 increased or decreased by interchange with
2 any other appropriation within the office
3 of temporary and disability assistance
4 general fund - local assistance account
5 with the approval of the director of the
6 budget, who shall file such approval with
7 the department of audit and control and
8 copies thereof with the chairman of the
9 senate finance committee and the chairman
10 of the assembly ways and means committee.
11 Social services districts shall be
12 required to report to the office of tempo-
13 rary and disability assistance on an annu-
14 al basis, information, as determined and
15 requested by the office, related to
16 services and expenditures for which
17 reimbursement is sought for providing
18 temporary housing assistance to homeless
19 individuals and families. Such information
20 shall be submitted electronically to the
21 extent feasible as determined by the
22 office, and shall be used to evaluate
23 expenditures by such social services
24 districts for the provision of temporary
25 housing assistance for homeless individ-
26 uals and families. Notwithstanding section
27 153 of the social services law, or any
28 other inconsistent provision of law, the

1 office of temporary and disability assist-
2 ance may withhold or deny reimbursement,
3 in whole or in part, to any social
4 services district that fails to develop or
5 submit a homeless services plan subject to
6 the approval of the office of temporary
7 and disability assistance, fails to
8 provide homeless services and outreach in
9 accordance with its approved homeless
10 services plan, or fails to develop or
11 submit homeless services outcome reports,
12 consistent with those requirements promul-
13 gated by the office of temporary and disa-
14 bility assistance. Notwithstanding section
15 153 of the social services law, or any
16 other inconsistent provision of law, such
17 appropriation shall be available for
18 reimbursement of eligible costs incurred
19 on or after January 1, 2023 and before
20 January 1, 2024, that are otherwise reim-
21 bursable by the state on or after April 1,
22 2023, that are claimed by March 1, 2024.
23 Such reimbursement shall constitute total
24 state reimbursement for activities funded
25 herein in state fiscal year 2023-24
26 (52203) 52,083,000
27 For expenditures for additional state
28 payments for eligible aged, blind, and

1 disabled persons related to supplemental
2 security income and for expenditures made
3 pursuant to title 8 of article 5 of the
4 social services law. Such funds are avail-
5 able for payment of aid heretofore accrued
6 or hereafter to accrue. Notwithstanding
7 any inconsistent provision of law, the
8 amount herein appropriated may be
9 increased or decreased by interchange with
10 any other appropriation within the office
11 of temporary and disability assistance
12 general fund - local assistance account
13 with the approval of the director of the
14 budget, who shall file such approval with
15 the department of audit and control and
16 copies thereof with the chairman of the
17 senate finance committee and the chairman
18 of the assembly ways and means committee
19 (52311) 58,333,000

20 Special Revenue Funds - Federal
21 Federal Health and Human Services Fund
22 Temporary Assistance for Needy Families Account - 25178

23 For reimbursement of the cost of the family
24 assistance and the emergency assistance to
25 families programs. Notwithstanding section
26 153 of the social services law or any

1 inconsistent provision of law, funds
2 appropriated herein shall be provided
3 without state or local participation
4 except that for social services districts
5 with a population of five million or more,
6 reimbursement will be eighty-five percent.
7 Funds appropriated herein shall also
8 include the cost of providing shelter
9 supplements for family assistance house-
10 holds at local option, including eligible
11 households containing a household member
12 who has been released from prison, in
13 order to prevent eviction and address
14 homelessness in accordance with social
15 services district plans approved by the
16 office of temporary and disability assist-
17 ance and the director of the budget,
18 provided, however, that in social services
19 districts with a population over five
20 million no shelter supplements other than
21 [those to prevent eviction] the family
22 homelessness and eviction prevention
23 supplement shall be reimbursed, provided
24 however funds appropriated herein shall
25 only be used to reimburse rental costs up
26 to the maximum rent levels in place as of
27 January 1, 2021, then adjusted consistent
28 with the annual year-over-year percentage

