



MINORITY STAFF ANALYSIS OF THE **FY25 EXECUTIVE BUDGET PROPOSAL**

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January 22, 2024

Dear Senators,

Enclosed herewith is the "Staff Analysis of the FY 2025 Executive Budget." It is intended to assist the members of the Finance Committee and the Senate as a whole, in our deliberations. We hope that our readers find it useful.

The analysis of the Executive Budget begins with a summary of the spending plan. It then offers an explanation of proposed changes that affect receipts and provides for Senate Issues in Focus. Finally, it provides a summary of the Executive's Article VII language bills submitted as part of the Executive Budget. The report provides an analysis of the appropriations recommended this year and an analysis of the governor's recommendations.

Each member of the Senate Finance Committee devotes considerable time and effort to the passage of a budget that serves the interest of every New Yorker. I am most grateful for their cooperation. It is also a pleasure to thank the staffs of both the Senate Finance Committee, and the Counsel and Program Office, whose assistance has been invaluable.

Sincerely,

A handwritten signature in dark ink that reads "Thom F. O'Mara". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

THOMAS F. O'MARA
Ranking Member, Finance

REPORT OF THE SENATE FINANCE COMMITTEE MINORITY

STAFF ANALYSIS OF THE FY 2025 EXECUTIVE BUDGET

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SECTION ONE

HIGHLIGHTS OF THE EXECUTIVE BUDGET





OVERVIEW

FY 2025 EXECUTIVE BUDGET

FY 25 Executive Budget

The Executive Budget proposal for FY 25 projects All Funds spending of \$233 billion, an increase of \$1.05 billion or .54 percent from FY 24. State Operating Funds spending are projected at \$129.3 billion, an increase of \$5.9 billion or 4.5 percent. The \$233 billion all funds proposal includes no new broad based tax increases but conversely does not include significant tax relief. As proposed, the Executive budget for FY 25 includes few proposals to deal with the high cost of the every day lives of New Yorkers. There is little in the category of affordability proposals advanced, that work towards mitigating the increased costs in food, home fuel or transportation that everyday New Yorker's face. There is little in the way of improving New York's business climate which has been rated one of the worst in the nation¹. There is little in the way of addressing the State's outmigration problem which, according to a study in October of 2023 by the Economic Innovation Group, has caused New York to lose \$24.8 billion in net adjusted gross income (AGI) during the pandemic². The Governor has indicated this is a \$6 billion hit to the revenues of the State of New York³. While continued commitments to education and health care are advanced within the Executive budget the projected out year gaps cumulatively total \$20 billion over three years.

The FY 2025 Executive Budget Financial Plan proposal reduces the cumulative outyear gaps by closing the gap in FY 25 (\$4.3 billion) and reduces the outyear budget gaps to \$5 billion in FY 2026, \$5.2 billion in FY 2027, and \$9.9 billion in FY 2028 in comparison to the Mid-Year Update.

The Financial Plan revisions to the Mid-Year Update include increased receipts expected from tax collections, lottery revenue and mental hygiene Federal revenue, as well as lowered aggregate spending estimates across numerous program areas and fixed costs⁴. The multi-year Financial Plan also reflects the management of surplus resources generated in prior years and additional resources expected in FY 2024. These management actions include the prepayment of expenses due in future years, use of available resources over the multi-year plan, and adjustments to the timing of transfers and levels of reserves maintained for operational costs that partly offset increased operational spending estimates.

The FY 24 General Fund surplus of \$2.2 billion will be used to prepay \$1.7 billion in FY 2025 expenses to reduce the budget year gap, and the remaining \$500 million will be set aside in reserves for future one-time costs related to assisting asylum seekers.

-
1. 2024 State Business Tax Climate Index. Tax Foundation: October 2023
 2. Movers and Money: Mapping the Flow of Income During the Pandemic. Economic Innovation Group: October 2023.
 3. Governor Hochul's State of the State: January 2024.
 4. FY 25 Executive Budget Financial Plan: January 2024.



State Budget Category Increases by FY (time of enactment)							
Category	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25
All Funds	4.0%	3.6%	2.6%	12.0%	5.3%	5.1%	.5%
State Operating Funds (adjusted)	2.0%	2.0%	7.1%	7.7%	7.1%	8.4%	4.5%

**Executive Budget FY 2025*

FY 2025 FINANCIAL PLAN

The FY 2025 Financial Plan projects All Funds spending of \$233 billion, an increase of one half of one percent (.5% or 50 basis points) from FY 2024.

RECEIPTS

The Executive Budget projects FY 2025 All Funds receipts to decrease from \$231.8 billion to \$227.2 billion, a decrease of \$4.6 billion or 2 percent. The All Funds receipts decrease reflects a decrease in miscellaneous receipts and Federal grants partially offset by projected increased collections of taxes.

The FY 2025 Executive Budget includes several small tax decreases, as well as several enforcement measures and the extension of current tax policies that are scheduled to sunset. These changes are expected to have a de minimis impact on the 2025 Fiscal Year (increasing revenue by a projected \$3 million), but will have a larger impact in the outyears, totaling roughly a billion dollars cumulatively through FY 2028.

FY 2025 Executive Budget Receipts (Billions of Dollars)					
	FY 2023	FY 2024	FY 2025	Change \$ from	Change % from
	Actuals	Estimate	Projected	FY 2024	FY 2024
Taxes	\$113.7	\$104.9	\$107.5	\$2.6	2.5%
Federal Receipts	\$89.6	\$95.9	\$91.8	(\$4.1)	-4.3%
Miscellaneous Receipts	\$31.8	\$31.0	\$27.9	(\$3.1)	-10.0%
All Funds Receipts	\$235.1	\$231.8	\$227.2	(\$4.6)	-2.0%

SPENDING

The Executive Budget purports to increase FY 2025 All Funds spending by .5 percent and State Operating Funds is projected at \$136.2 billion, an increase from FY 2024 of \$5.9 billion or 4.5 percent.



However, when evaluating state spending using a two-year average to eliminate timing of payment distortions and also use actual numbers as opposed to projections as a baseline, All Funds spending over two years (from FY 2023 projected through FY 2025) is actually \$12.2 billion or 5.5 percent which equates to an annual average of 2.75 percent.

FY 2025 ALL FUNDS SPENDING (Billions of Dollars)				
2023	2024	2025	Change (\$)	Change (%)
<i>actuals</i>	<i>current</i>	<i>proposed</i>	<i>from 2023</i>	<i>from 2023</i>
\$220.5	\$231.6	\$232.7	\$ 12.2	5.5%

Applying the same methodology to State Operating Funds (see below), spending increase from FY 2023 by \$16 billion or 13.3 percent, which equates to an annual average of 6.7 percent.

FY 2025 STATE OPERATING FUNDS SPENDING (Billions of Dollars)				
2023	2024	2025	Change (\$)	Change (%)
<i>actuals</i>	<i>current</i>	<i>proposed</i>	<i>from 2023</i>	<i>from 2023</i>
\$120.2	\$130.2	\$136.2	\$ 16.0	13.3%

The Senate Republican Conference proposes to cap State Operating Funds spending at two percent (\$.681) as certified by the State Comptroller and provisions for exceeding the spending cap during a state of emergency and two thirds vote in each House of the Legislature."

RESERVES

The Executive Budget projects an FY 202 General Fund closing balance of \$43.8 billion; a decrease of \$1.1 billion from the FY 2024 projected closing fund balance. This decrease primarily reflects the use of undesignated fund balance. Included within the reserve total is \$6.3 billion in statutory reserves, \$13.8 billion in a discretionary reserve for Economic Uncertainties, \$21 million in a contingency reserve for claims made against the State, \$1.9 billion for debt reduction, and \$601 million in financial settlement proceeds. There is also \$14.3 billion related to timing of payment issues for a tax on pass through entities, which, according to the Executive, is financial plan neutral.



RESERVES <i>(millions of dollars)</i>	2023 Results	2024 Current	2025 Projected	24 v 25 \$ Change
Opening General Fund Balance	\$33,053	\$43,451	\$44,968	
Statutory Reserves				
Tax Stabilization Reserve Fund	\$1,618	\$1,618	\$1,618	\$0
Rainy Day Reserve Fund	\$4,638	\$4,638	\$4,638	\$0
Contingency Reserve Fund	\$21	\$21	\$21	\$0
Community Projects Fund	\$25	\$23	\$23	\$0
Reserved For				
Labor / Settlement / Agency Ops	\$765	\$1,765	\$3,215	\$1,450
Economic Uncertainties	\$13,282	\$13,782	\$13,782	\$0
Debt Management	\$2,355	\$2,436	\$1,860	(\$576)
Reserve For Pandemic Assistance	\$245	\$0	\$0	\$0
Undesignated Fund Balance	\$4,574	\$5,694	\$3,775	(\$1,919)
Subtotal Excluding Settlements	\$27,523	\$29,977	\$28,932	(\$1,045)
Extraordinary Monetary Settlements	\$1,570	\$1,118	\$601	(\$517)
Timing of PTET/PIT Credits	\$14,358	\$13,873	\$14,329	\$456
Closing General Fund Balance	\$43,451	\$44,968	\$43,862	(\$1,106)

BUDGET GAPS

The FY 2025 Executive Budget Financial Plan projects budget gaps of \$5 billion in FY 26, \$5.2 billion in FY 27 and \$10 billion in FY 28 for a total cumulative deficit of \$20 billion over the next four years.



FY 2025 Executive Budget Gap Closing Plan <i>General Fund Budgetary Basis Surplus / (Gap) Projections</i> <i>(millions of dollars)</i>				
	FY 2025	FY 2026	FY 2027	FY 2028
	Projected	Projected	Projected	Projected
MIDYEAR SURPLUS / (GAP) ESTIMATE	(\$4,326)	(\$9,526)	(\$7,722)	(\$16,475)
Receipts				
Tax Receipts Revisions	\$3,228	\$1,987	(\$893)	\$289
Disbursements	\$2,686	\$173	\$959	\$2,957
Assistance and Grants	\$747	(\$62)	\$1,119	\$2,488
Education	\$692	\$825	\$1,339	\$1,870
Medicaid	\$241	(\$574)	(\$391)	(\$211)
Mental Hygiene	(\$30)	(\$64)	(\$106)	(\$106)
Public Health / Aging	(\$3)	\$14	\$13	\$13
Social Services / Housing	\$351	\$217	(\$50)	(\$73)
Higher Education	\$62	\$55	\$49	\$47
Public Safety	(\$166)	(\$146)	(\$146)	(\$146)
All Other	(\$399)	(\$388)	\$410	\$1,095
Agency Operations	\$1,703	\$232	(\$222)	\$140
Transfers	\$236	\$3	\$62	\$329
Use of / (Deposit to) Reserves	(\$1,588)	\$2,392	\$2,427	\$3,286
Extraordinary Monetary Settlements	\$1	(\$1)	(\$14)	(\$10)
Timing of PTET / PIT Credits	(\$1,589)	\$442	\$2,540	\$298
Prior Year Resources	\$0	\$501	(\$1,549)	\$1,548
Labor Settlements / Agency Operations	\$0	\$1,450	\$1,450	\$1,450
EXECUTIVE BUDGET SURPLUS / (GAP)	\$0	(\$4,974)	(\$5,229)	(\$9,943)



SPENDING AREA HIGHLIGHTS

School Aid

The FY 25 Executive Budget provides \$35.3 billion in school aid, an increase of \$825 million or 2.4 percent above FY 24. Highlights of this proposal include an additional \$507 million in Foundation Aid – the most significant component of unrestricted aid to school districts. Expense-based aids would increase by \$312 million over the prior school year and funding for categorical grant programs would increase by \$100 million.

Foundation Aid

Foundation Aid: The Executive proposal increases Foundation Aid by \$507 billion for a total amount of \$24.5 billion. The Foundation Aid formula uses school district need, fiscal capacity, wealth, and other measures as determining factors in its distribution. The Foundation Aid formula was fully funded in FY 24 but will continue to grow based on a number of factors including the utilization of the consumer price index as an indicator of cost trends. The Executive proposal eliminates the Foundation Aid save harmless provision which in prior years was used to ensure school district fiscal stability. The savings associated with this proposal is \$167 million and affects half of the school districts in the State (337). In addition, The Executive proposal reduces the current statutory CPI calculation by moving to a 8 year average, This proposed action reduces Foundation aid projections by an additional \$245 million.

Major Expense Based Aids

The following aid formulas represent present law funding:

- *Building Aid:* this aid category which is a reimbursement for prior year spending is reduced by \$48 million for a total of \$3.3 billion.
- *Transportation Aid:* this aid category which is a reimbursement for prior year spending is increased by \$148 million for a total of \$2.5 billion.
- *BOCES Aid:* this aid category which is a reimbursement for prior year spending is increased by \$18 million for a total of \$1.3 billion.
- *Special Education Funding:* this aid category which is a reimbursement for prior year spending is increased by \$92.5 million for a total of \$1.1 billion.
- *Instructional Materials:* The Executive increases Instructional Materials by \$387,000 for a total of \$220.8 million.

Other Aid Categories

The Executive Budget provides over \$239 million in aid to reimburse nonpublic schools' costs for State-mandated activities, a \$44 million (23 percent) year-to-year increase.



The Executive Budget continues \$73 million in annual funding for science, technology, engineering, and math (STEM) instruction and \$45 million for health and safety capital projects, including critical repair and maintenance of nonpublic schools' facilities.

The Executive Budget continues this additional State support, providing a total of \$185 million for charter school supplemental tuition and \$120 million for charter school facilities aid.

The Executive Budget fully funds the State share of costs for both programs, continuing \$1.0 billion to reimburse counties for the cost of preschool special education services and providing \$404 million, a \$36.5 million (10 percent) year-to-year increase, to reimburse school districts for the cost of summer school services.

The Executive Budget provides over \$200 million in State funding for nutrition programs, an \$11 million (5.8 percent) year-to-year increase. The Budget continues the FY 2024 State-funded initiative to incentivize qualifying public and nonpublic schools with significant proportions of low-income students to participate in the Federal Community Eligibility Provision program, allowing all students in those schools to eat breakfast and lunch at no charge regardless of their families' income.

The Executive Budget provides \$102.1 million for Library Aid, a \$2.5 million increase over FY 2024 Enacted Budget levels, and \$34 million for Library Construction to fund various capital projects. In addition, the Executive Budget appropriates \$3 million to ensure continued access to the New York Online Virtual Electronic Library (NOVELny), a free online library of magazines, newspapers, maps, charts, research, and reference books available to all New Yorkers.

The Executive Budget continues state support, providing a total of \$185 million for charter school supplemental tuition and \$120 million for charter school facilities aid.

HEALTH – MEDICAID

The FY 2025 Executive Budget recommends All Funds Department of Health cash disbursements of \$101.1 billion, a net increase of \$2.4 billion or 2.4 percent. An increase to the Medicaid Global Cap growth index to align with allowable Medicaid growth, increased Medicaid enrollment above past projections, state matching funding associated with additional federal funding from the 1115 Waiver, and additional Essential Plan and Public Health program funding primarily drive this increase. This increase is offset by numerous Medicaid savings proposal including a \$200 million unallocated reduction to overall Medicaid spending, a \$200 million unallocated reduction to Long Term Care, a \$200 million reduction associated with the discontinuation of wage parity for the CDPAP program, a \$204 million one percent reduction to Managed Care premiums, and a \$75 million reduction to funding for financially distressed nursing homes.

The Executive Budget projects all funds gross Medicaid spending (including the local share and Other State Agency Medicaid spending) of \$107.7 billion, an increase of \$300 million or .4 percent from FY 2024. The

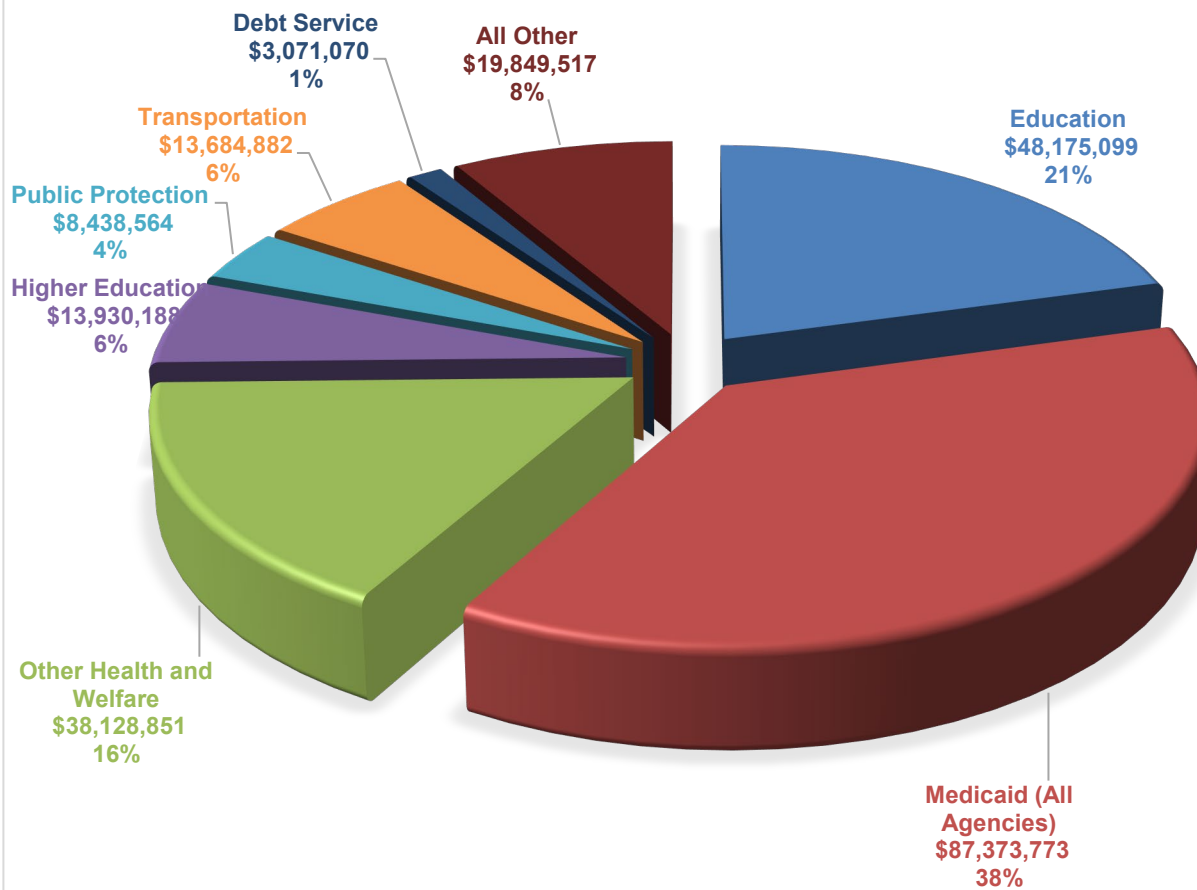


Executive proposes a one-year appropriation structure to disburse these funds, a change from the FY 2024 two-year appropriation structure.

The Executive proposes multiple initiatives in the FY 2025 Medicaid Budget. Reversing the trend from FY 2023 and FY 2024, the Medicaid Budget proposes significant cuts to programs rather than large increases. After accounting for costs associated with revised upward enrollment projections and an updated increase to the Global Cap growth index adjustment of \$263 million, the Medicaid Global Cap is projecting a deficit of \$993 million for FY 2025. The net fiscal impact of all Executive Medicaid proposals is budget neutral after accounting actions to close the Cap Base deficit, state spending, savings, and offsetting initiatives.

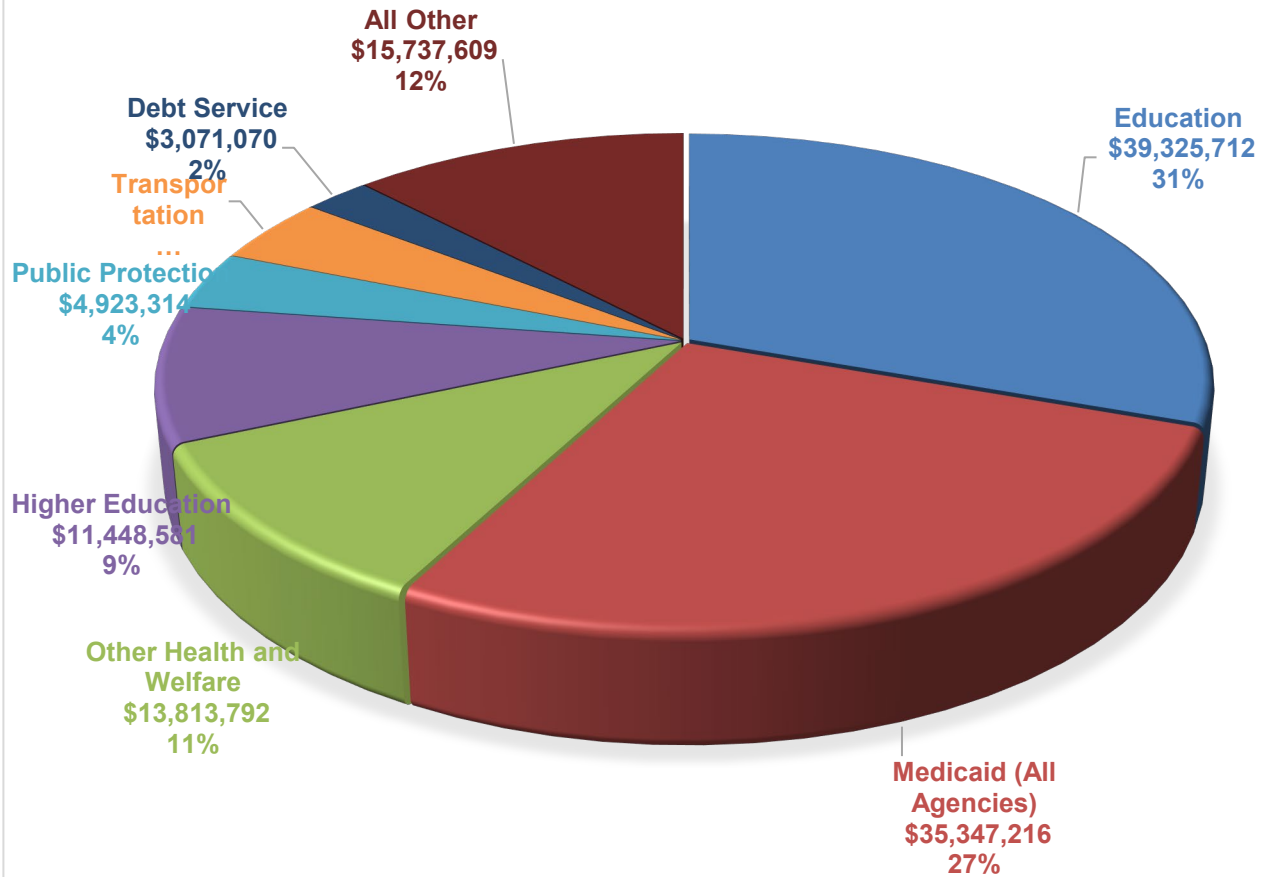


FY 2025 EXECUTIVE BUDGET ALL FUNDS CASH DISBURSEMENTS PERCENTAGE BY MAJOR FUNCTION





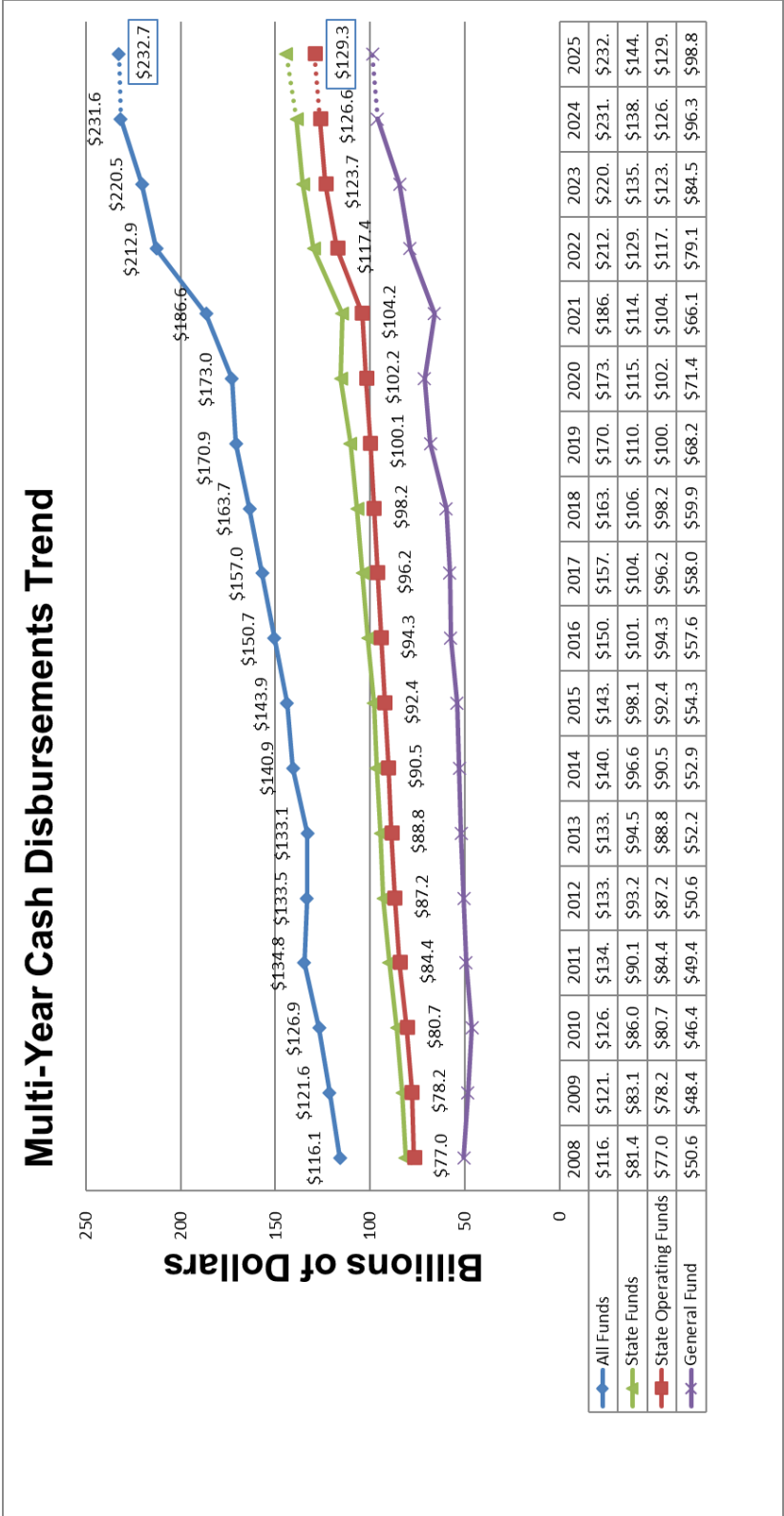
FY 2025 EXECUTIVE BUDGET STATE OPERATING FUNDS CASH DISBURSEMENTS PERCENTAGE BY MAJOR FUNCTION



FY 2024-25 Executive Budget
State Agency Spending Review



Cash Disbursements By Function FY 2025 Executive Budget		All Funds		State Funds		State Operating Funds		General Fund	
		Thousands (\$)	Percent	Thousands (\$)	Percent	Thousands (\$)	Percent	Thousands (\$)	Percent
Local Assistance									
Economic Development / Government Oversight		985,404	0.54%	887,349	0.89%	361,822	0.38%	286,819	0.37%
Education, school aid		42,152,015	23.07%	35,056,348	35.03%	34,716,348	36.63%	29,711,748	38.38%
Education, STAR		-	0.00%	-	0.00%	-	0.00%	-	0.00%
Education, other		5,371,020	2.94%	4,417,558	4.41%	4,368,558	4.61%	2,779,584	3.59%
Health, other		17,357,480	9.50%	3,111,736	3.11%	2,482,047	2.62%	980,231	1.27%
Health, Medicaid (all components)		83,422,718	45.66%	32,033,080	32.01%	32,033,080	33.80%	25,734,935	33.24%
Higher Education		3,364,939	1.84%	3,364,939	3.36%	3,331,289	3.52%	3,331,289	4.30%
General Government		419,412	0.23%	361,205	0.36%	271,205	0.29%	92,484	0.12%
Local Government Assistance		794,939	0.44%	794,939	0.79%	794,939	0.84%	794,939	1.03%
Mental Hygiene (adjusted)		3,587,956	1.96%	3,401,551	3.40%	3,062,507	3.23%	2,861,097	3.70%
Parks and Environment		714,903	0.39%	292,633	0.29%	8,628	0.01%	1,978	0.00%
Public Protection		3,723,510	2.04%	1,106,710	1.11%	1,068,853	1.13%	687,340	0.89%
Social Welfare, other (adjusted)		9,176,003	5.02%	6,546,700	6.54%	4,965,544	5.24%	4,958,710	6.40%
Social Welfare, welfare assistance		4,079,791	2.23%	1,386,015	1.38%	1,386,015	1.46%	1,386,015	1.79%
Transportation		7,457,585	4.08%	6,761,074	6.76%	5,138,171	5.42%	246,748	0.32%
All Other		85,781	0.05%	553,719	0.55%	781,368	0.82%	3,570,768	4.61%
Total Local Assistance		182,693,456	100.00%	100,075,556	100.00%	94,770,374	100.00%	77,424,685	100.00%
<i>Percent of Total Spending</i>			78.53%		69.30%		73.31%		78.37%
State Operations									
Personal Services		17,373,100	50.23%	16,673,294	53.05%	16,673,294	53.05%	11,163,200	52.23%
Non Personal Services		8,504,968	24.59%	6,437,769	20.49%	6,437,769	20.49%	3,151,327	14.74%
General State Charges		8,708,107	25.18%	8,315,455	26.46%	8,315,455	26.46%	7,059,707	33.03%
Total State Operations		34,586,175	100.00%	31,426,518	100.00%	31,426,518	100.00%	21,374,234	100.00%
<i>Percent of Total Spending</i>			14.87%		21.76%		24.31%		21.63%
Capital Projects		12,301,243	100.00%	9,840,844	100.00%	-	100.00%	n/a	n/a
<i>Percent of Total Spending</i>			5.29%		6.81%				
Debt Service		3,071,070	100.00%	3,071,070	100.00%	3,071,070	100.00%	n/a	n/a
<i>Percent of Total Spending</i>			1.32%		2.13%		2.38%		
Total FY 2025 Spending		232,651,944	100%	144,413,988	100%	129,267,962	100%	98,798,919	100%





A NEW HOPE FOR NEW YORK

The New York Senate Republican Conference has a plan to bring accountability to state government and fight every day to give New Yorkers the State they deserve. A place that is more affordable, where they can feel safe. A greater New York where they have the opportunity to build a better and brighter life for themselves and their families.

Affordability

Even before the COVID-19 pandemic and then the extended period of high inflation that followed, New Yorkers have struggled with the highest taxes in the nation and high costs of living that have resulted in thousands of New Yorkers fleeing to more affordable states. Due to our pre-existing sky-high taxes and poor business climate, the economic challenges of the last few years have hit New Yorkers particularly hard, and sadly there appears to be no help on the horizon under One Party Rule in Albany. The Senate Republican conference is fighting to change this and provide the support New Yorkers need. We plan to make New York more affordable by:

Reining In Out-Of-Control Spending

- Permanently capping state spending by making the two-percent spending cap permanent and increasing the State's authorization to deposit funds in the Rainy Day Fund.
- Continuing to fight against misguided tax increases by requiring a supermajority for tax hikes and phasing out temporary tax provisions.
- Limiting backdoor borrowing by amending the state constitution and controlling state debt by broadening the debt cap and requiring voter approval of capital debt backed by revenue.
- Enacting a nearly \$300 million annual tax cut for New York taxpayers by indexing the State's income tax brackets, standard deduction, and dependent exemptions to inflation.
- Saving middle-class taxpayers roughly \$650 million by simplifying the tax code and ending a regressive practice by eliminating "tax benefit recapture" provisions.
- Providing \$2.2 billion in direct relief to taxpayers by making the Property Tax Rebate program permanent and returning billions of dollars to hardworking individuals and families.
- Eliminating costly unfunded mandates that drive up local property taxes by requiring the State to fund any future programs, placing a moratorium on any new unfunded mandates, and creating a Mandate Review Council to eliminate or suspend costly and ineffective mandates.
- Reducing property taxes by \$2.3 billion by requiring the State to pick up the local share of Medicaid outside of New York City over five years and local governments to return the savings along to property taxpayers.



- Easing Medicaid burden on localities by preventing the State from redirecting county Medicaid funding by requiring the State to share enhanced Federal Medical Assistance Percentage (eFMAP) funds with county governments and preventing the state from absorbing these vital funds.
- Increasing fiscal transparency by empowering the comptroller and authorities budget office to have greater oversight over state authorities including the Thruway Authority and the MTA.
- Opposing the New York Health Act (statewide single-payer health plan) which would at minimum double taxes in New York State, result in historical job loss and leave the health and wellbeing of all New Yorkers at risk.

Empowering Taxpayers

- Ensuring accessible and affordable health care by phasing out the Health Care Reform Act's onerous insurance taxes, establishing the New York state health care quality and cost containment commission and fighting to reduce costs on life saving care.
- Providing relief from heating costs by creating a refundable heating tax credit of \$300 per individual making under \$125,000 in annual income and \$600 per married couple making under \$250,000 in annual income.
- Cutting electric bills by eliminating the 18a utility surcharge, saving ratepayers over \$100 million.
- Providing a tax credit for overtaxed utility bills by crediting back money ratepayers were forced to pay in local utility taxes.
- Addressing the childcare affordability crisis by increasing assistance subsidies for working families, supporting a strong childcare workforce by implementing apprenticeship programs and designing career pathways; and expanding the supply of childcare by supporting capital investments in building new sites, expediting the process for establishing new childcare businesses, and further incentivizing employer sponsored/provided care options.
- Providing commuters relief by repealing the congestion pricing scheme that will cost those commuting into the Business District of Manhattan \$1 billion annually.
- Protecting private property rights by opposing so-called "Good Cause Eviction" legislation and rolling back rent regulation.
- Incentivizing new housing construction to deal with the housing shortage by: • extending New York City's 421-A program and creating a new 421-P tax credit program for Upstate housing options; • starting the New York Housing Opportunity Fund to reward localities for housing development instead of punishing them through mandates;
- Creating new tax credit programs for manufactured housing and housing-related infrastructure;
- Establishing a program where the State may pre-approve parcels for housing development and waiving certain state regulations for projects that create ten or more homes and/or apartments upon a municipality's request.



