

2023-24
Assembly Budget Proposal

INTRODUCTION

Section 54 of the Legislative Law requires, among other things, a “comprehensive, cumulative report” to be made available to Members of the Assembly prior to action on budget bills advanced by the Governor. The following *“Summary of the Assembly Recommended Changes to the Executive Budget”* is prepared by Ways and Means Committee staff and is intended to provide a concise presentation of all additions, deletions, re-estimates and policy changes that are provided in the Assembly proposal, embodied in Assembly Resolution E. 190. The budget proposal of the Assembly Majority addresses each appropriation, as well as programmatic language that was first advanced in the Executive Budget.

**OVERVIEW OF ASSEMBLY BUDGET PROPOSAL
State Fiscal Year 2023-24**

TABLE OF CONTENTS

Financial Plan Overview 1

Summary of Recommended Changes by Agency

PUBLIC PROTECTION & GENERAL GOVERNMENT1-1

EDUCATION, LABOR & FAMILY ASSISTANCE29-1

HEALTH & MENTAL HYGIENE43-1

TRANSPORTATION, ECONOMIC DEVELOPMENT & ENVIRONMENTAL CONSERVATION53-1

LEGISLATURE AND JUDICIARY70-1

DEBT SERVICE/CAPITAL.....71-1

Financial Plan Overview

Financial Plan Overview

Table 1

NYS Assembly Disbursements - Difference from Executive (\$ in Millions)				
	SFY 2022-23 Close-Out	SFY 2023-24 Executive	SFY 2023-24 Assembly	Difference
General Funds	94,491	106,933	111,305	4,372
State Operating Funds	122,703	125,184	129,858	4,674
State Funds	135,560	143,071	147,745	4,674
All Funds	221,564	226,991	232,897	5,906

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 Assembly proposes an All Funds budget of \$232.9 billion for State Fiscal Year (SFY) 2023-24, which is \$5.9 billion or 2.6 percent over the Executive proposal. This is largely attributed to \$2.1 billion in restorations of the Executive proposed actions in Medicaid; and commitments to School Aid, Higher Education, Housing, Medicaid, a human services Cost of Living Adjustment, Indigent legal representation, aid to local governments, and various programs.

The Assembly All Funds receipts are projected at \$225.4 billion, which represents an increase of \$1.6 billion over the Executive, and a decrease of \$1.7 billion or 0.7 percent below SFY 2023-24 estimates. This is mainly attributed to \$1.2 billion in Federal receipts from Medicaid and social services.

State Funds

State Funds spending consists of the General Fund, Debt Service Funds, Capital Projects Funds and Other State Funds. State Funds spending under the Assembly proposal is projected to total \$147.7 billion in SFY 2023-24, representing an increase of \$4.6 billion or 3.3 percent over the Executive's estimate, and an increase of \$12.2 billion over SFY 2022-23.

The Assembly projects State Funds receipts in SFY 2023-24 will total \$137.6 billion, an increase of \$348 million over the Executive, and a decrease of \$1.9 billion or 1.4 percent from SFY 2022-23.

State Operating Funds

The State Operating budget includes all State spending from the General Fund, State Special Revenue Funds, and Debt Service Funds. This measure excludes Capital Projects Funds and Federal spending. The Assembly proposal assumes State Operating Funds spending of \$129.9 billion, an increase of \$4.7 billion, or 3.7 percent over the Executive estimate, and an increase of \$7.2 billion or 5.8 percent over SFY 2022-23.

State Operating Fund receipts are estimated at \$125.3 billion, an increase of \$348 million or 0.3 percent over the Executive; and a decrease of \$5.1 billion or 3.9 percent increase 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 Assembly Financial Plan proposal projects that General Fund spending will total \$111.3 billion. The proposed spending is \$4.4 billion over the Executive proposal. This is largely attributed to \$3.9 billion in new commitments to school aid, higher education, housing, transportation, Medicaid, social services, public protection, and other programs.

The Assembly General Fund Spending represents an increase of \$16.8 billion or 17.8 percent from SFY 2022-23 estimated levels

In SFY 2023-24, General Fund receipts are estimated to total \$103.7 billion. The proposed Assembly receipts are \$3.3 billion or 3.3 percent over SFY 2022-23.

Table 2

Financial Plan Summary			
(\$ in Millions)			
	SFY 2022-23	SFY 2023-24	
		Actual	Executive Proposal
State Operating Funds Disbursements			
Size of Budget	122,703	125,184	129,858
Annual Growth	12.7%	2.02%	3.7%
Other Budget Measure (Annual Growth)			
General Fund (Including Transfers)	94,491	106,933	111,305
Annual Growth	20.0%	13.2%	4.1%
State Funds (Including Capital)	135,560	143,071	147,745
Annual Growth		5.5%	3.3%
Capital Budget (Federal and State)	15,937	21,423	21,423
Annual Growth	8.4%	34.4%	0.0%
Federal Operating Aid	82,924	80,384	81,616
Annual Growth	7.4%	-3.1%	1.5%
All Governmental Funds	221,564	226,991	232,897
Annual Growth	5.8%	2.4%	2.6%
Inflation (CPI) Growth¹	7.4%	3.4%	2.4%
All Funds Receipts			
Taxes	114,672	110,323	108,347
Miscellaneous receipts	28,704	27,281	27,309
Federal grants	89,542	88,492	89,724
Total Receipts	232,918	226,096	225,381
Total General Fund Reserves (Year-end)			
Tax Stabilization/Rainy Day Reserves	6,468	6,468	6,468
Extraordinary Monetary Settlements	2,610	2,185	725
Economic Uncertainties	13,070	13,070	13,070
All Other Reserves/Fund Balances	16,776	13,983	11,032
Debt			
Debt Service as % of All Funds	3.8%	1.6%	1.6%
State Related Debt Outstanding	58,478	66,693	66,693
Debt Outstanding as % Personal Income	3.8%	4.3%	4.3%

Assembly Actions on Executive Budget

Table 3

Financial Plan Summary				
SFY 2023-24				
(\$ in Millions)				
	<u>General Fund</u>	<u>State Operating Funds</u>	<u>State Funds</u>	<u>All Funds</u>
Executive Opening Balance	38,924	46,636	45,900	59,042
Assembly Opening Balance	38,924	46,636	45,900	59,042
EXECUTIVE RECEIPTS	103,715	124,966	137,207	223,800
<i>Tax Avails</i>	717	1,007	1,007	1,007
<i>Tax Cuts</i>	(687)	0	(11)	(11)
<i>Misc. Receipts/Fees</i>	0	28	28	28
<i>Sweeps</i>	(69)	0	0	0
<i>Tax & Misc Rec Reestimates</i>	0	0	0	0
Federal				1,232
Assembly Receipts	103,676	126,001	138,231	226,056
Change in Receipts	(39)	1,035	1,024	2,256
Executive Disbursements	106,933	125,184	143,071	226,991
<i>Spending Addition</i>	5,246	5,661	5,661	7,272
<i>Spending Reduction</i>	(874)	(987)	(987)	(1,366)
Assembly Disbursement	111,305	129,858	147,745	232,897
Change in Disbursements	4,372	4,674	4,674	5,906
Assembly Other Financing Changes	0	(3,305)	2,633	308
Assembly Change in Fund Balance	(7,629)	(7,162)	(6,881)	(6,533)
Assembly Closing Fund Balance	31,295	39,474	39,019	52,509

Reserves

Table 4

SFY 2023-24 Estimated General Fund Closing Balance		
(\$ in Millions)		
	Executive	Assembly
Tax Stabilization Reserve Fund	1,632	1,632
Statutory Rainy Day Reserve Fund	4,836	4,836
Contingency Reserve Fund	21	21
Community Projects Fund	18	18
Subtotal Statutory Reserves	6,507	6,507
Reserved for Timing of PIT/PTET Credits	8,253	8,253
Reserved for Debt Management	2,436	2,436
Reserved for Labor Settlements/Agency Operations	1,765	1,765
Settlement Funds	725	725
Subtotal Budgetary Reserves	13,179	13,179
Reserved for Consensus Revenue	800	-
Reserved for Economic Uncertainty	13,070	11,609
Undesignated Fund Balance	2,150	(0)
Subtotal Undesignated Reserves	16,020	11,609
Total General Fund Closing Balance	35,706	31,295

The Assembly Budget estimates a closing fund balance \$31.3 billion in reserves at the end of SFY 2023-24, a \$4.4 billion decrease from the Executive proposal. This is primarily attributed to the use of undesignated fund balance, reserve for economic uncertainties and Consensus Revenue.

Emergency Appropriations

- The Assembly modifies the Special Emergency appropriation (\$2 billion) and the Special Public Health Emergency appropriation (\$6 billion) to restore competitive bidding procedures and the authority of the Comptroller to review contracts.

Appropriations Preamble Language

The Assembly does not include language in the preamble of the State Operations, Aid to Localities, and Capital Executive appropriation bills that would provide authority for the Division of Budget to:

- Credit refunded amounts back to an original appropriation and reduce expenditures in the year the credit is received;
- Reduce amounts owed to New York City if any State agencies incurs any cost related to the administration of New York City's rent regulation program;
- Withhold funding from any municipality with a police department that fails to submit a police reform plan per Executive Order 203;
- Require the Legislature to act on the Aid to Localities bill prior to the State Operations bill; and
- Increase or decrease by interchange or transfer without limit, the amount of any state operations appropriations with any other appropriation of any department, agency or public authority.

Table 5

CASH FINANCIAL PLAN				
ALL FUNDS				
Estimated 30-Day Closeout 2022-23 vs Assembly Plan 2023-24				
(\$ in millions)				
	2022-23 Estimated Closeout	2023-24 Legislative Plan	Change	% Change from 22-23 to 23-24
Opening fund balance	53,549	59,042	5,493	10.3%
Receipts:				
Taxes	108,791	108,347	(444)	(0.4%)
Miscellaneous receipts	28,704	27,309	(1,395)	(4.9%)
Federal grants	89,542	89,724	182	0.2%
Total Receipts	227,037	225,381	(1,656)	(0.7%)
Disbursements:				
Grants to local governments	167,133	180,540	13,407	8.0%
State operations	24,369	25,650	1,281	5.3%
General State charges	10,414	10,404	(11)	(0.1%)
Debt service	8,491	3,498	(4,993)	(58.8%)
Capital projects	11,157	12,806	1,649	14.8%
Total Disbursements	221,564	232,897	11,333	5.1%
Other financing sources (uses)				
Transfers from other funds	51,467	57,748	6,281	12.2%
Transfers to other funds	(51,665)	(57,808)	(6,143)	11.9%
Bond and note proceeds	218	368	150	68.8%
Net other financing sources (uses)	20	308	288	1438.8%
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	5,493	(7,209)		
Closing fund balance	59,042	51,833		

Table 6

CASH FINANCIAL PLAN				
STATE FUNDS				
Estimated 30-Day Closeout 2022-23 vs Assembly Plan 2023-24				
(\$ in millions)				
	2022-23 Estimated Closeout	2023-24 Legislative Plan	Change	% Change from 22-23 to 23-24
Opening fund balance	40,010	45,900	5,890	14.7%
Receipts:				
Taxes	108,791	108,347	(444)	(0.4%)
Miscellaneous receipts	28,273	26,903	(1,370)	(4.8%)
Federal grants	2,407	2,305	(102)	(4.2%)
Total Receipts	139,471	137,555	(1,916)	(1.4%)
Disbursements:				
Grants to local governments	87,053	100,912	13,859	15.9%
State operations	20,913	22,860	1,947	9.3%
General State charges	10,028	10,013	(16)	(0.2%)
Debt service	8,491	3,498	(4,993)	(58.8%)
Capital projects	9,075	10,462	1,387	15.3%
Total Disbursements	135,560	147,745	12,185	9.0%
Other financing sources (uses)				
Transfers from other funds	51,427	57,710	6,283	12.2%
Transfers to other funds	(49,666)	(55,445)	(5,779)	11.6%
Bond and note proceeds	218	368	150	68.8%
Net other financing sources (uses)	1,979	2,633	654	33.0%
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	5,890	(7,557)		
Closing fund balance	45,900	38,343		

Table 7

CASH FINANCIAL PLAN STATE OPERATING FUNDS Estimated 30-Day Closeout 2022-23 vs Assembly Plan 2023-24 (\$ in millions)				
	2022-23 Estimated Closeout	2023-24 Legislative Plan	Change	% Change from 22-23 to 23-24
Opening fund balance	40,767	46,636	5,869	14.4%
Receipts:				
Taxes	107,545	106,846	(699)	(0.6%)
Miscellaneous receipts	20,418	16,168	(4,250)	(20.8%)
Federal grants	2,402	2,300	(102)	(4.2%)
Total Receipts	130,365	125,314	(5,051)	(3.9%)
Disbursements:				
Grants to local governments	83,271	93,487	10,216	12.3%
State operations	20,913	22,860	1,947	9.3%
General State charges	10,028	10,013	(16)	(0.2%)
Debt service	8,491	3,498	(4,993)	(58.8%)
Capital projects	0	0	0	0.0%
Total Disbursements	122,703	129,858	7,155	5.83%
Other financing sources (uses)				
Transfers from other funds	46,622	50,784	4,162	8.9%
Transfers to other funds	(48,415)	(54,089)	(5,674)	11.7%
Bond and note proceeds	0	0	0	
Net other financing sources (uses)	(1,793)	(3,305)	(1,512)	84.3%
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	0			
Change in fund balance	5,869	(7,849)		
Closing fund balance	46,636	38,787		