1 changes in fair market rent, provided,
2 however, in the event of a decrease in
3 fair market rent the value of the maximum
4 rent levels reimbursed with funds appro-
5 priated herein shall not decrease and
6 shall be set at the maximum rent levels
7 established during the prior year, and
8 further provided that such supplements
9 shall not be part of the standard of need
10 pursuant to section 131-a of the social
11 services law. Funds appropriated herein
12 shall also reimburse for family assistance
13 expenditures for emergency shelter, trans-
14 portation, or nutrition payments which the
15 district determines are necessary to
16 establish or maintain independent living
17 arrangements among persons living with
18 medically diagnosed HIV infection as
19 defined by the AIDS institute of the State
20 department of health and who are homeless
21 or facing homelessness and for whom no
22 viable and less costly alternative to
23 housing is available; provided, however,
24 that funds appropriated herein may only be
25 used for such purposes if the cost of such
26 allowances are not eligible for reimburse-
27 ment under medical assistance or other
28 programs. For persons living with

1 medically diagnosed HIV infection as
2 defined by the AIDS institute of the state
3 department of health who are receiving
4 public assistance funds appropriated here-
5 in shall not be used to reimburse the
6 additional rental costs determined based
7 on limiting such person's earned and/or
8 unearned income contribution to 30
9 percent. Amounts appropriated herein may
10 be used to enter into contracts with
11 persons or entities authorized pursuant to
12 subdivision [(i)] (j) of section 17 of the
13 social services law consistent with feder-
14 al law and requirements. Such contracts
15 will be made consistent with subdivision
16 [(i)] (j) of section 17 of the social
17 services law. Notwithstanding section 153
18 of the social services law or any other
19 inconsistent provision of law, the office
20 may reduce reimbursement otherwise payable
21 to social services districts to recover
22 the federal share of costs incurred by the
23 office for expenditures related to subdi-
24 vision [(i)] (j) of section 17 of the
25 social services law. Such funds are to be
26 available for payment of aid heretofore
27 accrued or hereafter to accrue to munici-
28 palities. Subject to the approval of the

1 director of the budget, such funds shall
2 be available to the office of temporary
3 and disability assistance net of disallow-
4 ances, refunds, reimbursements, and cred-
5 its including, but not limited to, addi-
6 tional federal funds resulting from any
7 changes in federal cost allocation method-
8 ologies. Notwithstanding any inconsistent
9 provision of law, the amount herein appro-
10 priated may be increased or decreased by
11 interchange with any other appropriation
12 within the office of temporary and disa-
13 bility assistance federal fund - local
14 assistance account with the approval of
15 the director of the budget, who shall file
16 such approval with the department of audit
17 and control and copies thereof with the
18 chairman of the senate finance committee
19 and the chairman of the assembly ways and
20 means committee. Social services districts
21 shall be required to report to the office
22 of temporary and disability assistance on
23 an annual basis, information, as deter-
24 mined and requested by the office, related
25 to services and expenditures for which
26 reimbursement is sought for providing
27 temporary housing assistance to homeless
28 individuals and families. Such information

1 shall be submitted electronically to the
2 extent feasible as determined by the
3 office, and shall be used to evaluate
4 expenditures by such social services
5 districts for the provision of temporary
6 housing assistance for homeless individ-
7 uals and families. Notwithstanding section
8 153 of the social services law, or any
9 other inconsistent provision of law, the
10 office of temporary and disability assist-
11 ance may withhold or deny reimbursement,
12 in whole or in part, to any social
13 services district that fails to develop or
14 submit a homeless services plan subject to
15 the approval of the office of temporary
16 and disability assistance, fails to
17 provide homeless services and outreach in
18 accordance with its approved homeless
19 services plan, or fails to develop or
20 submit homeless services outcome reports,
21 consistent with those requirements promul-
22 gated by the office of temporary and disa-
23 bility assistance. Notwithstanding section
24 153 of the social services law, or any
25 other inconsistent provision of law, such
26 appropriation shall be available for
27 reimbursement of eligible costs incurred
28 on or after January 1, 2023 and before

1 January 1, 2024, that are otherwise reim-
2 bursable by the state on or after April 1,
3 2023, that are claimed by March 1, 2024.
4 Such reimbursement shall constitute total
5 federal reimbursement for activities fund-
6 ed herein in state fiscal year 2023-24
7 (52203) 125,000,000

8 § 9. The amounts specified in this section, or so much thereof as
9 shall be sufficient to accomplish the purposes designated, is hereby
10 appropriated and authorized to be paid as hereinafter provided, to the
11 public officers and for the purposes specified, which amount shall be
12 available for the state fiscal year beginning April 1, 2023.