Increasing Affordability for New Yorkers - Supporting and Protecting Our Seniors

- Providing significant property tax relief to seniors by doubling the STAR benefit for seniors to ensure they can continue to stay in their homes.
- Reducing the financial burden on retirees by increasing the amount of private pension and/or retirement income that is tax-free above the current \$20,000 limit and adding 401(k) and 403(b) accounts to the list of eligible income deductions when determining Enhanced STAR eligibility.
- Improving access to resources for seniors by providing funds and reimbursement to towns and villages to purchase buses to transport senior citizens to various events offered in their communities.
- Supporting nursing home and adult care facility residents by creating both a hotline and statewide central register of elder abuse, as well as providing a safeguard against government overreach during public health emergencies.
- Investing in the stability of New York's long term care residential facilities by requiring the state to recalculate Medicaid rates to reflect growth in the cost of procedures.
- Expanding home care options for aging New Yorkers including bolstering our home care workforce and providing tax benefits for family caregivers.
- Protecting the safety of our seniors by establishing criminal offenses committed against the elderly or disabled including willful neglect and endangerment.

Increasing Affordability for New Yorkers - Improving New York's Worst-in-the-Nation Business Climate

- Taking action to protect businesses from unemployment insurance tax increases resulting from pandemic-related job losses by adjusting rates, paying down the deficit, and creating an Unemployment Insurance Solvency Reserve Fund.
- Reducing bureaucratic red tape by simplifying and streamlining the State's rulemaking and licensing practices, reforming the State's project-killing development process, fast-tracking the appeals process, and reining in overzealous State agencies.
- Providing a \$464 million tax cut for small businesses by increasing the corporate tax threshold from \$390,000 to \$500,000 and lowering the rate to 2.5 percent, expanding the small business exemption to all PIT businesses regardless of whether they have employees and increasing the threshold to \$500,000, the exemption to 15 percent, and the exemption to 20 percent for farmers.
- Making New York more competitive by reducing mandates on businesses of all sizes and bringing the State's excessive salaried overtime threshold (\$58,500 downstate and \$48,750 upstate) in line with the federal threshold (\$35,568) and fighting against further minimum wage increases.



- Providing new economic opportunities by moving away from ineffective and costly large, incentive-laden projects to focus on growing small-to-medium sized businesses through best practices such as customized job training, manufacturing extension services, and expanding small business development assistance.
- Incentivizing domestic innovation by expanding the Excelsior Research and Development Tax Credit to allow participants in the Excelsior Jobs Program to claim a credit equal to the portion of the full cost of the participant's research and development expenses incurred that relates to the participant's research and development expenditures in New York State during the taxable year.
- Protecting our agriculture by rolling back the harmful decision by the Farm Laborers Wage Board to lower farm workers' overtime threshold to 40 hours, making the Farm Workforce Retention Credit permanent, creating a refundable investment tax credit for agriculture, investing in new meat, vegetable, fruit, and seafood processing facilities; establishing the "Farmland for a New Generation" program and supporting Made in New York products by creating a tax credit for small businesses that sell a certain percentage of products produced in New York State.

Increasing Affordability for New Yorkers - Supporting Energy Policies that Ensure Access to Affordable, Sustainable and Clean Energy

- Requiring full accountability of all proposals from the Climate Action Council, especially on proposals mandating energy producers to raise utility rates before a vote by the legislature, requiring a cost analysis of the energy targets established under the CAC and requiring that utility bills include all costs to consumers associated with CLCPA mandates.
- Supporting diverse energy sources by recognizing the importance of natural gas and biofuels, providing parity to zero-emissions technologies (ex. hydroelectric, nuclear) by utilizing technology-agnostic standards and targets, investing in and welcoming burgeoning technologies such as next-generation nuclear and hydrogen and rapidly phasing out tax incentives/subsidies when technologies have matured and gained market self-sufficiency.
- Ensuring a sustainable power supply for New York Consumers by enacting a temporary moratorium on the State shutting down any energy-producing facilities unless public safety is directly threatened while alternatives become more reliable or come online.
- Fighting against anti-market and costly mandates on New Yorkers such as the prohibition on fossil fuel systems in new buildings and the ban on new internal combustion engines after 2035.
- Advocating for electric bus mandate relief by committing to legislative action that seeks relief for school districts and communities that would be placed under significant logistical and financial burdens in working towards compliance with the current statutory timelines. Safeguarding Integrity and Accountability in State Government
- Restoring New Yorker's confidence in state government by reforming government in the Legislative and Executive Branches by requiring that minority members be represented on all legislatively enacted workgroups, task forces and commissions.



- Standing up for New Yorkers against overreach by opposing unnecessary and inappropriate government mandates and protecting our state and federal constitutional rights.
- Protecting taxpayers by Increasing transparency and efficiency and limiting the influence of special interests in the budgeting process by creating a Legislative Budget Office to provide objective, non-partisan analysis, requiring the budget to be balanced in terms of generally accepted accounting principles (GAAP), limiting the use of messages of necessity, putting in place new reporting requirements for lump sum allocations, enforcing quarterly reporting requirements; and limiting non-budget legislation included in the State Budget.
- Enhancing state fiscal oversight by fully funding the Authorities Budget Office (ABO) and fully restoring the Comptroller's authority in law to pre-emptively review all state contracts. Safeguarding Rights of Local Government
- Protecting and strengthening local control by improving our home rule laws, clarifying that local emergencies supersede state emergencies, requiring a municipality's approval before relocating people such as migrant populations into such municipality and reimbursing local school districts for costs associated with the relocation of migrant students.

Improving Public Safety for New Yorkers

- Protecting New Yorkers from anti-semitism and other hateful violence by making any anti-semitic behavior a hate crime, making hate crimes bail eligible, protecting hate crime victims' identity during the discovery process, making trespass at a house of worship a hate crime, implementing anti-semitism trainings on college campuses and through the Municipal Police Training Council, implementing penalties for colleges and college students who condone and/or engage in anti-semitic behavior, and by increasing funds for the Securing Communities Against Hate Crimes grant program.
- Rejecting efforts to continue New York's sanctuary state status by repealing this policy or withholding funding for migrant services until cities do so.
- Reversing criminal justice policies that have made our communities less safe including Bail and Discovery Reform, Less is More, HALT and Clean Slate.
- Rejecting criminal-first proposals such as elder parole and sentencing reform.
- Restoring judicial discretion in our criminal justice system by giving judges the ability to set bail based on risk and the danger posed by a defendant.
- Rejecting radical calls to defund the police and increasing investments in local law enforcement by creating the SAFER Communities Grant Program, increasing support for State park police by increasing officer recruitment; retention, ensuring a properly equipped, skilled, and diverse park officer force and creating law enforcement and firefighter grant programs to provide local law enforcement agencies and fire departments with funding to hire more first responders as well as funding for fire stations.
- Fighting against dangerous street drug crimes by establishing the crime of homicide by sale of an opiate-controlled substance and penalizing offenders that cause opioid-related illness or death, increasing



penalties for the sale, transportation, or processing of Fentanyl, making drug offenses bail eligible and allowing judges to remand someone to treatment, designating xylazine (A.K.A. Tranq) as a Schedule I Controlled Substance and prohibiting the establishment of “safe injection sites.”

- Protecting and supporting crime victims by restricting the release of identifying information and access to crime scenes, protecting witnesses from intimidation, increasing reimbursements for crime victims, investing in victim support programs, putting in place policies to protect victims’ rights during the parole process and increasing penalties for those who commit domestic violence offenses and sexual assaults.
- Reducing violent crimes with illegal guns by increasing funding for gun interdiction efforts, increasing penalties for crimes committed with stolen firearms, requiring mandatory consecutive sentences for crimes involving an illegal firearm and making any misdemeanor or felony offense involving the use or possession of a firearm, shotgun, or rifle bail eligible.
- Protecting those on the road by increasing penalties for repeat drunk drivers, vehicular assaults and homicides and hit and runs, and suspending licenses for drivers who refuse to comply with a Drug Recognition Expert evaluation.
- Addressing the rise in retail theft by enhancing penalties for repeat shoplifters and looters.
- Protecting New Yorkers from the disastrous implementation of the legalization of marijuana by enhancing penalties for illegal cannabis shops, giving municipalities the ability to ban cannabis use in public places, and the creation of a Cannabis-Induced Impaired Driving Task Force assess the need for updated impaired driving laws in the wake of legalization. Confronting the Substance Use and Mental Health Epidemics
- Increasing inpatient and outpatient mental health treatment options by increasing state mental health funding levels and funding more mental health beds and placing a 5-year moratorium on bed reductions at State hospitals and requiring any public hearings and legislative approval before any future reductions as part of the OMH facility Transformation Plan, and by making Kendra’s Law permanent and expanding the Assisted Outpatient Treatment (AOT) Program.
- Expanding access to mental health services in our schools by establishing a Mental Health Services Coordinator Program, reimbursing school districts for the hiring of mental health services professionals, providing targeted State-aid to address mental health issues related to remote learning and social isolation, authorizing school districts to include suicide prevention in their curriculum and raising awareness to students through mental health fairs.
- Reducing overdose deaths and closing treatment gaps by increasing heroin and opioid prevention and treatment funding, providing additional funding for drug courts; expanding peer support programs and increasing the availability of naloxone and medication-assisted treatment.
- Further expanding crisis stabilization centers throughout New York by supporting local efforts to establish centers, opening state-operated centers, establishing a crisis intervention demonstration program and supporting efforts to establish peer support programs for first responders.
- Ensuring funds continue to be used for the treatment of opioid use disorder and preventing overdose deaths through opioid settlement funds.



- Supporting mental health, disability, and other human services direct care workforce by continuing to increase their cost-of-living adjustment.
- Providing continuity of care for those suffering from mental health disorders by establishing measures to prevent disenrollment for children from Medicaid such as implementing “grace period” policies, developing “emergency coverage” plans, and calling for the full delay of redeterminations for families with children until the end of the unwinding period and by establishing new pathways for licensed mental health counselors and other mental health professionals to expand the available workforce.

Improving Public Safety for New Yorkers - Improving the Efficiency and Effectiveness of New York’s Court System

- Increasing funding for family courts and housing courts to reduce backlogs and facilitate prompt resolution of disputes
- Expediting family offense proceedings in family court by requiring the scheduling of fact-finding hearings within fourteen days of the issuance of a temporary order of protection
- Expanding the ability of courts to address substance abuse by utilizing opioid settlement funds for drug court programs and giving judges the option to remand offenders who are at risk of serious harm from substance abuse to treatment.

Empowering New York’s Students and Parents

- Closing the pandemic learning loss gap by ensuring unspent Federal emergency relief aid supports academic recovery programs (e.g. intensive daily tutoring), expanding state grant funding, creating an office in the State Education Department to track outcomes of such programs and by focusing on future aid increases for early education to ensure students are provided a solid foundation for future academic challenges.
- Expanding school choice options by eliminating or increasing the charter school cap.
- Protecting and expanding educational opportunities for all students by supporting the use of the Specialized High School Admissions Test (SHSAT) to determine admission to New York City’s specialized high schools, increasing access to advanced placement courses, and ensuring special education students have access to the resources they need to thrive.
- Setting high standards of performance through accountability, rewarding and retaining high-performing teachers, structured teacher support and training efforts, providing a greater degree of autonomy to principals in personnel and budget decisions, and removing barriers to entering the teaching profession thereby opening the door to a larger and more diverse applicant pool.



- Meeting the nutritional needs of students by providing funding for food backpack programs, the continuation of free breakfast and lunch programs for all students, and more local sourcing of food supplies.
- Committing greater resources for school building security by establishing a school resource officer (SRO) education grant program to reimburse school districts outside the city of New York, for the hiring of an SRO and establishing the school safety specialist act.
- Protecting parental rights by ensuring school officials are transparent, communicating properly, and including parents in decisions regarding their child, and by protecting and expanding school choice.

Helping our Veterans and Military Families Thrive

- Providing critical health and mental health treatment and support to our veterans by expanding and making funding permanent for the Joseph P. Dwyer Veterans Peer Support Program and local veteran service agencies, expanding the number of Veterans Treatment Courts across New York State and establishing the “New York’s Own Combat Veterans Healthcare Choice Program Act” to establish tax-free savings accounts to pay the healthcare costs of certain combat veterans until covered by the federal government.
- Expanding business assistance to veteran-owned enterprises by reserving 6% of state contracts for service-disabled veterans.
- Ensuring access to education for veterans by creating the veterans’ SUNY/CUNY Compact which would provide free SUNY/CUNY tuition to all veterans to ensure higher education resources are accessible.
- Securing funds for American Legions or VFWs by establishing a path for them to administratively apply for grants.

Stimulating Job Growth and Economic Opportunities

- Bolstering workforce education by creating a statewide industry certification policy that establishes a process for identifying in-demand credentials by region, tracking attainment and employment outcomes, and incentivizing colleges to offer and provide credit for in-demand industry credentials and encouraging community colleges to consolidate their non-credit and credit workforce education programs under one roof.
- Incentivizing Career and Technical Education Opportunities by providing BOCES with enhanced incentives and resources to increase the number of skilled trade graduates in New York, and increasing state support for CTE by phasing in an increase of aidable salaries for CTE teachers, expanding opportunities to provide career and technical education to younger students and students with disabilities, and expanding the number of SED-approved technical assessments, developing career and college exploration curricula in our schools and increasing support for and utilization of BOCES by



expanding pathways to high school graduation; supporting innovative programs by providing flexibility and support for school districts to collaborate to form regional technical high schools.

- Incentivizing public and private partnerships to align worker skills with industry needs by centralizing apprenticeship programs, funding regionally-driven/ industry-led career pathways/sectoral partnerships, and adopting Invest in Skills NY “credential passport” enabling participants in various pathways (CTE, BOCES, etc.) to transition seamlessly from institution to institution.
- Expanding New York’s skilled workforce by eliminating unnecessary occupational licensing restrictions, promoting interstate professional licensing reciprocity, eliminating unnecessary college education requirements for state/local government employment, and expanding the Employee Training Incentive Program (E-TIP) tax credit.
- Providing roughly \$200 million in targeted tax relief to hardworking families and support work by Increasing New York’s Earned Income Tax Credit (EITC) benefit to 35 percent of the federal credit.
- Upgrading workforce development facilities and technology by investing funds at community colleges, noncredit programs, BOCES, public libraries, and local one-stop career centers.

Building a Greater New York - Investing in Sustainable Infrastructure

- Ensuring broadband for all New Yorkers by requiring State-funded projects to be based on accurate availability data, clearing the way for new technologies, reducing the cost of deployment by eliminating prevailing wage requirements on State-funded broadband projects, mapping areas with broadband deficiency and providing a refundable tax credit for residents and small businesses in rural areas that pay out-of-pocket expenses for network construction costs.
- Requiring funding parity between Upstate and Downstate infrastructure funding by putting NYSDOT and MTA capital programs on equal footing.
- Supporting investment in local roads and bridges by increasing Consolidated Local Street and Highway Improvement Program (CHIPS) base aid.
- Prioritizing projects that provide high-rate returns on investments to the economy, public safety, and the environment via a coordinated capital planning process for infrastructure investment.
- Reducing project costs through regulatory reform, rationalizing the environmental review process, and the implementation of innovative practices such as best value procurement.
- Protecting our drinking water by increasing funding for a safe, reliable water and sewer infrastructure and by studying the effectiveness of pond and lake management programs and providing for the comprehensive control and mitigation and emergency response of harmful algal blooms in both marine and freshwater.
- Making New York more resilient to extreme weather events and the impact of climate change by hardening our shorelines, taking additional steps to mitigate coastal erosion and flooding and ensuring we have well-designed protocols in place to keep residents safe during weather-related emergencies.



FACT SHEET: Revenue

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FY 2025 Revenue Proposals

FY 2025 Executive's Tax and Revenue Action Proposals				
(Millions of Dollars)				
	FY 2025	FY 2026	FY 2027	FY 2028
Permanently Extend the Itemized Deduction Limit on High Income Filers	\$0	\$175	\$350	\$350
Provide for the Filing of Amended Sales Tax Returns	\$3	\$10	\$10	\$10
Modernize the Tax Law to Include the Vacation Rental Industry	\$8	\$16	\$16	\$16
Total Tax, Fee Increases and New Taxes	\$11	\$201	\$376	\$376
Enforcement Actions				
Close the "Amended Return" Loophole	\$0	\$20	\$20	\$20
Total Enforcement Actions	\$0	\$20	\$20	\$20
Total Revenue Raising Actions	\$11	\$221	\$396	\$396
Revenue Reductions				
Extend the Vending Machine Tax Credit for One Year	(\$8)	(\$2)	\$0	\$0
Establish the Commercial Security Credit	\$0	(\$5)	(\$5)	\$0
Total Revenue Reductions	(\$8)	(\$7)	(\$5)	\$0
Net Total Revenue Actions	\$3	\$214	\$391	\$396

For more detail on FY 2025 Executive Budget tax proposals, please refer to the Revenue bill in the Article VII section.



FACT SHEET: Education

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Education Budget Highlights

- Overall education spending grows to \$35.3 billion.
- The overall school aid increase “on the run” is \$825 million or 2.4 percent year-over-year increase.
- Within that increase, Foundation Aid, the main operating funding stream for school districts, grows by \$507 million to a total of \$24.5 billion.
- Eliminates Hold Harmless provisions reducing aid by \$167 million to 337 school districts across the State.
- Reduces the statutory CPI growth factor by utilizing an eight year CPI average which reduces aid to school districts.
- Expense based aids are fully funded at \$318 million which include aid categories such as Transportation aid, Building aid, BOCES aid, and aid for special needs.
- \$100 million in new discretionary funding is provided off the run for supplemental educational assistance.

Notable Issues

- The Executive has proposed a four year extension of Mayoral control in New York City.
- Evidence-based and scientifically based reading instruction. By July 1st, 2024 the commissioner must provide school districts with the instructional best practices for the teaching of reading to students in pre-kindergarten through grade three. Instructional best practices for the teaching of reading must be evidence-based and scientifically based, focusing on reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, comprehension, including background knowledge, oral language and writing, oral skill development, and align with the culturally responsive-sustaining (CR-S) framework.
- Eliminates BUNDY aid for colleges and universities with endowments in excess of \$750 million



Spending Highlights

- The Executive Budget provides over \$239 million in aid to reimburse nonpublic schools' costs for State-mandated activities, a \$44 million (23 percent) year-to-year increase.
- The Executive Budget continues \$73 million in annual funding for science, technology, engineering, and math (STEM) instruction and \$45 million for health and safety capital projects, including critical repair and maintenance of nonpublic schools' facilities.
- The Executive Budget continues this additional State support, providing a total of \$185 million for charter school supplemental tuition and \$120 million for charter school facilities aid.
- The Executive Budget fully funds the State share of costs for both programs, continuing \$1.0 billion to reimburse counties for the cost of preschool special education services and providing \$404 million, a \$36.5 million (10 percent) year-to-year increase, to reimburse school districts for the cost of summer school services.
- The Executive Budget provides over \$200 million in State funding for these programs, an \$11 million (5.8 percent) year-to-year increase. The Budget continues the FY 2024 State-funded initiative to incentivize qualifying public and nonpublic schools with significant proportions of low-income students to participate in the Federal Community Eligibility Provision program, allowing all students in those schools to eat breakfast and lunch at no charge regardless of their families' income.
- The Executive Budget provides \$102.1 million for Library Aid, a \$2.5 million increase over FY 2024 Enacted Budget levels, and \$34 million for Library Construction to fund various capital projects. In addition, the Executive Budget appropriates \$3 million to ensure continued access to the New York Online Virtual Electronic Library (NOVELny), a free online library of magazines, newspapers, maps, charts, research, and reference books available to all New Yorkers.



EDUCATION

The FY 2025 Executive Budget recommends All Funds appropriations of \$45.7 billion for State Operations and Aid to Localities education programs an increase of \$1.5 billion, or 3.36 percent from the FY 2024 Enacted Budget.

State Operations

Education Department

The Executive Budget recommends an appropriation of \$688.54 million in State Operations for the State Education Department (SED). This is an increase of \$17.2 million, or 2.6 percent from the FY 2024 Enacted Budget. This increase is primarily attributable to the following:

- \$2.2 million in additional Federal personal service funds within the Vocation rehabilitation and supported employment program;
- \$2.2 million for the VESID Federal Social Security Account;
- \$3 million for the online virtual library program NOVELny;
- \$1.9 million in personal service increase for the Office of Management Services;
- \$2.2 million in increased personal service costs for the Office of Prekindergarten Through Grade Twelve Education Program;
- \$1.5 million in personal service costs for school age and preschool age children with disabilities administration; and
- \$2 million in additional personal service costs related to the federal school nutrition program administration.

The FY 2025 Executive Budget projects a workforce of 2,900 FTEs for the State Education Department. This is an increase of 24 positions over the prior fiscal year. This increase will provide 16 new FTE's in the Office of Management Services and 8 new FTEs in the Office of Pre-kindergarten through Grade Twelve.

Aid to Localities

Education Department

The Executive proposes a \$44.97 All Funds allocation with the State Education Department. This represents a \$1.45 billion increase over the prior fiscal year. The FY 25 Executive Budget provides \$35.3 billion in school aid, an increase of \$825 million or 2.4 percent above FY 24. Highlights of this proposal include an



additional \$507 million in Foundation Aid – the most significant component of unrestricted aid to school districts. Expense-based aids would increase by \$312 million over the prior school year and funding for categorical grant programs would increase by \$100 million.

Foundation Aid

Foundation Aid: The Executive proposal increases Foundation Aid by \$507 billion for a total amount of \$24.5 billion. The Foundation Aid formula uses school district need, fiscal capacity, wealth, and other measures as determining factors in its distribution. The Foundation Aid formula was fully funded in FY 24 but will continue to grow based on a number of factors including the utilization of the consumer price index as an indicator of cost trends. The Executive proposal eliminates the Foundation Aid save harmless provision which in prior years was used to ensure school district fiscal stability. The savings associated with this proposal is \$167 million and affects half of the school districts in the State (337). In addition, The Executive proposal reduces the current statutory CPI calculation by moving to and 8 year average, This proposed action reduces Foundation aid projections by an additional \$245 million,

Major Expense Based Aids

Building Aid: this aid category which is a reimbursement for prior year spending is reduced by \$48 million for a total of \$3.3 billion.

Transportation Aid: this aid category which is a reimbursement for prior year spending is increased by \$148 million for a total of \$2.5 billion.

BOCES Aid: this aid category which is a reimbursement for prior year spending is increased by \$18 million for a total of \$1.3 billion.

Special Education Funding: this aid category which is a reimbursement for prior year spending is increased by \$92.5 million for a total of \$1.1 billion.

Instructional Materials: The Executive increases Instructional Materials by \$387,000 for a total of \$220.8 million.

Other Aid Categories

- The Executive Budget provides over \$239 million in aid to reimburse nonpublic schools' costs for State-mandated activities, a \$44 million (23 percent) year-to-year increase,
- The Executive Budget continues \$73 million in annual funding for science, technology, engineering, and math (STEM) instruction and \$45 million for health and safety capital projects, including critical repair and maintenance of nonpublic schools' facilities.



- The Executive Budget includes \$100 million of Supplemental Assistance Grants to provide additional aid to school districts for SY2025.
- The Executive Budget provides over \$239 million in aid to reimburse nonpublic schools' costs, a \$44 million or 23 percent year-to-year increase
- The Executive Budget provides a total of \$185 million for charter school supplemental tuition and \$120 million for charter school facilities aid.
- The Executive Budget continues \$1 billion to reimburse counties for the cost of preschool special education services and providing \$404 million, a \$36.5 million (10 percent) year-to-year increase, to reimburse school districts for the cost of summer school services.
- The Executive Budget provides an additional \$1.4 million for SED to study and design a new special education tuition rate-setting methodology in order to streamline and improve the timeliness of tuition rates for providers, bringing total available project funding to \$3.9 million.
- The Executive Budget provides over \$200 million in State funding for school nutrition programs, an \$11 million (5.8 percent) year-to-year increase.
- The Executive Budget supports public libraries by providing \$102.1 million of Library Aid, a \$2.5 million increase over FY2024 Enacted Budget levels, and \$34 million for Library Construction to fund various capital projects.
- The Executive proposes flat funding for the following programs:
 - Teachers of Tomorrow \$25 million;
 - Teacher Mentor Intern Program \$2 million;
 - School Health Services \$13.84 million;
 - Bilingual Education \$18.5 million;
 - Bus Driver Safety Training \$400,000;
 - NYS Center for School Safety \$17.2 million;
 - Primary mental Health project \$894,000; and
 - Extended Day School Violence Protection \$23.3 million
- School Tax Relief Program (STAR): The STAR program is fully funded at \$3.3 billion which included \$1.5 billion in exemptions and \$1.7 billion in property tax credits. The increase in this program is \$99 million or 3.1 percent.



Capital Funding

Education Department

- The Executive Budget provides for \$114.2 million in capital funding for SED a \$5.2 million dollar reduction from the prior fiscal year. The reduction is due to the completion of the Office of Professions Electronic Licensing System.
- The Executive Budget provides \$27.6 million for capital improvements to the five State-owned schools. This includes \$20.1 million for the three State-owned schools on Native American reservations (the Onondaga School, the St. Regis Mohawk School, and the Tuscarora School), as well as \$4.5 million for the School for the Blind at Batavia and \$3 million for the State School for the Deaf at Rome.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:

School Aid

(ELFA. S.8306 Part A)

- This section provides for \$35.3 Billion in Support to School Districts. The proposed language would drive \$825 million (2.4 percent), including a \$507 million Foundation Aid increase and a \$318 million increase in all other School Aid programs, including expense-based aids, categorical aids, and competitive grants on to the school aid run.
- The statutory CPI growth factor is amended to move to an 8 year CPI average lowering the factor to 2.4 percent.
- This Part amends Transportation Aid to exclude any grants (or vouchers on behalf of a district) provided through the Clean Water, Clean Air and Green Jobs Environmental Bond Act of 2022 from being considered revenue that would otherwise reduce a district's allowable transportation expense. School districts that receive these grants (or vouchers) to purchase zero-emission buses would thus receive more Transportation Aid than under the current law; however, the sum of Transportation Aid and the Bond Act funding could not exceed the expenses.
- Prekindergarten. The FY 2025 Executive Budget removes the "supplement, not supplant" requirement for State funds, allowing school districts to access their Statewide Universal Full-Day Prekindergarten grants prior to exhausting their Universal Prekindergarten allocations.
- New York City School Governance. The FY 2025 Executive Budget provides a four-year extension of the current system of governance of New York City public schools, which is currently scheduled to expire on June 30, 2024.
- Special Education Tuition Rate-Setting Reform. As requested by SED, the FY 2025 Executive Budget provides an additional \$1.4 million for SED to study and design a new special education tuition rate-setting methodology in order to streamline and improve the timeliness of tuition rates for providers,



bringing total available project funding to \$3.9 million. The Executive Budget also extends the deadline for SED to present its recommendations from July 1, 2025 to July 1, 2027.

Teaching of Reading
(ELFA. S.8306 Part B)

- This bill would require the Commissioner of the State Education Department (SED) to issue statewide instructional best practices in the teaching of reading for prekindergarten through grade three. Beginning in the 2025-26 school year, these instructional best practices would be required to be implemented by all school districts, with districts certifying to SED by September 1 of each such year that their curriculum and instructional programming and teacher professional development programs incorporate these instructional best practices.

FAFSA Completion for High School Students
(ELFA. S.8306 Part C)

- For each high school senior, this Part would require school districts to obtain from the student's parent or guardian or from the student (if applicable) either certification of completion and submission of the FAFSA or the New York State DREAM Act application or completion of a waiver form indicating that they were aware of the FAFSA but had chosen not to complete it.

Special Education Placement Financial Responsibilities
(ELFA. S.8306 Part G)

- This bill amends section 3 of Part N of Chapter 56 of the Laws of 2020 to remove the April 1, 2024 sunset and make these provisions permanent. Part N of Chapter 56 of 2020 eliminated the 18.424 percent State share for residential placements made by a school district CSE outside of New York City and increased the school district's share by an equal amount, from 38.424 percent to 56.848 percent. This Chapter also shifted the 50 percent State share for certain placements to the NYS School for the Blind or the NYS School for the Deaf to the school district.

Education Aid SY 2024-25				
(Millions of Dollars)				
Formula Aids	2023-24	2024-25	Change	Percent Change
Foundation Aid	\$23,998.88	\$24,505.96	\$507.08	2.11%
Special Education – High Cost/Private	\$1,012.86	\$1,105.35	\$92.49	9.13%
Reorganization Operating Aid	\$3.02	\$2.37	(\$0.66)	-21.77%
Instructional Materials	\$254.26	\$255.10	\$0.84	0.33%



BOCES - Special Services	\$1,479.09	\$1,499.25	\$20.16	1.36%
Transportation Aid	\$2,395.01	\$2,543.46	\$148.45	6.20%
High Tax Aid	\$223.30	\$223.30	\$0.00	0.00%
Universal Pre-K	\$1,077.59	\$1,176.94	\$99.35	9.22%
Charter School Transitional Aid	\$53.12	\$58.13	\$5.00	9.42%
Full Day Kindergarten	\$0.00	\$0.00	\$0.00	#DIV/0!
Building Aid	\$3,397.02	\$3,349.01	(\$48.01)	-1.41%
Other	\$32.58	\$32.58	\$0.00	0.00%
Formula Aid TOTAL	\$33,926.73	\$34,751.45	\$824.71	2.43%
Categorical Aids				
Teachers of Tomorrow	\$25.00	\$25.00	\$0.00	0.00%
Teacher Mentor Intern	\$2.00	\$2.00	\$0.00	0.00%
School Health Services	\$13.84	\$13.84	\$0.00	0.00%
Roosevelt	\$12.00	\$12.00	\$0.00	0.00%
Urban Suburban Transfer	\$8.86	\$8.86	\$0.00	0.00%
Employment Prep Education	\$96.00	\$96.00	\$0.00	0.00%
Homeless Pupils	\$31.73	\$31.98	\$0.25	0.79%
Incarcerated Youth	\$6.00	\$6.00	\$0.00	0.00%
Bilingual Education	\$18.50	\$18.50	\$0.00	0.00%
Education of OMH/OMR Pupils	\$47.75	\$48.75	\$1.00	2.09%
Special Act School Districts	\$2.70	\$2.70	\$0.00	0.00%
Chargebacks	(\$35.00)	(\$35.00)	\$0.00	0.00%
BOCES Aid for Special Act	\$0.70	\$0.70	\$0.00	0.00%
Learning Tech Grants	\$3.29	\$3.29	\$0.00	0.00%
Native American Building	\$5.00	\$5.00	\$0.00	0.00%
Native American Education	\$70.18	\$69.27	(\$0.91)	-1.30%
School Bus Driver Safety	\$0.40	\$0.40	\$0.00	0.00%
Subtotal	\$308.95	\$309.29	\$0.34	0.11%
GSPS Total	\$34,235.68	\$35,060.74	\$825.05	2.41%



FACT SHEET: Higher Education

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Higher Education Budget Highlights

- The Executive provides \$207 Million in new State support for SUNY and CUNY Campuses.
- CUNY State Operations: The Executive proposes a state operations increase of \$42.7 million which reflects the following:
 - \$2.6 million in reduction of Campus Operations;
 - \$20.6 million reduction in the initiatives and Management program;
 - \$1.1 million reduction in the SEEK program;
 - \$69.5 million increase in the University Operations program; and
 - \$2.5 million reduction in University Programs
- CUNY Aid to Localities: The Executive proposes to increase ATL funding to CUNY by providing an additional \$65.2 million largely reflected in an increase in City University Senior Colleges. In addition, Community College funding is maintained at prior year levels (\$60 million)
- SUNY State Operations: The Executive proposes a state operations reduction of \$162.4 million which reflects the following:
 - \$36 million in additional funds for fringe benefits;
 - \$3.6 million add for the Long Island Veterans Home;
 - \$15 million add for a new SUNY Stabilization fund;
 - \$500 million reduction reflecting the elimination of the State match for endowment contributors;
 - \$550,000 add in federal student aid funding;
 - \$20.4 million reduction in system administration funds; and
 - \$4.3 million add to University-wide programs
- SUNY Aid to Localities: The Executive proposes a \$2 million reduction in ATL reflected in a reduction to the Cornell County Cooperative Extension Program (\$1.7 million) and a reduction of \$350,000 in the Community Colleges Operating Assistance program. In addition community college funding is maintained at the prior years level (\$83 million).



- **HESC State Operations:** The Executive proposes to reduce state operation funding by \$4.3 million. This reduction includes:
 - \$4.3 million reduction in federal funds. Additional State Support is proposed for SUNY Collective Bargaining Costs. The Executive Budget will provide SUNY with \$103 million in June 2024 to cover the lump-sum payments from the general salary increases of 2 percent effective in 2022 and 3 percent in 2023. The payment will provide some budgetary relief for SUNY as it is an accelerated payment for the system.
- **HESC Aid to Localities:** The Executive reduces ATL funding by \$180.9 million in the Student Grants and Award funds due to projected declining enrollment.

Notable Issues

- The Executive proposes to make FAFSA Completion Universal. This proposal would require school districts to ensure that every high school senior completes the Free Application for Federal Student Aid (FAFSA) or the New York State Dream Act application (or in the alternative, signs a waiver form indicating that they are aware of, but choose not to fill out, the FAFSA). All individual students will still be able to graduate regardless of whether they complete the FAFSA.
- **Physician Licensure Compact:** The Executive Budget proposes to authorize a multi-state physician licensure compact.
 - Multistate license: A multistate license would be recognized by each participating state, provided the physician meets certain educational, criminal history, and licensure eligibility requirements. Participating physicians would hold a multistate license issued by their principal state of licensure.
 - Expedited licensure: A physician seeking licensure through the compact would be required to file an application for an expedited license with his or her principal state of licensure.
 - Compliance with other state laws: Physicians practicing pursuant to a multistate license would be required to comply with each participating state's respective practice laws; and would be subject to the jurisdiction of the licensing board, courts and laws of the state where a patient is located at the time of service.
 - Coordinated licensure information system: Member states would be required to participate in multi-state system containing licensure and disciplinary information regarding all physicians with multistate licensure.
 - Interstate Commission of Physician Licensure Compact Administrators: A commission, comprised of two voting representatives from each member state, would be established to promulgate rules to facilitate and coordinate implementation and administration of the compact.
- **Nurse Licensure Compact:** The Executive Budget proposes to authorize a multi-state nurse licensure compact.