Table 8

CASH FINANCIAL PLAN				
GENERAL FUND				
Estimated 30-Day Closeout 2022-23 vs Assembly Plan 2023-24				
(\$ in millions)				
	<u>2022-23 Estimated</u> <u>Closeout</u>	<u>2023-24</u> <u>Legislative Plan</u>	<u>Change</u>	<u>% Change</u> <u>from 22-23 to</u> <u>23-24</u>
Opening fund balance	33,053	38,924	5,871	17.8%
Receipts:				
Taxes				
Personal Income Tax	27,381	28,419	1,038	3.8%
User taxes and fees	7,214	9,802	2,588	35.9%
Business taxes	16,722	14,454	(2,268)	(13.6%)
Other taxes	2,044	1,276	(768)	(37.6%)
Miscellaneous Receipts	3,032	2,401	(631)	(20.8%)
Federal grants	2,350	2,250	(100)	(4.3%)
Transfers from other funds				
- PIT Revenue Bond	22,079	27,784	5,705	25.8%
- PTET Revenue Bond	6,474	5,730	(744)	(11.5%)
- ECEP Revenue Bond	4	4	0	0.0%
- LGAC	2,198	(0)	(2,198)	(100.0%)
-Sales Tax	7,821	8,604	783	10.0%
- RETT	1,199	1,078	(121)	(10.1%)
- All other	1,844	1,874	30	1.6%
Total Receipts	100,362	103,676	3,314	3.3%
Disbursements:				
Grants to local governments	64,472	77,330	12,858	19.9%
State operations	13,014	14,606	1,592	12.2%
General State charges	8,839	8,803	(37)	(0.4%)
Transfers to other funds				
- Debt service	290	251	(39)	(13.4%)
- Capital projects	4,443	6,580	2,137	48.1%
- State Share Medicaid	0	0	0	0.0%
- SUNY Operations	1,507	1,587	80	5.3%
- Other purposes	1,926	2,149	223	11.6%
Total Disbursements	94,491	111,305	16,814	17.8%
Change in fund balance	5,871	(7,629)		
Closing fund balance	38,924	31,295		

Revenue

Pursuant to the provisions of Section 23 of the State Finance Law, the Director of the Budget, the Secretary of the Senate Finance Committee, and the Secretary of the Ways and Means Committee are required to issue a joint report containing a consensus economic forecast and revenue estimate, no later than March 1st.

If there is a failure to issue a consensus report, the State Comptroller is required, no later than March 5th, to provide estimates of available revenues for the current and upcoming fiscal year.

The Executive and the Legislature reached consensus and provides the following update:

ECONOMIC AND REVENUE CONSENSUS REPORT FY 2024

This report contains the results of the consensus economic and revenue forecasting process conducted by the Executive and the Legislature in advance of the enactment of the FY 2024 Budget, pursuant to the provisions of Chapter 309 of the Laws of 1996.

The Consensus Forecasting Conference was held on February 28, 2023. Based on the testimony of experts at the Conference, the baseline outlook for both the economy and revenue appears to have softened for calendar year 2023, following a rebound in the second half of 2022. The economy remains vulnerable to headwinds from domestic fiscal/monetary policies and worldwide uncertainties.

Economic Forecast Review

The economic forecasts contained in the Executive Budget and Legislative reports portray slowing national and State economies for 2023. It is important to note that all parties' forecasts were completed prior to the February 28 Consensus Forecasting Conference.

All parties agree that the national economy, as measured by inflation-adjusted Gross Domestic Product, will increase at a slower pace in 2023, following growth of 2.1 percent in 2022. The consensus forecast for U.S. real GDP growth for 2023 is 1.0 percent, followed by growth of 1.9 percent for 2024.

All parties expect national employment growth to slow down. The consensus forecast calls for employment growth of 1.6 percent in 2023 and 0.3 percent in 2024, following an increase of 4.3 percent in 2022. All parties expect lower inflation for 2023, as measured by the Consumer Price Index. All parties consent to an inflation rate projection of 4.1 percent for 2023 and 2.6 percent for 2024. Consistent with expectations pertaining to both employment and inflation, all parties consent to a wage growth projection of 4.9 percent for 2023 and 4.0 percent for 2024, following growth of 8.4 percent for 2022. Similarly, all parties consent to a personal

income growth projection of 4.8 percent for 2023 and 4.6 percent for 2024, following growth of 2.1 percent for 2022. The consensus forecast for U.S. corporate profits, with capital consumption and inventory valuation adjustments included, calls for 7.0 percent growth in 2022 with decline of 0.4 percent in 2023 and growth of 3.5 percent in 2024. All parties agree that the yearly yield on 3-month Treasury bills will average 4.75 percent in 2023 and 4.13 percent in 2024, based on the parties’ baseline forecast assumptions.

CONSENSUS U.S. FORECAST		
CALENDAR YEAR		
Percent Change		
	<u>CY2023</u>	<u>CY2024</u>
REAL GDP	1.0	1.9
PERSONAL INCOME	4.8	4.6
WAGES	4.9	4.0
CORP PROFITS	(0.4)	3.5
NONFARM EMPLOYMENT	1.6	0.3
3-MONTH T-BILL RATE	4.75	4.13
CPI	4.1	2.6

The parties agree that payroll employment in New York State will increase by 0.8 percent in FY 2024 following a 4.0 percent increase in FY 2023. The consensus forecast for personal income growth is 1.5 percent for FY 2023 and 4.1 percent for FY 2024. The consensus forecast calls for wage growth of 3.3 percent for FY 2024, following an increase of 3.2 percent for FY 2023.

CONSENSUS N.Y. FORECAST		
FISCAL YEAR		
Percent Change		
	<u>FY 2023</u>	<u>FY 2024</u>
NONFARM EMPLOYMENT	4.0	0.8
PERSONAL INCOME	1.5	4.1
WAGES	3.2	3.3
Note: The Senate and Assembly Minority construct their personal income and wage series based on BEA data, whereas all other parties use NYS Department of Labor QCEW data; the two series can deviate substantially from one another.		

All parties agree that there are multiple and elevated risks to the economic outlook for the national and State economies, including a nationwide recession and geopolitical conflicts. A weaker or more volatile equity market could trigger additional layoffs that would slow the employment and wage recovery. Likewise, uncertainty caused by the debt limit discussions in Congress and sustained inflationary pressures could hinder economic recovery.

Risks to both the national and the New York forecasts also stem from monetary and fiscal policy actions. A more aggressive tightening of monetary policy and higher interest rates than reflected in the consensus forecast could hamper economic recovery and reduce business investment and hiring. All parties identify the financial market outlook as critical for the health of the State economy and the underlying tax base. In addition, the persistence of telework, the relocation of urban workers out of State, and other domestic outmigration present a long-term risk to the New York State economy.

Revenue Forecast Review

Section 23 of the State Finance Law defines receipts subject to consensus as the combined total of All Funds tax receipts, General Fund miscellaneous receipts, and lottery revenues. The revenue estimates from all parties for FY 2023 and projections for FY 2024 exhibited significant variance, but participants reached consensus on a two-year revenue that is \$800 million above the Executive Budget estimates as will be amended and reflected in the 30-Days Financial Plan Update.

SFY 2022-23 Assembly Tax and Revenue Proposals

- **Part A — Provide Authority to Abate Interest for Taxpayers Impacted by Declared Disasters:** The Assembly 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 Assembly 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 Assembly accepts the Executive proposal to convert the ITC to a fully refundable tax credit for eligible farmers for five years, through December 31, 2027. Under current law, the ITC is only fully refundable for new businesses.
- **Part D — Extend and Enhance the Film Tax Credit:** The Assembly accepts and enhances the Executive proposal to extend the Empire State film production and post-production credits for five years, through 2034; increase the annual aggregate cap from \$420 million to \$700 million, beginning in tax year 2024; and increase the credit for qualified expenses from 25 percent to 30 percent. In addition, the Assembly allows for a certain re-branded television show to remain eligible for the credit. Last, the Assembly includes “Above the Line” expenses within the enhanced portion of the Upstate credit computation; increases the Upstate cap from \$5 million to \$15 million; and allows for a certain television show to be eligible for the credit.
- **Part E — Abatement of Penalties for Underpayment of Estimated Tax by a Corporation:** The Assembly 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 Assembly 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 Assembly accepts 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. 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 Assembly accepts 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. The City 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 Assembly amends the Executive proposal to modify various tax provisions, to:
 - accept the proposal to extend the current 7.25 percent business income tax rate 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;
 - modify the proposal to extend the current business income tax rate by increasing the current tax rate, by two percent, to 9.25 percent for certain taxpayers with a business income base over \$5 million. Revenue collected within the Metropolitan Commuter Transportation District (MCTD) would support the operations of the Metropolitan Transportation Authority (MTA), while non-MCTD collections would support various transit systems within the respective transit region;
 - accept the proposal to extend the Historic Properties Rehabilitation Credit for an additional five years, through taxable years beginning before January 1, 2030;
 - modify the proposal to extend the Historic Properties Rehabilitation Credit by expanding eligibility to “white elephant” projects and provides for a \$15 million per project cap over five years with an aggregate cap of \$50 million for such projects;
 - accept the proposal to extend the Empire State Commercial Production Tax Credit program for five years, through 2028;
 - accept the proposal to 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
 - accept the proposal for various changes to the New York City Musical and Theatrical Production Tax Credit, including extension of 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, and 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.

- **Part J — Various technical changes to the Tax Law:** The Assembly accepts the Executive proposal to modify various tax provisions, including:
 - a proposal to update the regulatory reference for a tax credit for companies that provide transportation to individuals with disabilities;
 - a proposal to clarify the definition of “site preparation costs” so that eligible taxpayers can receive the Brownfield Redevelopment Tax Credit for a full seven years; and
 - a proposal to correct an inadvertent mathematical error in the computation of certain income for the Pass-Through Entity Tax (PTET) and the New York City PTET.
- **Part K — Simplify and Modernize the Senior Citizens Real Property Tax Exemption:** The Assembly 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, as well as the Disabled Homeowners’ Exemption program.
- **Part L — Extend the Oil and Gas Fee:** The Assembly 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 Assembly 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 Assembly 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 Assembly 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 for One Year:** The Assembly 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 for all vending machine operators.
- **Part S — Increase the State Excise Tax on Cigarettes:** The Assembly 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 — Intentionally Omitted.
- **Part U — Extend Reduced Transfer Tax Rates for Qualifying REITs For Three Years:** The Assembly 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 — Intentionally Omitted.
- **Part W — Technical Correction to the Deposit Timeframe:** The Assembly 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 Assembly 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. In addition, the Assembly ensures that such projects are undertaken pursuant to a project labor agreement and removes any requirement of Aqueduct Racetrack closing following the completion of the redevelopment project.
- Part Y — Intentionally Omitted.

- Part Z — Intentionally Omitted.
- **Part AA — Extend Authorized Use of Capital Funds by a Certain OTB Corporation for One Year:** The Assembly modifies the Executive proposal to extend for one year the authorized use of the capital acquisition funds by the Capital Off-Track Betting (OTB) Corporation, through March 31, 2024 to include the Catskill Off-Track Betting Corporation.
- **Part BB — Extend Pari-Mutuel Tax Rates and Simulcast Provisions for One Year:** The Assembly 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 — Increase the Personal Income Tax (PIT) Rates on Taxpayers Earning over \$5 million:** The Assembly includes language to increase the current 10.30 percent PIT rate to 10.80 percent for taxpayers between \$5 million and \$25 million, and increase the current 10.90 percent rate to 11.40 percent for taxpayers over \$25 million
- **Part EE — Enhance Earned Income Tax Credit (EITC), Empire State Child Credit (ESCC), and Extend Supplemental Payments for One Year:** The Assembly includes language to extend the Supplemental EITC and Supplemental ESCC advance payments enacted in last year’s budget, for one year. The Assembly also proposes to expand the ESCC to children under the age of four, and to expand the EITC to include taxpayers with an Individual Taxpayer Identification Number (ITIN).
- **Part FF — Apply State and Local Sales Tax to Digital Streaming Products:** The Assembly includes language to apply the four percent State and four percent local sales tax to certain digital streaming products, excluding newspapers or periodicals. Revenue raised from this proposal would be directed to transit systems across the State.
- **Part GG — Establish Small Business Hardship Savings Account Program:** The Assembly includes language to allow qualified small businesses with fewer than 25 employees, to make contributions into a tax-deferred savings account. During times of specified economic hardship, these small businesses would be able to withdraw from the account tax-free for purposes of job retention or creation.
- **Part HH — Zero Percent Tax Rate on Pass-Through Manufacturers:** The Assembly includes language to establish a zero percent tax rate for pass-through manufacturers. The current tax rate on these entities would be phased out over three years, beginning in tax year 2023.
- **Part II — Enhance Alcoholic Beverage Production Tax Credit:** The Assembly includes language to amend the Alcoholic Beverage Production Credit amounts for cider, wine,

and liquor with the intent to provide parity to the various small producers of these New York State beverages.