13 DEPARTMENT OF AGRICULTURE AND MARKETS

14 AID TO LOCALITIES

15 AGRICULTURAL BUSINESS SERVICES PROGRAM 348,000

16

17 General Fund

18 Local Assistance Account - 10000

19 Notwithstanding any law to the contrary, for
20 services, expenses and grants, including
21 but not limited to (a) the New York state
22 veterinary diagnostic laboratory, (b)

1 research and development at Cornell
2 university, (c) education and outreach at
3 Cornell university, (d) the New York farm
4 viability institute, (e) the promotion of
5 agricultural economic development, and (f)
6 agricultural access, education and work-
7 force support, pursuant to a plan prepared
8 by the commissioner of the department of
9 agriculture and markets and approved by
10 the director of the budget. Funds hereby
11 appropriated shall be available to the
12 program net of refunds, rebates,
13 reimbursements and credits. All or a
14 portion of this appropriation may be
15 suballocated to any state department,
16 agency, or public authority 348,000
17

18 § 10. Section 8 of chapter 121 of the laws of 2023, relating to making
19 appropriations for the support of government, as amended by chapter 122
20 of the laws of 2023, is amended to read as follows:

21 § 8. The amounts specified in this section, or so much thereof as
22 shall be sufficient to accomplish the purposes designated, is hereby
23 appropriated and authorized to be paid as hereinafter provided, to the
24 public officers and for the purposes specified, which amount shall be
25 available for the state fiscal year beginning April 1, 2023.

1 DEPARTMENT OF HEALTH

2 AID TO LOCALITIES

3 CENTER FOR COMMUNITY HEALTH PROGRAM [19,200,000] 35,093,000

4 -----

5 General Fund

6 Local Assistance Account - 10000

7 For services and expenses related to the
8 Indian health program. The moneys hereby
9 appropriated shall be for payment of
10 financial assistance heretofore accrued or
11 hereafter to accrue (26840) ... [3,200,000] 6,400,000

12 -----

13 Special Revenue Funds - Federal

14 Federal USDA-Food and Nutrition Services Fund

15 Federal Food and Nutrition Services Account - 25022

16 For various federal food and nutritional
17 services. The moneys hereby appropriated
18 shall be available for payment of finan-
19 cial assistance heretofore accrued (26986)
20 [16,000,000] 19,693,000

21 -----

1 [MEDICAL ASSISTANCE PROGRAM] HEALTH CARE REFORM ACT PROGRAM .. 9,000,000

2 -----

3 [General Fund

4 Local Assistance Account - 10000]

5 Special Revenue Funds - Other

6 HCRA Resources Fund

7 HCRA Program Account - 20807

8 For transfer to health research incorporated

9 (HRI) for the AIDS drug assistance

10 program, including payments to Ryan White

11 centers (29880) 9,000,000

12 § 11. Section 10 of chapter 122 of the laws of 2023, relating to
13 making appropriations for the support of government, is amended to read
14 as follows:

15 § 10. The amounts specified in this section, or so much thereof as
16 shall be sufficient to accomplish the purposes designated, is hereby
17 appropriated and authorized to be paid as hereinafter provided, to the
18 public officers and for the purposes specified, which amount shall be
19 available for the state fiscal year beginning April 1, 2023.