- Multistate license: Through the compact, registered nurses (“RNs”) and licensed practical nurses (“LPNs”) that meet certain educational, criminal history, and licensure eligibility requirements could receive a multi-state license issued by their principal state of licensure.
- Compliance with other state laws: Nurses practicing pursuant to a multistate license would be required to comply with each participating state’s respective practice laws; and would be subject to the jurisdiction of the licensing board, courts and laws of the state where a patient is located at the time of service.
- Coordinated licensure information system: Member states would be required to participate in multi-state system containing licensure and disciplinary information regarding all nurses with multistate licensure.
- Interstate Commission of Nurse Licensure Compact Administrators: A commission, comprised of the administrators of the compact from each member state, would be established to promulgate rules to facilitate and coordinate implementation and administration of the compact. The head of the state licensing board or their designee shall be the administrator of this compact for each member state.
- **Scope of Practice**: The Executive Budget proposes to expand the scope of practice for physician assistants and dental hygienists, and to authorize certified medication aides in nursing homes and medical assistants in outpatient settings.
 - **Physician Assistants**: Allows certain experienced physician assistants in Article 28 facilities more autonomy to practice without supervision of a physician; prescribe controlled substances and durable medical equipment; issue non-patient specific standing orders for vaccinations by RNs or pharmacists; and be employed by a school district.
 - **Dentist Vaccinations and Screenings**: Allows dentists to provide vaccines for influenza, COVID, HPV, and others related to declared public health emergencies. They would also be able to offer HIV, or hepatitis C, and hemoglobin A1C tests.
 - **Dental Hygienists**: Allows certified dental hygienists to administer block anesthesia under the personal supervision of a dentist. Additionally hygienists could perform certain additional procedures under the supervision of a dentist or in a hospital setting. It also authorizes certain experienced hygienists to work more independently under a written collaborative agreement with a dentist. In order to establish a collaborative practice the hygienist must also complete additional training.
 - **Certified Medication Aides**: Allows qualified nurse aides who have completed specific training to administer certain routine and prefilled medications in residential health care facilities under the supervision of an RN.
 - **Medical Assistants**: Allows physicians, nurse practitioners, and physicians assistants working in outpatient settings to supervise medical assistants who have received training to draw and administer immunizations.



- **Scope of Practice Extenders:** The Executive Budget proposes to permanently extend provisions to:
 - Authorize pharmacists to be deemed qualified health care professionals for purposes of directing limited-service laboratories and performing COVID-19 and influenza tests; authorize physicians and certified nurse practitioners (“NPs”) to order non-patient specific regimen to registered professional nurses for COVID-19 or influenza virus testing;
 - The Collaborative Drug Therapy Management (“CDTM”) Demonstration Program; and
 - The Nurse Practitioner Modernization Act, which authorizes NPs who meet certain requirements to practice independently without a collaborative agreement with a physician, until April 1, 2026.

Spending Highlights

- The Executive provides \$1.2 Billion for New Capital Projects at SUNY and CUNY Campuses to help maintain SUNY and CUNY campus facilities. This includes: \$650 million for SUNY State-operated campuses, \$384 million for CUNY senior colleges, and \$154 million for community colleges (\$138 million SUNY, \$16 million CUNY). The Executive proposal eliminates non recurring adds for SUNY and CUNY from FY 2024.
- The Executive Budget limits eligibility for Unrestricted Aid to Independent Colleges and Universities, also known as Bundy Aid, to institutions with endowment assets less than \$750 million. Aid to such institutions is funded at the same \$15.8 million level as in FY 2024.
- HESC Financial aid programs drop by \$4 million over the current year due to one-time non-recurring funding provided by FY 2024. Overall, the aid programs are funded at \$963 million which includes TAP, The Excelsior scholarship and other aid programs.



HIGHER EDUCATION

The FY 2025 Budget proposes All Funds spending authorization of \$20.1 billion, a decrease of \$1.6 billion, or 7.2 percent, over the FY 2024 Enacted Budget.

- Decrease of \$844 million to SUNY, for a total of \$13.3 billion. Over \$679 million of this reduction is attributable reductions in capital projects;
- Decrease of \$529 million to CUNY, for a total of \$5.8 billion. There is a \$637 million reduction in CUNY's capital projects which is offset by increases in State Operations and Aid to Localities funding;
- Decrease of \$185 million to HESC, for a total of \$1.02 billion. The reduction projected in HESC for FY 25 is due to projected enrollment declines.

State Operations

State University of New York (SUNY)

The Executive Budget recommends an appropriation of \$11.6 billion in State Operations for SUNY, a \$162.4 million decrease over the FY 2024 Enacted Budget.

This decrease is comprised the elimination of a one-time \$500 million appropriation in FY2024 for the State match to endowment contributions at SUNY's university centers, and the absence of \$52 million in FY2024 paybill authority to support negotiated agreements for UUP, MC, and PEF which is offset by a \$390 million increase for the operations of four-year campuses and hospitals. The Executive provides an additional \$90 million in support to SUNY through:

- \$54 million for general operating support; and
- \$36 million for university employee fringe benefits.

City University of New York (CUNY)

The Executive Budget recommends an appropriation of \$3.3 billion in State Operations for CUNY, a \$42.7 million increase over the FY 2024 Enacted Budget. The Executive also proposes \$107 million in new, recurring State support for CUNY senior colleges, including:

- \$36 million in recurring general operating support.
- \$70 million increase in funding for employee fringe benefits.



- \$1 million for micro-credential programs that educate the teachers in the science of reading.

Higher Education Services Corporation (HESC)

The Executive Budget recommends an appropriation of \$56.5 million in State Operations for HESC, a \$4.3 million decrease over the FY 2024 Enacted Budget. This is primarily due to the loss of federal funds.

Council on the Arts (NYSCA)

The Executive Budget recommends an appropriation of \$5.96 million in State Operations for the Council on the Arts, a \$693,000 or 13.1 percent increase over the FY 2024 Enacted Budget.

Aid to Localities

State University of New York (SUNY)

The Executive Budget recommends a General Fund appropriation of \$445.4 million in the Aid to Localities budget for SUNY, a \$2 million or .004 percent decrease from the FY 2024 Enacted Budget. The Executive's proposal would maintain Community College Operation Assistance by adding \$83 million to mitigate the impact of enrollment declines. County Cornell Cooperative Extension funding would drop by \$1.7 million to \$4.4 million due to the elimination of a legislative add.

City University of New York (CUNY)

The Executive Budget recommends an appropriation of \$2.1 billion in the Aid to Localities budget for CUNY, a \$64.6 million or 3.24 percent increase from the FY 2024 Enacted Budget. The Executive's Proposal provides \$148.7 million in additional funding for the CUNY Senior colleges but eliminates the prior year legislative adds amounting to \$83.4 million. The Executive provides 60 million to maintain funding at CUNY's community colleges.

Higher Education Services Corporation (HESC)

The Executive Budget recommends a General Fund appropriation of \$967.9 million in the Aid to Localities budget for HESC, a \$180.9 million or 15.7 percent decrease from the FY 2024 Enacted Budget. The decrease is primarily due to a \$177 million decrease in the tuition assistance and scholarship programs that are projected to see enrollment declines.



Council on the Arts (NYSCA)

The Executive Budget recommends a General Fund appropriation of \$43.5 million in the Aid to Localities budget for NYSCA, a \$55.7 million or 55.8 percent decrease from the FY 2024 Enacted Budget. This decrease is primarily due to the elimination of legislative adds.

Capital Funding

Agency Name

What the Capital Funding total appropriation is for the agency. How this compares to last year (see chart at end of section)

State University of New York (SUNY)

The FY 2025 Executive Budget recommends a capital appropriation of \$1.2 billion for SUNY, a \$679.4 million dollar decrease from the FY 2024 Enacted Budget. This reduction is primarily the result of not continuing a \$570 million in capital improvements at SUNY facilities and \$150 million in adds for SUNY hospitals capital.

City University of New York (CUNY)

The FY 2025 Executive Budget recommends a capital appropriation of \$441.2 million for CUNY, a \$637 million decrease from the FY 2024 Enacted Budget. This decrease is primarily due to the elimination of \$435 million in the expansion and improvements program, \$104 million in the general maintenance program, \$100 million reduction in the preservation of facilities program.

Higher Education Matching Grant Program (HECAp)

The Executive Budget provides no new funding for HECap. The FY 2024 Enacted Budget included \$40 million.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:

BUNDY Aid Eligibility *(ELFA, S8306, Part D)*

- This Part would alter BUNDY Aid eligibility for Unrestricted Aid to Independent Colleges and Universities to institutions with endowment assets of less than \$750 million.



Higher Education Agency Information Sharing *(ELFA, S8306, Part E)*

- This Part would amend Education Law to clarify that student data may be shared by educational agencies with HESC, SUNY, and CUNY for educational purposes in accordance with the provisions of the federal Family Educational Rights and Privacy Act (FERPA). The bill would also authorize HESC to provide other State educational authorities with any assistance or data necessary for purposes of financial aid program evaluation.

Tuition Assistance Credit Extender *(ELFA, S8306, Part E)*

- This part would permanently extend the TAP tuition credit and the other remaining provisions of the NY-SUNY 2020 Challenge Grant Program Act (Chapter 260 of the Laws of 2011, as amended), which would otherwise expire on July 1, 2024.

Scope of Practice Extenders *(HMH, S8307, Part P)*

- This Part would amend the Public Health Law and the Education Law, extending authorization for pharmacists to direct limited-service laboratories and order and administer COVID-19 and influenza tests permanently.
- Additionally, this Part would extend the Nurse Practitioner Modernization Act through April 1, 2026.
- This Part would make permanent authorization for physicians and certified nurse practitioners to order non-patient specific regimen to registered professional nurses for tests to determine the presence of COVID-19 or its antibodies or influenza virus.
- Finally, this Part would amend the Education Law to make permanent the CDTM that was established in 2011. CDTM allows pharmacists to work in collaborative agreements with physicians to adjust, manage, evaluate and implement drug therapies for patients in certain settings.

Scope of Practice Expansion *(HMH, S8307, Part Q)*

- This Part would allow qualifying physician assistants to independently practice in primary care and hospitals, granting them the authority to prescribe, order, and perform other specific actions.
- Additionally, in residential health care facilities certified nurse aides could become certified medication aides able to administer routine medications to residents under the supervision of a registered nurse.
- In outpatient settings, licensed physicians, nurse practitioners, and physician assistants would be authorized to assign and supervise medical assistants' tasks related to immunizations.



- The Part would also expand the scope of practice for dentists, allowing them to administer specified vaccines and tests for COVID19, influenza, HPV or others as related to a declared public health emergency.
- Finally, this Part would authorize dental hygienists to handle additional procedures currently within the exclusive scope of dentists.

Interstate Compact Authorization for Physicians and Nurses
(HMH, S8307, Part R)

- This bill would amend the Education Law to allow New York State to enter into two separate interstate licensure compacts for medical professionals: the Interstate Medical Compact for licensed physicians and the Interstate Nurse Licensure Compact for registered nurses (RNs) and licensed practical nurses (LPNs).

FY 2024 Executive Budget CUNY Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2023 Enacted	FY 2024 Proposed	Change
CUNY Community Colleges	\$239,310	\$238,872	(\$438)
<i>Operating Assistance</i>	\$217,232	\$218,048	\$816
<i>Next Gen Job Linkage</i>	\$2,000	\$2,000	\$0
<i>Child Care Centers at Campuses w/ 35% Match</i>	\$1,715	\$1,715	\$0
<i>Child Care Centers at Additional Campuses</i>	\$1,200	\$0	(\$1,200)
<i>Rental Aid</i>	\$8,948	\$8,948	\$0
<i>Financial Assistance for Contract Courses and Workforce Development</i>	\$1,880	\$1,880	\$0
<i>Opportunity Programs</i>	\$1,835	\$1,781	(\$54)
<i>Accelerated Study in Associates Program</i>	\$2,500	\$2,500	\$0
<i>Apprentice CUNY Program</i>	\$2,000	\$2,000	\$0
CUNY Senior Colleges	\$1,600,848	\$1,668,200	\$67,352
<i>State Support</i>	\$1,563,614	\$1,664,700	\$101,086
<i>School of Labor and Urban Studies</i>	\$4,625	\$3,500	(\$1,125)
<i>Strategic Investments</i>	\$30,000	\$0	(\$30,000)
<i>CUNY Law School Haywood Burns Chair</i>	\$263	\$0	(\$263)
<i>Expansion of Nursing Programs</i>	\$750	\$0	(\$750)
<i>SEEK Program</i>	\$846	\$0	(\$846)
<i>Increasing Mental Health Services</i>	\$750	\$0	(\$750)
Senior College Pension Payments	\$2,000	\$2,000	\$0
MTA Commuter Transportation Mobility Tax	\$6,000	\$6,000	\$0
Total	\$1,848,158	\$1,915,072	\$66,914



Program	FY 2023 Enacted	FY 2024 Proposed	Change
Administration Program	\$51,809	\$52,209	\$400
Student Grant and Award	\$225	\$8,600	\$8,375
Total	\$52,034	\$60,809	\$8,775

FY 2024 Executive Budget HESC Local Assistance Appropriation Changes
(Thousands of Dollars)

Program	FY 2023 Enacted	FY 2024 Proposed	Change
TAP	\$1,066,182	\$1,066,182	\$0
Part-time TAP	\$14,357	\$14,357	\$0
Various HESC Scholarships	\$54,149	\$54,149	\$0
Patricia K. Magee Nursing Faculty Scholarship and the Nursing Faculty Loan Forgiveness Incentive	\$5,933	\$3,933	(\$2,000)
Licensed Social Work Loan Forgiveness	\$1,728	\$1,728	\$0
NY Young Farmers Loan Forgiveness	\$200	\$150	(\$50)

FY 2024 Executive Budget Council on the Arts Local Assistance Projects Appropriation Changes
(Thousands of Dollars)

Program	FY 2023 Enacted	FY 2024 Proposed	Change
Assistance Non-Profit Cultural Organizations	\$40,635	\$40,635	\$0
Stabilization Grants for Small to Mid-size Arts Organizations	\$1,000	\$0	-\$1,000
Arts Grants Distributed by Senate Majority	\$750		-\$750
Assistance Non-Profit Cultural Organizations - Federal	\$1,413	\$1,413	\$0
Services and Expense of the Arts Capital Grants Fund	\$196	\$196	\$0
Services and Expenses of the Arts Fund	\$300	\$300	\$0
Arts and Cultural Organizations Recovery Grant Program	\$50,000	\$0	-\$50,000
<i>Statewide</i>	\$40,000		-\$40,000
<i>Outside of NYC</i>	\$10,000		-\$10,000
Assistance for the Empire State Plaza Performing Arts Center Corporation	\$220	\$220	\$0
Total	\$94,514	\$42,764	(\$51,750)



FY 2024 Executive Budget SUNY Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2023 Enacted	FY 2024 Proposed	Change
Facilities Maintenance and Operations	\$197,966	\$203,695	\$5,729
General Maintenance and Improvements	\$1,360,000	\$1,300,000	(\$60,000)
<i>Senior Colleges and University Wide Projects</i>	<i>\$550,000</i>	<i>\$650,000</i>	<i>\$100,000</i>
<i>Education Opportunity Centers</i>	<i>\$10,000</i>	<i>\$0</i>	<i>(\$10,000)</i>
<i>Alterations and Improvements to Various Facilities</i>	<i>\$650,000</i>	<i>\$100,000</i>	<i>(\$550,000)</i>
<i>SUNY Digital Transformation Initiative</i>	<i>\$0</i>	<i>\$200,000</i>	<i>\$200,000</i>
<i>Improvement to Research Facilities (UB and Stony Brook)</i>	<i>\$0</i>	<i>\$200,000</i>	<i>\$200,000</i>
<i>SUNY Hospitals</i>	<i>\$150,000</i>	<i>\$150,000</i>	<i>\$0</i>
Project Administration	\$26,353	\$26,353	\$0
SUNY Residence Hall Rehabilitation Fund	\$75,000	\$75,000	\$0
SUNY Community Colleges	\$56,883	\$103,955	\$47,072
Total	\$1,716,202	\$1,709,003	(\$7,199)

FY 2024 Executive Budget CUNY Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2023 Enacted	FY 2024 Proposed	Change
General Maintenance and Improvements	\$344,222	\$384,222	\$40,000
Program Changes Expansions and Improvements	\$538,000	\$100,000	(\$438,000)
Project Administration	\$38,832	\$38,832	\$0
CUNY Community Colleges	\$44,793	\$119,667	\$74,874
Total	\$965,847	\$642,721	(\$323,126)



FY 2024 Executive Budget SUNY Senior Colleges Capital (Thousands of Dollars)			
Program	FY 2023 Enacted	FY 2024 Proposed	Change
Albany	\$ 9,849	\$11,661	\$1,812
Alfred Ceramics	\$ 776	\$915	\$139
Alfred State	\$ 2,113	\$2,474	\$361
Binghamton	\$ 10,559	\$12,829	\$2,270
Brockport	\$ 4,820	\$5,591	\$771
Brooklyn Health Science Center (HSC)	\$ 3,370	\$3,947	\$577
Buffalo College	\$ 5,649	\$6,403	\$754
Buffalo University	\$ 19,437	\$23,721	\$4,284
Canton	\$ 1,740	\$2,026	\$286
Cobleskill	\$ 1,813	\$2,129	\$316
Cornell	\$ 8,850	\$10,332	\$1,482
Cortland	\$ 4,529	\$5,369	\$840
Delhi	\$ 1,801	\$2,071	\$270
Empire State	\$ 369	\$461	\$92
Environmental Science and Forestry	\$ 2,200	\$2,585	\$385
Farmingdale	\$ 5,494	\$6,409	\$915
Fredonia	\$ 3,182	\$3,729	\$547
Geneseo	\$ 3,204	\$3,732	\$528
Maritime	\$ 1,796	\$2,056	\$260
Morrisville	\$ 2,076	\$2,395	\$319
New Paltz	\$ 4,584	\$5,376	\$792
Old Westbury	\$ 2,929	\$3,287	\$358
Oneonta	\$ 3,929	\$4,496	\$567
Optometry	\$ 900	\$1,060	\$160
Oswego	\$ 5,271	\$6,177	\$906
Plattsburgh	\$ 3,645	\$4,256	\$611
Potsdam	\$ 3,386	\$3,948	\$562
Purchase	\$ 5,343	\$6,266	\$923
State Univ Plaza	\$ 1,430	\$1,685	\$255
Stony Brook, incl Health Science Center	\$ 24,649	\$29,359	\$4,710
Syracuse Health Science Center (HSC)	\$ 2,616	\$3,270	\$654
SUNY Polytechnic	\$ 1,091	\$1,285	\$194
University-wide Alterations and Improvements	\$ 396,600	\$468,700	\$72,100
Total	\$550,000	\$650,000	\$100,000



FACT SHEET: Health – Medicaid – Aging

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Health Budget Highlights

- The FY 2025 Department of Health Executive Budget recommends All Funds spending of \$101.1 billion for State Operations and Aid to Localities, an increase of \$2.3 billion. An increase to the Medicaid Global Cap growth index to align with allowable Medicaid growth, increased Medicaid enrollment above past projections, State matching funding associated with additional Federal funding from the 1115 Waiver, and additional Essential Plan and Public Health program funding primarily drive this increase. This increase is offset by numerous Medicaid savings proposal including a \$200 million unallocated reduction to overall Medicaid spending, a \$200 million unallocated reduction to Long Term Care, a \$200 million reduction associated with the discontinuation of wage parity for the CDPAP program, a \$204 million one percent reduction to Managed Care premiums, and a \$75 million reduction to funding for financially distressed nursing homes.
 - Increase of \$56M for Medicaid, for a total of \$80.1B
 - Increase of \$1.6B for the Essential Plan, for a total of \$11.7B
 - Increase of \$643.8M for the DOH and Public Health programs, for a total of \$6.6B

The FY 2025 Executive Budget does not recommend a new capital appropriation to support a new Healthcare Facility Transformation Phase plan to fund new provider facility transformation projects and debt restructuring. Instead, it establishes a new Safety Net Transformation Plan utilizing existing funds (\$500 million) to support capital improvements and regulatory flexibility for Safety Net Hospitals.

The FY 2025 Executive Budget recommends a total of \$49.8 million for the Office of the Medicaid Inspector General. This is an increase of \$134,000.

The FY 2025 Executive Budget recommends \$368 million for the Office of the Aging. This is an increase of \$44.6 million from the FY 2024 Enacted Budget. This change is the result of the discontinuation of one-time legislative adds and the 1.5 percent COLA for SOFA programs as part of the overall human services COLA and funding for the State's Master Plan of Aging.



Notable Issues

- The Executive proposes to eliminate out-of-pocket costs for insulin, which includes deductibles, copayments, coinsurance, and any other cost sharing requirement.
- The Executive proposes to reduce from one year to six months the residency requirements for admission to a state-run Veterans Home.
- The Executive proposes to remove consumer directed personal assistants from the home care worker wage parity requirements as of October 1, 2024, impacting those assistants in New York City and in Nassau, Suffolk, and Westchester counties.
- The Executive proposes to provide eligible children until age six continuous enrollment in Medicaid and Child Health Plus until the later of (i) the last day of the twelfth months after the eligibility determination or (ii) the last day of the month in which the child reaches the age of six.
- The Executive proposes to codify the inclusion of minors in the Reproductive Health Act, and explicitly authorizes pregnant minors to give consent for “any and all” medical, dental health, and hospital services relating to reproductive health care, including consent to terminate a pregnancy for any reason.
- The Executive proposes to establish the Emergency Medical Services Essential Services Act which would designate medical emergency response and medical emergency dispatch as essential services within NYS.

Spending Highlights

- **Medicaid Growth.** The Executive proposes to extend the Global Cap through March 31, 2026. The Executive Budget allows for the continued growth within the cap at a rate of 10.9 percent, for a total cap of \$31.2 billion, an increase of \$3 billion. The latest enrollment data exceeded forecasts leading to \$402 million in additional costs in FY 2025. The Global Cap allowable growth was also increased by \$263 million after incorporating the latest published average annual growth rate from the Office of the Actuary in the Centers for Medicare & Medicaid Services.
- **1115 Medicaid Waiver.** The federal CMS approved New York’s 1115 Medicaid Waiver Amendment for \$7.5 billion in funding over the next three years (FY25: \$1.9B; FY26: \$2.6B). This includes nearly \$6 billion in Federal funds and \$1.7 billion in State funds. The funds support initiatives to advance health equity, reduce disparities, and improve access to primary and behavioral health care statewide. Programs include Social Care Networks, enhanced substance use disorder treatment, a Medicaid Hospital Global Budget Initiative, career pathways training programs, and a loan repayment program for healthcare professionals in underserved areas.
- **Undetermined Medicaid Cuts.** The Executive proposes a total of \$400 million in unallocated Medicaid cuts, with \$200 million within Long Term Care funding and \$200 million in general Medicaid savings. The Executive does not offer additional details of specific programs that would be cut, but proposes to work with industry leaders and stakeholders to come up with a future plan.



- **Nursing Home Cuts.** The Executive Budget cuts the \$100 million Nursing Home distressed pool, known as VAPAP, by \$75 million, maintaining \$25 million annually for financially distressed nursing homes. The Capital rate for nursing homes is also cut by 10 percent resulting in a \$28.5 million reduction.
- **Hospital Cuts.** The Executive Budget proposes to reduce the Hospital Capital Rate by 10 percent for a savings of \$21.3 million.
- **Health Plan Across the Board Cut.** The Executive proposes to remove the 1 percent premium increase initially intended to support pharmacy benefit administration in Managed Care, resulting in savings of \$204 million.
- **Elimination of the Quality Pool for MMC and MLTC Plans.** The Executive proposes to cease funding for programs incentivizing quality care in Medicaid plans, resulting in savings of \$112 million.
- **Elimination of Wage Parity For Consumer Directed Personal Assistance Program (CDPAP).** The Executive proposes to eliminate the wage parity add-on currently given to CDPAP personal assistance as part of their hourly wage of \$2.54 in New York City and \$1.67 in Westchester and Long Island resulting in savings of \$200 million.
- **Increase Early Intervention rates.** The Executive proposes to increase early intervention rates by 5 percent with a 4 percent rate modifier targeting rural and underserved areas, increasing spending by \$1.8 million.
- **Reform EMS.** The Executive Budget improves EMS and Medical Transportation by establishing five "EMS zones" via a statewide task force. Additionally, it promotes legislation to classify EMS as an essential service, requiring mandated emergency response, increasing spending by \$20.1 million.



HEALTH – MEDICAID – AGING

Department of Health (DOH)

The FY 2025 Executive Budget recommends All Funds Department of Health cash disbursements of \$101.1 billion, a net increase of \$2.4 billion or 2.4 percent. An increase to the Medicaid Global Cap growth index to align with allowable Medicaid growth, increased Medicaid enrollment above past projections, state matching funding associated with additional federal funding from the 1115 Waiver, and additional Essential Plan and Public Health program funding primarily drive this increase. This increase is offset by numerous Medicaid savings proposal including a \$200 million unallocated reduction to overall Medicaid spending, a \$200 million unallocated reduction to Long Term Care, a \$200 million reduction associated with the discontinuation of wage parity for the CDPAP program, a \$204 million one percent reduction to Managed Care premiums, and a \$75 million reduction to funding for financially distressed nursing homes.

The Executive Budget projects All Funds gross Medicaid spending (including the local share and Other State Agency Medicaid spending) of \$107.7 billion, an increase of \$300 million or 0.4 percent from FY 2024. The Executive proposes a one-year appropriation structure to disburse these funds, a change from the FY 2024 two-year appropriation structure.

The Executive proposes multiple initiatives in the FY 2025 Medicaid Budget. Reversing the trend from FY 2023 and FY 2024, the Medicaid Budget proposes significant cuts to the program rather than large increases. After accounting for costs associated with revised upward enrollment projections and an updated increase to the Global Cap growth index adjustment of \$263 million, the Medicaid Global Cap is projecting a deficit of \$993 million for FY 2025. The net fiscal impact of all Executive Medicaid proposals is budget neutral after accounting for the Cap Base deficit, State spending, savings, and offsetting initiatives.

State Operations

Department of Health

The Executive Budget recommends \$1 billion for DOH State Operations. This is an increase of \$62.3 million from the FY 2024 Enacted Budget.

- This increase is driven by an increase in the agency workforce and investments in the Essential Plan, Medicaid administration, and Public Health



Workforce

DOH's workforce encompasses employees of the central office in Albany, four regional offices (located in Syracuse, New York City, Long Island, and Buffalo), the Wadsworth Center for Laboratories and Research, Helen Hayes Hospital (located in Haverstraw), as well as employees of the New York State Veterans' Homes (located in Oxford, Queens, Batavia, and Montrose).

DOH's workforce is projected to increase by 152 FTEs in FY 2025 - from 6,057 to 6,209. The increase of 152 FTEs is associated with the newly established EMS statewide taskforce to create five "EMS zones."

The Executive Budget provides \$20.1 million to the EMS special revenue fund, which is anticipated to the full annual value of \$26.3 million in FY 2026.

Reforming Approval Processes of Healthcare Projects

The Executive Budget would modify the Certificate of Need (CON) program such raising the financial thresholds that qualify a project for more detailed review and streamlining the application and approval processes, assuming \$230,000 in increased State costs

Modernizing Vital Records

The Executive Budget would direct the Department of Health to digitize records that are not yet electronic and implement intelligent document software, with the goal of creating a searchable system that automatically extracts information, assuming \$700,000 in increased State costs

Appointing a Director of Patient Advocacy

The Executive Budget would direct DOH to appoint a Director of Patient Advocacy (DPA) to work across programs advocating for patient issues, such as billing and financial assistance concerns, and to uphold the NY Hospital Patient Bill of Rights. The Executive assumes \$200,000 in increased State costs.

Data Privacy Actions for Abortion Providers

The Executive Budget would direct DOH to modernize technology for the electronic reporting of induced abortions, eliminating the need for paper records, and to implement safeguards to protect related health information to said abortions from potential dissemination. The Executive assumes \$100,000 in increased State costs.

Office of the Medicaid Inspector General (OMIG)

The FY 2025 Executive Budget recommends a total appropriation of \$57.4 million for the Office of the Medicaid Inspector General, consistent with FY 2024 Enacted Budget levels.

The Budget recommends a workforce of 515 full time equivalent employees (FTEs) and continues to support a workforce investment made in the FY 2021 Enacted Budget to support enhanced program integrity efforts. Funding for this workforce investment is financed through increased audit recoveries and cost avoidance.



The Budget recommends that OMIG work to increase its audit recovery target by \$100 million in FY 2025 in order to offset increases associated with enrollment and cost increases.

State Office for the Aging (SOFA)

The Executive Budget recommends an appropriation of \$6.6 million in State Operations. This is an increase of \$3.1 million or 23.6 percent from the FY 2024 Enacted Budget.

- This large increase is due to additional appropriation authority for an anticipated increase in federal funding for the older Americans act and other federal programs offset by the elimination of one time legislative additions.

Aid to Localities

Department of Health

Public Health

The Executive proposes a combined \$2.9 billion in cash assistance to localities associated with Public Health programs. The most significant new proposals are detailed below:

Perinatal and Infant Support

The Executive Budget supports perinatal care and efforts to combat infant mortality with funding of \$1 million.

Housing and Health Equity for Children with Asthma

The Executive Budget invests \$2.1 million in the appropriate allocation of resources to ensure that children have equitable access to care for Asthma.

Rare Disease Research

The Executive Budget invests \$20 million in capital funding and \$5 million in operating funds targeted towards catalyzing innovation in research and treatment for ALS and other rare diseases.

Support for Children with Special Health Care

The Executive Budget invests \$3 million to provide physical spaces for children with special needs to better their health and safety. Funding will begin in FY 2026.

Increase Funding for Hepatitis C Prevention

The Executive Budget invests \$3 million in the integration of Hepatitis C prevention in opioid prevention services. This includes providing funding to local health departments to support disease surveillance for new Hepatitis C care models.



End Preventable Epidemics

The Executive Budget includes a series of proposals to end preventable epidemics:

- \$2 million for Harm Reduction services.
- \$2 million to increase access to Pre-exposure Prophylaxis.

Expand the American Indian Health Program (AIHP)

The Executive Budget invests in AIHP to address clinic improvements and inequities in access. Additionally, the Budget restores funding for AIHP to support pharmacy costs. The Executive assumes \$11.1 million in increased state costs for the expansion.

First Nations' Dental Care

The Budget invests \$4.5 million to address and improve dental care for First Nations.

Funding for School-Based Health Centers

The Budget invests \$3 million in FY 2025 and \$5 million in the outyears for school-based health centers to increase access and to provide increased services, including dental services.

Increase Early Intervention Rates

The Budget supports a 5 percent Early Intervention reimbursement rate increase, and a 4 percent Early Intervention rate modifier targeted to support rural and underserved areas. The Executive assumes additional state costs of \$1.8 million for the rate increase.

Modify Early Intervention Billing

The Budget advances various administrative changes to align the State's Early Intervention billing practices and provider claiming requirements with federal regulations. The Executive assumes savings of \$11.9 million.

Excess Medical Malpractice Cut

The Budget includes a change to reconfigure the timing of payments under the program, splitting payments over two years and reducing costs by 50 percent. The Executive assumes state savings of \$39.3 million.

Elimination of Programs Classified as "Non-core"

The Budget discontinues support for several programs that no longer support the Department of Health's core mission. The Executive contends that these are often duplicative of programming happening under other programs or at the County level. The Executive assumes State savings of \$14 million associated with eliminating the programs.

Removal of Legislative Adds

The Executive Budget removes \$62.1 million of Legislative additions enacted as part of the FY 2024 Budget.



Medicaid

The Executive Budget projects DOH Medicaid spending of \$80.9 billion, an increase of \$56 million of less than .1 percent from FY 2024. The Executive proposes a one-year appropriation structure to disburse these funds. The most significant new developments and new proposals are detailed below:

Medicaid Enrollment

Over 7.1 million New Yorkers are expected to enroll in Medicaid by the end of FY 2024, (over one-third of the State population). Enrollment peaked in June 2023 at 8 million enrollees. This increase since 2020 is due to the economic downturn caused by the pandemic and federal policies issued during the COVID-19 Public Health Emergency prohibiting states from disenrolling members, granting enrollees continuous 12-month coverage from enrollment, and limiting or eliminating benefits. In the out years, enrollment is expected to decrease more slowly than previously projected by the Division of the Budget due to the unexpected length and slow unwind of the policies enacted during Public Health Emergency that increased enrollment. The biggest Medicaid challenge facing New York is redetermining Medicaid eligibility as required by the federal decision to wind down the COVID-19 public health emergency declaration. In the outyears, enrollment is expected to decrease more slowly than previously projected during the unwind of the public health emergency and the ongoing disenrollment of those found ineligible. This unwind process began in June 2023 and is expected to conclude at the end by July 2024.

Current Medicaid Spending Picture

Total DOH Medicaid spending will be \$31.3 billion in FY 2025. Key drivers of increased spending include increases in Medicaid enrollment, including Managed Long-Term Care (MLTC) enrollment and price growth. The financial Plan assumes \$1.6 billion in new Medicaid spending associated with updated enrollment cost estimates.

The Executive Budget closes a \$735 million deficit in FY 2025 with \$1.2 billion in cost savings proposals. These cost savings proposals are offset by \$495 million in increased state spending. After accounting for these cost savings and spending proposals, the Executive Budget balances the Medicaid Global cap budget. However, unsustainable growth contributes to a \$2.3 billion deficit in FY 2026 which remains unbalanced by over \$1 billion after accounting for \$1 billion in budget savings actions. Further, outyear deficits of \$945 million and \$850 million exist in FY 2027 and 2028 respectively even after the significant Executive Budget actions.

Global Medicaid Spending Cap

The Executive anticipates spending under the Global Cap to total \$24.8 billion in FY 2025, an increase of \$1.5 billion or 6.7 percent. In FY 2023, the Enacted Budget updated the calculation metric used to determine allowable Medicaid disbursements under the Global cap to better align spending with growth in health care costs. The new metric created a formula using data released annually by Office of the Actuary in the Centers for Medicare & Medicaid Services (CMS) that tied the growth to the five-year rolling average of current and projected national Medicaid spending increases. Under this new



calculation, the increase for the Global Cap corresponds to the average percentage increase calculated by using a five-year rolling average of the national Medicaid growth.

In FY 2025, the Executive proposes to update this metric to align with higher projections associated with increased enrollment and spending on Medicaid nationally as reported by the CMS. The updated metric would allow for \$263 million in additional spending growth for a total Global Cap increase of \$1.56 billion or 6.7 percent.

5-Year Global Cap Growth - CMS Actuary

\$Ms	FY 2024	FY 2025	FY2026	FY 2027	FY 2028
FY 2024 Enacted \$ Growth	\$475	\$694	\$854	\$754	\$430
% Growth	6.3%	6.3%	6.2%	5.3%	4.5%
FY 2025 \$ Executive Growth*	\$141	\$263	\$158	\$38	-\$72
% Growth	0.6%	0.5%	-0.5%	-0.5%	-0.4%

*Growth is in addition to the current Global Cap as set in the FY 2024 Executive Budget.

The Executive proposes extending the state Medicaid Global Cap for two years through FY 2027 limiting State-share Medicaid program spending to \$29.8 billion, which is the limit set by the Medicaid Global Cap Indexed Provisions including select spending that is exempted from this calculation and “outside the cap.” In statute, there are select exemptions to the Global Cap calculation, including funding for increases to the minimum wage as enacted in FY 2017. The Financial Plan continues to fund increases the minimum wage for health care providers outside the Global Cap, totaling \$6 billion in FY 2025. An additional \$1.48 billion is provided in addition to this funding to provide for the increased minimum wage for home care workers, which was effective at a \$2 increase in October 2022 and \$3 in October 2023. The Executive also includes an additional \$2.4 million in minimum wage funding to comply with the proposed tie of minimum wage to the CPI inflation index. In addition, the funding for the State related to the takeover of the growth of local Medicaid costs of \$2 billion is funded outside of the cap.