- **Part JJ — Establish a Statewide Fee on Delivery Transactions:** The Assembly includes language to apply a \$0.25 fee on any delivery transaction occurring in the State. This fee would apply to online and in-store purchase deliveries. However, deliveries of medicine, medical supplies and equipment, food, diapers and baby formula would be exempt from the fee. Revenue raised from this proposal would be directed to transit systems across the State.
- **Part KK — Enhance False Claims Act:** The Assembly includes language to enhance the False Claims Act, by including individuals that knowingly or improperly fail to file a tax return.
- **Part NN — Suffolk County Water Quality Restoration Act:** The Assembly includes language to allow Suffolk County to establish a water quality restoration fund, which would finance capital projects related to the protection, preservation and rehabilitation of local groundwater and surface waters. Such fund would be financed by an additional local sales tax of 0.125 percent, which would need to be approved pursuant to a mandatory local referendum. In addition, the Assembly proposal would extend the existing 0.25 percent sales tax rate, which is used to finance the county drinking water protection program, until 2060.
- ELFA Part M — Intentionally Omitted.
- ELFA Part N — Intentionally Omitted.
- ELFA Part O — Intentionally Omitted.
- ELFA Part P — Intentionally Omitted.
- ELFA Part R — Intentionally Omitted.
- **PPGG Part AA – Extend Various Commercial Property and Sales Tax Incentives in New York City:** The Assembly modifies the Executive proposal to extend, for three years instead of five, 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.
- **TED Part R – Provide Financial Relief to the Metropolitan Transportation Authority (MTA):** The Assembly accepts 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.

- TED Part Q – Intentionally Omitted.

Executive Revenue Proposals that are not Included

- **Part M — Return Foreclosure Excess to Property Owners:** The Assembly 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 Assembly 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, if higher. These localities would be required to pass a local law every two years authorizing this additional sales tax rate.
- **Part T — Revoke Cigarette and Tobacco Taxes Certificate Registration for Inspection Refusal:** The Assembly does not include the Executive proposal to provide for the imposition of a civil penalty for refusal to comply with cigarette and tobacco inspections.
- **Part V — Allow Department of Tax and Finance the Right to Appeal Tax Appeals Tribunal Decisions:** The Assembly does not include the Executive proposal to give Department of Taxation and Finance (DTF) the right to appeal decisions made by the Tax Appeals Tribunal. 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.
- **Part Y — Eliminate Quick Draw Restrictions:** The Assembly does not include the Executive proposal to eliminate certain restrictions on vendor locations selling Quick Draw tickets.
- **Part Z — Enact Procedures for An Off-Track Betting (OTB) Corporation to Terminate Operations:** The Assembly does not include the Executive proposal to establish procedures for the closure of Catskill OTB, and to establish a procedure for municipalities located in the region of Catskill OTB to continue to participate in the off-track betting market with an OTB corporation located outside the region.
- **Part CC — Require State S Corporation Conformity with Federal Return:** The Assembly does not include the Executive proposal to require that certain corporations treated as subchapter S corporations for federal tax purposes be mandated as subchapter S corporations for New York tax purposes. Currently, only federal S corporations with investment income above 50 percent of federal gross income are treated as New York S corporations. Qualified New York manufacturers are allowed to remain as C corporations and would not be subject to this proposal.

- **ELFA Part M — Update Tax Abatement Incentives for Affordable Multiple Dwellings in New York City:** The Assembly 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 Assembly 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 Assembly 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 Assembly 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.
- **ELFA Part R — Extend the Project Completion Deadline for Vested Projects in Real Property Tax Law 421-a:** The Assembly does not include the Executive proposal to extend the completion deadline for projects vested in the expired 421-a program for four years, from June 15, 2026 to June 15, 2030.
- **TED Part Q – Increase the Top Metropolitan Commuter Transportation Mobility Tax (MCTMT) Rate:** The Assembly does not include the Executive proposal to increase the top MCTMT tax rate, from 0.34 percent to 0.50 percent, for certain businesses in the Metropolitan Commuter Transportation District with quarterly payroll expenses of more than \$437,500.

Table 9

**Fiscal Impact - Assembly Revenue Proposals
(\$ in Millions)**

Part	Proposal	FY 2024	FY 2025	FY 2026	FY 2027
A	Provide Authority to Abate Interest for Taxpayers Impacted by Declared Disasters	-	-	-	-
B	Clarification of the Treatment of Limited Partners for the Metropolitan Commuter Transportation Mobility Tax	-	-	-	-
C	Modify the Investment Tax Credit for Farmers	-	(7)	(7)	(7)
D	Extend and Enhance the Film Tax Credit	-	-	(115)	(208)
E	Abatement of Penalties for Underpayment of Estimated Tax by a Corporation	-	-	-	-
F	Extend the 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	Extend and Enhance Temporary Article 9-A tax rates	865	1,964	2,110	1,901
	Extend and Enhance Rehabilitation of historic properties credit	-	(50)	(50)	(144)
	Extend Empire State commercial production credit	-	-	(7)	(7)
	Extend Tax credit for the phase out of a certain grade of fuel oil	-	-	-	-
	Extend New York City musical and theatrical production tax credit	-	-	(50)	(50)
J	Make Technical Changes Tax credit for companies who provide transportation to individuals with disabilities	-	-	-	-
	Make Technical Changes to 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
R	Extend and Limit the Vending Machine Sales Tax Exemption to Business Enterprise Program Vendors for One Year	(1)	-	-	-
S	Increase the State Excise Tax on Cigarettes from \$4.35 to \$5.35	(13)	(25)	(24)	(22)
U	Extend Reduced Transfer Tax Rates for Qualifying REITs for Three Years	-	-	-	-
W	Technical Correction to the Deposit Timeframe	-	-	-	-
X	Authorize a Franchised Corporation's Payment Structure to Fund the Belmont Redevelopment Project	-	-	-	-
AA	Extend Authorized Use of Capital Funds by a Certain Off-track Betting Corporation for One Year	-	-	-	-
BB	Extend Pari-Mutuel Tax Rates and Simulcast Provisions for One Year	-	-	-	-
DD	Enhance Personal Income Tax rates for top two brackets	717	916	966	863
EE	Extend Supplemental Earned Income Tax Credit (EITC)	(182)	-	-	-
	Extend Supplemental Empire State Child Credit (ESCC) Payment	(288)	-	-	-
	Include Children Under Four Years-old in ESCC	-	(225)	(225)	(225)
	Include Individual Taxpayer Identification Number (ITIN) in EITC	-	(65)	(65)	(65)
FF	Apply State and Local Sales Tax to Digital Products	67	110	127	145
GG	Small Business Hardship Savings Account Program	(30)	(30)	(30)	(30)
HH	Zero Percent Tax Rate on Pass-Through Manufacturers	(50)	(100)	(150)	(150)
II	Enhance Alcoholic Beverage Production Credit	(17)	(17)	(17)	(17)
JJ	Delivery Transaction Fee	115	197	197	197
KK	Enhance False Claims Act	-	-	-	37
NN	Suffolk County Water Quality Restoration Act	-	-	-	-
Total Fiscal Impact		1,185	2,647	2,639	2,222

PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

**Assembly Budget Proposal SFY 2023-24
Division of Alcoholic Beverage Control**

The Assembly accepts the Executive proposed All Funds appropriation of \$83.2 million.

State Operations

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

Aid to Localities

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

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly does not include the Executive proposal to direct the State Liquor Authority (SLA) to review the Alcoholic Beverage Control Law and post an amended version of the law containing proposed changes on their website for public review.**
- **The Assembly does not include the Executive proposal to authorize the State Liquor Authority to issue temporary permits to applicants with pending wholesale license applications.**
- **The Assembly does not include the Executive proposal to provide that pending applications for permission to make a corporate change shall be deemed approved if the State Liquor Authority does not act within 90 days.**
- **The Assembly 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.**
- **The Assembly does not include the Executive proposal to provide that any new business may receive a temporary permit if no former license at the proposed location has previously been canceled, suspended, or revoked, and allow temporary retail permits to be extended for 90 days and make these provisions permanent.**

**Assembly Budget Proposal SFY 2023-24
Department of Audit and Control**

The Assembly provides an All Funds appropriation of \$557.56 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

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

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Division of the Budget**

The Assembly provides an All Funds appropriation of \$50.2 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Department of Civil Service

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

State Operations

- **The Assembly proposal includes \$2.5 million to waive fees for State civil service examinations.**
- **The Assembly rejects Executive proposed language which would require 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 Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly rejects the Executive proposal to allow the Department of Civil Service or a municipal commission to establish continuing eligible lists for any competitive class titles that the Department or commission deems appropriate for continuous recruitment.**
- **The Assembly rejects the Executive proposal to increase the number of positions in the 55-b program from 1,200 to 1,700 and to authorize the transfer of employees in 55-b or 55-c positions who meet minimum requirements to competitive class titles without examination.**
- **The Assembly proposes to add legislation to require the Department of Civil Service to waive application fees for all civil service examinations held between July 1, 2023 and December 31, 2026 and allow municipal civil service commissions to do the same, as well as to conduct a study on the impacts.**

**Assembly Budget Proposal SFY 2023-24
Department of Corrections and Community Supervision**

The Assembly provides an All Funds appropriation of \$3.5 billion, an increase of \$10 million over the Executive proposal.

State Operations

- **The Assembly provides \$10 million in funding for toll free calls at the Department of Corrections and Community Supervision (DOCCS) facilities.**

Aid to Localities

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

Capital Projects

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

Article VII

- **The Assembly proposes to reject legislation included in the Executive Budget that would:**
 - **expand use of body scanning equipment; and**
 - **lower the hiring age for Correction Officers.**

**Assembly Budget Proposal SFY 2023-24
Commission of Correction**

The Assembly provides an All Funds appropriation of \$3.9 million.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Division of Criminal Justice Services

The Assembly provides an All Funds appropriation of \$954 million, an increase of \$294.6 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$40 million in funding for Aid to Defense.
- The Assembly proposal includes various legislative restorations, including:
 - \$5 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;
 - \$2.1 million for the New York State Defenders Association;
 - \$1.2 million for Prisoner Legal Services;
 - \$609,000 in domestic violence related civil and criminal legal services support;
 - \$600,000 for immigrant legal services; and
 - \$147,000 in additional funding for rape crisis centers, for a total of \$6.5 million.

Legal Services Assistance Fund

- The Assembly restores the carve out of \$2.83 million for Legal Services Assistance Fund (LSAF) support for civil and criminal legal services grants.

Anti-Gun Violence Programs

- The Assembly provides an additional \$10 million for SNUG programs, bringing total funding to \$31 million.
 - This is in addition to the Executive proposal base funding of \$21 million for SNUG programs, \$36.4 million for the GIVE initiative, \$25 million for Community Stabilization Units, and \$18 million for Crime Analysis Centers, for total anti-gun violence program funding of \$110.4 million.

Byrne/Jag Funding

- The Assembly restores the carve out of \$300,000 a legislative share of Edward Byrne Memorial/Justice Assistance Grants.

Discovery

- The Assembly provides an additional \$60 million for prosecutors' activities related to criminal discovery, for a total of \$100 million.
- In addition, the Assembly provides \$100 million for public defenders' activities related to criminal discovery.

Capital Projects

- The Assembly proposal includes \$50 million in capital funding related to criminal discovery for the City of New York and an equivalent amount in discovery capital for the rest of the State. A portion of amounts made available may be utilized to support a study of the efficacy of centralized information sharing systems.

Article VII

- The Assembly One-House Budget proposes to accept the extension of various criminal justice and public safety programs and the general formula for distribution of certain monies recovered by county district attorneys for two years.
- The Assembly also proposes to reject the following proposals that would:
 - amend various provisions related to bail and securing orders;

- **establish a statewide database of all criminal offenses involving shootings. The Assembly plans to do a standalone bill outside of the budget; and**
- **amend the Concealed Carry Improvement Act and other provisions related to body armor and semiautomatic rifles. The Assembly also plans to do a standalone bill outside of the budget.**

Assembly Budget Proposal SFY 2023-24 State Board of Elections

The Assembly provides an All Funds appropriation of \$77.8 million, an increase of \$10 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Assembly provides \$10 million for costs related to early voting and absentee ballot counting for local Boards of Elections.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Office of Employee Relations**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Executive Chamber/Office of the Lieutenant Governor**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Department of Financial Services**

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

State Operations

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

Aid to Localities

- The Assembly provides an additional \$250,000 to the Executive's proposal of \$3 million to support the Education Debt Consumer Assistance Program (EDCAP), for a total of \$3.3 million.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal to require the Superintendent of the Department of Financial Services (DFS) to promulgate rules and regulations relating to the procedure in which banking organizations process debit and credit transactions; the charges a banking organization can impose on a consumer relating to insufficient funds or uncollected balances; the charges a banking organization can impose on a consumer relating to dishonored or bounced checks; and the requirement that banking organizations are to alert and notify a consumer about the imposition of such charges.
- The Assembly rejects the Executive proposal to increase the statutory cap on single linked loans and aggregate linked loans under the Excelsior Linked Deposit Program for independently owned and small NYS-based businesses from \$2 million to \$6 million.
- The Assembly accepts the Executive proposal to extend until June 30, 2024, the provisions of the Physicians Excess Medical Malpractice Program.