20 DEPARTMENT OF LABOR

21 AID TO LOCALITIES

1 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM [400,000,000] 544,000,000

2 -----

3 Enterprise Funds

4 Unemployment Insurance Benefit Fund

5 Unemployment Insurance Benefit Account - 50650

6 For payment of unemployment insurance bene-
7 fits pursuant to article 18 of the labor
8 law or as authorized by the federal
9 government through the disaster unemploy-
10 ment assistance program, the emergency
11 unemployment compensation program, the
12 extended benefit program, the federal
13 additional compensation program or any
14 other federally funded unemployment bene-
15 fit program (34787) [400,000,000] 544,000,000

16 § 12. Section 10 of chapter 121 of the laws of 2023, relating to
17 making appropriations for the support of government, is amended to read
18 as follows:

19 § 10. The amount specified in this section, or so much thereof as
20 shall be sufficient to accomplish the purpose designated, is hereby
21 appropriated and authorized to be paid as hereinafter provided, to the
22 public officers and for the purpose specified, which amount shall be
23 available for the state fiscal year beginning April 1, 2023.

1 DEPARTMENT OF MENTAL HYGIENE

2 OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

3 AID TO LOCALITIES

4 COMMUNITY SERVICES PROGRAM [173,054,000] 177,545,000

5 -----

6 General Fund

7 Local Assistance Account - 10000

8 For services and expenses of the community
9 services program, net of disallowances,
10 for community programs for people with
11 developmental disabilities pursuant to
12 article 41 of the mental hygiene law,
13 and/or chapter 620 of the laws of 1974,
14 chapter 660 of the laws of 1977, chapter
15 412 of the laws of 1981, chapter 27 of the
16 laws of 1987, chapter 729 of the laws of
17 1989, chapter 329 of the laws of 1993 and
18 other provisions of the mental hygiene
19 law. Notwithstanding any inconsistent
20 provision of law, the following appropri-
21 ation shall be net of prior and/or current
22 year refunds, rebates, reimbursements, and
23 credits.

1 Notwithstanding any other provision of law,
2 advances and reimbursement made pursuant
3 to subdivision (d) of section 41.15 and
4 section 41.18 of the mental hygiene law
5 shall be allocated pursuant to a plan and
6 in a manner prescribed by the agency head
7 and approved by the director of the budg-
8 et. The moneys hereby appropriated are
9 available to reimburse or advance locali-
10 ties and voluntary non-profit agencies for
11 expenditures made during local fiscal
12 periods commencing January 1, 2022, April
13 1, 2022 or July 1, 2022, and for advances
14 for the 3 month period beginning January
15 1, 2023.

16 Notwithstanding the provisions of article 41
17 of the mental hygiene law or any other
18 inconsistent provision of law, rule or
19 regulation, the commissioner, pursuant to
20 such contract and in the manner provided
21 therein, may pay all or a portion of the
22 expenses incurred by such voluntary agen-
23 cies arising out of loans which are funded
24 from the proceeds of bonds and notes
25 issued by the dormitory authority of the
26 state of New York.

27 Notwithstanding any other provision of law,
28 the money hereby appropriated may be

1 transferred to state operations and/or any
2 appropriation of the office for people
3 with developmental disabilities with the
4 approval of the director of the budget.

5 Notwithstanding any inconsistent provision
6 of law, moneys from this appropriation may
7 be used for state aid of up to 100 percent
8 of the net deficit costs of day training
9 programs and family support services.

10 Notwithstanding the provisions of section
11 16.23 of the mental hygiene law and any
12 other inconsistent provision of law, with
13 relation to the operation of certified
14 family care homes, including family care
15 homes sponsored by voluntary not-for-pro-
16 fit agencies, moneys from this appropri-
17 ation may be used for payments to purchase
18 general services including but not limited
19 to respite providers, up to a maximum of
20 14 days, at rates to be established by the
21 commissioner and approved by the director
22 of the budget in consideration of factors
23 including, but not limited to, geographic
24 area and number of clients cared for in
25 the home and for payment in an amount
26 determined by the commissioner for the
27 personal needs of each client residing in
28 the family care home.