The FY 2025 Executive Budget recommends total state Medicaid spending, including Medicaid spending for the Mental Hygiene agencies of \$35.5 billion.

[Continuing the State Takeover of Local Medicaid Costs](#)

In FY 2025, in continuing State Assumption of Local Medicaid Costs, the State is set to shoulder almost \$7.4 billion in expenses that would otherwise have fallen on localities. This represents an annual relief package of multiple billions to the localities, with the amount steadily increasing each year. Since 2015, the counties have realized savings of \$47.4 billion as a result of the local takeover.

[End of COVID-19 Enhanced Federal Medicaid Assistance Funding](#)

The COVID-19 federal health emergency ended in May 2023. Under the omnibus federal spending bill signed last December, extra federal Medicaid aid known as Enhanced Federal Medical Assistance Program (eFMAP) funds continued through December 2023 at a lower percentage rate. This funding that initially began being disbursed to states in February 2020 at a rate of 6.2 percent is reduced to 5 percentage points in April, 2.5 percent in July and 1.5 percent in October. The Executive projects an additional \$1



billion in aid to the financial plan in FY 2024 because of this enhanced funding. The Executive Budget assumes no new enhanced COVID-19 funding in FY 2025.

[1115 Medicaid Waiver](#)

Approval has been granted for New York's 1115 Medicaid Waiver Amendment by the federal CMS. This amendment secures \$7.5 billion in funding over the next three years (FY25: \$1.9B; FY26: \$2.6B), encompassing nearly \$6 billion in Federal funds and \$1.7 billion in State funds. These funds are dedicated to supporting initiatives aimed at promoting health equity, reducing disparities, and enhancing access to both primary and behavioral health care across the state. The programs covered include Social Care Networks, improved substance use disorder treatment, the Medicaid Hospital Global Budget Initiative, career pathways training programs, and a loan repayment initiative for healthcare professionals in underserved areas.

Significant FY 2025 Medicaid Budget Actions

The Executive Medicaid Budget actions include \$1.23 billion in cost savings actions, offset by \$495 million in new spending actions. Details of the health care sector affected are below.

[Hospitals](#)

Reduce the Hospital Capital Rate Add-on by 10 percent

The Executive Budget proposes to reduce the Hospital Capital Rate Add-on by an additional 10 percent to both the budgeted and actual inpatient capital rate add-ons for hospital Medicaid rates. The Executive assumes state savings of \$21.3 million.

Extend the Distressed Provider Assistance Program

The Budget extends the Distressed Provider Assistance Program for an additional three years from the current expiration of March 31, 2025, to March 31, 2028, allowing the State to continue to collect \$150 million annually to support financially distressed hospitals. This program is funded by a tax intercept on NYC sales tax collections.

[Nursing Homes](#)

Nursing Home Vital Access Provider Assurance Program (VAPAP) Reduction

The Budget reduces the \$100 million distressed Nursing Home funding VAPAP Pool by \$75 million, to continue to provide \$25 million in annual resources to financially distressed nursing homes.

Reduce Nursing Home Capital Rate Add-on

The Budget reduces the capital component of nursing home Medicaid reimbursement rates by 10 percent. The Executive assumes state savings of \$28.5 million.



Managed Care and Managed Long Term Care Actions (Health Plans)

Competitively Procure Managed Care Organizations (MCOs)

This proposal would provide authority for DOH to competitively procure MCOs participating in four Medicaid managed care programs, specifically Mainstream Managed Care (MMC), Managed Long Term Care Partial Capitation (ML TCP), Medicaid Advantage Plus (MAP), and Health and Recovery Plans (HARP). This would align with the practices of 46 other states. The Executive projects state savings of \$150 million in the second year of implementation in FY 26

Discontinue the MMC and MLTC Quality Pool

The Executive proposes to eliminate funding for MMC and ML TC plans that is designed to incentivize quality care for Medicaid beneficiaries by increasing premiums for high performing plans. This proposal would provide savings of \$112 million State-share in FY 2025 and FY 2026.

Managed Care Contracting Reform

This proposal creates more stringent regulations for managed care plans by instituting liquidated damages against plans who fail to comply with model contract requirements. The Executive assumes state savings of \$5 million in the second year of implementation in FY 2026.

Reduce Health Plan Premiums by 1 Percent

This proposal removes the 1 percent premium increase originally implemented to aid plans with administration of the pharmacy benefit, located in the administrative costs section of the Managed Care rates to reflect the full implementation of the transition to fee-for-service pharmacy benefit administered by DOH that was effective April 1, 2023.

Independent Dispute Resolution (IDR) MMC Carveout

The IDR process determines if fees billed by providers in emergency settings and through surprise billing are reasonable, however while claims that are paid on a fee schedule are excluded, surprise billing to MMC plans is allowed. This proposal aligns State law with Federal law that excludes Medicaid from the Federal IDR process. The Executive assumes \$7.5 million in states savings.

Pharmacy Actions

The Executive Budget continues subsidizing 340B providers including Ryan White Clinics, Federal Qualified Health Centers, and Hospitals. In addition, the Budget proposes to:

Streamline Medicaid Drug Cap

Since the implementation of the NYRx program, the self-imposed Drug Cap has impeded the ability of DOH to directly negotiate additional savings via supplemental rebate negotiations and/or Drug Utilization Review Board (DURB) referrals. By consolidating and streamlining the legislative and programmatic requirements for the management of the Medicaid Drug cap, NYS will be allowed to leverage greater drug spending flexibility to generate significantly improved rebate returns in the future.

Eliminate Prescriber Prevails

Elimination Eliminates prescriber prevails for all prescription drugs by removing the right of a doctor to make the final determination of prescriptions dispensed to Medicaid patients. The Executive assumes \$5 million in state savings for FY 2025.



Pharmacy Enhancements & Integration of Specialty Drug Management

The Executive Budget proposes to oversee physician-administered drugs (PAD) and strengthening the management of specialty pharmacy. Additional measures involve promoting the use of mail-order prescriptions, encouraging 90-day supplies, and establishing a State maximum allowable cost (SMAC) for PADs. To enhance transparency and cost reporting, this proposal mandates that cost report data must incorporate crucial provider data points, utilization data, and cost breakdowns by cost center (both overall and for Medicare). The Executive assumes \$9.4 million in state savings for FY 2025.

Reduce Coverage for Over-The-Counter (OTC) Pharmaceuticals

The Executive Budget would eliminate the coverage of certain inexpensive and widely available drugs that are typically purchased in a retail setting without a written order from a medical provider. In addition to coverage of outpatient prescription drugs, the Medicaid program provides coverage for a long list of over the counter (OTC) drugs. The Executive assumes state savings of \$18 million in FY 2025.

Long Term Care Actions

Eliminate Wage Parity for Consumer Directed Personal Assistance (CDPAP) Program

The Budget eliminates wage parity for the CDPAP in New York City and in Nassau, Suffolk, and Westchester counties, saving the State \$200 million in FY 2025 and \$401 million in the out-years.

Institute Plan Penalty for Electronic Visit Verification (EW) Non-Compliance

The Budget authorizes DOH to impose financial penalties on plans for not complying with Electronic Visit Verification (EW) requirements. The Executive assumes state savings of \$20 million in FY 2026.

Mandatory Dual Special Needs Plan (DSNPs) Dental Coverage

The Budget would shift coverage of Medicaid dental benefits for dual eligibles within DSNPs to the Medicare program. This action will result in savings of \$3 million in FY 2025.

VNS acquisition of Independence Case System (ICS)

The Budget continues to support VNS' acquisition of ICS. The Executive assumes \$20 million in state savings.

Unallocated Long-Term Care Savings

In addition to the defined actions, the FY 2025 Executive Budget recognizes the need to ensure further cost controls within the long-term care sector. This budget proposes to work with industry leaders and stakeholders to develop a suite of proposals to achieve an additional \$200 million in savings for long-term care programs.

Long Term Care Facilities Actions:

Improving Access and Transparency for Assisted Living Residences

The Executive Budget transitions the Special Needs Assisted Living Residence (SNALR) voucher program from a pilot program to a permanent program, allowing more New Yorkers to age in place in the most integrated setting possible. This proposal also establishes quality improvement standards and scoring



for Assisted Living Residences (ALRs) to enhance transparency, enabling consumers to be more informed about the cost and quality of long-term care facilities.

State Veterans Home Eligibility

The Executive Budget shortens the New York State residency requirements from one year to six months for admission to a state-run Veterans Home. By allowing aging veterans in the State to seek admission more promptly, the proposal would improve access to care.

Additional Medicaid Initiatives

Unallocated Medicaid Savings

In addition to the defined actions, the FY 2025 Executive Budget recognizes the need to ensure further cost controls within the Medicaid program. This budget proposes to work with industry leaders and stakeholders to develop a suite of proposals to achieve an additional \$200 million in savings.

Increases to the Medicaid Audit Target

The Budget proposes an increase to the Medicaid Audit target. With the increased growth in Medicaid claims, the budget assumes an additional \$100 million in savings to the Medicaid program.

CHIP Non-Personal Service Reduction

The Budget proposes \$25 million in savings associated with program re-estimates.

Procurement Savings and Efficiencies

The Budget implements the Best and Final Offer (BAFO) process improving and optimizing procurement administration. This results in \$5 million in savings in FY 2025 and outyears.

Restructure the Health Homes Program

The executive budget builds upon the prior year budget action phasing down the Health Homes program through elimination, beginning in FY 2026. There are currently 27 lead Health Homes in New York; 24 serving adults, 10 serving both adults and children and three serving children only.

Continuing the State Intercept of Local Government Enhanced Federal Medicaid Assistance Percentage (eFMAP)

The FY 2024 Enacted Budget began to administratively eliminate \$625 million in Medicaid Enhanced Federal Medical Assistance Program (eFMAP) fund payments intended to go directly to local governments. Each county received a loss in state funding. As part of the federal Affordable Care Act, New York receives funds annually from the federal government to fund Medicaid expansion. Federal law requires the state to share 20 percent of these funds with county governments, known as eFMAP reconciliation. The state instituted an incremental phase out by intercepting 25 percent of this funding annually beginning in FY 2025. This intercept is expected to continue in FY 2025 with another 25 percent reduction.

Essential Plan Budget

The Essential Plan trust fund is expected to grow by \$3 billion from \$8.5 billion to \$11.6 billion or 35.1 percent in FY 2025.



The Executive proposes several initiatives to utilize increased federal funding available within the Essential Plan Trust Fund that would help to provide increased revenue to providers, including hospitals. Various measures are suggested to optimize the utilization of federal pass-through funding within the framework of the 1332 innovation waiver for the Essential Plan (EP). The objective is to enhance revenue for providers and alleviate the financial strain of health insurance costs on individuals, both within the essential plan and in the commercial market through qualified health plans.

The Executive proposes to:

- Utilize 1332 pass through funds to offer supplemental insurance subsidies to the QHP eligible individuals up to 350% of the FPL. Subsidies will be approximately \$2,000 per person per year.
- Eliminate cost sharing for individuals with certain chronic conditions.
- Eliminate cost sharing for pregnancy and post-partum care and aligning benefits for Doula's within EP.
- Eliminate non-hospital cost sharing for pregnancy and postpartum care for QHP eligible individuals.
- Provide contingency management around harm reduction services.
- Provide air conditioners for complex asthma beneficiaries.

State Office for the Aging (SOFA)

The Executive Budget recommends an appropriation of \$351.7 million in Aid to Localities. This is an increase of \$40.9 million, or 13.1 percent from the FY 2024 Enacted Budget.

- This increase is driven by 1.5 percent Cost of Living (COLA) Adjustments for SOFA Programming. The FY 2025 Executive Budget provides for a 1.5 percent COLA for not-for-profits that provide services on behalf of the multiple health and human services agencies, including SOFA, support for an anticipated increase in federal funding, and offset by the discontinuation of one-time Legislative adds.

The Executive includes \$1 million in funding in FY 2025 for the State's Master Plan for Aging with and the subsequent outyears under SOFA. This master plan coordinates all state policy and programs and address challenges related to communication, coordination, caregiving, long-term financing, and innovative care models.

The Executive includes \$1 million to strengthen New York's Enhanced Multidisciplinary Teams to enable them to better address cases of elder abuse and exploitation.



Establish an Elder Justice Coordinating Council

The Executive Budget creates an interagency Elder Justice Coordinating Council tasked with developing a state plan for Elder Justice.

Capital Funding

Department of Health

The Executive Budget recommends an appropriation of \$519.2 million. This is a decrease of \$1.9 billion, or 79.2 percent from the FY 2024 Enacted Budget. This decrease is driven by the removal of capital appropriations for the provider facility transformation and for the Albany Life Science laboratory. These capital programs are included as reappropriations as funding continues to be spent.

Safety Net Hospital Transformation Program

The FY 2025 Executive Budget establishes a new Safety Net Transformation Plan that would be authorized to utilize existing resources of the existing Statewide IV and Statewide V facility transformation programs to support capital improvements and provide regulatory flexibility for Safety Net Hospitals and their partners. According to the Executive, available funding using the existing resources is \$500 million.

Mobile Prostate and Breast Cancer Screening Services

The Executive Budget will invest \$4 million in the Roswell Park Cancer Institute (RPCI) to finance new mobile breast and prostate cancer screening vans and expanded cancer screening activities. The Executive assumes increased state costs of \$4 million.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:

Medicaid Global Cap *(HMH, S.8307, Part A)*

- The Executive proposes to extend the Medicaid Global cap for another two years through 2026.

Extend Various Provisions of the Public Health and Social Services Law *(HMH, S.8307, Part B)*

- Extends for five years Medicaid coverage for children who are 19 or 20 years old living with their parents who meet certain criteria through October 1, 2029.
- Extends for five years the Commissioner of Mental Health's authority to certify Mental Health Special Needs Plans through March 31, 2030.
- Extends for four years the issuance of certificates of authority to accountable care organizations through December 31, 2028.



- Extends for four years the authority of the Commissioner of Health to issue certificates of public advantage through December 31, 2028.
- Extends for one year payment parity for Medicaid fee-for-service and Medicaid managed care services, whether they are provided in a traditional in-person setting or provided via telehealth modalities through April 1, 2025.
- Extends for five years affiliation requirements to allow a managed care organization to affiliate with an entity or entities that are controlled by non-profit organizations to provide care coordination services through December 31, 2029.
- Extends for three years the Opioid Stewardship Act through June 30, 2027.
- Extends for two years the Statewide Medicaid integrity and efficiency initiative for the purpose of achieving audit recoveries through March 31, 2026.
- Extends for three years authorization for the Commissioner's preparation of an energy audit and/or disaster preparedness review of residential health care facilities through July 1, 2027.
- Extends for two years the ability of the Department of Health (DOH), Office of Mental Health (OMH), Office of People with Developmental Disabilities (OPWDD), and Office of Addiction Services and Supports (OASAS) to waive any necessary regulatory requirements to allow providers involved in DSRIP projects, or authorized replication and scaling activities, to avoid duplicative requirements through April 1, 2026.

Removal of the Temporary Allowance for School Psychologists to Render Early Intervention Services
(HMH, S.8307, Part C)

- The Executive proposes to remove the temporary exemption School Psychologists currently have that allows them to practice as Early Intervention (EI) providers but would extend their authorization to provide non-EI services for certain preschool programs.

Hospitals
(HMH, S.8307., Part D)

- The Executive proposes to reduce the capital rate add-on by an additional 10 percent for hospital inpatient services and extends for an additional three years through, March 31, 2028, the Distressed Provider Assistance Program.

Nursing Home Program Reforms
(HMH, S.8307, Part E)

- The Executive proposes to freeze nursing home operating rates to those as of January 1, 2024, to allow the Department of Health to develop and implement a case mix methodology using the Patient Driven Payment Model and reduces the capital portion of the nursing home rates by 10 percent.



- The Executive proposes to reduce from one year to six months the residency requirements for admission to a state-run Veterans' Home.

Long-Term Care Facilities *(HMH, S.8307, Part F)*

- The Executive proposes to make the special needs assisted living residence (SNALR) Voucher Program permanent.
- The Executive proposes to require assisted living residences, including those special needs assisted living residences or enhanced assisted living residences, to report annually on quality measures, disclose the monthly service rate, staffing complement, approved admission or residency agreement and a consumer-friendly summary of all service fees;
 - Requires the Department of Health to rate facilities based on quality reporting and top scoring facilities would be granted the classification of "advanced standing" on their annual surveillance schedules;
 - Facilities achieving an "advanced standing" shall be surveyed every twelve to eighteen months while all other facilities shall be surveyed on an unannounced basis no less than annually, and this shall not apply to surveys, inspections or investigations based on complaints received by the Department;
 - The Department may post on its website the results of the assisted living quality reporting effective January 31, 2025.
- The Executive proposes to authorize adult care facilities fully licensed to provide assisted living to seek accreditation by one or more nationally recognized accrediting agencies and accredited agencies may be exempt from Department inspections for the duration they maintain accreditation in good standing; requires operators to report to the Department loss of accreditation within ten business days which will result in no longer being exempt from Department inspections.

Long-Term Care Proposals *(HMH, S.8307., Part G)*

- The Executive proposes to remove consumer directed personal assistants from the home care worker wage parity requirements as of October 1, 2024, impacting those assistants in New York City and in Nassau, Suffolk, and Westchester counties.

Managed Care Proposals *(HMH, S.8307, Part H)*

- The Executive proposes to exclude Medicaid Managed Care services from the independent dispute resolution process (IDR) for surprise medical billing which includes emergency services.
- The Executive proposes to establish a moratorium on the processing and approval of applications seeking authority to establish a managed care provider, including applications to expand the scope of eligible enrollee populations and applies to: applications submitted prior to January 1, 2024,



application seeking approval to transfer ownership or control of an existing managed care provider; applications seeking authorization to expand an existing managed care provider's approved service area; application seeking authorization to form or operate a HIV Special Needs Plans or Developmental Disability Individual Support and Care Coordination Organization; or applications, at the discretion of the Commissioner, which would be appropriate to address a serious concern with care delivery, such as a lack of adequate access to managed care providers in a geographic area or a lack of adequate and appropriate care, language and cultural competence or special needs services.

- The Executive proposes to require the Department, through a competitive bid process, to select qualified managed care providers (MCOs) to participate in the managed care program, excludes comprehensive HIV special needs plans from the competitive bid process, and establishes the following criteria for the Commissioner to consider:
 - Accessibility and geographic distribution of network providers; the extent to which major public hospitals are included in provider networks; cultural and language competencies specific to the population participants; the corporate organization and status of the bidder as a charitable organization; the ability of the bidder to offer plans to multiple regions; the type and number of products proposed to operate including whether products for integrated care for dual eligible are offered; whether the bidder participates in value based payment arrangements, including the delegation of significant financial risk to clinically integrated provider networks; the bidder's commitment to participation in managed care in the state; the bidder's commitment to quality improvement; the bidder's commitment to community reinvestment spending; for current or previously authorized managed care providers, past performance in meeting contract, state and federal requirements and any other criteria deemed appropriate by the Commissioner.
- The Executive proposes to require the Department to post certain information about the request for proposals on its website.
- The Executive proposes to limit contracts to two or more managed care providers in each geographic area, provides the Commissioner with discretion to offer more contracts based on need for access and allows the Commissioner to reissue a request for proposals where necessary and limit it to the geographic or other basis of need that the request for proposals is seeking to address.
- The Executive proposes to authorize the Commissioner to select a limited number of special needs managed care plans capable of managing the behavioral and physical health needs of Medicaid enrollees with significant behavioral health needs.
- The Executive proposes to additionally subject Medicaid Long-Term Care (MLTC) plans to competitive bid process utilizing similar criteria to that imposed on Medicaid Managed Care organizations.
- The Executive proposes to continue the moratorium on new plans until the request for proposal is published on the Department's website.
- The Executive proposes to repeal the 1 percent across-the-board rate increase for Managed Care Organizations.
- The Executive proposes to authorize the Department of Health to impose liquidated damages from managed care organizations for failure to meet contractual obligations and performance standards of



the contract; authorizes the Department to recover \$250 to \$25,000 per violation depending on the severity of the noncompliance.

Pharmacy Related Recommendations *(HMH, S.8307, Part I)*

- The Executive proposes to authorize the Department of Health to modify drugs from the list of over-the-counter (OTC) drugs that are reimbursable through Medicaid Fee for Service (FFS).
- The Executive proposes to repeal prescriber prevails.
- The Executive proposes to restructure the Medicaid Drug Cap to allow the State to directly negotiate supplemental rebates with manufactures; where a rebate arrangement is not reached, the manufacturer is required to provide the Department with the following:
 - The actual cost of developing, manufacturing, producing and distribution of the drug;
 - Research and development costs of the drug;
 - Administrative, marketing and advertising costs for the drug;
 - The extent of utilization of the drug;
 - Prices for the drug that are charged to purchasers outside the United States;
 - Prices charged to typical purchasers in the state, including but not limited to pharmacies, pharmacy chains, pharmacy wholesalers, or other direct purchasers;
 - The average rebates and discounts provided per payer type in the state; and
 - The average profit margin of each drug over the prior five-year period and the projected profit margin anticipated for such drug.
- Requires the Department to annually review the State's Medicaid pharmacy spending to identify high cost and high expenditure drugs, and authorizes the Commissioner to refer such drugs to the Drug Utilization Review Board (DURB).
- The Executive proposes to provide flexibility to exclude drugs from the State's Medicaid formulary and proposes to remove reporting requirements of the Department to the Legislature.
- The Executive proposes to expand the Department's authority to negotiate directly with manufacturers for a supplemental rebate on certain class of pharmaceuticals including accelerated approval drugs.
- The Executive proposes to authorize the Department to develop and implement a cost reporting program for licensed pharmacists that participate in Medicaid which shall include a requirement to submit an annual cost report on costs incurred during procurement and dispensing of prescription drugs.
- The Executive proposes to establish a new reimbursement structure for physician administered drugs covered under Medicaid by shifting from the actual cost of the drug to the lower of the national average drug acquisition cost (NADC) or wholesale acquisition cost if no NADC is available, the federal upper payment limit, the state maximum acquisition cost, or the actual cost of the drug to the practitioner and the amount actually paid by a 340B entity.



Essential Plan Proposals (HMH, S.8307, Part J)

- The Executive proposes to amend the name of the Basic Health Program to the Essential Plan.
- The Executive proposes to extend for one year through 2025 the authority to provide lawfully present individuals between 0-138 percent of the FPL long term care supports and services (LTSS) in the Essential Plan and delay for one year until 2025 the implementation to provide LTSS in the Essential Plan to individuals between 0-200 percent of the FPL.
- The Executive proposes to incorporate the recently approved 1332 state innovation waiver into the Health and Social Services Law and functions of the marketplace.
- The Executive proposes to authorize the Commissioner of Health to establish a new subsidy to assist low-income New Yorkers with the payment of premiums and/or cost sharing subject to federal approval.

Physician's Excess Medical Malpractice (HMH, S.8307, Part K)

- The Executive proposes to extend the Excess Medical Malpractice Program for one year through June 30, 2025.
- The Executive proposes to amend the methodology and timing of fund distribution by establishing that on or after July 1, 2023, excess coverage shall be purchased directly by a physician or dentist from an excess insurance coverage insurer, and at the end of the policy period the Superintendent and Commissioner shall pay 50 percent of the premium to the provider and the remaining 50 percent to be paid one year later. Additionally, effective July 1, 2024, excess coverage shall be purchased directly by a physician or dentist from an excess insurance coverage insurer who must only bill for 50 percent of the premium and at the conclusion of the policy the Departments shall pay half of the remaining 50 percent of the premium to the provider and the remaining 25 percent to be paid one year after.
 - The Executive proposes to cancel such coverage and make it null and void as of the first day on or after the commencement of the policy where the liability for payment has not been met if the physician or dentist has failed to pay 50 percent of the premium.
 - Authorizes the Superintendent to establish a rate that providers of excess insurance coverage will charge and establish that beginning July 1, 2024, the Superintendent may direct that the premium for the policy be the same as it was for the policy period that concluded June 30, 2023.

Miscellaneous Public Health Recommendations (HMH, S.8307, Part L)

- The Executive proposes to repeal certain programs within the Public Health Law and Social Services Law including: the Hospital Audit Program, the enhanced quality of adult living program (EQUAL),



the Enhanced Housing program, the Empire clinical research investigator program (ECRIP) and the Medical Society of the State of New York Committee for Physician Health program.

Continuous Eligibility for Children Ages 0-6 (HMH, S.8307, Part M)

- The Executive proposes to provide eligible children until age six continuous enrollment in Medicaid and Child Health Plus until the later of (i) the last day of the twelfth months after the eligibility determination or (ii) the last day of the month in which the child reaches the age of six.

Maternal and Reproductive Health (HMH, S.8307, Part N)

- The Executive proposes to authorize the Commissioner of Health to issue a non-patient specific statewide standing order for the provision of doula services for pregnant, birthing and postpartum individuals through twelve months postpartum.
- The Executive proposes to authorize pregnant minors to give consent for “any and all” medical, dental health and hospital services relating to reproductive health care, including consent to terminate a pregnancy for any reason.
- The Executive proposes to include minors within the Reproductive Health Act.
- The Executive proposes to authorize health care practitioners to prescribe or distribute a contraceptive device or medication when, in the practitioner’s reasonable and good faith professional judgment based on facts of the patient’s case, they determine the patient is able to medically tolerate such treatment.

Medical Debt Protections (HMH, S.8307, Part O)

- The Executive proposes to require hospitals to extend assistance to underinsured individuals in order to receive funding from the indigent care pool and establishes a definition for “underinsured” to mean an individual with out-of-pocket medical costs that amount to more than 10 percent of such individual’s gross annual income for the past twelve months.
- The Executive proposes to increase hospital financial assistance requiring hospitals to offer assistance to individuals with incomes up to 400 percent of the federal poverty level (FPL) in the following manner:
 - For patients with incomes below at least 200 percent of the FPL the hospital shall waive all charges and states no nominal payment shall be collected;
 - For patients with incomes between at least 200 percent and up to 300 percent of the FPL a hospital shall collect no more than 10 percent of the amount that would have been paid by Medicaid for the uninsured and collect no more than 10 percent of the patient’s cost-sharing for the underinsured;



- For patients with incomes between 301 and 400 percent, the hospital shall collect no more than 20 percent of the amount that would have been paid by Medicaid for the uninsured and no more than 20 percent of the patient's cost-sharing for the underinsured.
- The Executive proposes to require hospitals to provide additional notice to patients of the availability of financial assistance during discharge and authorizes patients to apply for assistance at any time during the collection process.
- The Executive proposes to reduce monthly payment amounts under installment plans so a plan shall not exceed 5 percent of the gross monthly income of the patient and reduces the rate of interest to 2 percent.
- The Executive proposes to establish that no hospital shall establish a policy or procedure that would prohibit the following: the denial of admission or treatment for services because the patient has an unpaid medical bill; the sale of medical debt to a third party, unless the third party explicitly purchases medical debt in order to relieve the debt of the patient and commencing a legal action related to the recovery of medical debt or unpaid bills against patients with incomes below 400 percent of the FPL and requires the hospital to include an affidavit by the hospital's chief financial officer stating that based on the hospital's reasonable effort to determine the patient's income, the patient whom they are taking action against does not have an income below 400 percent of the FPL.
- The Executive proposes to require informed consent to treatment be obtained separately from the patient's consent to pay for services and consent to pay for such services shall not be given prior to the patient receiving such services and discussing treatment costs.
- The Executive proposes to prohibit any individual from completing any portion of an application for medical financial products for the patient or otherwise arrange for or establish an application that is not completely filled out by the patient.
- The Executive proposes to prohibit a health care provider from requiring credit card pre-authorization or require the patient to have a credit card on file prior to providing emergency or medically necessary services to such patient and requires providers to notify patients about the risks of paying for medical services with a credit card.

Healthcare Safety Net Transformation Program *(HMH, S.8307, Part S)*

- The Executive proposes to establish the Healthcare Safety Net Transformation Program to fund financially distressed safety net hospitals. The program would elevate accessibility, equity, quality, and outcomes in these hospitals while enhancing their financial sustainability. Eligible safety net hospitals would seek funding through either independently or in collaboration with partner organizations such as health systems, hospitals, or community-based entities. DOH would be empowered to enter agreements for fund distribution and has the authority to waive certain regulatory requirements conducive to effective project implementation, excluding those associated with patient safety and rights. Applicants would be required to submit a comprehensive Transformation Plan delineating a strategic five-year vision, roles, responsibilities, and the requisite regulatory



flexibility. This program would use \$500 million in existing capital resources from the Statewide IV and V Transformation plans through reappropriation authority.

Ending the Epidemic (HMH, S.8307, Part T)

- The Executive proposes to reduce the spread of epidemics such as HIV, hepatitis C (HCV), hepatitis B virus (HBV) and Syphilis through the following actions:
 - Requires clinical laboratories to report negative test results for such illnesses to the Commissioner of Health;
 - Requires notice by means readily accessible in multiple languages to individuals prior to performing an HIV related test and include information that HIV testing is voluntary; refusal of an HIV test shall be noted in the individual's record;
 - Requires where a test indicates evidence of HIV infection to provide information regarding pre- and post- exposure prophylaxis medications available to sexual partners to prevent HIV infection and where the test is negative requires providing the same information;
 - Authorizes a registered nurse to collect specimens for Hepatitis B (HBV) testing through a non-patient specific standing order;
 - Authorizes pharmacist with training to administer mpox vaccines and dispense HIV Pre-exposure Prophylaxis (PrEP) without a patient specific order and requires pharmacist to ensure on an annual basis that the patient being prescribed PrEP is HIV negative.
- The Executive proposes to repeal Public Health Law section 2307 which makes it a misdemeanor where any person, knowing himself or herself to be infected with an infectious venereal disease, has sexual intercourse with another.

Opioids and Overdose Prevention (HMH, S.8307, Part U)

- The Executive proposes to establish definitions for “public health surveillance” and “patient identifying information” within definitions under Public Health Law Article 33 regarding Controlled Substances.
- The Executive proposes to exempt practitioners prescribing or ordering a controlled substance for use on the premises of a correctional facility, an inpatient mental health facility or nursing home from the requirement that practitioners check the Prescription Monitoring Program (PMP) when prescribing a controlled substance.
- The Executive proposes to extend the record expungement period from five to ten years of any record of the name of any patient.
- The Executive proposes to update the State’s controlled substance schedules to align to the Federal Drug Enforcement Administration (DEA) and removes references to “addict” and replaces it with “person with a substance use disorder.”



- The Executive authorizes practitioners to prescribe, order and dispense any schedule III, IV or V narcotic drug approved by the FDA specifically for use in maintenance or detoxification treatment to a person with a substance use disorder or habitual user.
- The Executive proposes to align state law with DEA regulations that permit providers to distribute a narcotic drug for the purpose of initiating maintenance or detoxification treatment while arrangements are made for a referral for a longer time period authorized by the DEA.

EMS and Hospital at Home *(HMH, S.8307, Part V)*

- The Executive proposes to expand hospital services outside the facility by expanding the existing home care collaboration models to allow general hospital to provide care in a patient's home without a license as a home care agency and requires minimum application for collaborative initiatives must identify service gaps and/or community need the collaboration seeks to address.
 - Specifically, the provisions allow a general hospital to provide off-site primary care and medical care services including but not limited to acute care and preventative wellness care that are: not home care services; services provided by a primary care professional including a physician, registered nurse or physician assistant to a patient with a pre-existing clinical relationship with the general hospital, or with the health care professional providing the service; and services provided to a patient who is unable to leave his or her residence to receive services at a general hospital without unreasonable difficult due to clinical impairment or immunosuppression.
 - Requires hospitals to submit report to the Department its annual operating costs, specifically for such off-site acute services.
- The Executive proposes to amend the definition of "emergency medical services" to mean a coordinated system of healthcare delivery that responds to the needs of sick and injured individuals, by providing: essential emergency, non-emergency, specialty need or public even medical care, community education and prevention programs, ground and air ambulance services, emergency medical dispatch, training for emergency medical services practitioners, medical first response, mobile trauma care systems, mass casualty management and medical direction.
- The Executive proposes to amend the Education Law to authorize certified nurse practitioners and licensed physicians to prescribe and order a non-patient specific regimen to an emergency medical practitioner for administering immunizations and is limited to those authorized licensed persons.
- The Executive proposes to establish the Emergency Medical Services (EMS) Essential Services Act which would designate medical emergency response and medical emergency dispatch as essential services within NYS to ensure a uniform, effective and coordinated response to medical emergencies in the State.
 - Requires every county, acting individually or jointly with any other county, city, town and village to ensure that an EMS, ambulance eservice, advanced life support first response service, other first response services, or a combination of such services are provided to effectuate medical emergency response within the boundaries of the county.



- Requires every county, acting individually or jointly with any other county, city, town and village to develop, implement and maintain a comprehensive county medical emergency response plan ensuring the effective operation, coordination and funding of medical emergency response and requires counties to designate one or more primary medical emergency response agencies that shall respond to all calls and demands for medical emergency response.
- Prohibits a medical emergency response agency from refusing to respond to a request for services unless they can provide that they are unable to respond because of capacity limitations.
- Authorizes the Department to issue a permanent municipal ambulance service operating certificate to any county, town or village that provides emergency medical service or general ambulance services to effectuate a medical emergency response that meets or exceeds all the administrative and operation standards established by the Department and satisfies notice requirements to the Department.
- Authorizes every county, acting individually or jointly with any other county, city, town and village that provides emergency medical services or general ambulance services to establish a special district for financing and operation of such services and establishes that such special district will be exempt for five years after the establishment of the district from provisions of section 3-C of the general municipal law regarding limits upon real property tax levies by local governments.
- Authorizes the Department to establish standards with advice from the state emergency medical services council, the state emergency medical advisory committee and the state trauma advisory board and requires all emergency medical dispatchers employed by emergency medical dispatch agencies to complete a certification training course approved by the department and maintain continuous certification while employed by the agency.
- The Executive proposes to establish an emergency medical services demonstration program to facilitate innovation in medical care provided by emergency medical service practitioners in meeting the community's health care needs, including collaboration with other health care organizations and requires providing a framework to support voluntary initiatives to improve patient access and management, health outcomes and cost-effectiveness in the use of health care services and community population health and authorizes the Commissioner to provide financing where available to support voluntary initiatives.
- The Executive proposes to authorize the Department of Health to establish minimum standards for the licensure of EMS practitioners including emergency medical technicians and advanced emergency medical technicians and authorizes the Department to establish minimum standards for specialized credentialing of EMS practitioners to include, but not limited to, emergency vehicle operator, critical care paramedic, emergency medical dispatcher, emergency medical services field training officer, emergency medical services administrator, emergency medical control physician and emergency medical services agency medical director.
- The Executive proposes to establish a paramedic urgent care program to evaluate the role of EMS personnel in the delivery of health care services in rural counties and establishes that any program established shall:



- Be under the overall supervision and direction of a qualified physician; be staffed by qualified medical and health personnel, physician assistants or nurse practitioners; utilize advanced emergency medical technicians whose scope of practice is appropriate for the services provided; maintain a treatment-management record for each patient; and be integrated with a hospital or other appropriate healthcare organization.