- **The Assembly accepts the Executive proposal to extend the Health Insurance Continuation Assistance Demonstration Project for one year.**
- **The Assembly modifies the Executive proposal to establish a guarantee fund by adding consumer protections.**
- **The Assembly rejects the Executive proposal to require health insurers to pay emergency and inpatient services claims prior to conducting a utilization review and sets forth a claims dispute resolution process.**
- **The Assembly rejects the Executive proposal to require health care plans to have free-standing ambulatory surgical center providers in their networks, provide that a site of service review shall constitute a utilization review, and set forth clinical review standards.**
- **The Assembly rejects the Executive proposal to establish the Prescription Drug Price and Supply Chain Transparency Act of 2023.**
- **The Assembly rejects the Executive proposal to require health insurers to provide coverage for behavioral health services, provide reimbursement parity for behavioral health services via telehealth and eliminate prior authorization under certain circumstances.**
- **The Assembly rejects the Executive proposal to allow insurers to waive the requirement that an automobile be inspected prior to the issuance of a policy.**
- **The Assembly rejects the Executive proposal to exempt certain entities from the definition of the terms “public corporation” and “public authority”.**

**Assembly Budget Proposal SFY 2023-24
Office of General Services**

The Assembly provides an All Funds appropriation of \$1.34 billion.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

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

Article VII

- **The Assembly rejects the Executive proposal to allow state agencies to require electronic submission of bids for contracts.**
- **The Assembly rejects the Executive proposal to amend open meetings law to allow videoconferencing without in person participation and clarify that remote meetings without in-person participation must be available for the public to view and hear, recorded, and transcribed.**

Assembly Budget Proposal SFY 2023-24
Division of Homeland Security and Emergency Services

The Assembly provides an All Funds appropriation of \$9.1 billion, a \$10 million increase over the Executive proposal.

State Operations

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

Aid to Localities

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

Capital Projects

- **The Assembly provides \$10 million for capital funding for facility upgrades at volunteer fire companies.**

Article VII

- **The Assembly accepts 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.**

**Assembly Budget Proposal SFY 2023-24
Office of Indigent Legal Services**

The Assembly provides an All Funds appropriation of \$564 million, an increase of \$198 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Assembly provides \$198 million for grants to counties for expenses related to increased counsel rates for adult representation in criminal court, to improve the quality of representation provided to persons who are entitled to counsel in criminal matters and are financially unable to obtain representation.**

Capital Projects

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

Article VII

- **The Assembly proposes to modify the Article VII proposals in the Executive Budget that would:**
 - **increase assigned counsel rates by increasing the rate to \$164 for all counties, allow for the court to provide additional compensation in extraordinary circumstances, and provide that expenses in excess of the current rate will be reimbursed to the counties by the state.**

**Assembly Budget Proposal SFY 2023-24
Office of the State Inspector General**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Interest on Lawyer Account Agency**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Department of Law**

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

State Operations

- **The Assembly provides \$2 million to the Office of the Attorney General for a deed theft intervention program.**

Aid to Localities

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

Capital Projects

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

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Division of Military and Naval Affairs**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- **The Assembly modifies 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.**

**Assembly Budget Proposal SFY 2023-24
Office for the Prevention of Domestic Violence**

The Assembly provides an All Funds appropriation of \$12 million, an increase of \$50,000 over the Executive proposal.

State Operations

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

Aid to Localities

- **The Assembly restores \$50,000 in funding for the SUNY Buffalo Domestic Violence Program.**

Capital Projects

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

Article VII

- **The Assembly rejects 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.**

**Assembly Budget Proposal SFY 2023-24
Public Employment Relations Board**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Independent Commission on Ethics and Lobbying in Government**

The Assembly provides an All Funds appropriation of \$7.79 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly rejects the Executive proposal to stagger terms of the initial appointees to the Commission on Ethics and Lobbying in Government.**

**Assembly Budget Proposal SFY 2023-24
Division of State Police**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- **The Assembly also proposes to reject the following Article VII proposal, which would require the Division of State Police to maintain a depository of all criminal offenses involving the discharge of firearms.**

Assembly Budget Proposal SFY 2023-24 Statewide Financial System

The Assembly provides an All Funds appropriation of \$42 million, an increase of \$10 million over the Executive proposal.

State Operations

- The Assembly proposes to provide \$10 million to transition certain servers from IBM mainframe to Statewide Financial Systems (SFS).

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2023-24
Office of Information Technology**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

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

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Office of Victim Services**

The Assembly provides an All Funds appropriation of \$218.5 million.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Workers Compensation Board**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 General State Charges

The Assembly provides an All Funds appropriation of \$7.07 billion, an increase of \$2.5 million over the Executive proposal.

State Operations

- The Assembly does not include the Executive language to require the rate of interest paid upon any judgment or accrued claim to be calculated based on a fluctuating market rate.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal to extend provisions of law waiving the income cap for retirees working in a public school or board of cooperative educational services for one year from June 30, 2023, to June 30, 2024.
- The Assembly rejects the Executive proposal to make changes to employers' participation and the employer contribution reserve fund in the New York State and Local Retirement System Contribution Stabilization Program.
- The Assembly rejects 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 Assembly accepts the Executive proposal to include counties as payors of special accidental death benefits to families of deceased employees of county sheriff

departments and to provide for the payment of such benefits to the families of employees who died prior to April 1, 2023.

- The Assembly accepts 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 arbitration for two additional years, from July 1, 2023 to July 1, 2025.

Assembly Budget Proposal SFY 2023-24
Miscellaneous: Public Protection and General Government

Local Government Assistance

The Assembly provides an All Funds appropriation of \$1.46 billion, an increase of \$625 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly modifies the Executive proposal that would establish new housing development targets in each municipality by removing the State mandates and procedures to override local zoning and instead proposes to incentivize the development of new housing in municipalities by providing:
 - \$500 million in total funding for cities, towns, and villages outside of the City of New York;
 - municipalities would receive an initial payment for submitting a housing growth plan and providing detailed information about housing for their jurisdictions;
 - municipalities would receive a secondary payment if they meet housing growth targets during the three-year target period beginning January 1, 2024, with a 24-month grace period for permitted new residential dwelling units to receive certificates of occupancy; and
 - housing growth targets will be set at:
 - three percent for downstate communities; and
 - one percent for all others.
- Achievement of housing growth targets will be calculated with special consideration provided for affordability, rehabilitation of abandoned buildings, transit-oriented development, and zoning changes.

- **Municipalities that received incentive funding but fail to achieve their growth targets risk a clawback of their initial payment.**
- **The Assembly further provides a separate \$125 million for New York City to participate in the new homes incentive program.**
- **Similar to the statewide program, New York City would be eligible for an initial payment for submitting a housing growth plan and providing related information, and would be eligible for a secondary payment if three percent growth is achieved city-wide during the three-year target period, with a 24-month grace period to receive certificates of occupancy.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly modifies the Executive proposal to authorize municipalities to pay nominal fees training stipends to volunteer firefighters without rescinding their “volunteer” status.**
- **The Assembly does not include the Executive proposal that would repeal the authorization for a \$1 million annual payment to the North Shore Water Authority from the County-Wide Shared Services Initiative.**
- **The Assembly modifies the Executive proposal that would eliminate certain purchasing requirements for New York agricultural products by municipalities, boards of education and BOCES, by removing the increased threshold for competitive bidding.**
- **The Assembly proposes to provide technical amendments to ensure that Suffolk County can continue to receive payments for its Traffic and Parking Violations Agency.**
- **The Assembly does not include the Executive proposal to provide for alternative project bidding methods for New York City.**
- **The Assembly does not include Executive proposal to establish an Office of Community and Workforce Development for New York City.**

- **The Assembly does not include the Executive proposal that would require certain local governments within 50 miles of New York City to amend their zoning within half a mile of any non-seasonal rail station to increase average housing density within three years.**
- **The Assembly does not include the Executive proposal that would 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.**

Deferred Compensation Board

The Assembly provides an All Funds appropriation of \$953,000.

Labor Management Committees

The Assembly provides an All Funds appropriation of \$37.79 million.

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

Assembly Budget Proposal SFY 2023-24 Department of Veterans' Services

The Assembly provides an All Funds appropriation of \$36.92 million, an increase of \$6.93 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Assembly provides \$1.93 million in restorations and adds for various veterans' assistance programs.**
- **The Assembly proposes language to include reporting requirements in the Justice for Heroes Program.**

Capital Projects

- **The Assembly provides \$5 million in funding for capital needs of various veterans' not-for-profits.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Council on the Arts

The Assembly provides an All Funds appropriation of \$129 million, an increase of \$81 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Assembly provides \$60 million in additional support for NYSCA grants for a total of \$102.5 million.**
- **The Assembly provides \$10 million for regional arts councils outside of New York City to support nonprofit and municipally owned Performing Arts Theaters.**
- **The Assembly provides \$1 million in stabilization grants to support small and mid-sized arts organizations.**

Capital Projects

- **The Assembly provides \$10 million for regional arts councils outside of New York City to support nonprofit and municipally owned Performing Arts Theaters.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 City University of New York (CUNY)

The Assembly provides an All Funds appropriation of \$7.4 billion, a \$1.7 billion increase over the Executive proposal.

State Operations

- **The Assembly provides \$246 million in additional operating funds for the City University of New York (CUNY), which includes the following:**
 - **\$75 million for a Campus Excellence fund, including \$4 million to provide support for students with disabilities and \$1 million to fight campus hunger;**
 - **\$65 million in additional operating support in lieu of a tuition increase;**
 - **\$56 million for collective bargaining costs; and**
 - **\$50 million for a CUNY Transformation fund.**
- **The Assembly creates a \$470 million Endowment Matching fund for CUNY.**
- **The Assembly provides \$7 million for stipends for graduate students.**

Aid to Localities

- **The Assembly increases funding for CUNY community colleges by four percent or \$8 million above the Executive proposal. Additionally, the Assembly rejects the Executive proposal to withhold up to 20 percent of Community College base aid funding if a college does not submit a restructuring plan.**
- **The Assembly:**
 - **restores \$1.5 million for the School of Labor and Urban Studies and provides an additional \$750,000, for a total of \$5.9 million;**
 - **restores \$1.13 million for Search for Education, Elevation, and Knowledge (SEEK) and provides an increase of \$1.9 million, for a total of \$40.1 million;**
 - **restores \$1 million for Expansion of Nursing Programs and provides an additional \$1 million, for a total of \$4 million;**
 - **restores \$1 million for Mental Health Services, for a total of \$2 million;**

- provides \$500,000 for the CUNY Leadership Institute;
- restores \$350,000 for the W. Haywood Burns Chair in Human and Civil Rights; and
- restores \$54,000 for College Discovery and provides a \$92,000 increase, for a total of \$1.9 million.

Capital Projects

- The Assembly provides \$1 billion in capital funding for CUNY, a \$650 million increase over the Executive, which includes:
 - \$300 million for lab and research space;
 - \$200 million for Digital Transformation and IT Infrastructure;
 - \$200 million of expansion capital for projects of significant scale; and
 - \$25 million for CUNY Critical Maintenance Capital, for a total of \$404 million.

Article VII

- The Assembly proposes the following Article VII language that would:
 - revive and expand the Maintenance of Effort for CUNY by requiring the State to provide funding for all mandatory costs of the system;
 - require CUNY to develop a long-term plan to address the impact fluctuations in student enrollment have on the academic and financial sustainability of senior and community colleges; and
 - provide that additional operating support will be available through the 2025-26 State Fiscal Year in lieu of a tuition increase.
- The Assembly rejects the following Executive Article VII proposals that would:
 - allow CUNY senior colleges to increase their tuition by the lesser of the Higher Education Price Index or three percent; and
 - require CUNY campuses to provide access to medication abortion prescription drugs to all enrolled students.

Assembly Budget Proposal SFY 2023-24 State Education Department (SED)

The Assembly provides an All Funds appropriation of \$44.5 billion, an increase of \$677 million over the Executive proposal.

State Operations

- The Assembly proposes the following:
 - \$1 million for a Foundation Aid and Prekindergarten funding formula study to allow the State Education Department (SED) to recommend updates and changes to both formulas;
 - \$250,000 to increase SED's staffing; and
 - \$250,000 to fund building condition surveys for all state operated schools.

Aid to Localities

- Under the Assembly proposal, State funding for school aid would total \$34.3 billion, an increase of \$70.6 million over the Executive and \$3.4 billion over SFY 2022-23. This includes a \$2.7 billion increase to fully fund Foundation Aid.
- Changes to the Executive Budget include:
 - \$75 million for Statewide Universal Full Day Prekindergarten (SUFDPK) programs, for a total of \$200 million in new funding for Prekindergarten programs in the 2023-24 school year. The Assembly also removes non-supplantation language from the appropriation to allow funding to increase support for current programs;
 - \$29.6 million to increase the reimbursable salary cap for instructors in BOCES programs to \$40,000;
 - \$15.4 million to expand Special Services Aid, providing partial funding for ninth grade students that participate in CTE programs;
 - allowing Transportation After 4pm to grow in accordance with the Personal Income Growth Index (PIGI) for a SY increase of \$937,300, and expanding the Transportation After 4 program to Sullivan County; and

- adding nursing and teaching as priority fields within the proposed \$20 million increase for Early College High School and PTECH programs.
- The Assembly eliminates the \$250 million set-aside within Foundation Aid for High Impact Tutoring.
- The Assembly does not include an Executive proposal to freeze Reimbursable aids.

Universal Free School Meals

- The Assembly proposes \$280 million to make school meals free for all public school students in New York State.

Special Education

- The Assembly restores \$2 million for the Schools for the Blind and Deaf (4201 schools) and provides a \$10 million increase for a total of \$118 million.
- The Assembly also restores \$3 million for the following 4201 schools:
 - \$903,000 for the Mill Neck Manor School for the Deaf;
 - \$903,000 for the Henry Viscardi School;
 - \$500,000 for the Cleary School for the Deaf;
 - \$500,000 for the Mill Neck School for the Deaf; and
 - \$150,000 for the St. Francis de Sales School for the Deaf.

Nonpublic Schools

- The Assembly proposal:
 - provides a \$10 million increase to nonpublic school STEM programs over the Executive proposal, for a total of \$80 million; and
 - eliminates the Executive language that would restrict nonpublic school aid to the appropriation in any given year.