1 Notwithstanding the provisions of subdivi-
2 sion 12 of section 8 of the state finance
3 law and any other inconsistent provision
4 of law, moneys from this appropriation may
5 be used for expenses of family care homes
6 including payments to operators of certi-
7 fied family care homes for damages caused
8 by clients to personal and real property
9 in accordance with standards established
10 by the commissioner and approved by the
11 director of the budget.

12 Notwithstanding any inconsistent provision
13 of law, moneys from this appropriation may
14 be used for appropriate day program
15 services and residential services includ-
16 ing, but not limited to, direct housing
17 subsidies to individuals, start-up
18 expenses for family care providers, envi-
19 ronmental modifications, adaptive technol-
20 ogies, appraisals, property options,
21 feasibility studies and preoperational
22 expenses.

23 Notwithstanding any inconsistent provision
24 of law except pursuant to a chapter of the
25 laws of 2022 authorizing a 5.4 percent
26 cost of living adjustment, for the period
27 commencing on April 1, 2022 and ending
28 March 31, 2023 the commissioner shall not

1 apply any other cost of living adjustment
2 for the purpose of establishing rates of
3 payments, contracts or any other form of
4 reimbursement.

5 Notwithstanding section 6908 of the educa-
6 tion law and any other provision of law,
7 rule or regulation to the contrary, direct
8 support staff in programs certified or
9 approved by the office for people with
10 developmental disabilities, including the
11 home and community based services waiver
12 programs that the office for people with
13 developmental disabilities is authorized
14 to administer with federal approval pursu-
15 ant to subdivision (c) of section 1915 of
16 the federal social security act, are
17 authorized to provide such tasks as OPWDD
18 may specify when performed under the
19 supervision, training and periodic
20 inspection of a registered professional
21 nurse and in accordance with an authorized
22 practitioner's ordered care.

23 Notwithstanding any other provision of law
24 to the contrary, and consistent with
25 section 33.07 of the mental hygiene law,
26 the directors of facilities licensed but
27 not operated by the office for people with
28 developmental disabilities who act as

1 federally-appointed representative payees
2 and who assume management responsibility
3 over the funds of a resident may continue
4 to use such funds for the cost of the
5 resident's care and treatment, consistent
6 with federal law and regulations.

7 Funds appropriated herein shall be available
8 in accordance with the following:

9 Notwithstanding any inconsistent provision
10 of law, the director of the budget is
11 authorized to make suballocations from
12 this appropriation to the department of
13 health medical assistance program.

14 Notwithstanding any inconsistent provision
15 of law, and pursuant to criteria estab-
16 lished by the commissioner of the office
17 for people with developmental disabilities
18 and approved by the director of the budg-
19 et, expenditures may be made from this
20 appropriation for residential facilities
21 which are pending recertification as
22 intermediate care facilities for people
23 with developmental disabilities.

24 Notwithstanding the provisions of section
25 41.36 of the mental hygiene law and any
26 other inconsistent provision of law,
27 moneys from this appropriation may be used
28 for payment up to \$250 per year per

1 client, at such times and in such manner
2 as determined by the commissioner on the
3 basis of financial need for the personal
4 needs of each client residing in voluntary
5 operated community residences and volun-
6 tary-operated community residential alter-
7 natives, including individualized residen-
8 tial alternatives under the home and
9 community based services waiver. The
10 commissioner shall, subject to the
11 approval of the director of the budget,
12 alter existing advance payment schedules
13 for voluntary-operated community resi-
14 dences established pursuant to section
15 41.36 of the mental hygiene law. Notwith-
16 standing any inconsistent provision of law
17 moneys from this appropriation may be used
18 for the operation of clinics licensed
19 pursuant to article 16 of the mental
20 hygiene law including, but not limited to,
21 supportive and habilitative services
22 consistent with the home and community
23 based services waiver. Notwithstanding
24 sections 112 and 163 of the state finance
25 law and section 142 of the economic devel-
26 opment law, or any other inconsistent
27 provision of law, funds appropriated to
28 the department of health in accordance