Creation of an Interagency Council of Elder Justice *(HMH, S.8307, Part W)*

- The Executive proposes to establish within the Office of the Aging an elder justice coordinating council consisting of representatives of state agencies whose work involves elder justice to create greater collaboration and develop overarching strategies, systems, and programs to be carried out in accordance with the governor's elder justice priorities with the goal of protecting older adults from abuse and mistreatment. The council shall: develop and implement a cohesive, comprehensive state plan on elder justice that aligns state elder justice policy and programs across state agency responsibilities; develop plans for a coordinated and comprehensive response from state and local government and other entities when elder abuse is reported; facilitate interagency planning and policy development on elder justice; review and purpose agency initiatives for their impact on systems and services related to elder justice; coordinate activities for world elder abuse awareness day; and make recommendations to the Governor that will improve New York's elder abuse prevention and intervention efforts. Requires the council to meet regularly and shall submit a report on its activities to the Governor and Legislature no later than December 31, 2025, and annually thereafter.

Insulin Cost Sharing *(TED, S. S.8308, Part EE)*

- The Executive proposes to eliminate out-of-pocket costs for insulin, which includes deductibles, copayments, coinsurance and any other cost sharing requirement.



FY 2025 Executive Budget Department of Health Local Assistance Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Administration Program	\$266	\$266	\$0
Aids Institutue Program	\$126,449	\$130,787	\$4,338
Center For Community Health	\$1,898,726	\$1,872,663	(\$26,063)
Center For Envioronmental Health Program	\$22,299	\$22,299	\$0
Child Health Insurance Program	\$2,733,106	\$2,644,743	(\$88,363)
Elderly Pharmaceutical Program	\$93,217	\$93,217	\$0
Essential Plan Program	\$8,973,770	\$11,602,403	\$2,628,633
Health Care Reform Act Program	\$362,820	\$317,525	(\$45,295)
Medicaid Administration Program- (FY 24 TWO YEAR APPROP)	\$1,543,100	\$771,550	(\$771,550)
Medicaid Administration Program (Federal)- (FY 24 TWO YEAR APPROP)	\$1,441,300	\$720,650	(\$720,650)
Medicaid Program- (FY 24 TWO YEAR APPROP)	\$55,082,674	\$28,977,411	(\$26,105,263)
Medicaid Program (Federal)- (FY 24 TWO YEAR APPROP)	\$71,747,073	\$62,671,788	(\$9,075,285)
Indigent Care- HCRA	\$1,262,200	\$631,100	(\$631,100)
HCRA Medicaid	\$8,712,725	\$4,657,045	(\$4,055,680)
Miscellaneous Medicaid Special Revenue Fund	\$1,980,006	\$1,010,000	(\$970,006)
Office of Health Insurance Programs	\$324,991	\$323,050	(\$1,941)
Office of Primary Care and Health Systems Management	\$167,818	\$176,497	\$8,679
Wadsworth Center for Laboratories and Research Program	\$11,657	\$16,617	\$4,960
Total	\$156,484,197	\$116,639,611	(\$39,844,586)

FY 2025 Executive Budget Department of Health Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
All Payers Claim Database	\$10,000	\$10,000	\$0
Economic Development- Life Science Lab Albany	\$967,000		\$967,000
Facilities Maintenance and Operations	\$12,266	\$9,000	\$0
Health Care Facility Transformation Program V (5)	\$990,000		\$990,000
IT Initiatives Program	\$10,000	\$10,000	\$0
Health Care Data Modernization	\$30,000		\$30,000
Laboritories and Research	\$12,000	\$12,000	\$0
Maintenance and Improvements of Existing Facilities	\$58,904	\$62,904	\$4,000
Statewide Health Information for New York	\$32,500	\$35,000	\$2,500
Safety and Security Projects for At Risk Facilities		\$18,300	
Veterans Affairs			\$0
Water Resources	\$362,000	\$362,000	\$0
Total	\$2,484,670	\$519,204	(\$1,965,466)

FY 2024-25 Executive Budget

Summary of Agency Spending



FY 2025 Executive Budget Office For The Aging Agency Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Elderly Grant Program	\$37,682	\$38,697	\$1,015
EISEP	\$67,498	\$67,498	\$0
Area Agencies on Aging Grants	\$353	\$353	\$0
WIN Program and SNAP Program	\$35,648	\$36,979	\$1,331
Long-Term Care Ombudsman Program Local Grants	\$3,690	\$3,690	\$0
Respite Services to the Elderly State Aid Grants	\$656	\$656	\$0
Social Model Adult Day Services	\$1,072	\$1,072	\$0
NORC State Aid Grants	\$4,027	\$4,027	\$0
NNORC State Aid Grants	\$4,027	\$4,027	\$0
Transportation Operating Expenses Grants	\$1,121	\$1,121	\$0
Health Insurance Information, Counseling and Assistance Program Grants	\$1,000	\$1,000	\$0
State Matching Funds for Federally Funded Model Projects/ Demonstration Grant Programs	\$175	\$175	\$0
Medicare Rights Center	\$793	\$793	\$0
New York Statewide Senior Action Council, Inc.	\$354	\$354	\$0
New York Legal Assistance Group	\$222	\$222	\$0
Legal Aid Society of New York	\$111	\$111	\$0
Empire Justice Center	\$155	\$155	\$0
Community Service Society	\$132	\$132	\$0
RSVP	\$217	\$217	\$0
EAC/Nassau Senior Respite Program	\$119	\$119	\$0
Home Aide of Central New York, Inc.	\$71	\$71	\$0
New York Foundation for Senior Citizen Home Sharing and Respite Care Program	\$86	\$86	\$0
Foster Grandparents Program	\$98	\$98	\$0
Elderly Abuse Education and Outreach Program	\$745	\$745	\$0
Livable New York Initiative	\$123	\$123	\$0
New York State Adult Day Services Association, Inc.	\$123	\$123	\$0
Congregate Services Initiative	\$403	\$403	\$0
New York State Wide Senior Action Council, Inc.	\$32	\$32	\$0
Lifespan of Greater Rochester, Inc.	\$500	\$1,500	\$1,000
Association on Aging in New York State	\$250	\$250	\$0
Holocaust Survivors Initiative	\$1,000	\$1,000	\$0
State Master Plan for Aging	\$1,000	\$1,000	\$0
Unmet Needs of the Elderly	\$8,000	\$8,000	\$0
Elder Abuse Outreach, Education, and Mitigation of Lifespan of Great Rochester	\$250	\$250	\$0
GetSetUp	\$350	\$350	\$0
Joy for All Companion Pets	\$350	\$350	\$0
SelfHelp Inc.	\$200	\$200	\$0
ElbQ	\$700	\$700	\$0
TRUALTA	\$400	\$400	\$0
GoGo Grandparent	\$500	\$500	\$0
LTCOP and HHCAP	\$150	\$150	\$0
Lifespan of Greater Rochester, Inc.	\$750	\$750	\$0
additional services expanded in home services elderly	\$9,300		(\$9,300)
additional Holocaust Survivors Initiative Services and Expenses	\$1,080		(\$1,080)
additional Holocaust Survivors Initiative Services and Expenses	\$350		(\$350)
Additional Long-Term Care Ombudsman Program	\$2,500		(\$2,500)
Additional NORC	\$1,000		(\$1,000)
Jewish Association for Services for the Aged Coney Island	\$250		(\$250)
SAGE LGBT Welcoming Elder Housing Program	\$200		(\$200)
Elder Law and Justice for prevention of Elder Abuse	\$175		(\$175)
Additional Lifespan of Great Rochester, Inc.	\$375		(\$375)
LiveOnNY	\$200		(\$200)
Statewide Senior Action Council	\$100		(\$100)
India Home	\$50		(\$50)
Bay Eden Center	\$25		(\$25)
Metropolitan NY Coordinating Council on Jewish Poverty	\$900		(\$900)
Older Adults Technology Services, Inc.	\$200		(\$200)
Project Guardianship	\$112		(\$112)
Regional Aid for Interm Needs, Inc.	\$300		(\$300)
SAGE LGBT Welcoming Elder Housing Program	\$100		(\$100)
SelfHelp	\$100		(\$100)
Services Now for Adult Persons	\$100		(\$100)
Spring Creek Senior Partners (NORC)	\$50		(\$50)
Additional New York Statewide Senior Action Council, Inc. Pat	\$100		(\$100)
Wayside Out-Reach Development, Inc.	\$150		(\$150)
LISMA Foundation	\$500		(\$500)
Guardianship Council	\$112		(\$112)
Glen Cove Senior Center	\$50		(\$50)
Queens Community House	\$200		(\$200)
Elder Law and Justice for prevention of Elder Abuse	\$150		(\$150)
Guardianship Hotline	\$1,000		(\$1,000)
Federal Older Americans Act Title III-b Social Services	\$26,000	\$49,069	\$23,069
Title III-c Nutrition Programs	\$41,385	\$69,610	\$28,225
Title III-e Caregivers	\$12,000	\$12,000	\$0
Health and Human Services Programs	\$9,000	\$14,965	\$5,965
Nutrition Services Incentive Program	\$17,000	\$17,000	\$0
Provision of Aging Services Program	\$600	\$600	\$0
Senior Community Service Employment Program	\$9,000	\$9,000	\$0
State Office for the Aging	\$980	\$980	\$0
Total	\$310,827	\$351,703	\$40,876



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Transportation Budget Highlights

- The Executive Budget recommends All Funds appropriations for the Department of Transportation of \$15.2 billion, an increase of 3.8 percent from FY 2024.
- The Executive Budget recommends All Funds appropriations for the Department of Motor Vehicles of \$665 million, an increase of 38 percent from FY 2024. \$170 million of the \$184 million increase is for the DMV transformation project.
- The Executive Budget recommends All Funds appropriations of \$9.4 billion for the MTA, an increase of 5.5 percent from FY 2024. \$68 million is appropriated to the MTA's capital budget for work on the Interborough Express and for a feasibility study on a Second Avenue West line.

Notable Issues

- The Executive proposes to penalize drivers who fail to pay tolls by charging them with Theft of Services, a class A misdemeanor. Additionally, it prohibits drivers from obscuring or concealing their license plates.
- The Executive proposes to penalize drivers who attempt to defraud the congestion pricing tolling program, by making defrauding the program anywhere from a class A misdemeanor to a class D felony depending on the dollar amount of the fraud involved.

Spending Highlights

- \$538.1 million for CHIPS, a decrease of \$60 million from the FY 2024 Enacted
- \$39.7 million for Marchiselli
- \$100 million for Extreme Winter Recovery
- \$100 million for State Touring Routes
- \$900 million for non-MTA mass transit operating assistance
- \$200 million for Pave our Potholes
- \$200 million Bridge NY Funding



TRANSPORTATION

Department of Transportation: The Executive Budget recommends All Funds appropriations for the Department of Transportation of \$15.2 billion, an increase of 3.8 percent from FY 2024.

Department of Motor Vehicles: The Executive Budget recommends All Funds appropriations for Department of Motor Vehicles of \$665 million, an increase of 38 percent from FY 2024. The majority of this increase, \$170 million of the \$184 million increase, is for the DMV transformation project.

Metropolitan Transportation Authority: The Executive Budget recommends All Funds appropriations of \$9.4 billion for the MTA, an increase of 5.5 percent from FY 2024. \$68 million is appropriated to the MTA's capital budget for work on the Interborough Express and for a feasibility study on a Second Avenue West line.

State Operations

Department of Transportation (DOT)

The FY 2025 Executive Budget recommends \$500.9 million in State Operations appropriations, an increase of \$5.7 million, or 1.2 percent from FY 2024.

Department of Motor Vehicles (DMV)

The FY 2025 Executive Budget recommends \$125.2 million in State Operations appropriations, an increase of \$3.5 million, or 2.8 percent, from FY 2024.

Aid to Localities

Department of Transportation (DOT)

The FY 2025 Executive Budget recommends \$5.3 billion in Aid to Localities appropriations, a decrease of \$145.6 million, or 2.7 percent from FY 2024.

Department of Motor Vehicles (DMV)

The FY 2025 Executive Budget recommends \$24.9 million in Aid to Localities appropriations, a decrease of \$400,000 from FY 2024.



Metropolitan Transit Authority (MTA)

The FY 2025 Executive Budget recommends \$873.1 million in Aid to Localities appropriations, a decrease of \$19.1 million from FY 2024.

Capital Funding

Department of Transportation (DOT)

The FY 2024 Executive Budget recommends \$9.4 billion in Capital Projects appropriations, an increase of \$694.7 million from FY 2023.

Department of Motor Vehicles (DMV)

The FY 2025 Executive Budget recommends \$514.9 million in Capital Projects appropriations, an increase of \$180.9 million, or 54.2 percent from FY 2024. The increase is largely attributable to a new DMV Transformation program.

Metropolitan Transit Authority (MTA)

The FY 2025 Executive Budget includes a new \$68 million for feasibility studies for the Interborough Express and the western expansion of the Second Avenue Subway.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:

Extend the Metropolitan Transportation Authority Tax Increment Financing Authority (TED, S.8308, Part A)

- Extends the authority for municipalities within the metropolitan commuter transportation district to share property tax revenue on real estate value that results from MTA capital projects for ten years.
- The current authority is scheduled to sunset April 1, 2024.

MTA Fare Enforcement (TED, S.8308, Part B)

- Increases maximum penalty for fare beating from \$100 to \$200 per violation.
- Allows the New York City Transit Authority to issue a written warning for the first violation by an individual.



- Gives the Transit Adjudication Bureau jurisdiction over MTA fare violations.
- Gives the Bureau discretion to deliver written warnings and farecards.
- Increases total limit on civil penalties issued by the Bureau from \$100 to \$250
- Also imposes a penalty of up to \$50 for failing to appear for Transit Adjudication Bureau proceedings. Failure to appear shall be deemed an admission of liability and a default judgment may be rendered.
- Funds collected from penalties will be used by the MTA to fund prevention and enforcement of fare evasion.

Toll Enforcement *(TED, S.8308, Part C)*

- Amends the Theft of Services offense to include intentionally using a toll highway, parkway, road, bridge, or tunnel, or entering or remaining in the tolled central business district, without payment of the toll. Theft of Services is a class A misdemeanor.
- Prohibits operating a motor vehicle on a toll highway, parkway, road, bridge, or tunnel, or entering or remaining the tolled central business district with license plate coverings that conceal or obscure the license plate number. A violation would result in a fine of no less than \$100 and no more than \$500.
- Police officers would be authorized to seize and confiscate unlawful license plate coverings and offenders who have their plate coverings seized would face a fine of no less than \$250.
- The proposal would also make it unlawful to register, reregister, renew, replace or transfer a registration, or change the name, address or other information of the registered owner, or change the registration classification of a vehicle where there are existing or pending vehicle registration suspensions for failing to pay a toll.
- The Department of Motor Vehicles would also be able to suspend a vehicle registration for failing to comply with a requirement to remove an unlawful plate covering.
- Public authorities with bridges, tolls or highways under their jurisdiction would be authorized to enter civil judgments for unpaid toll violations.

Toll Fraud Deterrence *(TED, S.8308 Part D)*

- Makes defrauding the central business tolling program (congestion pricing) a crime
- Knowingly making a false statement, or falsifying, or permitting to be falsified any record for the purpose of fraudulently obtaining a credit, discount, or exemption from the central business district tolling program, or from the Triborough Bridge and Tunnel Authority, will be classified as a class A misdemeanor.
- A person who commits this violation and receives credits, discounts or exemptions in excess of \$1000 is guilty of a class E felony



- If they receive credit discounts, or credits in excess of \$3000, they are guilty of a class D felony.

Warren County Contribution to Capital District Transportation Authority *(TED, S.8308, Part E)*

- Authorizes the Capital District Transportation Authority (CDTA) to receive State transit aid that previously went to Greater Glens Falls Transit.
- The CDTA assumed the operations of Greater Glens Falls Transit on January 1, 2024.

Extend the Internet Point Insurance Reduction Program *(TED, S.8308, Part F)*

- The Executive proposes to extend the accident prevention course internet technology pilot program from April 1st, 2024 to April 1st, 2026.

Extend the Authorization for Certain Department of Motor Vehicle Fees *(TED, S.8308, Part G)*

- Extends the authorization for the Department of Motor Vehicles to collect fees related to vehicle inspection, record searches, dealer and transporter applications, and title certificates for two additional years.
- This authority is currently scheduled to sunset April 1, 2024.

Online Insurance Verification System *(TED, S.8308, Part H)*

- Gives the DMV commissioner the power to establish an online insurance verification system for the purposes of verifying evidence of mandatory liability insurance coverage.
- Creates a repository of driver's insurance information so that police are able to access it.
- A pilot program will last for at least one year.
- Mandates insurance providers to provide access to car insurance policy information.
- Directs the creation of a sticker program that police may interface with to pull up insurance information.
- Directs insurers to file a termination of service notification with the Commissioner
- Repeals funding assessment on insurance companies, as well as other funding provisions. Program will be funded out of DMV Transformation.



Allow New York City to Lower Its Speed Limit *(TED, S.8308, Part I)*

- The Executive proposes to authorize the City of New York to reduce the speed limit from 25 miles per hour (mph) to 20 mph, and from 15 mph to 10 mph near schools.

Autonomous Vehicle Technology Extender *(TED, S.8308, Part J)*

- Extends the authority of the Department of Motor Vehicles to authorize tests and demonstrations of autonomous vehicle technology for two additional years.
- The current authority is scheduled to sunset April 1, 2024.

Stretch Limousine Passenger Safety Act *(TED, S.8308, Part K)*

- Requires stretch limousines to be equipped with anti-roll bars and anti-intrusion devices
- Requires stretch limousines to be equipped with a window breaker tool, fire-extinguisher, and driver and passenger partitions that are capable of being used for emergency egress in order for operation permit to be issued.
- Prohibits operation of a stretch limousine that is 10 years old or has greater than 350,000 miles on a public roadway.
- Operating a stretch limousine whose registration has been suspended shall be a class A misdemeanor punishable by a fine of not less than \$10,000.
- Provides a process by which stretch limousines with defective odometers may record their mileage with DOT. Mileage would be based on averaging the monthly mileage from the previous two years inspections.
- Requires pre-trip safety briefings be provided to passengers.

Safe Lithium-Ion Batteries *(TED, S.8308, Part GG)*

- Prohibits anyone from distributing, assembling, reconditioning, selling, or offering to sell any lithium-ion battery or second-hand lithium-ion battery for an electric bicycle or electric scooter, unless the battery has been certified by an accredited testing laboratory.
- An accredited testing laboratory is an OSHA recognized testing laboratory that has been certified by an accrediting body to ISO 17025 or ISO 17065
- A person who violates this prohibition shall be liable for a fine of \$200 for the first offense and no more than \$1000 for each subsequent offense.



FY 2025 Transit Operating Assistance Cash Disbursements (Thousands of Dollars)			
	FY 2024 Enacted	FY 2025 Proposed	Difference
Downstate			
NYCTA	2,651,190	2,748,221	97,031
MTA Commuter Rail	1,011,782	1,058,234	46,452
Verrazano	31,000	26,000	(5,000)
MTA Regional Taxes	398,795	400,341	1,545
MTA Total	4,092,767	4,232,795	140,028
Rockland	5,665	5,982	316
Staten Island Ferry	55,269	58,352	3,084
Westchester	92,767	97,942	5,176
Nassau- NICE Bus	112,199	118,459	6,260
Suffolk	43,641	46,076	2,435
Suffolk- Shuttle	750	500	(250)
NYC DOT	147,698	155,938	8,241
MMCB LHTL	11,000	11,000	-
Remaining Systems	53,575	56,565	2,989
Non-MTA Total	522,564	550,814	28,250
Subtotal Downstate	4,615,331	4,783,609	168,278
Upstate			
CDTA	59,162	63,995	4,834
CENTRO	49,515	52,189	2,674
RGRTA	60,122	63,369	3,247
NFTA	78,100	82,317	4,217
Remaining Systems	59,707	61,292	1,585
Subtotal Upstate	306,606	323,162	16,557
Program Totals	4,921,936	5,106,771	184,835



Department of Transportation Current FY 2023 through FY 2027 Capital Plan Obligations (in millions)						
Obligations	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	Five-Year Total
Highway Program	2,575	2,599	2,603	2,679	2,767	13,223
Local Pave Our Potholes	100	100	100	100	100	500
Local Pave NY/Bridge NY	350	350	350	350	350	1,750
Priority Mega Projects	850	1,300	1,900	100	-	4,150
Administration	85	87	88	89	91	440
Engineering	954	957	954	954	954	4,773
Preventive Maintenance	466	466	466	466	466	2,330
Maintenance Facilities	37	37	37	37	37	185
Other Federal Programs	26	26	26	26	26	130
Rail Development	90	90	90	90	90	450
Aviation Systems	177	27	27	27	27	285
Non-MTA Transit	160	160	140	120	120	700
Capital Aid to Localities	578	638	578	578	578	2,950
Extreme Winter Recovery	100	100	100	100	100	500
State Touring Routes	100	140	100	100	100	540
Annual Total	6,648	7,077	7,559	5,816	5,806	
Total Non-MTA Transportation Capital Plan						32,906

FY 2025 Executive Budget DMV Aid to Localities Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Governor's Traffic Safety Committee	\$25,300	\$24,900	(\$400)
			\$0
Total	\$25,300	\$24,900	(\$400)



FY 2025 Executive Budget DMV Capital Funding Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Transportation Support	\$333,969	\$336,469	\$2,500
DMV Transformation	\$0	\$178,460	\$178,460
Total	\$333,969	\$514,929	\$180,960



FACT SHEET: Environmental Conservation, Housing, Agriculture, And Energy

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Agency Budget Highlights

- **Department of Environmental Conservation:** The Fiscal Year 2025 Executive Budget recommends All Funds appropriations of \$2.2 billion, a decrease of around \$356 million from the FY 2024 Enacted Budget. This decrease in funds is due to the decreased spending in capital projects specifically cutting the Clean Water Infrastructure funding from \$500 million to \$250 million.
- **Department of Agriculture and Markets:** The Fiscal Year 2025 Executive Budget recommends All Funds appropriations of \$324 million, an increase of almost \$19 million from the FY 2024 Enacted Budget. This increase is due to increased spending on capital projects such as \$24 million on milk production.
- **Department of Housing and Community Renewal:** The Executive Budget recommends All Funds appropriations for DHCR of \$419.2 million. This results in a decrease of \$342.8 million from FY24, with much of that money becoming reappropriations. The Executive also proposes increasing FTEs by 10 to administer and implement the pro-housing designation across grant programs.
- **New York Power Authority:** The Executive Budget recommends All Funds appropriations of \$54 million, an increase of \$46.5 million from FY24. The new funds are appropriated for the Canal Development Program and for Watershed Modeling of the Mohawk and Oswego River basins.
- **NYS Energy Research and Development Agency:** The Executive Budget recommends All Funds appropriations of \$25.8 million, a decrease of \$200 million from FY24. The decrease is attributable to the \$200 million Empower Plus Energy program becoming a reappropriation.
- **Department of Public Service:** The Executive Budget recommends All Funds appropriations of \$197.4 million, a decrease of 37.8% from FY24. The decrease is largely attributable to the Energy Affordability Program becoming a reappropriation of \$200 million, although the Executive Budget recommends appropriating an additional \$50 million for the program in FY25.
- **Olympic Regional Development Authority (ORDA):** The Fiscal Year 2025 Executive Budget recommends All Funds Appropriations of \$96.5 million, a decrease of \$7.5 million in Capital Projects funding from the FY 2024 Enacted Budget. This decrease comes from a lower appropriation for services and expenses for the upgrade, renovation, and modernization of Olympic, ski, and other facilities owned and operated by ORDA.



- **Office of Parks, Recreation and Historic Preservation:** The Fiscal Year 2025 Executive Budget recommends All Funds appropriations of \$1.03 billion, an increase of \$315 million, or 44 percent from the FY 2024 Enacted Budget. This increase is mainly driven by \$15 million in Federal dollar operating grants and numerous capital funding such as grants for NYS SWIMS and the NYS Parks Centennial.

Notable Issues

- The Executive proposes to amend the existing fee structure for the DEC air pollution control permits and registrations. Additionally, DEC would be allowed to impose fees through regulations and ensure compliance with the new requirements pursuant to the National Ambient Air Quality Standards (NAAQS) (TED, Part T).
- The Executive proposes extending the 421-a project completion deadline to June 15th, 2031 for vested projects (ELFA, Part T).
- The Executive proposes to create a new rental property tax credit for affordable housing projects which have a memorandum of understanding between the construction trades and developers with respect to wages paid for construction workers (ELFA, Part U).
- The Executive proposes making, through budgetary language, multiple existing grant programs contingent on a municipality receiving a pro-housing designation. These grant programs include, but are not limited to Downtown Revitalization, Main Street, Long Island Investment Fund and some mass transit operating assistance programs.
- The Executive proposes to fold in the Office of Renewable Energy Siting under the Public Service Commission and create a new regulatory process to streamline permit applications. This new process may infringe on local municipalities (TED, Part O).
- The Executive proposes eliminating the 100-foot rule for gas line hookups (TED, Part P).

Spending Highlights

Agriculture

- \$24 million in capital grants for on-farm milk storage technologies and processing infrastructure for both producers and farms. There will be an additional \$10 million in the next fiscal year.
- \$5 million in capital funding for farmers to invest in marine dock space, processing equipment, and other infrastructure to increase marine agriculture.
- \$5 million in capital funding to promote biobased products, such as biobased hemp and invest \$2.5 million to adopt pest management solutions.

Environmental Conservation

- \$15 million in capital grants for municipalities to plant trees.



- \$500 million for Clean Water Infrastructure over the next two years, or \$250 million annually. This is an annual reduction of \$250 million from FY 2024 Enacted Budget funding levels.
- \$400 million for the Environmental Protection Fund where \$25 million is set aside for staffing other state agencies.

Housing

- \$23.2 million for a Rural Rental Assistance Program.
- \$20 million for Housing Program Development.
- \$40 million for Resilient and Ready Program, which will give grants for rapid home repairs and permanent retrofits in response to and to prepare for natural disasters.

Energy

- \$50 million for the Canal Development Program.
- Additional \$50 million for Energy Affordability.

ORDA

- \$12.5 million in capital for services and expenses related to the maintenance of Olympic and ski facilities including Belleayre Mountain Ski Center.
- \$70 million in capital for services and expenses related to the upgrade, renovation, and modernization of Olympic, ski, and other facilities owned and operated by ORDA.

Parks

- \$150 million for NYS SWIMS Grants.
- \$100 million for NYS Parks Centennial.
- \$2 million in state operations for a new Park Police Class.



ENVIRONMENTAL CONSERVATION, AGRICULTURE, HOUSING AND ENERGY

Department of Environmental Conservation: The Fiscal Year 2025 Executive Budget recommends All Funds appropriations of \$2.2 billion, a decrease of around \$356 million from the FY 2024 Enacted Budget. This decrease in funds is due to the decreased spending in capital projects specifically cutting the Clean Water Infrastructure funding from \$500 million to \$250 million.

Department of Agriculture and Markets: The Fiscal Year 2025 Executive Budget recommends All Funds appropriations of \$324 million, an increase of almost \$19 million from the FY 2024 Enacted Budget. This increase is due to increased spending on capital projects such as \$24 million on milk production.

Olympic Regional Development Authority (ORDA): The Fiscal Year 2025 Executive Budget recommends All Funds appropriations of \$14 million for State Operations. There is no change from the FY 2024 Enacted Budget.

Office of Parks, Recreation, and Historic Preservation (OPRHP): The Fiscal Year 2025 Executive Budget recommends All Funds appropriations of \$413 million for State Operations and Aid to Localities. This is an increase of \$48 million from the FY 2024 Enacted Budget.

State Operations

Department of Agriculture and Markets

The Executive Budget recommends an appropriation of \$185 million in State Operations for the Department of Agriculture and Markets. This is an increase of \$2.5 million from FY 2024 due to an increase of appropriations for personal service in the general fund.

Department of Environmental Conservation

The Executive Budget recommends an appropriation of \$579.1 million in State Operations for the Department of Environmental Conservation. This is an increase of \$27.3 million from FY 2024 due to their ITS converting their data systems to a new system.

ORDA

The Fiscal Year 2025 Executive Budget recommends an appropriation of \$14 million for State Operations for ORDA. There is no change from the FY 2024 Enacted Budget.



OPRHP

The Fiscal Year 2025 Executive Budget recommends an appropriation of \$386 million for State Operations for OPRHP. This is an increase of \$33 million from the FY 2024 Enacted Budget. This increase is due to a variety of Executive actions including an increase of 79 FTEs, paybill adjustments, geographic pay differentials, a new park police class, operations expenses for NY SWIMS, expanding seasonal park rangers, and staffing at Sojourner Truth State Park

Aid to Localities

Department of Agriculture and Markets

The Executive Budget recommends an appropriation of \$68.8 million in Aid to Localities for the Department of Agriculture and Markets. This is a decrease of \$7.6 million from FY 2024.

This decrease is primarily due to the elimination of FY 2024 Legislative adds. (*see chart at end of section*)

Department of Environmental Conservation

The Executive Budget recommends an Aid to Localities appropriation of \$1.8 million, a reduction of \$859,000 from FY 2024 levels. This reduction is primarily due to the elimination of FY 2024 Legislative additions. (*see chart at end of section*)

OPRHP

The Fiscal Year 2025 Executive Budget recommends an appropriation of \$27 million for Aid to Localities for OPRHP. This is an increase of \$15 million from the FY 2024 Enacted Budget. This increase is attributed to the Federal dollars for Federal Operating grants for Outdoor Recreation Legacy. The Division on the Budget is working on providing a full breakdown on the \$15 million. (*see chart at end of section*)

Capital Funding

Department of Agriculture and Markets

The Executive Budget recommends an appropriation of \$70.6 million in capital funding for the Department of Agriculture and Markets. This is an increase of \$24 million from FY 2024.

This increase is primarily due to new programs such as milk production, blue food transformation, and bioeconomy. (*see chart at end of section*)

Department of Environmental Conservation

The Executive Budget recommends an appropriation of \$1.6 billion in capital funding for the Department of Environmental Conservation. This is a decrease of \$383 million from FY 2024.



This decrease is primarily due to the reduction of various projects such as the Clean Water Infrastructure. *(see chart at end of section)*

ORDA

The Fiscal Year 2025 Executive Budget recommends an appropriation of \$82 million in Capital Funds for ORDA. This is a net decrease of \$8 million from the FY 2024 Enacted Budget. This net decrease is attributed to the \$10 million appropriation reduction to a total \$70 million appropriation for upgrades, renovation, and modernization of ORDA owned facilities. There is a \$2.5 million increase to a total \$12.5 million appropriation that was suballocated from the Office of Parks, Recreation, and Historic Preservation for expenses related to expenses for maintenance of Olympic ski facilities, preventive projects, energy efficiency projects, and Belleayre Mountain Ski Center. *(see chart at end of section)*

OPRHP

The Fiscal Year 2025 Executive Budget recommends an appropriation of \$1.03 billion in Capital Funds for OPRHP. This is an increase of \$268 million from the FY 2024 Enacted Budget. This appropriation increase can be attributed to the \$115 million in capital support for the NY SWIMS (grant funding that would be provided to local governments for underserved communities to build swimming pools), \$100 million for the NYS Parks' Centennial (large part of funding would be to remodel the Jones Beach State Park East Bathhouse), and a \$15 million increase in the State Park Infrastructure Fund for the preservation of facilities.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:

Weighmaster License Fee *(TED, Part R)*

- Remove the setting of the weighmaster fee (\$15) and instead allow the Department of Agriculture and Markets to set the fee by regulation.

Climate Smart Communities Grant Program *(TED, Part S)*

- Increase the maximum award certain communities may receive from Climate Smart Community (CSC) grants from 50% to 80%, or \$2 million, to municipalities that meet the criteria for financial hardship or disadvantaged communities.
- This grant is for cities, towns, villages, and counties that participate in climate change mitigation, adaptation, and planning and assessment projects.



Clean Air Compliance and Pollution Reduction
(TED, Part T)

- Restructure the State Air Quality Control fees for non-title V facilities where the current fee structure is based on the number of emission points. According to the Executive, the quantity of emission points does not equate to more emissions, therefore, the bill would establish a flat annual fee per facility.
- This bill would also restructure the Operating Permit Program (OPP) fees for Title V facilities since in recent years, NYS's OPP has not raised sufficient funds to cover the program. In addition, this bill would authorize DEC to impose fees through regulations for major sources of emissions in the NY Metro Area and ensure compliance with new requirements pursuant to the National Ambient Air Quality Standard (NAAQS).