Office of Higher Education and the Professions

- The Assembly proposal:
 - restores \$1.4 million for the Higher Education Opportunity Program and provides a \$2.4 million increase over last year, for a total of \$50.7 million;

- restores \$636,000 for the Science Technology and Entry Program (STEP) and provides a \$1.1 million increase over last year, for a total of \$22.6 million;
 - restores \$482,000 for the Collegiate Science and Technology Entry Program and provides a \$815,000 increase over last year, for a total of \$17.1 million;
 - restores \$738,000 for the Liberty Partnerships Program and provides a \$1.2 million increase, for a total of \$26.2 million; and
 - restores \$241,000 for the Foster Youth Initiative and provides a \$408,000 increase, for a total of \$8.6 million.
- The Assembly makes a technical change to an appropriation made for the National Board for Professional Teaching Standards to increase flexibility for recipients of the grant.

Cultural Education

- The Assembly:
 - restores \$3.5 million in Aid to public libraries and provides a \$5 million increase to bring total funding for public libraries to the statutory level of \$104.6 million;
 - provides \$1 million to revive the Summer School for the Arts program;
 - restores \$375,000 for the Schomburg Center for Research in Black Culture and \$112,500 for the Langston Hughes Community Library; and
 - increases funding from the Love Your Library account from \$150,000 to \$175,000 to ensure that every library system receives a minimum of \$6,000 for summer reading programs.

Adult Career and Continuing Education Services

- The Assembly restores \$1.5 million for Adult Literacy Education (ALE) and provides a \$5 million increase, for a total of \$14.3 million.
- The Assembly reprograms a \$3 million ALE appropriation to create a Community Literacy Fund Pilot Program for volunteer staffed literacy organizations.

Other Education Programs

- The Assembly proposes \$2 million for the expansion of the Specialized High School Test Preparation program in New York City to 6th grade students.

- The Assembly restores \$475,000 for the Executive Leadership Institute and provides a \$500,000 increase, for a total of \$975,000.
- The Assembly restores funding for the following programs:
 - \$14.3 million for Teacher Resource and Computer Training Centers;
 - \$1.5 million for the Consortium for Workers Education (CWE), for a total of \$13 million;
 - \$1.2 million for Buffalo School Health Services;
 - \$1.2 million for Rochester School Health Services;
 - \$900,000 for State-appointed monitors and fiscal consultants;
 - \$625,000 for Many Threads One Fabric Implicit Bias Training;
 - \$500,000 for the Teacher Diversity Pipeline Pilot;
 - \$461,000 for the Bard Queens Early College High School;
 - \$385,000 for Bilingual or Multilingual Training Programs for Teachers; and
 - \$250,000 for CWE Enhanced Credentialing.

Capital Projects

- The Assembly proposal:
 - provides a \$15 million increase for nonpublic school safety and security capital grants, for a total of \$60 million; and
 - provides \$30 million for 4201 school capital; and
 - restores \$20 million for library construction and provides an additional \$20 million, for a total of \$54 million.

Article VII

- The Assembly proposes the following Article VII legislation that would:
 - modify the Executive Proposal to require the State Education Department to study the tuition rate setting methodology for special education providers;
 - modify the Zero-Emission School Bus progress reporting requirements to delay reporting and include related information;
 - modify the prekindergarten unmet need reporting requirements to streamline the report;

- allow transportation electrification studies to be reimbursable under Transportation Aid;
 - extend the authorization allowing state aid for up to 75 percent of project costs for library construction projects located in economically disadvantaged communities;
 - require state-operated schools to conduct a building condition survey every five years, in line with current practice for all other public schools;
 - increase the eligible limit on capital outlays from \$100,000 to \$250,000; and
 - provides language to adjust the maximum cost allowance for one building project in the Binghamton City School District.
- The Assembly eliminates the following Executive Article VII proposals that would:
 - remove the regional charter school cap in New York City and authorize the reissuance of “zombie” charters;
 - extend the requirements school districts report on school level funding;
 - allow pharmacists to prescribe and order self-administered hormonal contraceptives;
 - allow minority non-licensee ownership in public accountancy firms;
 - transfer oversight of healthcare professions from SED to the Department of Health;
 - allow New York to join the Interstate Medical Licensure & Nurse Licensure Compacts;
 - expand the scope of practice as it relates to pharmacists, physician assistants, dentists, registered nurses, and advanced home health aides;
 - expand and rename the Collaborative Drug Therapy Management Demonstration Program;
 - authorize certain certified nurse aides to administer medication-related tasks in residential health care facilities for two years;

- **authorize out-of-state applicants seeking licensure in qualified high need health care professions to request a six-month temporary practice permit; and**
- **authorize certain unlicensed support staff in non-facility Office for People with Developmental Disabilities (OPWDD) programs to provide nursing services without nurse supervision.**

Assembly Budget Proposal SFY 2023-24 Office of Children and Family Services

The Assembly provides an All Funds appropriation of \$5.85 billion, an increase of \$34.9 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Assembly modifies Child Care Provider Wage Enhancements language to include more eligible uses such as personnel costs, rent, and facility maintenance and improvements.**
- **The Assembly modifies language to provide \$23 million of federal block grant funds to support Child Care Resource and Referral Agencies**
- **The Assembly restores the State's child welfare reimbursement from 62 percent to 65 percent.**
- **The Assembly restores \$28.6 million to reject the Executive proposal to eliminate the state share for Committee on Special Education placements outside of New York City.**
- **The Assembly restores \$5 million for the Advantage Afterschool program, for a total of \$33.04 million.**
- **The Assembly modifies Adoption De-Linking language to provide support for kinship legal services.**
- **The Assembly rejects language modifying Title XX Social Services Block grant which would restrict the types of services which localities can use such funds.**
- **The Assembly rejects \$17 million proposed by the Executive to transition certain foster care facilities designated as Institutions of Mental Disease under a federal demonstration waiver.**
- **The Assembly increases funding for child care within Office of Children and Family Services (OCFS) by \$16.96 million, and decreases funding in the Office of Temporary and**

Disability Assistance's Temporary Assistance to Needy Families (TANF) appropriation for the same purpose.

- The Assembly restores the following programs that were eliminated by the Executive:
 - \$2.5 million for Settlement Houses;
 - \$2 million for Safe Harbor;
 - \$1.9 million for Kinship Care;
 - \$1.5 million for Youth Development Program; and
 - \$100,000 for Kinship Navigator.

Capital Projects

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

Article VII

- The Assembly modifies the Executive proposal to expand eligibility for child care assistance and allow the Office of Children and Family Services 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 and increase the number of allowable absences from 24 to 80.
- The Assembly rejects the Executive proposal to eliminate state reimbursement for residential Committee on Special Education placements made outside of New York City.
- The Assembly 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 Assembly includes a new proposal to increase the rent subsidy for foster children living independently from \$300 to \$725 a month and expand the age range for eligibility for the subsidy to allow youth up to age 24 that have been discharged from foster care to receive the subsidy.

Assembly Budget Proposal SFY 2023-24 Office of Temporary and Disability Assistance

The Assembly provides an All Funds appropriation of \$8.6 billion, an increase of \$93 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Assembly provides \$16.96 million in Temporary Assistance for Needy Families (TANF) restorations to provide support for the following legislative initiatives that were eliminated in the Executive Budget:**
 - **\$8.5 million for Facilitated Enrollment;**
 - **\$4 million for ATTAIN;**
 - **\$1.43 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 Assembly provides \$40 million to support immigration legal services for migrants and asylum seekers.**
- **The Assembly provides \$18 million for a NYC Youth Opportunity to support employment opportunities and workforce investment for youth ages fourteen to twenty.**
- **The Assembly provides a \$15 million increase to Eviction Prevention Legal Services, for a total of \$50 million, to expand services statewide.**
- **The Assembly provides \$10 million for the HIV/AIDS Services Administration (HASA) program outside of New York City.**

- The Assembly restores \$5 million for the Refugee Resettlement Program, for a total of \$7 million.
- The Assembly provides an additional \$2 million for the Nutrition Outreach and Education Program (NOEP), for a total of \$5.3 million.
- The Assembly restores \$1 million for the Disability Advocacy Program (DAP), for a total of \$6.3M.
- The Assembly provides \$2 million to reimburse public assistance recipients whose benefits have been lost prior to January 1, 2022 due to fraudulent activities.
- The Assembly restores language to require that the HIV/AIDS Welfare-to-Work Program requires that jobs obtained through this program have health insurance coverage.

Capital Projects

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

Article VII

- The Assembly accepts the Executive proposal to authorize the Federal Supplemental Security Income (SSI) Cost of Living Adjustment (COLA) pass-through for 2024.
- The Assembly proposes to modify the Executive proposal to replace public assistance funds stolen due to fraudulent activities by adding language to ensure that public assistance recipients do not need to file a police report to have their funds replenished, and to ensure that a public assistance recipient can recoup the full amount of funds stolen on or after January 1st, 2022.
- The Assembly proposes to modify 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 6 months, regardless of if the individual changes district.

Assembly Budget Proposal SFY 2023-24 Higher Education Services Corporation

The Assembly provides an All Funds appropriation of \$1.21 billion, an increase of \$11.4 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Assembly provides \$9.4 million to increase the Tuition Assistance Program (TAP) Income Limit Threshold from \$80,000 to \$100,000 for dependent students as well as the corresponding income limits for independent students.**
- **The Assembly restores \$2 million for the Patricia McGee Nursing Faculty Scholarship for a total of \$5.9 million.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly clarifies the definition of eligible non-credit workforce training programs for the purposes of part time TAP.**

Assembly Budget Proposal SFY 2023-24 Division of Housing and Community Renewal

The Assembly provides an All Funds appropriation of \$2.3 billion, an increase of \$1.5 billion over the Executive proposal.

The Assembly will continue to explore pathways to protect tenants from arbitrary and capricious rent increases and unreasonable evictions of paying tenants.

State Operations

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

Aid to Localities

- The Assembly provides \$385 million for statewide Rental Arrears Assistance.**
- The Assembly provides \$250 million for the Housing Access Voucher Program (HAVP).**
- The Assembly provides \$100 million for a new First Time Homeowner Assistance program, which would provide assistance for down payments and closing costs to low and moderate income people purchasing their first home.**
- The Assembly provides \$40 million for the Homeowner Protection Program (HOPP).**
- The Assembly provides \$10 million for Land Banks.**
- Mortgage Insurance Fund: The Assembly provides an additional \$3.5 million transfer from the Mortgage Insurance Fund (MIF) for the Neighborhood Preservation Program (NPP) and an additional \$2.25 million for Rural Preservation Program (RPP) companies, for a total of \$23.9 million. The Assembly carves out \$250,000 for Neighborhood Preservation Companies and Rural Preservation Companies for administration costs for each program.**

Capital Projects

- The Assembly provides \$500 million for a new statewide limited equity cooperative program called Foundation for Futures.**

- The Assembly provides \$250 million for Homeownership Funds to support investments in community land trusts, conversion of rental housing to homeownership housing, and tenant and tenant organization ownership of housing accommodations.
- The Assembly restores \$10 million for the Small Rental Housing Development Initiative.
- The Assembly provides an additional \$2 million for Housing Opportunities Program for the Elderly which includes the Residential Emergency Services to Offer Home Repairs to the Elderly (RESTORE) program, for a total of \$3.4 million.
- The Assembly provides an additional \$1 million for Access to Home, for a total of \$2 million.

Article VII

- The Assembly does not include the Executive proposal that would allow for the conversion of certain commercial properties within specified areas of New York City into permanent housing.
- The Assembly does not include the Executive proposal that would authorize New York City via zoning law, ordinance, or resolution, or after consultation with local officials, as provided in a general project plan of the State Urban Development Corporation (UDC) to deviate from state law that caps the floor area ratio of a residential building.
- The Assembly does not include the Executive proposal that would extend the 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.
- The Assembly proposes to modify the Executive proposal that would provide that municipalities that have elected to submit a housing growth plan shall submit data related to housing production to the Division of Housing and Community Renewal (DHCR).
- The Assembly includes a proposal to create a housing access voucher program for eligible individuals and families who are homeless or at risk of homelessness;
- The Assembly includes a proposal to require the Commissioner to develop and administer a new statewide limited equity cooperative program to provide affordable homeownership opportunities to low- and middle- income families.

- **The Assembly includes a proposal to require the Commissioner to connect eligible tenants and nonprofit housing organizations with the multitude of homeownership programs funded within the state’s multi-year housing program.**
- **The Assembly establishes a special joint legislative commission on affordable housing to make recommendations to the legislature on how to preserve and maintain existing affordable housing, to support the development of new affordable housing in the state of New York, to strengthen and grow diverse and stable communities, and to maximize the impact of private, state, local and federal resources by ensuring long term affordability.**

**Assembly Budget Proposal SFY 2023-24
Division Of Human Rights**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Department of Labor

The Assembly provides an All Funds appropriation of \$7.25 billion, an increase of \$4.32 million over the Executive proposal.

Minimum Wage

The Assembly supports scheduled increases in the minimum wage followed by increases based on indexing. The Assembly remains firmly committed to increasing the wages of workers in New York State as guided by the following principles:

Employees across the state deserve meaningful increases to the minimum wage to address the rising costs of living and to restore its purchasing power, which has significantly declined since the last time the Assembly advocated for, and passed, a minimum wage increase. Future scheduled increases also need to ensure that the State returns to one, uniform minimum wage rate.

Indexation of the minimum wage, following such increases, should not be subject to exceptions which would prevent employees from getting an annual increase, thus further diminishing the value of the minimum wage rate going forward.