1 with a schedule based upon approved Medi-
2 caid claims for eligible home and communi-
3 ty-based services, or other approved
4 services as defined in section nine thou-
5 sand eight hundred and seventeen of the
6 American rescue plan act of 2021, from
7 April 1, 2021 through March 31, 2023 and
8 made available by the department of health
9 via sub-allocation or transfer of up to
10 \$740,000,000 may be allocated and distrib-
11 uted by the commissioner of the office for
12 people with developmental disabilities,
13 subject to approval of the director of the
14 budget, without a competitive bid or
15 request for proposal process for the
16 services and expenses of qualified appli-
17 cants. All awards will be granted utiliz-
18 ing criteria established by the commis-
19 sioner of the office for people with
20 developmental disabilities to strengthen
21 and enhance home and community-based
22 services consistent with the American
23 rescue plan act of 2021.

24 For the state share of medical assistance
25 services expenses incurred by the depart-
26 ment of health for the provision of
27 medical assistance services to people with
28 developmental disabilities (37835) 152,106,000

1 For services and expenses of the community
2 services program, net of disallowances,
3 for community programs for people with
4 developmental disabilities pursuant to
5 article 41 of the mental hygiene law,
6 and/or chapter 620 of the laws of 1974,
7 chapter 660 of the laws of 1977, chapter
8 412 of the laws of 1981, chapter 27 of the
9 laws of 1987, chapter 729 of the laws of
10 1989, chapter 329 of the laws of 1993 and
11 other provisions of the mental hygiene
12 law. Notwithstanding any inconsistent
13 provision of law, the following appropri-
14 ation shall be net of prior and/or current
15 year refunds, rebates, reimbursements, and
16 credits.

17 Notwithstanding any other provision of law,
18 advances and reimbursement made pursuant
19 to subdivision (d) of section 41.15 and
20 section 41.18 of the mental hygiene law
21 shall be allocated pursuant to a plan and
22 in a manner prescribed by the agency head
23 and approved by the director of the budg-
24 et. The moneys hereby appropriated are
25 available to reimburse or advance locali-
26 ties and voluntary non-profit agencies for
27 expenditures made during local fiscal
28 periods commencing January 1, 2022, April

1 1, 2022 or July 1, 2022, and for advances
2 for the 3 month period beginning January
3 1, 2023.

4 Notwithstanding the provisions of article 41
5 of the mental hygiene law or any other
6 inconsistent provision of law, rule or
7 regulation, the commissioner, pursuant to
8 such contract and in the manner provided
9 therein, may pay all or a portion of the
10 expenses incurred by such voluntary agen-
11 cies arising out of loans which are funded
12 from the proceeds of bonds and notes
13 issued by the dormitory authority of the
14 state of New York.

15 Notwithstanding any other provision of law,
16 the money hereby appropriated may be
17 transferred to state operations and/or any
18 appropriation of the office for people
19 with developmental disabilities with the
20 approval of the director of the budget.

21 Notwithstanding any inconsistent provision
22 of law, moneys from this appropriation may
23 be used for state aid of up to 100 percent
24 of the net deficit costs of day training
25 programs and family support services.

26 Notwithstanding the provisions of section
27 16.23 of the mental hygiene law and any
28 other inconsistent provision of law, with

1 relation to the operation of certified
2 family care homes, including family care
3 homes sponsored by voluntary not-for-pro-
4 fit agencies, moneys from this appropri-
5 ation may be used for payments to purchase
6 general services including but not limited
7 to respite providers, up to a maximum of 5
8 days, at rates to be established by the
9 commissioner and approved by the director
10 of the budget in consideration of factors
11 including, but not limited to, geographic
12 area and number of clients cared for in
13 the home and for payment in an amount
14 determined by the commissioner for the
15 personal needs of each client residing in
16 the family care home.