FY 2025 Executive Budget Agriculture and Markets Agency Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
NYS Veterinary Diagnostic Lab at Cornell	\$8,751	\$8,270	(\$481)
Cornell U. Berry Research	\$263	\$263	\$0
Cornell U. Honeybee Research	\$152	\$152	\$0
Cornell U. Maple Research	\$151	\$76	(\$75)
Cornell U. Onion Research	\$71	\$51	(\$20)
Cornell U. Vegetable Research	\$126	\$51	(\$75)
Cornell U. Hard Cider Research	\$202	\$202	\$0
Cornell U. Concord Grape Research	\$252	\$202	(\$50)
Cornell U. Geneva Experiment Station (Barley)	\$353	\$303	(\$50)
Cornell U. Golden Nematode Research	\$63	\$63	\$0
Cornell U. Hemp Development	\$1,000	\$1,000	\$0
Cornell U. Agriculture in the Classroom	\$500	\$500	\$0
Cornell U. Assoc. of Agricultural Educators	\$500	\$500	\$0
Cornell U. Future Farmers of America	\$1,000	\$1,250	\$250
Cornell U. FarmNet Program for Family Assistance	\$1,000	\$1,000	\$0
Cornell U. Pro-Dairy	\$1,463	\$1,213	(\$250)
Cornell U. Small Farms Program	\$500	\$500	\$0
Cornell U. Farm Labor Specialist	\$401	\$702	\$301
Cornell U. NYC Urban Agriculture Education	\$250	\$250	\$0
Harvest NY	\$600	\$600	\$0
Cornell Small Farms Equitable Farm Futures	\$500	\$500	\$0
Pace U. Law Pro Bono to Small Farms	\$225	\$225	\$0
NY Farm Viability Institute	\$1,900	\$1,000	(\$900)
NY Farm Viability Institute Berry Growers Assoc.	\$61	\$61	\$0
NY Farm Viability Institute Corn and Soybean	\$125	\$76	(\$49)
Promotion of Ag. And Ec. Dev. Programs	\$2,020	\$2,020	\$0
NYS Brewers Association	\$100	\$76	(\$24)
NY Cider Association	\$100	\$76	(\$24)
NYS Distillers Guild	\$100	\$76	(\$24)
NY Wine and Grape Association	\$1,225	\$1,075	(\$150)

FY 2024-25 Executive Budget
Summary of Agency Spending



FY 2025 Executive Budget Agriculture and Markets Agency Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Christmas Tree Farmers Association of NY	\$126	\$126	\$0
NYS Apple Growers Association	\$790	\$483	(\$307)
Maple Producers Association	\$227	\$152	(\$75)
NYS Apple and Development Program	\$505	\$505	\$0
Cornell U. Promote Dairy Excellence	\$374	\$374	\$0
Farmer's Market Federation of NY	\$139	\$139	\$0
Minorities in Agriculture Chapters at NYS Colleges	\$50	\$50	\$0
Farmers' Market Resiliency Program	\$700	\$0	(\$700)
Black Farmers United of NY	\$200	\$100	(\$100)
Development of Community Gardens	\$2,325	\$0	(\$2,325)
Promotion of Local Agritourism and NY Produce	\$5,750	\$5,750	\$0
Cornell U. Pest Management Program	\$0	\$2,250	\$2,250
Development the Long Island Seafood Cuisine Trail	\$0	\$75	\$75
Expand Access to Local Food for School Children	\$1,508	\$1,508	\$0
NY Federation of Growers for Child Develop.	\$10,410	\$10,300	(\$110)
Reimbursement for the Promotion of Ag.	\$500	\$500	\$0
Expenses for Training and Recruiting New Entrants	\$1,000	\$1,000	\$0
On-Farm health and Safety by Mary Basset Hospital	\$250	\$1,250	\$1,000
Promote or Administer Annual Fairs	\$2,000	\$2,000	\$0
Empire Sheep Producers Association	\$50	\$0	(\$50)
Hop Growers of NY to Promote NY Hops	\$50	\$0	(\$50)
Teens for Food Justice	\$25	\$0	(\$25)
Cornell U. to Study Ecological Impacts of Agrovolatai	\$1,000	\$0	(\$1,000)
American Farmland Trust for Farmland	\$500	\$0	(\$500)
Grow NYC	\$250	\$0	(\$250)
Expenses of the Turfgrass Envir. Stewardship	\$175	\$0	(\$175)
Cannabis Assoc. of NY	\$100	\$0	(\$100)
Central NY Lyme and Tick Borne Disease Alliance	\$50	\$0	(\$50)
Dutchess County Cornell Cooperative Ext.	\$100	\$0	(\$100)
Cornell U. Pro-livestock Program	\$250	\$0	(\$250)
Cornell CE Bridging the Upstate-Downstate Network	\$100	\$0	(\$100)
Volunteers Improving Neighborhood Environment	\$75	\$0	(\$75)
Piney Meadows Community Farms	\$50	\$0	(\$50)
Comfort Food Community	\$50	\$0	(\$50)
Jefferson County Cornell Cooperative Ext.	\$300	\$0	(\$300)
Northeast Organic Farming Assoc. of NY	\$175	\$0	(\$175)
Cornell U. Hops Breeding Research and Extension Pg.	\$300	\$0	(\$300)
John May Farm Safety Fund	\$100	\$0	(\$100)
Grants for Beginning Farmers	\$1,000	\$0	(\$1,000)
Grants for Socially/Economically Disadv. Farmers	\$1,000	\$0	(\$1,000)
Services of Non-Point Source Pollution Control	\$20,000	\$20,000	\$0
Total	\$76,508	\$68,895	(\$1,471)



FY 2025 Executive Budget Agriculture and Markets Agency Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Non-for-Profit Pounds, Shelters and Humane Societies	\$5,000	\$5,000	\$0
Food Access Expansion Grant Program	\$10,000	\$0	(\$10,000)
Expenses for Construction of Facilities to Support NY Focused	\$10,000	\$10,000	\$0
Improvements at the NY Federation of Growers and Agribusin	\$3,200	\$3,200	\$0
Purchase and Replacement of Vehicles and Equipment	\$600	\$600	\$0
Purchase or Replacement of Lab Equipment	\$115	\$115	\$0
NYS Dairy Farm Modernization Grant Program	\$0	\$24,000	\$24,000
Cornell U. Industrial Hemp Program	\$0	\$5,000	\$5,000
Adminstration of Grant Program for LI Marine Agriculture	\$0	\$5,000	\$5,000
NY Works Infrastructure Projects for Alterations at State Fair	\$5,000	\$5,000	\$0
Services and Expenses of State Fair Projects	\$9,000	\$9,000	\$0
Payment of the Costs for Capital Projects	\$1,700	\$1,700	\$0
Payment of Costs for Miscellaneous Capital Projects	\$2,000	\$2,000	\$0
Total	\$46,615	\$70,615	(\$10,000)

FY 2025 Executive Budget Environmental Conservation Agency Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
The Hope Program	\$140	\$0	(\$140)
Susquehanna River Basin Commission	\$259	\$259	\$0
Delaware River Basin Commission	\$359	\$359	\$0
Ohio River Basin Commission	\$14	\$14	\$0
Interstate Environmental Commission	\$41	\$41	\$0
New England Interstate Commission	\$38	\$38	\$0
Friends of Upper Delaware River Basin	\$350	\$350	\$0
Great Lakes Commission	\$560	\$60	(\$500)
Adirondack Diversity Initiative	\$420	\$300	(\$120)
Non-Hazardous Landfill Closure Projects in Essex County	\$300	\$300	\$0
Non-Hazardous Landfill Closure Projects in Hamilton County	\$150	\$150	\$0
Catskill Center for Conservation and Development	\$50	\$0	(\$50)
Catskill Mountainkeeper	\$50	\$0	(\$50)
Total	\$2,731	\$1,871	(\$860)

FY 2024-25 Executive Budget
Summary of Agency Spending



FY2025 Executive Budget Environmental Conservation Agency Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY2024 Enacted	FY 2025 Proposed	Change
Employee Fringe Benefits	\$20,000	\$20,000	\$0
Expenses for Projects in Support of the Dept.'s Mission	\$5,000	\$5,000	\$0
Expenditure of Federal Funds	\$70,000	\$70,000	\$0
Federal Share of Capital Projects for Air Resources	\$0	\$1,000	\$1,000
Maintenance and Operation of Various Facilities and Systems	\$6,000	\$9,500	\$3,500
Purchase of Capital Equipment to Renovate DEC's Fish Hatcheries	\$0	\$1,000	\$1,000
Expenses for Protection and Restoration of Fish and Wildlife Habitat	\$1,500	\$2,000	\$500
Expenses for Protection of Endangered Species	\$5,000	\$5,000	\$0
Costs related to Invasive Species Management Activities	\$4,000	\$4,000	\$0
Replacement of Equipment and Facility Improvements	\$1,000	\$1,000	\$0
Grants for Tree Planting	\$0	\$15,000	\$15,000
Federal Share of Capital Proj. for Land and Forests Resources	\$60,000	\$1,000	(\$59,000)
Federal Share of Capital Proj. for Fish and Wildlife Resources	\$20,000	\$1,000	(\$19,000)
Costs related to New York Works Projects	\$90,000	\$90,000	\$0
Improvement of Various Facilities and Systems	\$41,000	\$41,000	\$0
Services to Plug or Replug Abandoned Oil and Gas Wells	\$500	\$500	\$0
Dam Safety and the Demolition of Unsafe Structures	\$2,000	\$0	(\$2,000)
Replacement of Vehicles and Heavy Duty Construction Equipment	\$1,200	\$1,200	\$0
Resiliency Planning	\$0	\$3,000	\$3,000
For Services related to Restoration Projects	\$26,000	\$0	(\$26,000)
Federal Share of Capital Proj. for Operational Services	\$3,000	\$1,000	(\$2,000)
Responsible Parties for Monitoring Work at Sites w/ Hazard. Waste	\$20,000	\$20,000	\$0
Hazardous Waste Site Remediation Projects	\$100,000	\$100,000	\$0
Services related to the Brownfield Cleanup Program	\$10,000	\$10,000	\$0
Services related to the Waste Management and Cleanup Program	\$4,000	\$3,000	(\$1,000)
Pre-Closure and Post-Closure Costs for ADK Landfills (Essex County)	\$0	\$500	\$500
Cleanup, Investigation, and Removal of Petroleum Spills	\$21,200	\$21,200	\$0
Federal Share of Capital Proj. for Cleanup of Hazardous Waste	\$1,000	\$1,000	\$0
Federal Share of Capital Proj. for Materials Management Resources	\$3,000	\$1,000	(\$2,000)
Indirect Costs of Various Shore Protection Projects	\$1,700	\$1,700	\$0
For New and Existing Flood Protection Projects	\$5,000	\$11,000	\$6,000
Advance Payment by the State for Local Costs of Shore Protection	\$5,000	\$5,000	\$0
State's Share of the Army Corps of Engineers Mamaroneck Sheldrake Fl	\$17,500	\$0	(\$17,500)
An Advance relating to Work for the Safety of Dams and Others	\$500	\$500	\$0
Payment for Federal Capitalization Grants for the Water Pollution Control	\$60,000	\$85,000	\$25,000
Expenses for Water Pollution Control Revolving Fund	\$5,500	\$3,500	(\$2,000)
Services for the Excelsior Conservation Corps Program	\$200	\$200	\$0
State's Share of Shore Protection or Coastal Erosion Projects	\$74,000	\$0	(\$74,000)
Cost for Clean Water Infrastructure Projects	\$500,000	\$250,000	(\$250,000)
Fed. Capitalization Grants for the Water Pollution Control Revolv. Fund	\$430,000	\$448,000	\$18,000
Fed. Share of Capital Projects related to Water Resources Purposes	\$3,000	\$1,000	(\$2,000)
Total	\$1,617,800	\$1,234,800	(\$57,000)



FY 2025 Executive Environmental Protection Fund (in thousands)			
Program	FY 2024 Enacted	FY 2025 Executive	Change
SOLID WASTE			
Landfill Closure/Gas Management	\$ 300	\$ 300	\$ -
Municipal Recycling	\$ 19,000	\$ 16,000	\$ (3,000)
<i>Food donation/recycling/organics projects</i>	\$ 2,500	\$ 2,500	\$ -
Secondary Marketing	\$ 650	\$ 650	\$ -
Pesticide Database	\$ 1,500	\$ 1,500	\$ -
<i>Long Island Pesticide Prevention</i>	\$ 200	\$ 200	\$ -
Environmental Justice	\$ 13,000	\$ 12,000	\$ (1,000)
<i>Connect Kids</i>	\$ 3,000	\$ 3,000	\$ -
<i>Environmental Justice Grants with Air Monitoring</i>	\$ 4,000	\$ 4,000	\$ -
<i>Center for Native Peoples and the Environment</i>	\$ 746	\$ 1,142	\$ 396
Natural Resource Damages	\$ 1,775	\$ 1,775	\$ -
Pollution Prevention Institute	\$ 4,600	\$ 4,600	\$ -
<i>Interstate Chemicals Clearing house</i>	\$ 250	\$ 250	\$ -
Environmental Health	\$ 12,750	\$ 9,250	\$ (3,500)
<i>Clean SweepNY Program</i>	\$ 500	\$ 500	\$ -
<i>SNAP EBT</i>	\$ 750	\$ 750	\$ -
<i>Children's Environmental Health Centers</i>	\$ 4,000	\$ 2,000	\$ (2,000)
<i>NYS Fresh Connect Program</i>	\$ 3,100	\$ 3,100	\$ -
<i>Center for Clean Water at Stony Brook</i>	\$ 1,000	\$ 1,000	\$ -
<i>US Geological Survey for the Long Island Ground Water</i>	\$ 1,500		\$ (1,500)
Brownfield Opportunity Areas (BOA)	\$ 2,000	\$ 2,000	\$ -
Miscellaneous	\$ -	\$ 25,000	\$ 25,000
Solid Waste Total	\$ 55,575	\$ 91,517	\$ 35,942



FY 2025 Executive Environmental Protection Fund (in thousands)			
Program	FY 2024 Enacted	FY 2025 Executive	Change
PARKS & RECREATION			\$ -
Waterfront Revitalization	\$ 14,275	\$ 13,000	\$ (1,275)
<i>Inner City/Underserved</i>	\$ 10,500	\$ 10,500	\$ -
<i>Climate Change Resiliency Planning/LWRP Updates</i>	\$ 2,000	\$ 2,000	\$ -
<i>Niagara River Greenway</i>	\$ 300	\$ 300	\$ -
Municipal Parks	\$ 26,000	\$ 22,750	\$ (3,250)
<i>Innecity/Underserved</i>	\$ 13,000	\$ 13,000	\$ -
<i>Tivoli</i>	\$ 250	\$ 250	\$ -
<i>Hudson River Valley Trail Grants</i>	\$ 500	\$ 500	\$ -
<i>SUNY ESF</i>	\$ 250	\$ 250	\$ -
<i>Paul Smiths College</i>	\$ 250	\$ 250	\$ -
<i>Catskill Center for Conservation and Development</i>	\$ 200	\$ 200	\$ -
<i>Western NY Land Conservancy</i>	\$ 225		
<i>Amherst Splash Pad</i>	\$ 250		
<i>Connect Kids</i>			\$ -
Public Access & Stewardship	\$ 47,525	\$ 47,025	\$ (500)
<i>ORDA/Belleayre</i>	\$ 1,000	\$ 1,000	\$ -
<i>Friends Group Capacity Grants</i>	\$ 2,000	\$ 2,000	\$ -
<i>ADK and Catskill Visitor Safety and Wilderness Protection</i>	\$ 8,000	\$ 8,000	
<i>Camp Santantoni Historic Area</i>	\$ 500		
<i>ADK Mountain Club</i>	\$ 100		
<i>SCALE</i>	\$ 2,000		
<i>NYPAD</i>	\$ 18	\$ 18	\$ -
Hudson River Park (HRP)	\$ 4,200	\$ 4,400	\$ 200
Zoos, Botanical Gardens and Aquaria Program	\$ 20,000	\$ 17,000	\$ (3,000)
Administration of Nav Law 79-b Programs	\$ 2,300	\$ 2,300	\$ -
Parks & Recreation Total	\$ 114,300	\$ 144,743	\$ 30,443

FY 2024-25 Executive Budget
State Agency Spending Review



FY 2025 Executive Environmental Protection Fund (in thousands)			
Program	FY 2024 Enacted	FY 2025 Executive	Change
OPEN SPACE			
Land Acquisition	\$ 38,900	\$ 34,500	\$ (4,400)
Urban Forestry	\$ 3,200	\$ 3,200	\$ -
Land Trust Alliance	\$ 3,000	\$ 3,000	\$ -
Regions 1, 2 and 3	\$ 4,000	\$ 4,000	\$ -
Rail Trail	\$ 300	-	
Snake Hill for Saratoga Plan	\$ 1,000		
Conservation Easements for Land Trusts	\$ 1,500	\$ 1,500	\$ -
Albany Pine Bush Commission	\$ 3,000	\$ 3,000	\$ -
LI Pine Barrens Commission	\$ 2,500	\$ 2,500	\$ -
LI South Shore Estuary Reserve	\$ 2,000	\$ 2,000	
Agricultural Non-Point Source Poll Cont	\$ 19,500	\$ 19,000	\$ (500)
Cornell Integrated Pest Management	\$ 2,000	\$ 2,000	\$ -
Cornell Cooperative Ext. Suffolk County	\$ 500	\$ 500	\$ -
Cornell pesticide management education program	\$ 250	\$ 250	\$ -
Non-Agricultural Non-Point Source Poll Cont.	\$ 6,200	\$ 6,000	\$ (200)
Cornell Community Integrated Pest Management	\$ 1,000	\$ 1,000	\$ -
Farmland Protection	\$ 21,000	\$ 18,250	\$ (2,750)
ACUB	\$ 1,000	\$ 500	\$ (500)
Cornell Land Classification and Master List of Soils	\$ 97	\$ 106	\$ 9
Biodiversity stewardship	\$ 1,850	\$ 1,850	\$ -
Pollinator Protection	\$ 500	\$ 500	\$ -
Cary Institute of Ecosystem Studies - Catskill enviro research	\$ 100	\$ 100	\$ -
Hudson River Estuary Plan	\$ 7,500	\$ 7,250	\$ (250)
Mohawk River	\$ 1,000	\$ 1,000	\$ -
Finger Lk-Lk Ontario Watershed	\$ 2,750	\$ 2,750	\$ -
Lake Erie Watershed Protection	\$ 250	\$ 250	\$ -
Water Quality Improvement Prog	\$ 22,000	\$ 21,000	\$ (1,000)
Suffolk County	\$ 4,500	\$ 4,500	\$ -
Nassau County	\$ 5,000	\$ 5,000	\$ -
Source Water Assessment Plans	\$ 5,000	\$ 5,000	\$ -
Center for Clean Water at Stony Brook	\$ 1,000	\$ 1,000	\$ -
Ossi Sports Club	\$ 25		\$ (25)
Great South Bay	\$ 500		
Peach Lake Brook	\$ 100		
Eastern Finger Lake Coalition		\$ 1,200	
Lake Erie-Niagara River Basin		\$ 1,000	
Allegheny River Watershed Program		\$ 1,000	
Chautauqua Lake Association	\$ 150	\$ 150	\$ -
Chautauqua Lake Partnership	\$ 95	\$ 95	\$ -
Oceans & Great Lakes Initiative	\$ 22,500	\$ 21,000	\$ (1,500)
Peconic Bay Estuary Program	\$ 550	\$ 550	\$ -
Billion Oyster Project	\$ 500		\$ (500)
Invasive Species	\$ 18,550	\$ 17,000	\$ (1,550)
Cornell Plant Certification Program	\$ 120	\$ 120	\$ -
Bradication	\$ 5,750	\$ 5,750	\$ -
Hemlock Woolly Adelgid-Cornell	\$ 500	\$ 500	\$ -
Southern Pine Beetle Bradication	\$ 500	\$ 500	\$ -
Soil & Water Conservation Districts	\$ 16,000	\$ 18,000	\$ 2,000
Agricultural Waste Management	\$ 1,500	\$ 1,500	\$ -
Cornell dairy acceleration program	\$ 700	\$ 700	\$ -
Lake George Park Commission	\$ 900	\$ 900	\$ -
Urban Farms and Community Gardens	\$ -	\$ 2,325	\$ 2,325
Cornell University Carveout			
Open Space Total	\$ 231,337	\$ 180,075	\$ (51,262)



FY 2025 Executive Environmental Protection Fund (in thousands)			
Program	FY 2024 Enacted	FY 2025 Executive	Change
CLIMATE CHANGE MITIGATION & ADAPTATION			
Greenhouse Gas Management	\$ 2,900	\$ 2,400	\$ (500)
<i>Regenerate NY Grant</i>	\$ 500	\$ 500	\$ -
<i>Refrigeration Council Pilot</i>	\$ 500	\$ 500	\$ -
<i>Community Forests</i>	\$ 1,000	\$ 500	\$ (500)
NYS Climate Adaptation	\$ 7,925	\$ 6,525	\$ (1,400)
<i>Wood Products Development Council</i>	\$ 200	\$ 200	\$ -
<i>Climate Coordinators</i>	\$ 2,000	\$ 2,000	\$ -
<i>SUNY ESF Timbuctoo Pipeline</i>	\$ 2,100	-	
<i>PBS</i>	\$ 500	-	
<i>Cornell Climate and Applied Forestry Institute</i>	\$ 1,000	\$ 1,000	
<i>Resiliency Planting Program</i>	\$ 500	\$ 500	
<i>Staying Connected</i>	\$ 25	\$ 25	
Smart Growth	\$ 3,650	\$ 4,000	\$ 350
Climate Resilient Farms Program	\$ 15,250	\$ 15,250	\$ -
<i>Forest Carveout</i>	\$ 500		
<i>Cornell Soil Health</i>	\$ 500	\$ 500	\$ -
Climate Smart Communities Competition	\$ 13,500	\$ 12,500	\$ (1,000)
<i>Municipal Pilot Programs for Electric Vehicles Fast Chargers</i>	\$ 1,000		\$ (1,000)
Farmers' Markets Resiliency Grant Program	\$ -	\$ 700	\$ 700
Climate Change Total	\$ 70,300	\$ 41,375	\$ (28,925)
ENVIRONMENTAL PROTECTION FUND TOTAL	\$ 471,512	\$ 457,710	\$ (13,802)



FY 2025 Executive Budget OPRHP Local Assistance Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
ArtPark and Company, Inc.	\$300	\$300	\$0
Acquisition, Development, Admin. Of Historic Properties	\$1,120	\$1,120	\$0
Grant for recreation services (acquisition, research, development of parklands, programs, and facilities)	\$2,050	\$17,050	\$15,000
Snowmobile law enforcement, and trail development	\$8,135	\$8,135	\$0
Total	\$11,605	\$26,605	\$15,000

FY 2025 Executive Budget OPRHP Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Maintenance and Operation of Various Facilities	\$21,000	\$36,000	\$15,000
Zoos, Botanical, Gardens, and Aquaria	\$10,000	\$0	(\$10,000)
Preservation of Facilities	\$33,600	\$48,600	\$15,000
Engineering Services	\$5,800	\$5,800	\$0
Preventative Maintenance	\$5,200	\$5,200	\$0
New York Statewide Investment in More Swimming Initiative	\$0	\$150,000	\$150,000
New York State Park Centennial Projects	\$0	\$100,000	\$100,000
New York Works Infrastructure	\$202,500	\$200,000	(\$2,500)
Federal Share of Costs to prepare and review plans	\$20,000	\$20,000	\$0
Alterations, Rehab, and Improvements to Park Facilities	\$54,000	\$54,000	\$0
Minekill State Park Account	\$500	\$500	\$0
Rehab, and Improvements at parks/historic sites	\$300	\$300	\$0
Rehab, and Improvements at parks/historic sites	\$1,500	\$1,500	\$0
Rehab, and Improvements at parks/historic sites	\$500	\$500	\$0
Total	\$354,900	\$622,400	\$267,500



FY 2025 Executive Budget ORDA Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Maintenance of Olympic/Ski Facilities including Bellayre Ski facility	\$10,000	\$12,500	\$2,500
Upgrades, Renovation, and Modernization of ORDA-owned facilities	\$80,000	\$70,000	(\$10,000)
Total	\$90,000	\$82,500	(\$7,500)



HOUSING

State Operations

[Division of Housing and Community Renewal](#)

The Executive recommends State Operations appropriations of \$137.6 million, a 22 percent decrease from last year. This is due to the Low-Income Weatherization program's appropriations decreasing by \$40 million.

[State of New York Mortgage Agency](#)

The Executive recommends State Operations appropriations of \$76.8 million. This remains flat from the prior year.

Aid to Localities

[Division of Housing and Community Renewal](#)

The Executive recommends Aid to Localities appropriations of \$99.5 million, a 41 percent decrease from last year. The decrease is due to those monies becoming reappropriations.

[State of New York Mortgage Agency](#)

The Executive recommends Aid to Localities appropriations of \$121.7 million, a 41 percent decrease from last year. This is due to money being transferred from the fund for various housing programs, including \$23.2 million for a Rural Rental Assistance Program and \$5.36 million for the Rural Preservation Program.

Capital Funding

[Division of Housing and Community Renewal](#)

The Executive recommends Capital Fund appropriations of \$182.2 million, a 56 percent decrease from last year. This is due to several programs, including the Governor's Office of Storm Recovery, Mitchell-Lama, and NYCHA, becoming reappropriations.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:



Authorize Mortgage Insurance Fund Utilization *(ELFA, S8306, Part N)*

- The Executive proposes to authorize disbursements from the State of New York Mortgage Agency's Mortgage Insurance Fund to various housing programs.
- \$53.6 million for the Homeless Housing and Assistance Corporation
- \$23.2 million for the Rural Rental Assistance Program
- \$12.8 million for the Neighborhood Preservation Program
- \$5.36 million for the Rural Preservation Program.

Enhance Protections Against Deed Theft *(ELFA, S8306, Part O)*

- Creates a New Article 162 within the Penal Law, which contains the offenses of Deed Theft in the Third (class D felony), Second (class C felony) and First (class B felony) Degrees and Aggravated Deed Theft (Class B felony).
- The level of offenses would generally depend on the type and number of properties involved in the deed theft.
- "Deed theft" is committed by a person who:
 - (a) intentionally alters, falsifies, forges, or misrepresents property documents such as a residential or commercial deed or title, with the intent to deceive, defraud or unlawfully transfer or encumber the ownership rights of a residential or commercial property; or
 - (b) with intent to defraud, misrepresents themselves as the owner or authorized representative of residential or commercial real property to induce others to rely on such false information in order to obtain ownership or possession of such real property; or
 - (c) with intent to defraud, takes, obtains, steals, or transfers title or ownership of real property by fraud, forgery, larceny, or any other fraudulent or deceptive practice.
- The proposal also expands the statute of limitations from 5 year to 8 years for deed theft related felonies or where there is fraud committed in connection with a transaction involving real property.
- The proposal also prohibits individuals who did not inherit shares of a property or is not a relative of someone who inherited shares of a property from initiating a partition action.
- Creates a right of first refusal on behalf of the other co-tenants of the property when a co-tenant receives a bona fide offer to purchase shares in the property. The would be purchaser must notify the other co-tenants of the offer, and the other co-tenants shall have 90 days to match the offer.
- In the event that the other tenants were not notified and the sale is completed, the other tenants shall have the right to buy back the shares.
- Creates a process whereby a transfer of deed upon death may be created and executed.



[Authorize the Repurposing of Real Property Owned by SUNY and DOT](#)
(ELFA, S8306, Part P)

- The Executive proposes to authorize SUNY Farmingdale and SUNY Stony Brook to lease vacant land owned by the universities to economic development corporations for the purposes of developing housing. Furthermore, the Executive proposes to authorize DOT to convey a 12.5 acre parcel in Suffolk county upon terms and conditions that DOT deems appropriate.

[Authorize NYC and the NYS Urban Development Corporation to Allow for Denser Residential Development](#)
(ELFA, S8306, Part Q)

- The Executive proposes to allow NYC to expand its floor area ratio beyond 12.0.

[Authorize Tax Incentive Benefits for Converting Commercial Property to Affordable Housing](#)
(ELFA, S8306, Part R)

- Creates a property tax exemption for eligible conversions where the newly created units are rent stabilized.
- Eligible conversion shall mean the conversion of a non-residential building except a hotel or other class B multiple dwelling to an eligible multiple dwelling with at least 6 units that operates as a rental property.
- Eligible multiple dwelling must contain at least 20% affordable housing units, at least 5% of units are for those whose area median income does not exceed 40%, the weighted average for all units area median income does not exceed 80% and there are no more than three income bands, which are percentages of area median income that are a multiple of 10%.
- The units remain rent stabilized until the NYC Department of Housing terminates the tax benefit or the owner renounces the tax benefit with approval from the Department. If such termination does occur, then the individual units shall remain rent-stabilized until such tenant vacates the unit.
- Any affordable housing unit that is occupied by a tenant that has been approved by the Department of Housing prior to the Department of Housing denying an application of tax exemption shall remain subject to rent stabilization until the tenant vacates the unit.
- Affordable housing units must be immediately offered for rent upon receipt of a temporary certificate of occupancy, and upon each vacancy thereafter.
- The bill also subjects any building service employee, in a multiple dwelling with less than 30 units, to prevailing wage laws.
- If an owner violates the affordability provisions, the Department of Housing may impose a penalty on the owner not to exceed 1000 percent of the program benefits the property received in the first year. The penalty is imposed on the owner who owned the property at the time the violation occurred.



[Authorize NYC to Create a Pathway to Legalize Pre-Existing Basement and Cellar Dwelling Units](#)
(ELFA, S8306, Part S)

- Authorizes NYC to create a pathway for the legalization of inhabited basement and cellar dwelling units in NYC.
- Provides tenants the right to return if a unit must be vacated to complete repairs in compliance with the legalization of the unit.

[Extend the Project Completion Deadline for Vested Projects in Real Property Tax Law 421-a](#)
(ELFA, S8306, Part T)

- Extends the completion deadline of vested projects to June 15th, 2031.

[Create a New Tax Abatement for Rental Housing Construction](#)
(ELFA, S8306, Part U)

- Creates the Affordable Neighborhoods for New Yorkers program in NYC.
- Allows property tax exemptions to rental and homeownership projects for up to a forty year period
- All projects must contain at least 6 units and are subject to affordability requirements set for by the Department of Housing.
- All projects must be developed in conjunction with a memorandum of understanding between representatives of the largest association of real estate developers in New York City (REBNY) and the largest trade labor association representing construction workers (Building and Construction Trades Council) with respect to wages paid to construction workers.



FY 2025 Executive Budget DHCR Agency to Localities (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Community Controlled Affordable Housing	\$1,000	\$1,000	\$0
F&D-Housing Development Fund	\$15,000	\$15,000	\$0
Fair Housing Testing	\$2,000	\$2,000	\$0
Fair Chance Housing	\$250	\$250	\$0
OCR-Small Cities Community Development	\$40,000	\$40,000	\$0
Low Income Weatherization	\$32,500	\$32,500	\$0
Allerton Avenue Homeowners and Tenants	\$20	\$0	(\$20)
Association for Neighborhood and Housing Development	\$250	\$0	(\$250)
Dennis Lane Apartments	\$210	\$0	(\$210)
First-Time Homeowners	\$25,000	\$0	(\$25,000)
Home Headquarters	\$175	\$0	(\$175)
Homeowner Protection Program	\$40,000	\$0	(\$40,000)
Land Banks	\$10,000	\$0	(\$10,000)
Pa'Lante Harlem	\$100	\$0	(\$100)
Tilden Towers	\$500	\$0	(\$500)
Senate Initiatives	\$1,000	\$0	(\$1,000)
Assembly Initiatives	\$2,000	\$0	(\$2,000)
Blue Buffers Voluntary Buyout Program	\$0	\$8,750	\$8,750
Total	\$170,005	\$99,500	(\$70,505)



FY 2025 Executive Budget DHCR Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Access to Home	\$3,000	\$1,000	(\$2,000)
Affordable Housing Corp	\$40,500	\$26,000	(\$14,500)
Governor's Office of Storm Recovery	\$28,000	\$0	(\$28,000)
Homes for Working Families	\$14,000	\$14,000	\$0
Homeowner Stabilization Fund	\$50,000	\$0	(\$50,000)
Housing Opportunities Program for the Elderly	\$8,400	\$1,400	(\$7,000)
Lead Abatement Program	\$20,000	\$20,000	\$0
Low Income Housing Trust Fund	\$44,200	\$44,200	\$0
Main Street Program	\$4,200	\$4,200	\$0
Manufactured Home Advantage	\$5,000	\$5,000	\$0
Mitchell Lama	\$50,000	\$0	(\$50,000)
NYCHA	\$135,000	\$0	(\$135,000)
Public Housing Modernization	\$6,400	\$6,400	\$0
Small Rental Housing Development	\$7,000	\$0	(\$7,000)
Housing Program	\$0	\$20,000	\$20,000
Resilient and Ready Program	\$0	\$40,000	\$40,000
Total	\$415,700	\$182,200	(\$233,500)

FY 2025 Executive Budget State of New York Mortgage Aid to Localities (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
MIF Rund Reimbursement	\$207,015	\$121,654	(\$85,361)
Total	\$207,015	\$121,654	(\$85,361)



ENERGY

New York Power Authority: The Executive Budget recommends All Funds appropriations of \$54 million, an increase of \$46.5 million from FY24. The new funds are appropriated for the Canal Development Program and for Watershed Modeling of the Mohawk and Oswego River basins.

NYS Energy Research and Development Agency: The Executive Budget recommends All Funds appropriations of \$25.8 million, a decrease of \$200 million from FY24. The decrease is attributable to the \$200 million Empower Plus Energy program becoming a reappropriation.

Department of Public Service: The Executive Budget recommends All Funds appropriations of \$197.4 million, a decrease of 37.8% from FY24. The decrease is largely attributable to the Energy Affordability Program becoming a reappropriation of \$200 million, although the Executive Budget recommends appropriating an additional \$50 million for the program in FY25.

State Operations

Department of Public Service

The Executive recommends State Operations appropriations of \$141.7 million, a \$30 million increase from FY 2024 Enacted levels. This is due to funds being appropriated for the Renewable Energy Siting and Electric Transmission program, which includes bringing the Office of Renewable Energy Siting under the purview of the Department.

Aid to Localities

Department of Public Service

The Executive recommends Aid to Localities appropriations of \$55.8 million, which is a \$200 million decrease from last year. The \$200 million was from the Energy Affordability program which is reappropriated for FY 2025.

Capital Funding

New York State Energy Research and Development Authority

The Executive recommends Capital Fund appropriations of \$25.8 million, a \$200 million decrease from FY 2024. The decrease is due to the EmPower Plus Program becoming a reappropriation.



New York Power Authority

The Executive recommends Capital Fund appropriations of \$54 million, a \$46.5 million increase from FY 2024. \$52.5 million of the additional funds are appropriated for the Canal Development Program and \$1.5 million of the additional funds are for Watershed Modeling of the Mohawk and Oswego River Basins.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:

NYSERDA Build-Ready Program Extender (*TED, S.8308, Part M*)

- The Executive proposes to extend the build-ready program to April 19th, 2030.

Annual NYSERDA Special Assessment (*TED, S.8308, Part N*)

- The Executive proposes to assess gas and utility companies a tax, not to exceed total revenue of \$28.7 million, to fund NYSERDA.

Renewable Action through Project Interconnection and Deployment Act (*TED, S.8308, Part O*)

- The Executive proposes to fold in the Office of Renewable Energy Siting (ORES) under the Department of Public Service and create a new regulatory process to streamline permit applications for major renewable energy facilities and major electric transmission facilities.
- ORES, in consultation with the Department of Environmental Conservation and the Department of Agriculture shall develop a uniform set of standards and regulations for the siting, design, construction and operation of major renewable energy facilities and electric transmission facilities.
- Said standards shall take into account the CLCPA targets, environmental benefits, environmental impact, and public need. ORES may set site-specific conditions to mitigate adverse environmental impact and may require payment for any off-site mitigation efforts.
- No later than 60 days following the date which a permit application has been deemed complete, ORES shall publish for public comment draft permit conditions prepared by the ORES. Local municipalities and political subdivisions must be notified in writing. Those municipalities and political subdivisions must submit a statement within 60 days to ORES indicating whether the proposed project is in compliance with local laws and regulations. If the proposed project is not deemed by the localities to be in compliance with local laws and regulations, ORES shall hold a hearing in relation to the matter.