The wage rate for home care workers must remain at least \$3 above the minimum wage rate so that it may continue to rise jointly with the rest of the State. Such wages cannot be weakened or frozen by any future increases to, or indexing of, the minimum wage.

Unemployment Insurance

The Assembly includes an authorization for the Dormitory Authority to issue \$2 billion in bonding authority to pay down a portion of the outstanding Unemployment Insurance Trust Fund balance; however, additional assistance is needed from the federal government to help absorb the State's remaining unemployment insurance debt and deliver relief to small businesses in New York. The Assembly also supports a comprehensive review of the unemployment insurance system as it impacts both employers and claimants.

State Operations

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

HEALTH & MENTAL HYGIENE

By Agency

Assembly Budget Proposal SFY 2023-24 State Office for the Aging

The Assembly provides an All Funds appropriation of \$355.14 million, an increase of \$64.13 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly accepts the Executive proposal to include \$2.5 million for the Long-Term Care Ombudsman Program and provides an additional \$12.5 million to bring total program funding to \$15 million.
- The Assembly provides \$7.2 million to shift proposed funding for respite care for high-need family caregivers from the Department of Health (DOH) budget to the State Office for the Aging (SOFA) budget.
- The Assembly provides \$2.1 million to shift proposed funding for care teams at home for low-income older adults from the DOH budget to the SOFA budget.
- The Assembly provides \$39 million to fund SOFA programming and alleviate waitlists in the Expanded In-Home Services for the Elderly Program (EISEP) by utilizing private investments.
- The Assembly provides \$1 million in funding for the Naturally Occurring Retirement Community (NORC) and Neighborhood Naturally Occurring Retirement Community (NNORC) nursing services.
- The Assembly provides \$1.1 million in funding for the Holocaust Survivors Initiative.
- The Assembly restores \$1.23 million in funding for various aging support programs, including Lifespan of Greater Rochester (\$250,000) and the New York Foundation for the Senior Citizens Home Sharing and Respite Care Program (\$86,000).

Capital Projects

- **Not applicable.**

Article VII

- The Assembly rejects the Executive's proposal to modify the income threshold to be **eligible to participate in private pay protocols from 400 percent to 250 percent of the federal poverty level.**

**Assembly Budget Proposal SFY 2023-24
Developmental Disabilities Planning Council**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Department of Health

The Assembly provides an All Funds appropriation of \$213.56 billion, an increase of \$3 billion over the Executive proposal.

The Assembly Majority is committed to ensuring that the funding designated for higher wages for home care workers is received by workers. It is vital that and all actors are held accountable and pass through these critical funds so all home care workers can receive the fair payment they deserve.

The Assembly Majority is also committed to providing coverage for all remaining low-income New Yorkers who are left without access to health care coverage. All income-eligible New York State residents, including all immigrants, should be included in the planned submission of a 1332 Demonstration Waiver to the federal Centers for Medicare and Medicaid Services.

State Operations

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

Aid to Localities

- The Assembly rejects the delayed implementation of expanded Essential Plan coverage for undocumented immigrants.**
- The Assembly provides \$410 million to reject the implementation of the pharmacy benefit carve-out transition to fee-for-service.**
- The Assembly provides \$425 million to increase hospital reimbursement rates by 10 percent.**
- The Assembly provides \$42.7 million to reject the proposed reduction in the voluntary Hospital Indigent Care Pool.**
- The Assembly provides \$850 million in additional funding for financially distressed hospitals.**
- The Assembly provides \$100 million in additional funding for financially distressed Nursing Homes. Additionally, the Assembly is supportive of the inclusion of Certified**

Home Health Agencies as eligible providers for supplemental Vital Access Provider Assurance Program (VAPAP) payments.

- The Assembly provides an additional \$157.5 million to increase Nursing Home rates by a total of 10 percent.
- The Assembly provides \$9 million to increase Assisted Living Program Reimbursement by a total of 10 percent.
- The Assembly instructs the Executive to begin the process of rebasing hospital, nursing home, and clinic Medicaid rates in SFY 2024-25.
- The Assembly provides \$50 million to Community Based Organizations, including \$30 million to increase Federally Qualified Health Center telehealth rates, \$10 million to further expand the Certified Community Behavioral Health Clinic (CCBHC) Program, and \$10 million to expand the CCBHC Indigent Care Program.
- The Assembly provides \$624.1 million to restore the passthrough of Affordable Care Act (ACA) enhanced Federal Matching Assistance Percentage (FMAP) funds to counties.
- The Assembly rejects the consolidation and competitive procurement of Managed Long-Term Care Plans.
- The Assembly provides \$20 million to partially restore \$10 million for both the Managed Care and Managed Long Term Care Quality Pools.
- The Assembly provides \$45.5 million for the Quality Incentive Vital Access Provider Pool (QIVAPP).
- The Assembly rejects the Executive’s proposal to eliminate wage parity for Consumer Directed Personal Assistance Program (CDPAP) workers, as well as the corresponding investment in health insurance coverage.
- The Assembly provides \$30 million to reject the Executive proposal to recalibrate the health homes program.
- The Assembly provides \$7.7 million to reject a proposal related to “pay and resolve.”
- The Assembly provides \$8.7 million to reject the reduction of coverage for over-the-counter drugs and rejects the elimination of prescriber prevails provisions.
- The Assembly proposal utilizes \$15 million in private investment pool funding to alleviate the Expanded In-Home Services for the Elderly Program (EISEP) waitlists,

resulting in \$34 million in Medicaid savings due to lower utilization of long-term care services.

- **The Assembly provides \$30 million in additional funding for the Hunger Prevention and Nutrition Assistance Program.**
- **The Assembly provides \$61 million to increase Early Intervention rates by 11 percent.**
- **The Assembly accepts \$7.6 million for Emergency Medical Services (EMS) funding, while modifying the Executive's Article VII language to establish a public service campaign to recruit additional personnel into the EMS field.**
- **The Assembly accepts \$18.5 million for lead abatement funding, while rejecting the associated Article VII language.**
- **The Assembly modifies the proposals to invest \$7.2 million to provide respite care for high-need family caregivers, and \$2.1 million to provide care teams for low-income older adults by shifting this funding from the DOH budget to the SOFA budget.**
- **The Assembly rejects the ban on flavored tobacco products, resulting in increased tax receipts to HCRA. The Assembly reinvests \$15 million of this revenue to fund the Cancer Services Program, the Tobacco Control Program and the Tobacco Social Media and Education Campaign.**
- **The Assembly provides \$3.82 million to restore funding for School Based Health Centers.**
- **The Assembly provides \$1.2 million to restore funding for the Nurse-Family Partnership Program.**
- **The Assembly provides \$1 million to restore funding for Family Planning Services.**
- **The Assembly provides \$1 million to restore funding for Sickle Cell Anemia.**
- **The Assembly provides \$550,000 to restore funding to the Diversity in Medicine Program**
- **The Assembly provides \$6 million to restore funding for other public health additions.**

Capital Projects

- **The Assembly accepts the proposal to invest \$967 million for the Wadsworth Center Laboratories and Research reconstruction and consolidation effort and provides \$500,000 for a study to consider a redesign of the Harriman Campus.**
- **The Assembly modifies the proposal to provide \$1 billion through the Statewide Health Care Facility Transformation Program V by establishing minimum funding amounts for community-based organizations and to provide \$20 million for the creation of a Community Health Care Revolving Capital Fund.**

Article VII

- **The Assembly proposes to reject the Executive proposal to enable the Commissioner of Health to remove certain over-the-counter drugs that are reimbursable by Medicaid and eliminate prescriber prevails protections under Medicaid Fee-For-Service and Managed Care.**
- **The Assembly accepts the Executive proposal to extend the Indigent Care Pool (ICP) through FY 2026; the Assembly proposes to reject the Executive proposal to reduce ICP distributions to non-major public general hospitals; reject the Executive proposal to establish a process for a general hospital to convert to a rural emergency hospital; and modify the Executive proposal to provide a uniform Medicaid rate increase of five percent for hospital inpatient services to increase the rate by 10 percent.**
- **The Assembly proposes to reject the Executive proposal to delay the expansion of Medicaid eligibility for undocumented seniors to January 1, 2024.**
- **The Assembly proposes to accept the Executive proposal submit a 1332 state innovation program waiver to authorize pregnant women to maintain health care coverage for pregnancy and up to one year postpartum under the Essential Plan and expand income eligibility for the Essential Plan to 250 percent Federal Poverty Level (FPL).**
- **The Assembly proposes to accept 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; reject the Executive proposal to provide routes for MLTC plans to be eliminated, reformed through performance metrics or an improvement plan, or competitively procured; reject the Executive proposal to repeal the fiscal intermediary competitive procurement; reject the Executive proposal to eliminate wage parity provisions for CDPAP aides/providers; and modify the Executive proposal to provide a uniform Medicaid rate increase of five**

percent to nursing homes and assisted living programs to increase the rate by 10 percent.

- **The Assembly proposes to accept the Executive proposal to expand eligibility for certain Medicaid services provided to individuals in a correctional institution within 30 days of release; the Assembly proposes to reject the Executive proposal to submit a waiver for children in an Institute for Mental Disease.**
- **The Assembly proposes to reject the Executive proposal to modify the Public Health and Health Planning Council's scope of approval for any transfer, assignment, or other disposition of interest, stock or voting rights; reject the Executive proposal to authorize DOH to regulate and approve "material transactions" involving health care entities; reject the Executive proposal to increase construction fees for Certificate of Need applications; and the Executive proposal to allow Local Health Departments of a county or the City of New York to provide "core public health services" in the home without additional licensure.**
- **The Assembly proposes to modify the Executive proposal to expand the Medicaid Buy-in Program for Working People with Disabilities by providing limitations on monthly premium payments to ensure parity with the Affordable Care Act.**
- **The Assembly proposes to reject the Executive proposal to prohibit the sale of flavored tobacco or vapor products by retailers and wholesalers and expand the definition of "flavored" to include menthol.**
- **The Assembly proposes to modify 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 by establishing minimum funding amounts for community-based organizations and maintaining the Comptroller's oversight.**
- **The Assembly proposes to modify the Executive proposal to establish Medicaid reimbursement for certain community health workers by delineating the services provided; and modify the Executive proposal to expand reimbursement for health care services provided in outpatient clinics by including licensed creative arts therapists.**
- **The Assembly proposes to accept the Executive proposal to establish Medicaid reimbursement for the care and services provided by certified nutritionists and dietitians and modify the Executive proposal to establish Medicaid reimbursement for Chronic Disease Self-Management Programs when ordered by a health care professional by eliminating affiliation requirements.**
- **The Assembly proposes to modify the establishment of a public service campaign and mental health and wellness program to recruit and retain EMS personnel and accept the**

Executive proposal to enable State Emergency Medical Services Council (SEMSCO) and Regional Emergency Medical Services Councils (REMSCO) to advise the Commissioner of Health on additional EMS topics; the Assembly proposes to reject the Executive proposal's language to amend the definition of Emergency Medical Service, create a statewide comprehensive EMS system plan, establish a mobile integrated healthcare program, establish ten EMS regional "districts," and establish a new process for the approval of EMS applications of new or modified operating authority.

- **The Assembly proposes to reject the Executive proposal's language 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 authorize DOH to establish inspection requirements and qualifications for inspectors.**
- **The Assembly proposes to modify the Executive proposal to establish a registration process for temporary health care services agencies and create minimum standards for temporary health care service agencies by including maximum rates that an agency can charge a facility.**
- **The Assembly proposes to reject 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 Assembly proposes to reject 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 Assembly proposes to reject the Executive proposal to expand the definition of "imitation controlled substance" and provide criminal penalties for the possession and sale of imitation controlled substances.**
- **The Assembly proposal includes legislation to repeal the Medicaid Pharmacy Benefit Transition from managed care to fee-for service which would allow certain providers to maintain eligibility to receive funding under the federal 340B program.**
- **The Assembly proposal includes legislation to allow school-based health centers to remain under a fee for service payment model for Medicaid reimbursement.**

- **The Assembly proposal includes legislation to ensure that all enrollees of the Medicaid Health Homes care management program are able to maintain access as long as needed.**
- **The Assembly proposal includes legislation to guarantee that Federally Qualified Health Centers (FQHCs) are paid their full Medicaid reimbursement rate for telehealth services regardless of the location of the patient or the provider or the modality of the service.**

**Assembly Budget Proposal SFY 2023-24
Office of the Medicaid Inspector General**

The Assembly provides an All Funds appropriation of \$57.47 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Department of Mental Hygiene**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2023-24
Office of Addiction Services and Supports**

The Assembly provides an All Funds appropriation of \$1.24 billion., an increase of \$7 million over the Executive proposal.

State Operations

- **The Assembly provides \$5 million to fund the hiring of mental health professionals at twelve (12) state operated Addiction Treatment Centers (ATCs) to ensure that individuals with co-occurring mental health and substance use disorders receive adequate services.**

Aid to Localities

- **The Assembly provides \$2 million to fund Substance Abuse Prevention and Intervention Specialists (SAPIS) in New York City Schools.**

Capital Projects

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

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Office of Mental Health

The Assembly provides an All Funds appropriation of \$6.4 billion, an increase of \$5.8 million over the Executive budget.