17 Notwithstanding the provisions of subdivi-
18 sion 12 of section 8 of the state finance
19 law and any other inconsistent provision
20 of law, moneys from this appropriation may
21 be used for expenses of family care homes
22 including payments to operators of certi-
23 fied family care homes for damages caused
24 by clients to personal and real property
25 in accordance with standards established
26 by the commissioner and approved by the
27 director of the budget.

1 Notwithstanding any inconsistent provision
2 of law, moneys from this appropriation may
3 be used for appropriate day program
4 services and residential services includ-
5 ing, but not limited to, direct housing
6 subsidies to individuals, start-up
7 expenses for family care providers, envi-
8 ronmental modifications, adaptive technol-
9 ogies, appraisals, property options,
10 feasibility studies and preoperational
11 expenses.

12 Notwithstanding any inconsistent provision
13 of law except pursuant to a chapter of the
14 laws of 2021 authorizing a 5.4 percent
15 cost of living adjustment, for the period
16 commencing on April 1, 2022 and ending
17 March 31, 2023 the commissioner shall not
18 apply any other cost of living adjustment
19 for the purpose of establishing rates of
20 payments, contracts or any other form of
21 reimbursement.

22 Notwithstanding section 6908 of the educa-
23 tion law and any other provision of law,
24 rule or regulation to the contrary, direct
25 support staff in programs certified or
26 approved by the office for people with
27 developmental disabilities, including the
28 home and community based services waiver

1 programs that the office for people with
2 developmental disabilities is authorized
3 to administer with federal approval pursu-
4 ant to subdivision (c) of section 1915 of
5 the federal social security act, are
6 authorized to provide such tasks as the
7 office for people with developmental disa-
8 bilities may specify when performed under
9 the supervision, training and periodic
10 inspection of a registered professional
11 nurse and in accordance with an authorized
12 practitioner's ordered care.

13 Notwithstanding any other provision of law
14 to the contrary, and consistent with
15 section 33.07 of the mental hygiene law,
16 the directors of facilities licensed but
17 not operated by the office for people with
18 developmental disabilities who act as
19 federally-appointed representative payees
20 and who assume management responsibility
21 over the funds of a resident may continue
22 to use such funds for the cost of the
23 resident's care and treatment, consistent
24 with federal law and regulations.

25 For services and expenses related to provid-
26 ing health care and mental hygiene worker
27 bonuses.

1 Funds appropriated herein shall be available
2 in accordance with the following:

3 Notwithstanding any other provision of law
4 to the contrary, funds appropriated herein
5 are available to reimburse in- and out-of-
6 state private residential schools, pursu-
7 ant to subdivision (c) of section 13.37-a
8 and subdivision (g) of section 13.38 of
9 the mental hygiene law, for costs of
10 supporting the residential and day program
11 services available to individuals who are
12 over the age of 21 years of age, provided
13 that the amount paid for residential
14 services and/or maintenance costs is net
15 of any supplemental security income bene-
16 fit to which the individual receiving
17 services is eligible, and provided further
18 that funding for nonresidential services
19 will be in an amount not to exceed the
20 maximum reimbursement for appropriate day
21 services delivered by the office for
22 people with developmental disabilities
23 certified or approved providers other than
24 in- and out-of-state private residential
25 schools, unless otherwise authorized by
26 the director of the budget.

27 Notwithstanding section 163 of the state
28 finance law, section 142 of the economic

1 development law, and article 41 of the
2 mental hygiene law, the commissioner of
3 the office for people with developmental
4 disabilities may make the funds appropri-
5 ated herein available as state aid, a loan
6 or a grant, pursuant to terms and condi-
7 tions established by the commissioner of
8 the office for people with developmental
9 disabilities, to cover a portion of the
10 development costs of private, public
11 and/or non-profit organizations, including
12 corporations and partnerships established
13 pursuant to the private housing finance
14 law and/or any other statutory provisions,
15 for supportive housing units that have
16 been set aside for individuals with intel-
17 lectual and developmental disabilities.
18 Further, the office for people with devel-
19 opmental disabilities shall have a lien on
20 the real property developed with such
21 state aid, loans or grants, which shall be
22 in the amount of the loan or grant, for a
23 maximum term of 30 years, or other longer
24 term consistent with the requirements of
25 another regulatory agency.