- ORES may choose to ignore any local law or regulation if it determines that the local law or regulation is unreasonably burdensome in view of the CLCPA targets, the environmental benefits, or public need of a transmission facility.
- Permits will require payment of application fees, a portion of which may be given to municipalities and community intervenors for participation in the public comment period.
- Any party aggrieved by the issuance or denial of a siting permit may seek judicial review.
- The act also creates a farmland protection working group, whose purpose is to develop recommendations that include approaches to minimize the impact on viable agricultural land. The group is comprised of:
 - The Commissioner of the Department of Agriculture and Markets
 - The Commissioner of the Department of Environmental Conservation
 - The Executive Director of ORES
 - The CEO of the Department of Public Service
 - The President of NYSERDA
 - Local government officials or representatives from municipal organizations representing towns, villages, and counties
 - Representatives from at least two county agricultural and farmland protection boards
- Makes changes to eminent domain procedure law to incorporate major electric transmission facilities.
- Subjects major renewable energy facilities and major electric transmission facilities to article eight of the public service law.

Affordable Gas Transition Act *(TED, S.8308, Part P)*

- Gives the Public Service Commission all powers necessary and proper to “enable achievement of the climate justice and emission reduction mandates in article seventy-five of the environmental conservation law.”
- Gives the PSC the power to encourage all persons and corporations subject to its jurisdiction to formulate and carry out long range programs for achieving CLCPA provisions.
- Stipulates that new residential gas service shall only be provided in accordance CLCPA goals and that the applicant for the new gas service shall bear the costs of the installation of gas lines.
- Gives the PSC the power to prohibit the use of natural gas in wasteful devices and to order the curtailment or discontinuance of the works, pipes, and other gas plant of a gas plant to meet CLCPA goals.
- Repeals section 66-b of the public service law which guarantees no gas customer shall be denied a continuation of gas service follow the demolition and reconstruction of any structure owned by the customer.



- Prohibits construction of new gas plants in areas where gas service was not previously available after December 31st, 2025, unless authorized by the PSC.

Assessments on Cable Television Companies and Public Utilities
(TED, S.8308, Part Q)

- Adds expenses related to ratemaking proceedings incurred by the Department of Agriculture, the Department of State, the Office of Parks, and the Department of Environmental Conservation to the 18-a assessment.
- Classifies expenses of the Department of Health’s public service education program as expenses of the PSC and makes them eligible for cable television assessment revenues.

FY 2025 Executive Budget Department of Public Service Aid to Localities Appropriation Changes (Thousands of Dollars)			
Program	FY 2024	FY 2025	Change
	Enacted	Proposed	
Energy Affordability Program	\$200,000	\$50,000	(\$150,000)
Regulation of Utilities	\$3,250	\$5,750	\$2,500
Other	\$2,500	\$0	(\$2,500)
Total	\$205,750	\$55,750	(\$150,000)

FY 2025 Executive Budget NYSERDA Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024	FY 2025	Change
	Enacted	Proposed	
Empower Plus Program	\$200,000	\$0	(\$200,000)
Western NY Nuclear Service Center	\$25,800	\$25,800	\$0
			\$0
Total	\$225,800	\$25,800	(\$200,000)



FY 2025 Executive Budget NYPA Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Canal Development Program	\$7,500	\$52,500	\$45,000
Watershed Modeling	\$0	\$1,500	\$1,500
			\$0
Total	\$7,500	\$54,000	\$46,500



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Public Protection Budget Highlights

Department of Corrections and Community Supervision

- The FY 2025 Executive Budget recommends All Funds appropriations of \$3.03 billion for State Operations and Aid to Localities programs, a decrease of \$33.1 million, or 1.1 percent, from FY 2024. The decrease is largely driven by a workforce decrease of 1,429 FTEs, likely as a result of the plan to close up to 5 correctional facilities. The proposal also includes an increase in spending for transitional housing programs and the Supervision Against Violent Engagement (SAVE) enhanced parole supervision program.
- The FY 2025 Executive Budget recommends \$563.4 million for Capital appropriation, an increase of \$82.2 million, or 17.1 percent, from FY 2024. This increase is driven by an \$80 million increase for correctional facility upgrades.

Division of Criminal Justice Services

- The FY 2025 Executive Budget recommends All Funds appropriations of \$702.9 million for State Operations and Aid to Localities programs, a decrease of \$18.5 million, or 2.6 percent, from FY 2024. This decrease is primarily driven by the elimination of \$34.7 million in legislative adds and the \$40 million appropriation from the Criminal Justice Discovery Compensation Fund. The Executive proposes increased appropriations for the Project GIVE Initiative to support efforts to combat domestic violence and for Crime Analysis Centers.
- The FY 2025 Executive Budget recommends \$85 million for Capital appropriation, a decrease of \$68 million, or 44.4 percent from FY 2024. This decrease is driven by the elimination of appropriations for the acquisition and development of technology.

Division of State Police

- The FY 2025 Executive Budget recommends All Funds appropriation of \$1.2 billion, a decrease of \$66.3 million, or 5 percent, from FY 2024. This includes a \$26.3 million increase, or 2.5 percent, in State Operations appropriations and a \$92.6 million, or 39 percent, decrease in Capital appropriations.



The decrease in Capital appropriation is largely due to the elimination of a \$100 million appropriation for the construction of new forensic laboratory facilities.

Office of Victim Services

- The FY 2025 Executive Budget recommends All Funds appropriations of \$362.7 million for State Operations and Aid to Localities programs, an increase of \$145.8 million, or 67.2 percent, from FY 2024. This increase is primarily the result of a new \$120 million appropriation to prevent victim service providers from losing funding in the event that there are Federal Victim of Crimes Act (VOCA) shortfalls.

Office of Court Administration

- The FY 2025 Executive Budget recommends All Funds appropriations of \$2.4 billion for State Operations, an increase of \$162.6 million, or 7.2 percent, and \$295.3 million, an increase of \$11.9 million, or 4.2 percent, for Aid to Localities programs, from FY 2024. The increase in State Operations appropriations is primarily due to the costs associated with the creation of new judgeships, the planned increase in judicial salaries, and the addition of 470 nonjudicial FTEs.
- The FY 2025 Executive Budget recommends \$50 million, an increase of \$22 million, or 78.6 percent. The proposed increase includes additional funding for technological improvements within the court system.

Division of Military and Naval Affairs

- The FY 2025 Executive Budget proposes \$271.4 million in appropriation authority support for the Division. This includes a \$30 million increase (split equally between Federal and State funds) for a multi-year renovation at the Lexington Avenue Armory. Additionally, \$10 million is proposed for DMNA's bonded capital program. The proposed workforce level for FY 2025 is 394 FTEs, unchanged from FY 2024.

Division of Homeland Security and Emergency Services

- The FY 2025 Executive Budget proposes \$9.1 billion in appropriation authority for the Division. This includes an additional \$10.4 million to enhance the State's disaster response capabilities through the Office of Emergency Management (OEM). Furthermore, \$8.6 million is allocated to bolster the State's fire investigation capabilities, aiming to reduce fatal fires, with \$3.3 million for grants to localities to intensify their fire prevention efforts.
- The Executive Budget allocates \$15 million for a capital project aimed at fortifying Statewide disaster response. This would involve providing flood barrier technology and response equipment to local partners.
- For workforce, the Executive recommends an increase of 100 FTEs over FY 2024 levels to 758 FTEs. This increase is primarily attributed to the expansion of OEM and the establishment of Fire Action



Teams within the Office of Fire Prevention and Control. Additional FTEs designated for the Domestic Terrorism Prevention Unit would combat hate crimes within higher education institutions.

Notable Issues

- The Executive proposes authorizing the closure of up to five state correctional facilities.
- The Executive proposes enhancing penalties for assaults committed against retail workers who are performing their lawful duties.
- The Executive proposes expanding the list of “specified offense” which can be charged as hate crimes to include additional assault, murder, sexual assault, falsely reporting, and weapons offenses.
- The Executive proposes the creation of a new criminal offense of Fostering the Sale of Stolen Goods to target those who assist in the sale of stolen goods.

Spending Highlights

- The FY 2025 Executive Budget proposes an additional \$2 million, for a total of \$9.1 million, for costs associated with providing transitional housing for offenders in the community. Such funds will be used to provide treatment, residential stabilization, and other services to offenders.
- The Executive proposes an increase of \$35.7 million for Project GIVE, for a total of \$72.1 million. This increase is part of a plan to include efforts to combat domestic violence within the scope of the GIVE Project.
- The Executive proposes a \$15 million appropriation to law enforcement and District Attorney’s Offices to assist with investigating and prosecuting property crimes and retail theft.
- The Executive proposal continues the \$127 million investment in county District Attorney’s Offices to provide financial assistance for hiring and retaining prosecutors and complying with the requirements of discovery reforms.
- The Executive proposes continuing the \$35 million appropriation for the Securing Communities Against Hate Crimes program. The proposal removes the language from FY24 which required that \$10 million of that appropriation be provided to non-profit reproductive health centers.
- The Executive proposes an increase of \$80 million for improvements to correctional facilities.



PUBLIC PROTECTION

The FY 2025 Executive Budget recommends State Operations and Aid to Localities appropriations of \$14.8 billion for all public protection agencies. This is an increase of \$35.6 million, or 0.24 percent, from FY 2024.

The FY 2025 Executive Budget recommends State Operations and Aid to Localities appropriation of \$3.1 billion for the Office of Court Administration and the Department of Law. This is an increase of \$197.2 million, or 6.8 percent, from FY 2024.

State Operations

Department of Corrections and Community Supervision

The Executive Budget recommends an All Funds appropriation of \$3 billion in State Operations for the Department of Corrections and Community Supervision (DOCCS). This is a decrease of \$33.1 million, or 1.1 percent, from FY 2024. This decrease is attributable to the reduction of 1,429 FTEs, largely resulting from the proposal to close up to five correctional facilities. The Executive also proposes a \$3 million investment for an expansion of the Supervision Against Violent Engagement enhanced parole supervision program.

Division of Criminal Justice Services

The Executive Budget recommends an All Funds appropriation of \$93.4 million in State Operations for the Division of Criminal Justice Services (DCJS). This is an increase of \$3 million, or 3.3 percent, from FY 2024. The Executive is proposing an increase of 10 FTEs, for a total workforce of 428 FTEs.

Division of State Police

The Executive Budget recommends an All Funds appropriation of \$1.1 billion in State Operations for the Division of State Police. This is an increase of \$26.3 million, or 2.5 percent, from FY 2024. This increase includes funding for 101 new FTEs for the creation of a new State Police retail theft enforcement unit.

Office of Indigent Legal Services

The Executive Budget recommends an All Funds appropriation of \$8 million in State Operations for the Office of Indigent Legal Services (OILS). This is an increase of \$745,000 or 10.3 percent, from FY 2024.



Office of Victim Services

The Executive Budget recommends an All Funds appropriation of \$26 million in State Operations for the Office of Victim Services (OVS). This is an increase of \$7.7 million, or 42 percent, from FY 2024. The Executive is proposing adding 14 FTEs as a result of legislation expanding access to victim compensation awards for victims.

Office for the Prevention of Domestic Violence

The Executive Budget recommends an All Funds appropriation of \$6.1 million in State Operations for the Office for the Prevention of Domestic Violence (OPDV). This is an increase of \$1.2 million, or 25 percent, from FY 2024. The Executive proposes an addition of 5 FTEs to support the Executive plan to combat online exploitation.

Commission of Correction

The Executive Budget recommends an All Funds appropriation of \$4.4 million in State Operations for the Commission of Correction. This is an increase of \$520,000, or 14 percent, from FY 2024.

Interest on Lawyer Account

The Executive Budget recommends an All Funds appropriation of \$2.9 million in State Operations for the Interest on Lawyer Account. This is an increase of \$692,000, or 31 percent, from FY 2024.

Judiciary

The Executive Budget recommends an All Funds appropriation of \$2.4 billion in State Operations for the Judiciary. This is an increase of \$162.6 million, or 7.16 percent, from FY 2024. A large portion of the increase in funding is due to increased compensation costs. There are various reasons for this increase including salary increases, compensation for newly established judgeships and related nonjudicial positions, and increased projected staffing levels more generally. The Judiciary proposes an increase of 470 FTEs for FY 2025.

Judicial Commissions

The Executive Budget recommends an All Funds appropriation of \$8.4 million for the Commission on Judicial Conduct, an increase of \$184,000, or 2.2 percent, from FY 2024. This increase is primarily due to general salary increases.

Commission on Prosecutorial Conduct

The Executive Budget recommends an All Funds appropriation for the Commission on Prosecutorial Conduct of \$1.75 million, which is unchanged from FY 2024.

Department of Law



The Executive Budget recommends an All Funds appropriation of \$367.1 million in State Operations for the Department of Law. This is an increase of \$22.7 million, or 6.6 percent, from FY 2024. This change is largely due to general salary and inflationary increases, as well as the addition of 47 FTEs.

Division of Homeland Security and Emergency Services

The Executive Budget recommends an All Funds appropriation of \$162.7 million in State Operations for the Division of Homeland Security and Emergency Service. This is an increase of \$24.4 million, or 17.7 percent, from FY 2024.

Division of Military and Naval Affairs

The Executive Budget recommends All Funds appropriations of \$146.2 million for the Division of Military and Naval Affairs, a decrease of \$3.7 million, or 2.5 percent, from 2024. For workforce, the Executive recommends an increase of 100 FTEs over FY 2024 levels to 758 FTEs. This increase is primarily attributed to the expansion of OEM and the establishment of Fire Action Teams within the Office of Fire Prevention and Control. Additional FTEs designated for the Domestic Terrorism Prevention Unit would combat hate crimes within higher education institutions.

Aid to Localities

Department of Corrections and Community Supervision

The Executive Budget recommends an Aid to Localities appropriation of \$39 million for DOCCS. This is an increase of \$2 million, or 5.4 percent, from FY 2024. This increase is attributable to an additional investment in transitional housing programs for offenders. (see chart at end of section)

Division of Criminal Justice Services

The Executive Budget recommends an Aid to Localities appropriation of \$609.5 million for DCJS. This is a decrease of \$21.4 million, or 3.4 percent, from FY 2024. The Executive proposes the elimination of \$34.7 million in Legislative adds and the \$40 million appropriation from the Criminal Justice Discovery Compensation Fund. These appropriation decreases are offset by additional investments in criminal justice programming, including \$35.7 million for Project GIVE (\$72 million total) and \$15 million for Crime Analysis Centers (\$33 million total). *(see chart at end of section)*

Office of Indigent Legal Services

The Executive Budget recommends an Aid to Localities appropriation of \$451.5 for ILS. This is a decrease of \$9.8 million, or 2.1 percent, from FY 2024. This decrease is driven by a \$10 million reduction in appropriation for expenses related to improving the quality of assigned counsel representation in Family Court. *(see chart at end of section)*



Office of Victim Services

The Executive Budget recommends an Aid to Localities appropriation of \$336.7 million for OVS. This is an increase of \$138.1 million, or 70 percent, from FY 2024. This increase is largely driven by a \$120 million increase in appropriations of state funds for victim services programs to cover any shortfalls in Federal Victims of Crime Act funding. The proposal also includes an increase of \$18.1 million for victim compensation awards. *(see chart at end of section)*

Office for the Prevention of Domestic Violence

The Executive Budget recommends an Aid to Localities appropriation of \$11.8 million for OPDV. This is a decrease of \$50,000, or 0.4 percent, from FY 2024. *(see chart at end of section)*

Interest on Lawyer Account

The Executive Budget recommends an Aid to Localities appropriation of \$62 million for the Interest on Lawyer Account. This is an increase of \$10 million, or 19.2 percent, from FY 2024. *(see chart at end of section)*

Judiciary

The Executive Budget recommends an Aid to Localities appropriation of \$295.3 million. This is an increase of \$11.9 million, or 4.2 percent, from FY 2024. *(see chart at end of section)*

Division of Homeland Security and Emergency Services

The Executive Budget recommends an Aid to Localities appropriation of \$8.9 billion. This is an increase of \$17.4 million, or 0.2 percent, from FY 2024. *(see chart at end of section)*

Division of Military and Naval Affairs

The Executive Budget recommends an Aid to Localities appropriation of \$5.5 million. This is an increase of \$4 million or 266.7 percent, from FY 2024. *(see chart at end of section)*

Capital Funding

Department of Corrections and Community Supervision

The Executive Budget recommends a capital appropriation of \$563.4 million for DOCCS. This is an increase of \$82.2 million, or 17.1 percent, from FY 2024. This increase includes an additional \$80 million appropriation for facility upgrades. *(see chart at end of section)*



Division of Criminal Justice Services

The Executive Budget recommends a capital appropriation of \$85 million for DCJS. This is a decrease of \$ 68 million, or 44.4 percent, from FY 2024. This decrease is due to the elimination of appropriations for acquisition and development of technology. The Executive proposes continuing the \$35 million appropriation for the Securing Communities Against Hate Crimes grant program and eliminating the requirement that \$10 million of that funding be provided to not-for-profit reproductive health centers.

Division of State Police

The Executive Budget recommends a capital appropriation of \$144.9 million for the State Police. This is a decrease of \$92.3 million, or 39 percent, from FY 2024. This reduction is attributable by the elimination of the \$100 million appropriation for the construction of new crime laboratories. (see chart at end of section)

Office of Victim Services

The Executive Budget recommends a capital appropriation of 4.1 million for OVS. This is an increase of \$2.6 million, or 173.3 percent, from FY 2024. (see chart at end of section)

Judiciary

The Executive Budget recommends a capital appropriation of \$50 million. This is an increase of \$22 million, or 78.6 percent, from FY 2024. This increase includes additional investments in technology improvements, facility renovations, and the acquisition of security systems within courthouses. (see chart at end of section)

Department of Law

The Executive Budget recommends a capital appropriation of \$5 million for the Department of Law. This is an increase of \$2.25 million, or 81.8 percent, from FY 2024. Capital funding would be used to acquire and develop various equipment, software, and technology services. (see chart at end of section)

Division of Homeland Security and Emergency Services

The Executive Budget recommends a capital appropriation of \$21 million for the Division of Homeland Security and Emergency Services. This is a decrease of \$97 million, or 82.2 percent, from FY 2024. (see chart at end of section)

Division of Military and Naval Affairs

The Executive Budget recommends a capital appropriation of \$117.9 million for the Division of Military and Naval Affairs. This is a decrease of \$60 million, or 33.3 percent, from FY 2024. This proposal includes



\$15 million for a capital project aimed at fortifying Statewide disaster response. This would involve providing flood barrier technology and response equipment to local partners. (see chart at end of section)

General State Charges

Judiciary

The Executive Budget recommends an appropriation of \$971.7 million for fringe benefits. This is an increase of \$135.3 million, or 16.2 percent, from FY 2024.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:

Increase Penalties for Assault of Retail Workers ***(PPGG, S.8305, Part A)***

- Amends the Assault in the Second Degree statute to include assaults against retail workers, which would enhance penalties for those who commit such assaults. With this amendment, a person would be guilty of Assault in the Second Degree when, with intent to prevent a retail worker from performing a lawful duty, he or she causes physical injury to such retail worker.
- Assault in the Second Degree is a Class D violent felony punishable by up to seven years in prison.

Make it Illegal to Foster the Sale of Stolen Goods Online ***(PPGG, S.8305, Part B)***

- Creates a new offense of Fostering the Sale of Stolen Goods. A person would be guilty of this offense when they host, advertise, or otherwise assist in the sale of stolen goods, including on an internet website, and they knew or should have known that such goods were stolen.
- This offense would be a class A misdemeanor punishable by up to one year in jail.

Expand Hate Crime Eligibility ***(PPGG, S.8305, Part C)***

- Expands the list of offenses that can be charged as hate crimes to include:
 - Gang Assault in the Second Degree (PL § 120.06)
 - Gang Assault in the First Degree (PL § 120.07)
 - Criminal Obstruction of Breathing or Blood Circulation (PL § 121.11)
 - Aggravated Murder (PL § 125.26)
 - Murder in the First Degree (PL § 125.27)
 - Sexual Misconduct (PL § 130.20)



- Rape in the Third Degree (PL § 130.25)
- Rape in the Second Degree (PL § 130.30)
- Criminal Sexual Act in the Third Degree (PL § 130.40)
- Criminal Sexual Act in the Second Degree (PL § 130.45)
- Forcible Touching (PL § 130.52)
- Persistent Sexual Abuse (PL § 130.55)
- Sexual Abuse in the Third Degree (PL § 130.55)
- Sexual Abuse in the Second Degree (PL § 130.60)
- Aggravated Sexual Abuse in the Fourth Degree (PL § 130.65-a)
- Aggravated Sexual Abuse in the Third Degree (PL § 130.66)
- Labor Trafficking (PL § 135.35)
- Aggravated Labor Trafficking (PL § 135.37)
- Making Graffiti (PL § 145.60)
- Arson in the Fifth Degree (PL § 150.15)
- Jostling (PL § 165.25)
- Sex Trafficking (PL § 230.45)
- Sex Trafficking of a Child (PL § 230.34-a)
- Falsely Reporting an Incident in the Third Degree (PL § 240.50)
- Falsely Reporting an Incident in the Second Degree (PL § 240.55)
- Falsely Reporting an Incident in the First Degree (PL § 240.60)
- Endangering the Welfare of a Child (PL § 260.10)
- Criminal Possession of a Weapon in the Fourth Degree (PL § 265.01)
- Criminal Possession of a Weapon in the Third Degree (PL § 265.02)
- Criminal Possession of a Weapon in the Second Degree (PL § 265.03)
- Criminal Possession of a Weapon in the First Degree (PL § 265.04)

Correctional Facility Closures *(PPGG, S.8305, Part D)*

- Authorizes the Executive to close up to five state correctional facilities in Fiscal Year 2024-25. The Executive would be required to provide at least 90 days' notice to the Temporary President of the Senate and the Speaker of the Assembly.



- The notice would be required to include the list of facilities to be closed and the number of staff working at such facilities.
- The Commissioner of the Department of Corrections and Community Supervision would be required to report the results of staff relocation efforts to the Temporary President of the Senate and the Speaker of the Assembly within 60 days after any closures.

Extend the Suspension of the Subsidy to Revolving Loan Funds from Cell Surcharge Revenue *(PPGG, S.8305, Part E)*

- Extends the ongoing suspension of the yearly transfer of \$1.5 million from the Public Safety Communications Account to the Emergency Services Revolving Loan Fund for an additional two fiscal years. The transfer was initially suspended for FY 2022-23 and 2023-24.

Judicial Protection *(PPGG, S.8305, Part F)*

New York State Judicial Security Act

- Creates the New York State Judicial Security Act in a new Article 22-C of the Judiciary Law, which would create a mechanism for actively employed and former State and Federal judges, court staff, and immediate family members of judges and court staff to request the removal of their personal information from public disclosure.
- Personal information that can be removed includes home address, personal phone numbers, personal email addresses, social security number, driver license number, license plate number, marital status and the identity of present or former spouses, name and address of school or day care facility attended by immediate family members, bank account number, credit or debit card number, personal identification number, automated or electronic signature, unique biometric data, and account passwords.
- Eligible individuals would be able to submit a written request to the Chief Administrator of the Courts (for New York State Judges, staff, and family) or their employer, specifying the items of personal information the individual wishes to keep from being made public, the identity of the eligible individual's immediate family and whether their personal information should be deemed to include that of such immediate family members, and each person, business association, and public or private agency that the eligible individual wishes to prevent from making such personal information public.
- Once a written request has been properly submitted, the applicable employer would have a set amount of time to comply with the request.
- An eligible individual who has properly submitted a request to prevent the disclosure of personal information would be able to seek injunctive or declaratory relief against a person or entity who fails to comply with a notification to remove personal information. Courts that issue an order for injunctive or declaratory relief may impose a fine of \$1,000 if the violator is a public agency or a fine up to a maximum of three times the damages to the affected eligible defendant, but not less than \$4,000, if the violator is a person, business, association, or private agency.



Criminal Offenses Against Judges

New Offenses

- Creates a new offense of Aggravated Assault on a Judge, which would be a class B felony. A person would be guilty of this offense when, with intent to cause serious physical injury and prevent a judge from performing official duties, he or she causes serious physical injury to such judge.
- Creates a new offense of Aggravated Harassment of a Judge, which would be a class E felony. A person would be guilty of this offense when:
 - He or she communicates, or causes a communication to be initiated, threats of physical harm to, or unlawful harm to the property of, a person who the actor knows or reasonably should know is a judge, or a member of the judge's family, and the actor knows or reasonably should know that such communication will cause such judge to reasonably fear harm
 - He or she makes a telephone call with no legitimate purpose to a person the actor knows or reasonably should know is a judge a member of the judge's family, with intent to harass or threaten such judge or a member of the judge's family
 - With intent to harass, annoy, threaten, or alarm a person the actor knows or reasonably should know is a judge or a member of a judge's family, the actor strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability, or sexual orientation.
 - With intent to harass, annoy, threaten or alarm a person the actor knows or reasonably should know is a judge or a member of a judge's family, the actor strikes, shoves, kicks, or otherwise subjects another person to physical contact and causes physical injury.
 - The actor commits the offense of Harassment in the First Degree against a person the actor knows or reasonably should know is a judge and has previously been convicted of Harassment in the First Degree within the preceding ten years.

Amended Offenses

- Amends the Stalking in the Fourth Degree statute to include situations where the offender disseminates personal information through or posting personal information on social networking websites about the victim, a member of the victim's family or a third party with whom the victim is acquainted.
- The proposal would also create a presumption within this statute that an offender acts with no legitimate purpose when the victim is a judge or a member of their immediate family, and the offender was or is a party in a proceeding pending before the judge.
- Amends the Stalking in the Second Degree statute to include committing the crime of Stalking in the Fourth Degree against a judge or a member of the judge's family



- Amends the Stalking in the First Degree statute to include those who have committed Stalking in the Second Degree for stalking a judge and has previously been convicted of a stalking offense within the preceding five years.

Market-Based Interest Rate on Court Judgments
(PPGG, S.8305, Part R)

- Changes the post-judgment legal rate of interest for civil actions and accrued claims. The current legal rate of nine percent per year would be changed to a market rate that is equal to the weekly average one-year constant maturity yield, during the calendar week preceding the date of the entry of judgment.

Remove the Cap on Supreme Court Justices
(Freestanding Legislation)

- Amends the constitution to remove the current cap limiting the number of Supreme Court justices the legislature can establish in each judicial district. Currently, under the constitution, the cap is set at one justice per 50,000 people or fraction over 30,000 people.

FY 2025 Executive Budget DOCCS Local Assistance Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Vocational or Employment Skills Training Programs	\$1,029	\$1,029	\$0
Programs for Treatment, Residential Stabilization and Other Services for Offenders in the Community	\$7,104	\$9,104	\$2,000
Vocational Training Program for Parolees, Other Offenders and Former Inmates	\$9,000	\$9,000	\$0
Medical Assistance Services to Inmates	\$14,000	\$14,000	\$0
Family Televisiting Program - Albion CF	\$430	\$430	\$0
Re-entry Program - Queensboro CF	\$250	\$250	\$0
Housing and Board of Felony Offenders -	\$5,200	\$5,200	\$0
Total	\$37,013	\$39,013	\$2,000



FY 2025 Executive Budget Department of Corrections and Community Supervision Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Facilities Maintenance and Operations	\$109,242	\$111,427	\$2,185
Maintenance and Improvement of Existing Facilities	\$372,000	\$452,000	\$80,000
Total	\$481,242	\$563,427	\$82,185

FY 2025 Executive Budget Division of Criminal Justice Services Local Assistance Appropriation Changes General Fund (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
New York State Prosecutor's Training Institute	\$2,078	\$2,078	\$0
New York State District Attorney's Association	\$100	\$100	\$0
Witness Protection Program	\$287	\$287	\$0
Grants for District Attorney Salaries	\$4,212	\$4,212	\$0
Special Narcotics Prosecutor	\$825	\$825	\$0
State Crime Laboratories	\$6,273	\$6,273	\$0
Purchase of Ballistic Soft Body Armor	\$1,350	\$1,350	\$0
Programs to Reduce Risk of Reoffending	\$11,526	\$11,526	\$0
Project GIVE	\$36,380	\$72,050	\$35,670
Probationary Services to Counties and NYC	\$44,876	\$44,876	\$0
Alternatives to Incarceration - Municipalities	\$5,217	\$5,217	\$0



FY 2025 Executive Budget DCJS ATL Funding Appropriation Changes Cont. General Fund (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Alternatives to Incarceration - Non-Profits and Government Operated Programs	\$31,420	\$31,420	\$0
Operation S.N.U.G.	\$20,965	\$20,965	\$0
Rape Crisis Centers	\$3,700	\$6,341	\$2,641
Crimes Against Revenue Program	\$13,521	\$13,521	\$0
Gang Prevention Youth Programs - Long Island	\$500	\$500	\$0
Crime Reduction, Youth Justice, and Gang Prevention Programs	\$31,063	\$31,063	\$0
Operation of Crime Analysis Centers	\$17,950	\$32,950	\$15,000
Aftermath of Violence Programs	\$20,000	\$20,000	\$0
Pretrial Services Programs	\$20,000	\$20,000	\$0
Assistance for Discovery Reform - Local Law Enforcement and Prosecution Offices	\$40,000	\$40,000	\$0
Prosecutorial Services to Counties	\$40,000	\$47,000	\$7,000
Prosecutorial Services to Counties - Creation of Specialized Fentanyl Units	\$7,000	\$0	(\$7,000)
Enforcement of Extreme Risk Protection Services	\$10,000	\$10,000	\$0
Prosecutorial Services and Expenses - NYC	\$40,000	\$40,000	\$0
Assistance for Discovery Reform - Defense Services	\$40,000	\$40,000	\$0
Defense Services for Government Entities and Nonprofits	\$40,000	\$40,000	\$0
Community Safety and Restorative Justice Programs	\$7,200	\$0	(\$7,200)
Criminal and/or Civil Legal Services in Upstate Counties	\$3,500	\$0	(\$3,500)
Additional Gun Violence Prevention Programs	\$1,540	\$0	(\$1,540)
Additional Pretrial Services Programs	\$3,300	\$0	(\$3,300)
New York State Defender's Association	\$2,100	\$0	(\$2,100)
Prisoners' Legal Services	\$3,100	\$0	(\$3,100)
Westchester County Policing Program	\$2,700	\$0	(\$2,700)
Various Legislative Adds	\$11,218	\$0	(\$11,218)
Total	\$523,901	\$542,554	\$18,653



FY 2025 Executive Budget Division of Criminal Justice Services Local Assistance Funding Appropriation Special Revenue Funds (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Federal Identification Technology Grants	\$2,250	\$2,250	\$0
Federal Criminal Justice Grants	\$13,000	\$13,000	\$0
Edward Byrne Justice Assistance Formula Program	\$6,000	\$6,000	\$0
Federal Juvenile Justice and Delinquency Prevention	\$2,150	\$2,150	\$0
Violence Against Women Prevention Programs	\$6,500	\$7,400	\$900
New York State Defenders Association - ILS	\$1,030	\$1,030	\$0
Criminal Defense Services	\$7,658	\$7,658	\$0
Prisoner's Legal Services - ILS	\$2,200	\$2,200	\$0
Medical Cannabis Law Enforcement	\$200	\$2,000	\$1,800
Rape Crisis Centers	\$2,788	\$0	(\$2,788)
Criminal Justice Discovery Compensation Fund	\$40,000	\$0	(\$40,000)
Drug Enforcement Task Forces	\$100	\$100	\$0
Prosecutorial Services of Counties	\$12,549	\$12,549	\$0
District Attorney and Indefent Legal Servies			
Loan Attorney Loan Forgiveness Program	\$2,430	\$2,430	\$0
Local Anti-Auto Theft Programs	\$3,749	\$3,749	\$0
Legal Action Center	\$180	\$180	\$0
Local Government Agencies, Non-Profit Programs Providing Civil or Criminal Legal Services	\$4,200	\$4,200	\$0
Total	\$106,984	\$66,896	(\$40,088)

FY 2025 Executive Budget Division of Criminal Justice Services Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Acquisition and Development of Technmology	\$18,000	\$0	(\$18,000)
Grants for Safety and Security Projects for Nonprofit Organizations at Risk of Hate Crimes or Attacks	\$35,000	\$35,000	\$0
Crime Reduction Strategies in Communities Affected by Gun Violence	\$50,000	\$50,000	\$0
Acquisition and Development of Technology to Support Discovery	\$50,000	\$0	(\$50,000)
Total	\$153,000	\$85,000	(\$68,000)



FY 2025 Executive Budget Division of State Police Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Facilities and Maintenance Operations	\$9,982	\$10,030	\$48
Justice Department Federal Equitable Sharing Agreement	\$30,000	\$30,000	\$0
Treasury Department Federal Equitable Sharing Agreement	\$30,000	\$30,000	\$0
Maintenance and Improvement of Existing Facilities	\$55,482	\$62,882	\$7,400
Design, Contruction and Outfitting of New Stations and Zone Headquarters	\$12,000	\$12,000	\$0
Design, Construction and Outfitting of Forensic Laboratory Facilities	\$100,000	\$0	(\$100,000)
Total	\$237,464	\$144,912	(\$92,552)



FY 2025 Executive Budget Office of Indigent Legal Services Local Assistance Funding Appropriation (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Assistance to Counties and NYC for Costs Associated with Increased Hourly Rate for 18-b Attorneys	\$92,000	\$92,000	\$0
Improving Quality of 18-B Representation in Family Court	\$14,500	\$4,500	(\$10,000)
Statewide Implementation of Hurrell-Harring Settlement	\$250,000	\$250,000	\$0
Hurrell-Harring Settlement Program - Select Counties	\$23,810	\$23,970	\$160
Indigent Legal Services Contracts - Municipalities	\$81,000	\$81,000	\$0
Total	\$461,310	\$451,470	(\$9,840)

FY 2025 Executive Budget Office of Victim Services Local Assistance Funding Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Payments to Victims Program	\$35,603.00	\$53,703.00	\$18,100.00
Victims of Crime Act - State	\$0.00	\$120,000.00	\$120,000.00
Victims of Crime Act - Federal	\$150,000.00	\$150,000.00	\$0.00
Victim and Witness Assistance Program	\$13,040.00	\$13,040.00	\$0.00
Total	\$198,643	\$336,743	\$138,100

FY 2025 Executive Budget Office of Victim Services Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Storage Facility for Sexual Offense Evidence Collection Kits	\$1,500	\$4,100	\$2,600
Total	\$1,500	\$4,100	\$2,600



FY 2025 Executive Budget Office for the Prevention of Domestic Violence Local Assistance Funding (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Programs for the Prevention of Domestic and Gender-Based Violence	\$1,165	\$1,165	\$0
Legal Services and Programs that Prevent Domestic and Gender-Based Violence	\$220	\$170	(\$50)
Rape Crisis Centers	\$4,500	\$4,500	\$0
Expenses and Grants to Government Entities and Nonprofits providing financial assistance to victims and survivors of domestic violence	\$5,000	\$5,000	\$0
Federal Grants for State and Local Programs to Support Domestic Violence Prevention Programs	\$1,000	\$1,000	\$0
Total	\$11,885	\$11,835	(\$50)

FY 2025 Executive Budget Interest on Lawyer Account Local Assistance Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Interest on Lawyer Account Grants	\$52,000	\$62,000	\$10,000
Total	\$52,000	\$62,000	\$10,000

FY 2025 Executive Budget Office of Court Administration Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Court Facilities Incentive Aid	\$117,450	\$122,903	\$5,453
Civil Legal Services	\$98,596	\$104,511	\$5,915
Interest on Lawyers Account	\$17,399	\$17,921	\$522
Indigent Criminal Defense	\$47,000	\$47,000	\$0
Justice Court Assistance	\$3,000	\$3,000	\$0
Total	\$283,445	\$295,335	\$11,890,729



FY 2025 Executive Budget Office of Court Administration Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
IT, Facility Renovation, and Security Initiative Program	\$28,000,000	\$50,000,000	\$22,000,000
Total	\$28,000,000	\$50,000,000	\$22,000,000

FY 2025 Executive Budget Homeland Security and Emergency Services Local Assistance Funding (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Counter-Terrorism Program	\$575,000	\$575,000	\$0
Disaster Assistance Program	\$8,165,000	\$8,194,000	\$29,000
Emergency Management Program	\$25,663	\$21,663	(\$4,000)
Fire Prevention and Control Program	\$11,538	\$13,888	\$2,350
Interoperable Communications Program	\$95,000	\$85,000	(\$10,000)
Total	8872201.00	8889551.00	17350.00

FY 2025 Executive Budget Homeland Security and Emergency Services Capital Funding Appropriation (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Design and Construction Supervision	\$115,000	\$15,000	(\$100,000)
Maintenance and Improvement of Existing Facilities	\$3,000	\$6,000	\$3,000
Total	\$118,000	\$21,000	(\$97,000)

FY 2025 Executive Budget Homeland Security and Emergency Services Capital Funding Appropriation (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Design and Construction Supervision	\$115,000	\$15,000	(\$100,000)
Maintenance and Improvement of Existing Facilities	\$3,000	\$6,000	\$3,000
Total	\$118,000	\$21,000	(\$97,000)



FACT SHEET: Economic Development

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Economic Development Budget Highlights

- The FY 2025 Executive Budget recommends State Operations and Aid to Localities appropriations for Economic Development of \$408.3 million, an increase of \$15.3 million from last year's Enacted Budget. This increase largely reflects several new Executive programs offset by the elimination of Legislative initiatives.
- The FY 2025 Executive Budget recommends Capital appropriations for Economic Development of \$1.95 billion, an increase of \$517 million from last year's Enacted Budget.