The Assembly Majority is committed to promoting the development of a comprehensive mental health and substance use crisis response that is built upon a foundation of delivering trauma-informed and culturally competent services, and protects the rights, safety, and dignity of people who are experiencing a mental health or substance use crisis. Additionally, the Assembly Majority supports alternatives to crisis response and policing by expanding the role of behavioral health providers for people in mental health crisis in the community and enable a rapid and coordinated public health response to mental health and substance use emergencies. Last, the Assembly Majority is steadfast in its commitment to engage and include people with lived experience in the mental health or substance use service system to assess and reform the local planning process, and to ensure that every mental health and substance use system network reflects the diversity of race, age, language, national origin, ethnicity, and disability needs present in every community across the state.

Additionally, due to the increasing need of mental health services for children, the Assembly Majority recognizes the importance of the availability of inpatient beds for children. The Assembly will commit to working with the Senate and the Executive to ensure that a portion of the 150 new beds will be allocated as inpatient psychiatric beds for children.

State Operations

- The Assembly rejects the Executive proposal to provide \$650,000 to create the title of a Qualified Mental Health Associate.

Aid to Localities

- The Assembly provides \$5 million to support the expansion of the OMH Community Mental Health Loan Forgiveness Program, for a total of \$19 million. Additionally, mental health professionals eligible for funding include Licensed Master Social Workers, Licensed Clinical Social Workers, Licensed Mental Health Counselors, Licensed Marriage and Family Therapists, Psychoanalysts, Creative Art Therapists and Applied Behavior Analysts.

- The Assembly provides funding for the following legislative priorities:
 - \$1 million for Crisis Intervention Teams;
 - \$175,000 for South Fork Mental Health Initiative;
 - \$175,000 for North Fork Mental Health Services; and
 - \$100,000 for Garnet Health Medical Center-Catskills.

Capital Projects

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

Article VII

- The Assembly modifies the Executive proposal that would establish a 2.5 percent COLA for the 2023-2024 Fiscal Year, by increasing the COLA to 8.5 percent for human services workers of the Office of Mental Health (OMH), the Office for Addiction Services and Supports (OASAS), the Office for People with Developmental Disabilities (OPWDD), the Office for Temporary Disability Assistance (OTDA), the Office for Children and Family Services (OCFS); and the State Office of the Aging (SOFA).
- The Assembly rejects the Executive proposal that would create the title of a Qualified Mental Health Associate, develop training for the provision of services and establish minimum qualifications for an individual to be a credentialed qualified mental health associate.
- The Assembly rejects the Executive proposal that would authorize OMH and OASAS to share and receive criminal background information from the Division of Criminal Justice Services (DCJS); accept the proposal that would authorize OMH and OASAS to jointly certify community behavioral health clinics (CCBHC); and modify the proposal that would establish an indigent care program for an eligible CCBHC by increasing the funding available under the program by \$10 million.
- The Assembly rejects the Executive proposal that would authorize the commissioner of OMH to develop a schedule of sanctions and increase the maximum fine from \$1,000 to \$2,000 per day resulting from a service provider failing to comply with the terms of their operating certificate; and permit penalties resulting from any unauthorized bed closure to be considered at the individual bed level.
- The Assembly adds a proposal that would establish a task force to provide recommendations that aim to remove barriers for aging residents in mental health housing programs to receive both medical and mental health care.

Assembly Budget Proposal SFY 2023-24 Office for People with Developmental Disabilities

The Assembly provides an All Funds appropriation of \$7.42 billion, an increase of \$1.24 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Assembly restores \$700,000 to reject the Executive’s proposal to permit certain nursing tasks to be performed by non-clinical staff certified by Office for People with Developmental Disabilities (OPWDD) in non-certified community-based settings.**
- **The Assembly provides \$540,000 for certain legislative priorities.**

Capital Projects

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

Article VII

- **The Assembly modifies the Executive proposal to extend the legal authority for OPWDD to implement managed care plans through 2028 by extending the authorization through 2025.**
- **The Assembly modifies the Executive proposal to expand the Medicaid Buy-in-Program for working people with disabilities by limiting monthly premium payments to 8.5 percent of an enrollee’s income.**

**Assembly Budget Proposal SFY 2023-24
Justice Center for the Protection of People with Special Needs**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Miscellaneous: Health and Mental Health

The Assembly provides an All Funds appropriation of \$486.5 million.

State Operations

- Not applicable.

Aid to Localities

- The Assembly modifies the Executive's proposal by increasing the Human Services cost of living adjustment (COLA) by six percent for a total of 8.5 percent. The state fiscal year cost for the additional six percent, COLA for the Human Services agencies would be \$486.5 million, including:
 - \$290.6 million for the Office for People with Disabilities;
 - \$128.4 million for the Office of Mental Health;
 - \$33.6 million for the Office of Addiction Services and Supports;
 - \$12.9 million for the State Office of the Aging;
 - \$20.4 million for the Office of Family and Children Services; and
 - \$480,000 for the Office of Temporary Disability Assistance.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**TRANSPORTATION, ECONOMIC
DEVELOPMENT &
ENVIRONMENTAL CONSERVATION**

By Agency

**Assembly Budget Proposal SFY 2023-24
Adirondack Park Agency**

The Assembly provides an All Funds appropriation of \$6.3 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Department of Agriculture and Markets

The Assembly provides an All Funds appropriation of \$346.8 million, an increase of \$49.9 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$58.4 million for agricultural programs, an increase of \$11.8 million over the Executive proposal as follows:
 - \$2,000,000 for the New York Farm Viability Institute;
 - \$1,181,000 for the New York State Apple Growers Association;
 - \$1,225,000 for the New York Wine and Grape Foundation;
 - \$735,000 for Grow NYC Food Access Sites;
 - \$500,000 for Cornell Pro-Livestock;
 - \$300,000 for Cornell University Hops Breeding and Research and Extension;
 - \$200,000 for the Northeast Organic Farming Association;
 - \$200,000 for Turfgrass Environmental Stewardship;
 - \$100,000 for the Cannabis Association of New York;
 - \$75,000 for Empire Sheep Producers;
 - \$24,000 for New York State Brewers, for a total of \$100,000;
 - \$24,000 for the New York State Cider Association, for a total of \$100,000; and
 - \$24,000 for the New York State Distillers Guild, for a total of \$100,000.
- The Assembly fully restores the following:
 - \$4,000,000 for Economically and Socially Disadvantaged Farmers;
 - \$1,000,000 for the Beginner Farmers Fund;
 - \$500,000 for American Farmland Trust, Farmland for a New Generation;
 - \$481,000 for Cornell University “Core” Diagnostic Lab including \$400,000 for pathogen genomic surveillance;
 - \$401,000 for Cornell Farm Labor Specialist;
 - \$300,000 for Hops Breeding Research and Extension;
 - \$300,000 for Northern NY Agricultural Development;
 - \$250,000 for Cornell Pro Dairy, for a total of \$1.46 million;

- **\$200,000 for Black Farmers United of NYS;**
- **\$100,000 for the John May Farm Safety Fund;**
- **\$75,000 for the Maple Producers Association;**
- **\$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;**
- **\$50,000 for Cornell University Concord Grape Research, for a total of \$252,000;**
- **\$50,000 for Malting Barley Research and Extension, for a total of \$353,000;**
- **\$50,000 for Hop Growers of New York;**
- **\$49,000 for New York Corn and Soybean Growers, for a total of \$125,000; and**
- **\$20,000 for Cornell University Onion Research, for a total of \$71,000.**

Capital Projects

- **The Assembly provides \$15 million to expand the NYS Veterinary Diagnostic Lab & Animal Health Diagnostic Center.**
- **The Assembly provides \$20 million for food access expansion, an increase of \$10 million above the Executive proposal.**
- **The Assembly provides \$5 million for capital improvements at county and local fairgrounds.**
- **The Assembly provides \$5 million for Cornell’s Climate Adaptive Research Farms for demonstration projects.**
- **The Assembly provides \$8 million, an increase of \$3 million above the Executive proposal, for capital improvements to municipal and non-profit humane societies and animal shelters, and modifies language to ensure local match requirements are equitable statewide. The Assembly supports expanding the eligibility of this program to additional regulated entities.**
- **The Assembly provides \$450,000 for Grow NYC related to the Bronx Food Hub.**
- **The Assembly provides \$35,000 for the Maple Center at the New York State Fair, within existing State Fair appropriations.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Department of Economic Development

The Assembly provides an All Funds appropriation of \$164.8 million, an increase of \$61.9 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly proposal includes \$50 million to support grants to small businesses.
- The Assembly restores \$1 million for local tourism matching grants, which were eliminated in the Executive proposal.
- The Assembly provides \$5.48 million for the Centers of Excellence, contributing towards a total of \$1.5 million for each center.
- The Assembly provides \$5.19 million for the Centers for Advanced Technology, contributing towards a total of \$1.5 million for each center.
- The Assembly provides \$250,000 for the New York State Hot Spots and Incubator program.

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal to establish a cosmetology trainee program.

- **The Assembly does not include the Executive proposal to replace the START-UP NY program with the EPIC program and make technical changes to participant eligibility, benefits, and revise the board approval process.**
- **The Assembly does not include the Executive proposal to increase the statutory cap on the amount of money the State can invest in financial institutions for the purposes of facilitating low-interest loans to businesses from \$2 million to \$6 million.**
- **The Assembly proposes to create a new small business inflation assistance grant program to be administered by the Urban Development Corporation. Grants are available for all eligible small or micro-businesses. The program provides for technical assistance and annual reporting. Priority is provided for small or micro business owners that are:**
 - **socially and economically disadvantaged;**
 - **minority and women-owned businesses;**
 - **service-disabled veterans and veteran owned businesses;**
 - **businesses located in economically distressed communities;**
 - **new businesses that began operations since January 1, 2022; and**
 - **those that can demonstrate green and sustainable business practices.**

**Assembly Budget Proposal SFY 2023-24
New York State Energy Research and Development Authority**

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

State Operations

- **Not applicable.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Assembly accepts the Executive proposal to provide \$200 million to support New York State Energy Research and Development Authority's (NYSERDA's) EmPower Plus program and modifies the appropriation language to establish program parameters.**

Article VII

- **The Assembly proposes language to amend the Executive's All Electric Building Act to apply to new buildings, include an evaluation by the Department of Public Service of electric power grid infrastructure capacity for the resulting increase in electrical load, and establish requirements for the decarbonization of existing State buildings.**
- **The Assembly 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 Assembly proposes legislation that would establish parameters for the Empower Plus Program appropriation.**

Assembly Budget Proposal SFY 2023-24 Department of Environmental Conservation

The Assembly provides an All Funds appropriation of \$2.7 billion, an increase of \$135 million over the Executive proposal.

State Operations

- Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

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

Capital Projects

- The Assembly proposal includes \$435 million for the Environmental Protection Fund (EPF), an additional \$35 million over the Executive proposal. The Assembly makes various increases above the Executive proposal, including:
 - \$6 million for Land acquisition, for a total of \$43 million;
 - \$6 million for Zoos, Botanical Gardens, and Aquaria (ZBGA), for a total of \$24 million;
 - \$5 million for public access and stewardship, for a total of \$53.7 million;
 - \$3 million for the Water quality Improvement program, for a total of \$25 million;
 - \$3 million for farmland protection, for a total of \$24 million;
 - \$3 million for municipal parks, for a total of \$28 million;
 - \$2 million for agriculture non-point source pollution control, for a total of \$22 million;
 - \$2 million for non-agriculture non-point source pollution control, for a total of \$8.2 million;
 - \$1.4 million for municipal recycling, for a total of \$19.8 million;
 - \$1.1 million for the Hudson River Park, for a total of \$4.8 million;
 - \$1 million for the Oceans and Great Lakes initiative, for a total of \$24.5 million;
 - \$1 million for Environmental Justice, for a total of \$13 million; and
 - \$1 million for the Finger Lakes Lake Ontario Watershed Protection Alliance (FLOWPA).

- **The Assembly makes the following suballocations:**
 - **\$10 million for Adirondack and Catskill Park overuse;**
 - **\$4 million for the Survey of Climate Change and Adirondack Lake Ecosystems (SCALE);**
 - **\$1 million to restore funding for Municipal EV Fast Chargers;**
 - **\$1 million for Cornell CALS and ESF Applied Forestry;**
 - **\$500,000 for Camp Santanoni Historic Area;**
 - **\$450,000 for the Peconic Bay Estuary, for a total of \$900,000;**
 - **\$100,000 for SUNY ESF to support the Newcomb Adirondack Interpretative Center, for a total of \$250,000;**
 - **\$25,000 for the Paul Smith Adirondack Interpretive Center, for a total of \$250,000; and**
 - **\$100,000 for the High Peaks Information Center.**

- **The 2023-24 Executive Budget proposes a \$500 million lump sum appropriation for clean water infrastructure. The Assembly allocates this funding as follows:**
 - **\$225 million for the Water Infrastructure Improvement Act (WIIA) and \$37.5 million for Intermunicipal Water Infrastructure Grant program;**
 - **\$50 million for replacement of lead drinking water service lines;**
 - **\$50 million for water quality improvement projects;**
 - **\$50 million for projects to protect the New York City watershed;**
 - **\$25 million for land acquisition for source water protection;**
 - **\$25 million for septic systems and cesspools;**
 - **\$20 million for green infrastructure projects; and**
 - **\$17.5 million for the State's share of the US Army Corps of Engineers Mamaroneck Sheldrake Flood Risk Management Project.**

- **The Assembly includes an additional \$100 million for clean water infrastructure, including the following suballocations:**
 - **\$25 million for projects to combat harmful algal blooms (HABs); and**
 - **\$75 million in additional funds for the Water Infrastructure Improvement Act (WIIA).**

Article VII

- **The Assembly does not accept the Executive proposals to:**
 - **create an extended producer responsibility program for packaging and paper products;**

- authorize Suffolk County to create a Wastewater Management District; and
- amend the CLCPA to establish a cap and invest program to be developed pursuant to regulations.
- The Assembly modifies the Executive proposals to:
 - make permanent the Youth Deer Hunting Program, by instead extending the program for two years; and
 - revise the Environmental Restoration Program to explicitly authorize participation by disadvantaged communities.
- The Assembly 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; and
 - make permanent the pesticide registration fees.