26 For services and expenses related to the
27 provision of residential services to

1 people with developmental disabilities
2 (37802) [11,880,000] 14,427,000
3 For services and expenses related to the
4 provision of day program services to
5 people with developmental disabilities
6 (37803) [2,674,000] 3,247,000
7 For services and expenses related to the
8 provision of family support services to
9 people with developmental disabilities
10 (37804) [3,732,000] 4,533,000
11 For services and expenses related to the
12 provision of workshop, day training and
13 employment services to people with devel-
14 opmental disabilities. Notwithstanding any
15 other provision of law, up to \$800,000 of
16 this appropriation may be transferred to
17 the New York State Education Departments'
18 Adult Career and Continuing Education
19 Services - Vocational Rehabilitation
20 (ACCES-VR) program to support the Long-
21 Term Sheltered Employment program operated
22 by FEDCAP Rehabilitation Services, Inc.
23 (37805) [2,154,000] 2,616,000
24 For other services and expenses provided to
25 people with developmental disabilities
26 including but not limited to hepatitis B,
27 care at home waiver, epilepsy services,

1 Special Olympics New York, Inc. and volun-
2 tary fingerprinting (37806) [508,000] 616,000
3 -----

4 § 13. The amounts specified in this section, or so much thereof as
5 shall be sufficient to accomplish the purposes designated, is hereby
6 appropriated and authorized to be paid as hereinafter provided, to the
7 public officers and for the purposes specified, which amount shall be
8 available for the state fiscal year beginning April 1, 2023.

9 DEPARTMENT OF STATE

10 AID TO LOCALITIES

11 LOCAL GOVERNMENT AND COMMUNITY SERVICES PROGRAM 541,000
12 -----

13 Special Revenue Funds - Federal

14 Federal Health and Human Services Fund

15 Federal Health and Human Services Account - 25127

16 For allocations from the community services
17 block grant to community action agencies
18 and other eligible entities, including
19 suballocation to other state departments
20 and agencies provided however, each recip-
21 ient of funds from this appropriation

1 shall not be required to secure a local
2 share equivalent (51019) 541,000
3

4 § 14. No expenditure may be made from any appropriation in this act,
5 until a certificate of approval has been issued by the director of the
6 budget and a copy of such certificate shall have been filed with the
7 state comptroller, the chairman of the senate finance committee and the
8 chairman of the assembly ways and means committee provided, however,
9 that any expenditures from any appropriation in this act made by the
10 legislature or judiciary shall not require such certificate.

11 § 15. All expenditures and disbursements made against the appropri-
12 ations in this act shall, upon final action by the legislature on appro-
13 priation bills submitted by the governor pursuant to article VII of the
14 state constitution for the support of government for the state fiscal
15 year beginning April 1, 2023, be transferred by the comptroller as
16 expenditures and disbursements to such appropriations for all state
17 departments and agencies, as applicable, in amounts equal to the amounts
18 charged against the appropriations in this act for each such department,
19 agency, and the legislature and the judiciary.

20 § 16. Severability clause. If any clause, sentence, paragraph, subdi-
21 vision, section or part of this act shall be adjudged by any court of
22 competent jurisdiction to be invalid, such judgment shall not affect,
23 impair, or invalidate the remainder thereof, but shall be confined in
24 its operation to the clause, sentence, paragraph, subdivision, section
25 or part thereof directly involved in the controversy in which such judg-

1 ment shall have been rendered. It is hereby declared to be the intent of
2 the legislature that this act would have been enacted even if such
3 invalid provisions had not been included herein.

4 § 17. This act shall take effect immediately and shall be deemed to
5 have been in full force and effect on and after April 1, 2023; provided,
6 however, that upon the transfer of expenditures and disbursements by the
7 comptroller as provided in section fifteen of this act, the appropri-
8 ations made by this act and subject to such section shall be deemed
9 repealed.