Assembly Budget Proposal SFY 2023-24 Metropolitan Transportation Authority

The Assembly provides an All Funds appropriation of \$5.2 billion. In addition, the Assembly provides a contingency appropriation of \$892.2 million.

State Operations

- **Not applicable.**

Aid to Localities

- **The Assembly rejects the Executive proposal to increase the Payroll Mobility Tax (PMT), which would generate \$537 million in SFY 2023-24, and instead the State provides these resources to the Metropolitan Transportation Authority (MTA).**
- **The Assembly rejects 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, which would generate \$369 million in SFY 2023-24. The Assembly proposes the State to provide these resources to the MTA.**
- **The Assembly proposes to provide \$196.9 million to the MTA to avert the proposed 5.5 percent fare increase.**
- **The Assembly proposes to provide \$50 million to the MTA for a zero-fare bus route pilot program, including two free bus routes in each borough, one serving a low-income community and one serving a commercial district, while one route in Staten Island shall be along a bus rapid transit corridor.**

Capital Projects

- **Not applicable.**

Article VII

- The Assembly accepts the Executive proposal to direct revenues from the three remaining commercial casino licenses to be paid to the Metropolitan Transport Authority Fund.
- The Assembly modifies the Executive proposal to make permanent the ability for municipalities to create mass transportation capital districts to facilitate tax increment financing of Metropolitan Transportation Authority (MTA) capital projects by proposing to extend the program for an additional ten years.
- The Assembly rejects the Executive proposal that would increase MTA contributions by the City of New York through requiring the city to fund net operating expenses related to paratransit services & the student MetroCard program, and to match 47 percent of the state contributions relating to the Metropolitan Commuter Transportation Mobility Tax (MCTMT) exemptions.
- The Assembly rejects the Executive proposal to expand the MTA Owner Controlled Insurance Program (OCIP) to capital projects involving buses, bridges, and tunnels.
- The Assembly rejects 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 Assembly rejects the Executive proposal to increase the top Metropolitan Commuter Transportation Mobility Tax (MCTMT) rate and the self-employed individual rate.

Assembly Budget Proposal SFY 2023-24 New York State Gaming Commission

The Assembly provides an All Funds appropriation of \$344.83 million, a reduction of \$1 million from to the Executive proposal.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Assembly accepts the Executive proposal to divert casino fees and tax revenue coming from the new casinos to the Metropolitan Transport Authority Finance Fund.
- The Assembly 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 Assembly modifies the proposal which authorizes a \$455 million fund for the renovation and redevelopment project at Belmont Park, financed by the State and repaid by the New York Racing Association to remove any requirement of Aqueduct Racetrack closing following the completion of the redevelopment project and ensure that such projects are undertaken pursuant to a project labor agreement.
- The Assembly modifies the proposal which allows the use of capital funds by certain Off-Track Betting Corporations for one year to include the Catskill Off-Track Betting Corporation.

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

Assembly Budget Proposal SFY 2023-24 Department of Motor Vehicles

The Assembly provides an All Funds appropriation of \$477.7 million.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- The Assembly accepts the Executive proposal to extend for one year the law authorizing the demonstration and testing of autonomous vehicles on public roads.
- The Assembly accepts the Executive proposal to modify county clerk retention fees for in-person and online DMV transactions.
- The Assembly rejects the Executive proposal to make permanent the New York City bus lane camera program and authorize a new camera demonstration program for bus operation-related violations in New York City.
- The Assembly rejects the Executive proposal to authorize a speed camera enforcement demonstration program for the Triborough Bridge and Tunnel Authority.
- The Assembly rejects the Executive proposal to impose additional administrative sanctions and increase penalties for violations relating to toll evasion.
- The Assembly rejects the Executive proposal to authorize lower maximum speed limits in the City of New York.

- **The Assembly rejects 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 Assembly rejects 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.**

Assembly Budget Proposal SFY 2023-24 Olympic Regional Development Authority

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Assembly modifies the Executive proposal to require the strategic modernization and investment plan to be submitted to the Senate and Assembly.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24
Office of Parks, Recreation and Historical Preservation

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- **The Assembly modifies the Executive proposal to increase snowmobile registration fees 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 Assembly rejects the Executive proposal that would update safety equipment standards for pleasure vessels, including rowboats, canoes, and kayaks.**

**Assembly Budget Proposal SFY 2023-24
Department of Public Service**

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

State Operations

- **The Assembly modifies appropriation language to ensure a coordinated effort to deploy electric vehicle fast-chargers and related electric grid transmission and distribution infrastructure and interconnection upgrades.**

Aid to Localities

- **The Assembly accepts the Executive proposal to provide \$200 million to expand the Energy Affordability Program and modifies the appropriation language to establish program parameters.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly 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.**
- **The Assembly proposes Article VII language that would establish parameters for the Energy Affordability Program appropriation.**
- **The Assembly encourages the Public Service Commission to revisit a benefits-based approach to the allocation of utility assessments related to funding transmission projects.**

Assembly Budget Proposal SFY 2023-24 Department of State

The Assembly provides an All Funds appropriation of \$553.9 million, a \$33.4 million increase over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides a new \$20 million for community based organizations that assist disadvantaged communities.
- The Assembly provides \$5 million for Legislative Studies.
- The Assembly provides \$1.35 million in restorations for the Public Utility Law Project.
- The Assembly provides an additional \$7 million in funding for the Office of New Americans, totaling \$50 million in funding as follows:
 - \$20 million for programs assisting in citizenship attainment;
 - \$20 million for Asian-American Pacific Islander (AAPI) crisis intervention; and
 - \$10 million for community-based programs combatting bias crimes in the AAPI community.

Capital Projects

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

Article VII

- The Assembly rejects the Executive proposal to prohibit any person or entity in the State from complying with warrants issued by out of state law enforcement related to imposing penalties on individuals seeking reproductive healthcare services which are legal in New York and prohibits the use of geofencing to provide location-targeted digital advertisements at healthcare facilities.

- **The Assembly rejects the Executive proposal to authorize businesses who are approved by the Department of State to perform natural organic reduction.**
- **The Assembly rejects the Executive proposal to eliminate the requirement that condominium declarations be filed with the Department of State.**

**Assembly Budget Proposal SFY 2023-24
Department of Taxation and Finance**

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

State Operations

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

Aid to Localities

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

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly modifies the Executive proposal to amend the income definition for senior citizens to use the same definition used as the STAR program (federal adjusted gross income minus distributions from certain individual retirement account) by applying the definition of income within the Disabled Homeowners' Exemption (DHE) program.**
- **The Assembly 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 Assembly 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 Assembly 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 Assembly does not include the Executive proposal to give DTF the right to appeal decisions made by the Tax Appeals Tribunal. 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 Assembly 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.**

**Assembly Budget Proposal SFY 2023-24
Division of Tax Appeals**

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2023-24 Department of Transportation

The Assembly provides an All Funds appropriation of \$15.88 billion, an increase of \$1.6 billion over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$338.6 million for upstate transit operating assistance, an increase of \$52 million, or 18 percent, above the Executive proposal and 26.5 percent above SFY 2022-23.
- The Assembly provides \$679.3 million for downstate transit operating assistance, an increase of \$157 million, or 30 percent, above the Executive proposal.
- The Assembly modifies the Executive's Innovative Mobility Initiative proposal from \$10 million over five years to \$10 million in SFY 2023-24.
- The Assembly rejects the Executive proposal to increase the Payroll Mobility Tax (PMT), which would generate \$537 million in SFY 2023-24, and instead the State provides these resources to the Metropolitan Transportation Authority (MTA).
- The Assembly rejects 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, which would generate \$369 million in SFY 2023-24. The Assembly proposes the State to provide these resources to the MTA.
- The Assembly proposes to provide \$196.9 million to the MTA to avert the proposed 5.5 percent fare increase.
- The Assembly proposes to provide \$50 million to the MTA for a zero-fare bus route pilot program to study the impacts, including of frequency adjustments, of providing two free bus routes in each borough, one serving a low-income community and one serving a commercial district, while one route in Staten Island shall be along a bus rapid transit corridor.

Capital Projects

- The Assembly provides \$250 million for the Pave NY program, an increase of \$100 million over the Executive proposal.
- The Assembly provides \$240 million for non-MTA transit capital, an increase of \$80 million over the Executive proposal.
- The Assembly provides \$64.3 million for passenger rail, an increase of \$20 million over the Executive proposal.
- The Assembly reallocates appropriations for engineering costs to support Department of Transportation (DOT) state workforce engineers.
- The Assembly encourages the Executive to restore eligibility of certain pavement preservation method to the Pave Our Potholes program: microsurfacing, paver placed surface treatment, single course surface treatment, and double course surface treatment.
- The Assembly remains committed to upgrading the Brooklyn-Queens Expressway, which is vital to the region, and working with the DOT to advance this goal, including supporting applications for federal funding.

Article VII

- The Assembly rejects 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 Assembly rejects the Executive proposal to expand the crime of second-degree assault to include certain transportation and highway workers.
- The Assembly rejects the Executive proposal to require drivers involved in crashes with property damage but no physical injuries to move their vehicles off the road.

Assembly Budget Proposal SFY 2023-24 Urban Development Corporation

The Assembly provides an All Funds appropriation of \$1.87 billion, an increase of \$595.37 million over the Executive proposal.

State Operations

- **Not applicable.**

Aid to Localities

- **The Assembly provides \$365,000 for the Minority- and Women-Owned Business Enterprises (MWBE) Development and Lending program.**
- **The Assembly provides \$25 million for climate and green job training initiatives and language to strengthen the reporting requirements within the Workforce Development Grant Program.**
- **The Assembly proposes \$7.25 million for the Centers of Excellence and Centers for Advance Technology within the Economic Development Program towards, contributing towards a total of \$1.5 million for each center.**
- **The Assembly proposes \$10 million for a youth employment and wrap around services organization within the Economic Development Program.**

Capital Projects

- **The Assembly provides \$300 million for the redevelopment of Hunts Point Market.**
- **The Assembly provides \$250 million for the Restore New York Communities Initiative.**
- **The Assembly proposes \$200 million for market and shovel ready strategic site redevelopment projects within the New York Works Program.**
- **The Assembly provides \$20 million for bioscience research laboratories and academic medical centers throughout the state.**

- **The Assembly rejects the creation of the Consolidated Capital Program and restores all previous reappropriations.**

Article VII

- **The Assembly modifies the Executive proposal to extend the general loan powers of the Urban Development Corporation for five years, by providing a one-year extension.**
- **The Assembly modifies the Executive proposal to extend the authorization of the Urban Development Corporation to administer the Economic Development Fund by five years, by providing a one-year extension.**
- **The Assembly modifies the Executive proposal to replace the SBIR Matching Grant program with A. 4507-A. This proposal would establish a matching grant program to provide funds to small businesses who have been awarded funds under the federal Small Business Innovation Research or Small Business Technology Transfer programs and provide a grant preference for small businesses that make green and sustainable development a business priority.**
- **The Assembly does not include the Executive proposal that would 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.**

Assembly Budget Proposal SFY 2023-24
Miscellaneous: Transportation, Economic Development and Environmental

Green Thumb Program

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

Greenway Heritage Conservancy for the Hudson River Valley

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

Hudson River Park Trust

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

Hudson River Valley Greenway Communities Council

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

Greenway Heritage Conservancy for the Hudson River Valley

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

New York Power Authority

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

Article VII

- **The Assembly does not include the Executive proposal to extend the New York Power Authority's existing authorization to construct transmission facilities, supply market power to Authority customers, and finance renewable energy projects.**
- **The Assembly does not include the Executive's proposal authorizing the New York Power Authority (NYPA) to own and operate renewable energy generating facilities but**

remains committed to developing a plan to require any renewable energy project built, financed, or operated by NYPA to:

- fill energy generation gaps identified by NYPA's assessment of the State's progress towards achieving the energy goals of the Climate Leadership and Community Protection Act (CLCPA);**
- include strong labor standards and protections, Buy American requirements, and workforce development programs to train, retrain, and transition the fossil-fuel workforce; and**
- provide low- and moderate-income consumer, and consumers living in disadvantaged communities with financial protections during the transition to renewable energy, including providing utility bill credits.**

LEGISLATURE & JUDICIARY

By Agency

Assembly Budget Proposal SFY 2023-24 Judiciary

The Assembly approves of the Judiciary's proposed Budget and provides an All Funds appropriation of \$3.4 billion.

State Operations

- The Assembly provides \$52 million to support the cost of an hourly rate increase for Attorney for Children (AFC) panel attorneys, at \$164 per hour.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly proposes to reject Executive Budget proposals that would:
 - modify the market interest rates on judgements and accrued claims; and
 - qualify when a vacant dwelling is not sealed and continuously guarded and provide that a dwelling may be deemed abandoned when it has certain code violations outstanding for at least one year.

DEBT SERVICE

Assembly Budget Proposal SFY 2023-24 Debt Service

The Assembly provides an All Funds appropriation of \$15.57 billion.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.