Notable Issues

- While the FY 2025 Executive Budget does not include any new legislative proposals in economic development, the Executive advances funding for a number of new programs (see below).

Spending Highlights

- \$500 million towards expanding the NY CREATES NanoTech Complex in Albany by procuring a High NA Extreme Ultraviolet lithography tool.
- \$275 million for a new Empire AI initiative.
- \$250 million for NY-Rush, an initiative to convert underutilized State sites and properties into housing.
- \$200 million for the One Network for Regional Advanced Manufacturing Partnerships (ON-RAMP) for advanced manufacturing training.



ECONOMIC DEVELOPMENT

The FY 2025 Executive Budget recommends State Operations and Aid to Localities appropriations for Economic Development of \$408.3 million, an increase of \$15.3 million from last year's Enacted Budget. This increase largely reflects several new Executive programs offset by the elimination of Legislative initiatives.

State Operations

Department of Economic Development

The FY 2025 Executive Budget proposes State Operations appropriation \$33.2 million, a decrease of \$2.5 million from FY 2024 Enacted Budget levels.

Aid to Localities

Department of Economic Development

The FY 2025 Executive Budget proposes Department of Economic Development Aid to Localities appropriations of \$67.1 million, a decrease of \$4.5 million from last year's Enacted Budget. (*see chart at end of section*)

Urban Development Corporation

The FY 2025 Executive Budget proposes Urban Development Corporation Aid to Localities appropriations of \$307.9 million, an increase of \$22.3 million from last year's Enacted Budget. This largely reflects additional funding for workforce development. (*see chart at end of section*)

Capital Funding

Urban Development Corporation

The FY 2025 Executive Budget recommends Capital appropriations for Economic Development of \$1.95 billion, an increase of \$652 million from last year's Enacted Budget.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:



Increase the Cap on Grants to Entrepreneurial Assistance Centers
(TED. S.8308, Part X)

- The Executive proposes to increase the cap on grants for Entrepreneurial Assistance Centers from the current \$175,000 to \$250,000.

Minority and Women Owned Business 15-A Extension
(TED. S.8308, Part Y)

- The Executive proposes to amend section 121 of Chapter 261 of the laws of 1988 to reauthorize the Minority and Women Owned Business Program (MWBE). The program is set to lapse on December 31, 2024. This proposal extends the program for five years until December 31, 2029.

Extend the Authorization of the New York State Urban Development Corporation to Administer the Empire State Economic Development Fund
(TED. S.8308, Part Z)

- Extends the authorization of UDC to administer the Empire State Economic Development Fund for three additional years.
- Current authority expires July 1, 2024.

Extend the General Loan Powers of the New York State Urban Development Corporation
(TED. S.8308, Part AA)

- Extends the general loan powers of Urban Development Corporation until for three additional years.
- Current authority expires July 1, 2024.



FY 2025 Executive Budget Department of Economic Development Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Centers of Excellence	\$12,025	\$12,025	\$0
Centers for Advanced Technology	\$13,559	\$13,559	\$0
Technology Development Matching Grants	\$1,382	\$1,382	\$0
Industrial Technology Extension Service	\$921	\$921	\$0
SUNY Poly and RPI Focus Center	\$4,006	\$4,006	\$0
High Technology Matching Grants	\$12,000	\$12,000	\$0
Innovation Hot Spots	\$5,000	\$5,000	\$0
Local Tourism Matching Grants	\$2,450	\$2,450	\$0
Research Development Program	\$343	\$343	\$0
Manufacturing Extension Partnership	\$1,470	\$1,470	\$0
Manufacturing Extension Partnership- Federal	\$14,000	\$14,000	\$0
Additional Centers of Excellence Funding	\$1,975	\$0	(\$1,975)
Additional Centers of Advanced Technology	\$1,470	\$0	(\$1,470)
Additional Local Tourism Matching Grants	\$1,000	\$0	(\$1,000)
Total	\$71,601	\$67,156	(\$4,445)

FY 2025 Executive Budget Local Assistance/Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Minority and Women Owen Business Development	\$2,000	\$635	(\$1,365)
Economically Distressed Area Development Grants	\$1,495	\$1,495	\$0
Entrepreneurial Assistance Program	\$1,764	\$4,500	\$2,736
Retention of Football in Western NY	\$5,270	\$5,335	\$65
Urban and Community Development Program	\$3,404	\$3,404	\$0
Empire State Economic Development Fund	\$26,180	\$26,180	\$0
Executive Economic Development Initiatives, Including Advertisement	\$45,000	\$45,000	\$0
Market NY	\$7,000	\$7,000	\$0
Workforce Development Initiatives	\$180,360	\$208,360	\$28,000
Various Legislative Additions	\$8,165		(\$8,165)
Arts and Cultural Venues of Alive! Downtown	\$5,000		(\$5,000)
Global Entrepreneurs Program		\$4,000	\$4,000
Federal Tourism Grants		\$2,000	\$2,000
Total	\$285,638	\$307,909	\$22,271



FY 2025 Executive Budget ESDC Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Retention of Football in Western NY	\$2,270	\$2,329	\$59
Market NY	\$8,000	\$8,000	\$0
NY Works	\$400,000	\$400,000	\$0
REDC Initiative	\$150,000	\$150,000	\$0
Restore NY Communities	\$50,000	\$50,000	\$0
Pace University Performing Arts Center	\$5,000	\$5,000	\$0
Renovation of Belmont Park Race Track	\$455,000	\$0	(\$455,000)
Hunts Point Produce Market	\$130,000	\$0	(\$130,000)
Feed-More Western New York	\$24,000	\$0	(\$24,000)
Redevelopment of Monument Square in Troy	\$19,000	\$0	(\$19,000)
LGBT History and Culture Museum	\$7,500	\$0	(\$7,500)
Dominican American Cultural Center	\$7,500	\$0	(\$7,500)
Redevelopment of Victory Mills in Saratoga	\$10,000	\$0	(\$10,000)
SUNY Albany Absorption Chillers	\$30,000	\$0	(\$30,000)
Grown and Certified	\$0	\$20,000	\$20,000
Redevelopment of Underutilized Sites for Housing	\$0	\$250,000	\$250,000
ON-RAMP Initiative	\$0	\$80,000	\$80,000
FAST NY	\$0	\$100,000	\$100,000
Albany Nanotech Ultraviolet Lithography Center	\$0	\$500,000	\$500,000
Launch NY AI Consortium	\$0	\$250,000	\$250,000
County Partnership Grants Program	\$0	\$85,000	\$85,000
County Partnership Grants Program- Infrastructure	\$0	\$50,000	\$50,000
Total	\$1,298,270	\$1,950,329	\$652,059



FACT SHEET: Mental Hygiene

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Mental Hygiene Budget Highlights

- The FY 2025 Executive Budget proposes All Funds spending authority of \$14.5 billion, a decrease of \$576 million over the current year. This overall decrease is driven by lower projected receipts within the opioid settlement fund and the removal of one time OMH \$950 million supportive housing capital. The decrease is offset by new funding for inpatient psychiatric beds, funding for a 1.5 percent COLA, and increased agency costs associated with the higher minimum wage
 - Decrease of \$559 million to the Office of Mental Health (OMH), for a total of \$5.85 billion
 - Increase of \$161.7 million to the Office for People with Developmental Disabilities (OPWDD), for a total of \$7.6 billion
 - Decrease of \$179.5 million to the Office of Addiction Services and Supports (OASAS), for total of \$1.1 billion

Notable Issues

- The Executive proposes to make the Opioid Stewardship Fund permanent in State Finance Law
- The Executive proposes to require minimum commercial insurance reimbursement rates for Behavioral Health services for services provided by Office of Mental Health (OMH) and Office of Addiction Services and Supports (OASAS) at or above the Medicaid rate for outpatient behavioral health services

Spending Highlights

- Cost of Living Adjustment (COLA) and Minimum Wage adjustment
 - The Executive proposes a 1.5 percent COLA for human services providers: allocated as follow: \$74.8 million to OPWDD, \$50.6 million to OMH, and \$13.3 million to OASAS
 - The Executive proposes an additional \$57.2 million in state funds to support minimum wage increase, including indexing the minimum wage to inflation, for staff at programs licensed, certified, or otherwise authorized by OPWDD, OMH, and OASAS



- **Dwyer Program**
 - The Executive proposes \$308 thousand in additional funds for the Dwyer program. Total program funding is \$8 million
- **Expand Inpatient Bed Capacity**
 - The Executive includes \$22 million in funding for the opening of 125 new State-operated inpatient psychiatric beds, which is part of a multi-year plan to increase operational capacity at state operated psychiatric hospitals. The location of the beds are not yet determined but will include 15 for children and adolescents, 85 for adults, and 25 forensic; and 75 Transition to Home Unit (THU) beds in one State-operated and two community-based facilities.
- **Expand Special Olympics NY (SONY).**
 - The Executive Budget includes a \$1 million annual funding increase to SONY in FY 2025. SONY not only provides inclusive sports training, skill building, and competition, it also offers free health screenings and health education to individuals with intellectual disabilities.
- **Workforce and Loan Forgiveness**
 - The Executive proposes \$6.7 million to support disability employment opportunities
 - \$4 million for a loan forgiveness for licensed mental health clinicians serving children
- **Enhance Children's Mental Health Programs**
 - The Executive proposes an additional \$1 million for mental health services for children and families to increase training and specialized programs focusing on children with welfare system involvement. The Office of Mental Health will develop materials to educate caregivers on the impacts of social media on youths and methods to monitor social media usage to reduce negative effects.
- **Critical Time Intervention (CTI)**
 - The Executive proposes \$187,000 in state funds to support the Critical Time Intervention (CTI) teams.
- **Opioid Settlement Fund Investment**
 - The Executive proposes that by the end of FY 2025, over \$480 million in payments related to the Opioid Settlement Fund Investment will be deposited in the fund, which will be used to support addiction services throughout the state. The Opioid Settlement board makes funding recommendations as to programmatic spending of this fund, though the actual programmatic decisions are subject to negotiation between the Executive and the Legislature.



MENTAL HYGIENE

The Department of Mental Hygiene operates through three independent agencies – The Office of Mental Health (OMH), the Office for People with Developmental Disabilities (OPWDD), and the Office of Addiction Services and Supports (OASAS). All three agencies provide services directly to their clients through State-operated facilities and receive reimbursement for these services, primarily through the Medicaid program. In addition, the Justice Center for People with Developmental Disabilities and the Council on Developmental Disabilities fall under the Mental Hygiene issue area.

State Operations

Mental Health, Office of (OMH)

The FY 2025 Executive Budget recommends an appropriation of \$2.3 billion in State Operations. This is an increase of \$23.2 million, or 1 percent from FY 2024 Enacted Budget.

- This increase is primarily driven by the minimum wage increase and operating-costs associated with expanding State-operated inpatient psychiatric bed mental health services.

The Executive Budget includes \$22 million in funding for the opening of 125 new State-operated inpatient psychiatric beds, which is part of a multi-year plan to increase operational capacity at state operated psychiatric hospitals. The location of the beds are not yet determined but will include 15 for children and adolescents, 85 for adults, and 25 forensic; and 75 Transition to Home Unit (THU) beds in one State-operated and two community-based facilities. OMH operates 22 psychiatric centers that provide more than 3,340 inpatient beds for Adult, Children and Youth, and Forensic populations currently.

The Executive Budget allocates \$7 million in funds to enhance surveillance and regulatory compliance efforts across various OMH licensed and unlicensed program settings, encompassing hospital inpatient programs and Comprehensive Psychiatric Emergency Programs (CPEPs). Additionally, OMH and DOH will complete the formulation of regulations aimed at formalizing admission and discharge criteria for individuals with behavioral health conditions in hospitals.

The Executive Budget proposes additional measures to support individuals with mental illness within the criminal justice system. It would establish a dedicated team within OMH to collaborate with mental health courts and providers, ensuring seamless access to necessary services for individuals.

- 6.2 million for the provision of mental health specialists and peers in mental health courts
- \$2.8 million to offer housing and support for individuals with mental illness experiencing homelessness or involved in the criminal justice system,
- \$9.6 million to improve and extend specialized Forensic Assertive Community Treatment (FACT) teams, aiming to assist individuals with serious mental illness within the community.



People with Developmental Disabilities, Office of (OPWDD)

The Executive Budget recommends an appropriation of \$2.36 billion in State Operations. This is an increase of \$4.3 million, or .2 percent from FY 2024 Enacted Budget.

- This increase is due to PS/NPS Re-estimates, a new Intensive Treatment Opportunities expansion, funding to comply with the Olmstead Plan, and a re-estimate for the new Chief Disability Officer office

Addiction Services and Supports, Office of (OASAS)

The Executive Budget recommends an appropriation of \$171.4 million in State Operations. This is a decrease of \$7.8 million, or 4.3 percent increase from the FY 2024 Enacted Budget.

- This decrease is due to a \$7.8 million reduction in Opioid settlement fund administration following a decrease in expected receipts for the fun

Justice Center For the Protection of People with Special Needs

The FY 2025 Executive Budget recommends \$62.6 million for the Justice Center, a decrease of \$1.1 million. This decrease is driven by lower personal and non-personal service estimates and lower federal reimbursement.

Council on Developmental Disabilities

The Executive proposes \$4.2 million in disbursements in FY 2025, which reflects no changes from the current fiscal year.

Aid to Localities

Mental Health, Office of (OMH)

The Executive Budget recommends an appropriation of \$2.9 billion in Aid to Localities. This is an increase of \$237.8 million, or 8.8 percent from the FY 2024 Enacted Budget. This increase is driven by:

- \$81.8 million to continue the prior year expansion of the continuum of care across OMH
- \$43 million for supportive housing
- \$35 million for 1.5 percent Cost of Living Adjustment (COLA),
- \$8.2 million for new minimum wage costs
- \$19.4 million for Enhanced Children's Mental Health Programs/ Critical Time Intervention (CTI) Teams



- \$25 million to improve public safety by addressing Serious Mental Illness (SMI)
- \$1.5 million Maternal Mental Health (Project Teach)
- \$4 million for a loan forgiveness for licensed mental health clinicians serving children
- Dwyer Program- The Executive proposes \$308 thousand in additional funds for the Dwyer program. Total program funding is \$8 million

This decrease is offset by the removal of \$7.6 million of legislative adds and the removal off federal ARPA funding.

People with Developmental Disabilities, Office of (OPWDD)

The Executive Budget recommends an appropriation of \$5.1 billion in Aid to Localities. This is an increase of \$137.4 million, or 2.7 percent from the FY 2024 Enacted Budget.

- This increase is driven by the 1.5 percent Cost of Living Adjustment (COLA) (\$46.8 million) and minimum wage increase (\$45.1 million)

The Executive Budget proposes funding for new service opportunities (\$30 million in FY 2025, \$60 million annualized) to fund OPWDD priority program reforms and new service opportunities that enable individuals to receive the support they need. This includes individuals who are entering the OPWDD service system for the first time and individuals already receiving services, but whose needs have changed.

- Expand Special Olympics NY (SONY).
 - The Executive Budget includes a \$1 million annual funding increase to SONY in FY 2025. SONY not only provides inclusive sports training, skill building, and competition, it also offers free health screenings and health education to individuals with intellectual disabilities.
- Workforce and Loan Forgiveness
 - The Executive proposes \$6.7 million to support disability employment opportunities

Addiction Services and Supports, Office of (OASAS)

The Executive Budget recommends an appropriation of \$898 million in Aid to Localities. This is a decrease of \$171.5 million, or 16 percent from the FY 2024 Enacted Budget.



- This decrease is primarily driven by a reduction in funds related to the Opioid Settlement Fund due to lower receipts, removal of legislative adds, and re-estimates. This decrease is offset by an increase of \$8.8 million associated with the 1.5 percent COLA and \$5 million for existing recovery community centers, which are currently funded by Federal grants expiring in October for peer support to supplement recovery from addiction.

Opioid Settlement Fund

Starting in 2021, the State of New York entered into settlement agreements with opioid manufacturers and distributors, resulting in payments. These agreements are anticipated to bring in over \$2 billion for the State and local municipalities until 2040. By the end of Fiscal Year 2025, more than \$480 million from these settlements will be deposited into the State's Opioid Settlement Fund. These funds are earmarked for supporting addiction programs and services statewide. OASAS, serving as the lead agency and fund administrator, is collaborating with other State agencies such as DOH and OMH to devise strategies and initiatives for providing necessary care and support to individuals. The Opioid Settlement Fund Advisory Board, responsible for recommending fund allocations, released its annual report on November 1, 2023.

The Executive also proposes to permanently extend the Opioid Stewardship fund to continue spending but anticipates no new receipts.

Justice Center For the Protection of People with Special Needs

The FY 2025 Executive Budget recommends \$799,000 for the Justice Center, which reflects no changes from the current fiscal year.

Capital Funding

Mental Health, Office of (OMH)

The Executive Budget recommends an appropriation of \$596.4 million in Capital funding. This is a decrease of \$864 million or 59 percent from the FY 2024 Enacted Budget.

- This decrease is driven by the removal of a one-time \$915 million supportive housing expansion and offset by \$115 million for a new Electronic Health Record System

People with Developmental Disabilities, Office of (OPWDD)

The Executive Budget recommends an appropriation of \$134.4 million in Capital Funding. This is an increase of \$20 million or, 16.7 percent from the FY 2024 Enacted Budget.

- This increase is due to funding for Personal Service Re-estimates and \$12 million for Intensive Treatment Opportunities Expansion



Addiction Services and Supports, Office of (OASAS)

The Executive Budget recommends an appropriation of \$92 million in Capital Funding, which reflects no changes from the current fiscal year.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:

Make the Opioid Stewardship Fund Permanent *(HMH, S.8307, Part X)*

- The Executive proposes to make the Opioid Stewardship Fund permanent, which is set to expire on June 30, 2024.

Make the Community Mental Health Support and Workforce Reinvestment Program Permanent *(HMH, S.8307, Part Y)*

- The Executive proposes to require the Office of Mental Health (OMH) to permanently continue reinvesting savings from potential State Psychiatric Center inpatient bed closures for community mental health services and workforce.

Make Flexibilities for Demonstration Programs Permanent *(HMH, S.8307, Part Z)*

- The Executive proposes to make permanent the authority for Office of Mental Health (OMH), Office of Addiction Services and Supports (OASAS) and Office for People with Developmental Disabilities (OPWDD) to design and implement time-limited demonstration programs.

Require Minimum Commercial Insurance Reimbursement Rates for Behavioral Health Services *(HMH, S.8307, Part AA)*

- The Executive proposes to require insurers to reimburse outpatient, intensive outpatient, outpatient rehabilitation and opioid treatment that are participating in the insurer's provider network at facilities authorized by the Office of Addiction Services and Supports at a rate that is not less than the fee for service Medicaid rate.



Make the Comprehensive Psychiatric Emergency Programs Permanent (HMH, S.8307, Part BB)

- The Executive proposes to make permanent the Comprehensive Psychiatric Emergency Program (CPEP), which is set to expire on July 1, 2024, and provides psychiatric emergency services including hospital-based crisis intervention services, extended observation beds, crisis outreach services and crisis residential services.

Justice Center Notification to OMIG (HMH, S.8307, Part CC)

- The Executive proposes to clarify that the requirement of the Justice Center to forward to the Office of the Medicaid Inspector General (OMIG) substantiated reports of abuse or neglect are final reports which are not subject to further amendment or appeal, when such reports may result in exclusion or other sanction imposed by OMIG and requires the Justice Center to consult with OMIG on which reports are final.

Representative payee authority for mental hygiene facility directors (HMH, S.8307, Part DD)

- The Executive proposes to make permanent the authority of State mental hygiene facility directors, who act as federally appointed representative payees to use funds for the cost of an individual's care and treatment consistent with federal law.

Support Access to More Independent Living Settings (HMH, S.8307, Part EE)

- The Executive proposes to authorize Direct Support Professionals (DSPs) in non-facility-based programs, certified by the Office for People with Developmental Disabilities, to perform certain nursing tasks so long as the staff does not hold themselves out as one who accept employment solely for performing such care, and where nursing services are under the instruction of a service recipient or family or household member determined by a registered professional nurse to be capable of providing such instruction.
 - Where the registered professional nurse determines such service recipient, family or household member is not capable of providing such instruction, nursing tasks may be performed by direct support staff.

Human Services Cost-of-Living Adjustment (HMH, S.8307, Part FF)

- The Executive proposes to implement a 1.5 percent cost of living adjustment (COLA) to certain human services programs from April 1, 2024 to March 31, 2025 and includes programs and services licensed and certified by the Office of Mental Health, the Office of People with Developmental Disabilities,



the Office of Addiction Services and Supports, the Office of Temporary and Disability Assistance, the Office of Children and Family Services and the State Office of the Aging.

Mental Health Parity
(TED, S.8308, Part HH)

- The Executive proposes to increase penalties on health insurance companies for violations of mental health and substance use disorder requirements to \$2,000 for each offense.



FY 2025 Executive Budget Addiction Services and Supports Aid To Localities Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Chemical Dependency local admin	\$3,844	\$3,844	\$0
Outpatient Medicaid/DSH	\$25,375	\$25,375	\$0
Reinvestment of Behavioral Health Services	\$37,000	\$37,000	\$0
Residential Services	\$130,806	\$130,806	\$0
Crisis Services	\$12,819	\$12,819	\$0
Gambling Chemical Dependence Outpatient	\$149,108	\$137,708	(\$11,400)
Debt Service Capital DASNY	\$39,983	\$39,983	\$0
Minimum Wage labor costs	\$2,900	\$2,900	\$0
COLA 4 percent	\$21,328		
COLA 1.5 percent		\$8,860	
Adolescent Clubhouse	\$250	\$250	\$0
Independent Substance Use Disorder MH Ombudsman	\$1,500	\$1,500	\$0
Jail Based Substance Use Disorder Funding	\$8,865	\$8,865	\$0
Addiction Recovery Supportive Transportation Services	\$250		(\$250)
Family and Childrens Assosciation Recovery Center	\$950		(\$950)
New York State Association of Alcoholism & Substanace Abuse Provider	\$250		(\$250)
Save the Michaels of the World Inc	\$500		(\$500)
NYC Education Department Hire Substance abuse prevention specialists	\$2,000		(\$2,000)
Catholic Charities of Orange Sullivan and Ulster	\$250		(\$250)
Problem gambling, chemical dependence, outpatient treatment	\$31,789	\$31,789	\$0
Residential Services	\$103,157	\$103,157	\$0
Crisis Services	\$8,558	\$8,558	\$0
Behavioral Health Parity Compliance Account	\$8,500	\$8,500	\$0
Opioid Settlement Agreements	\$212,253	\$63,738	(\$148,515)
Federal Grant Awards yet to be allocated (dry approp)	\$50,000	\$50,000	\$0
Prevention and Support Programs	\$75,191	\$75,191	\$0
Recovery Services Including Housing	\$47,525	\$52,525	\$5,000
Substance Abuse Treatment and Prevention Account	\$48,656	\$48,656	\$0
Recovery Services Including Housing	\$23,000	\$23,000	\$0
Chemical Dependence Service Fund	\$7,313	\$7,313	\$0
Medical Cannabis Addiction Services	\$2,000	\$2,000	\$0
Problem Gambling Services	\$9,600	\$9,600	\$0
Substance Use Education and Recovery Services	\$100	\$100	\$0
NYS Drug Treatment and Education Fund	\$4,000	\$4,000	\$4,000
Total	\$1,069,620	\$898,037	(\$155,115)



FY 2025 Executive Budget Addiction Services and Supports Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Minor Rehabilitation Purpose	\$5,500	\$5,500	
New Facilities Purpose	\$24,000	\$24,000	
Preservation of Facilities	\$40,000	\$40,000	
Opioid Settlement Account New Facilities	\$10,000	\$0	(\$10,000)
Preparation of Plans Purpose-DASNY-OASAS	\$4,000	\$4,000	
Preparation of Plans Purpose- Capital Improvement Fund	\$2,000	\$2,000	
Maintenance and Operations Purpose	\$3,500	\$3,500	
Institutional Services Minor Rehabilitation Program	\$2,000	\$2,000	
OASAS State Facilities-Preservation of Facilities	\$10,000	\$10,000	
Non-Bondable Capital Projects	\$1,000	\$1,000	
Total	\$102,000	\$92,000	(\$10,000)

FY 2024-25 Executive Budget
State Agency Spending Review



FY 2025 Executive Budget Office of Mental Health Agency Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	2024 Enacted	FY 2025 Proposed	Change
Adult Community Mental Health Services	\$338,859	\$391,817	\$14,112
Funding for Recruitment and Retention	\$14,000	\$14,000	\$5,000
Recruitment and Retention of Psychiatrists and psych nurses		\$4,000	
Medical Assistance Program	\$74,000	\$74,000	\$0
FarmNet	\$400	\$400	\$400
Community Mental Health Non-Residential Programs	\$423,900	\$455,250	\$18,054
9-8-8 Crisis Response System	\$60,000	\$60,000	\$25,000
Community Mental Health Emergency Programs	\$49,273	\$73,413	\$30,978
Community Mental Health Residential Programs	\$914,686	\$1,038,021	\$106,905
Individual Placement and Support Employment Program (IPS)	\$3,250	\$12,000	\$3,250
Intensive and Sustained engagement Treatment Program (INSET)	\$2,800	\$2,800	\$2,800
Cost of Living Adjustment 4% (COLA)	\$81,018		(\$44,363)
Cost of Living Adjustment 2.5% (COLA)		\$34,985	
Minimum Wage Increase	\$5,300	\$8,220	\$1,100
Reinvestment for The Expansion of State Community Hubs and Voluntary Operated Services for Adults and Children	\$119,500	\$119,500	\$0
Services and Expenses for Adult Homes	\$64,500	\$67,911	\$4,000
Services and Expenses for Nursing Homes	\$12,000	\$12,000	\$0
Comprehensive Care Centers for Eating Disorders Program	\$1,178	\$1,178	\$1,060
Expand Access to Eating Disorder Treatment	\$2,000	\$2,000	\$2,000
Suicide Prevention Efforts for Veterans, First Responders, Law Enforcement, and Corrections Officers	\$1,000	\$1,000	\$0
Suicide Prevention Efforts for Veterans, First Responders, Law Enforcement, and Corrections Officers		\$2,000	
Dwyer Program	\$7,715	\$8,023	\$15
Crisis Intervention Teams	\$2,000	\$0	(\$2,000)
Family Service League- North Fork Mental Health Initiative	\$175	\$0	(\$175)
Family Service League- South Fork Behavioral Mental Health Initiative	\$175	\$0	(\$175)
Family Service League	\$100	\$0	(\$100)
EverGreen Meadow	\$250		
Ny mental health association Orange County	\$10	\$0	(\$1,060)
Child Mind Institute	\$200		
Children of Promise, NYC	\$100	\$0	(\$100)
Rainbow Heights Club	\$50	\$0	(\$125)
The Trevor Project	\$150	\$0	(\$150)
Unconditional Support Incorporated	\$150		
FarmNet	\$100		
Mental Health Association in New York State, Inc	\$100	\$0	(\$100)
Crisis Services of Buffalo and Erie	\$300		
The Harris Project- Include Program	\$120	\$0	(\$120)
The Harris Project- Encompass Project	\$125	\$0	(\$125)
Westchester Jewish Community Services-WJCS	\$200	\$0	(\$200)
Maternal Mental Health Workgroup	\$250		
Veterans Mental Health Training Initiative	\$300	\$0	(\$50)
Mental Health, Addiction Treatment Services and Support Programs Lump	\$1,750	\$0	(\$1,000)
Adult Mental Health Services (Block Grant)	\$62,619	\$62,619	\$7,290
Federal Block Grant Award	\$50,000	\$50,000	(\$111,050)
PATH Grant	\$6,359	\$6,359	\$0
Grants Dedicated to Eliminating Stigma Attached to Mental Illness	\$350	\$350	\$0
Adult Mental Health Services	\$7,580	\$7,580	\$0
Community Residences and Family-based Treatment Providers	\$128,403	\$140,803	(\$2,181)
Youth Suicide Prevention	\$10,000	\$10,000	\$10,000
Fidelity Wrap Around Services for Children	\$5,000	\$10,000	\$5,000
Mental Health Non-Residential Programs	\$166,883	\$180,264	\$15,131
Mental Health Emergency Programs	\$46,583	\$53,289	\$13,741
Community Mental Health Residential Programs	\$13,948	\$14,801	\$600
Community Mental Health Services Block Grant (Children's)	\$14,488	\$14,488	\$1,710
Total	\$2,694,197	\$2,933,071	\$97,472



FY 2025 Executive Budget Office of Mental Health Agency Capital Funding Appropriation Changes
(Thousands of Dollars)

Program	FY 2024 Enacted	FY 2025 Proposed	Change
Community Mental Health Facilities	\$1,055,722	\$96,722	\$965,000
Mental Hygiene Capital Improvement Fund	\$1,000	\$1,000	\$0
State Mental Health Facilities	\$403,750	\$498,750	\$10,000
Total	\$1,460,472	\$596,472	\$1,007,000

FY 2025 Executive Budget Office For People With Developmental Disabilities Agency Local Assistance Appropriation Changes
(Thousands of Dollars)

Program	FY 2024 Enacted	FY 2025 Proposed	Change
Medical Assistance Services	\$4,246,079	\$4,431,507	\$290,613,000
Additional State Share Medical Assistance Services	\$2,000	\$2,000	\$0
Funding For a Cost Of Living Adjustment	\$119,678	\$46,852	(\$74,306,000)
Healthcare and Mental Hygiene Worker Bonus	\$0	\$0	(\$136,291,000)
Residential Services	\$347,614	\$351,614	\$38,744,000
Day Program Services	\$79,524	\$86,224	\$10,000,000
Family Support Services	\$97,033	\$97,033	\$0
Long Term Sheltered Employment Program	\$56,001	\$56,001	\$0
Other Services and Expenses	\$13,203	\$14,203	\$0
Direct Salary Costs and Fringe Benefits minimum wage	\$31,100	\$45,140	(\$3,200,000)
Autism Society of the Greater Capital Region	\$200		(\$200,000)
Brain Injury Alliance	\$150		(\$25,000)
Jawonio Inc	\$130		(\$140,000)
Family Residences and Essential Enterprises	\$50		
Best Buddies International Inc	\$150		(\$150,000)
Special Olympics NY	\$150		(\$150,000)
Jawonio Inc	\$130		(\$130,000)
Total	\$4,993,192	\$5,130,574	\$124,535,000

FY 2025 Executive Budget Office for People with Developmental Disabilities Agency Capital Funding Appropriation Changes
(Thousands of Dollars)

Program	FY 2024 Enacted	FY 2025 Proposed	Change
Community and Institutional Services Program	\$62,450	\$74,426	\$5,850
Design and Construction Supervision	\$13,000	\$13,000	\$0
Facilities Maintenance and Operations	\$44,000	\$52,000	\$1,000
Total	\$119,450	\$139,426	\$6,850



FY 2025 Executive Budget Justice Center Aid to Localities Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Community Support Program	\$799	\$799	
Total	\$799	\$799	\$0



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Human Services Budget Highlights

Office of Children and Families (OCFS)

- The FY 2024-2025 Executive Budget recommends All Funds appropriations of \$5.4 billion for State Operations, Aid to Localities programs, and Capital funding, a decrease of \$378 million, or 6.4 percent. The decrease can be attributed to the eliminations of \$945.3 million in appropriation authority for one-time non-recurring expenses pertaining to Child Welfare Services, Adult Protective Services, and Runaway and Homeless Youth Program bridge appropriations related to shifting the program period from the federal to state fiscal year in FY 2024. The FY 2024-2025 Executive Budget also eliminates \$89 million in Legislative additions.
- The decrease is offset by an additional \$29 million under State Operations for Family First Prevention Services Act (FFPSA) programing activities, along with general salary increases. In addition, the Aid to Localities budget provides an additional \$665 million in additional Appropriation Authority for child care subsidies, Adult Protective Services and the Consolidated Afterschool Program.

Office of Temporary and Disability Assistance (OTDA)

- The FY 2024-2025 Executive Budget recommends All Funds appropriations of \$10.1 billion for State Operations, Aid to Localities programs and Capital funding, an increase of \$1.1 billion or 11 percent. This change is largely attributable to \$2.4 billion in appropriation authority for migrant support services and assistance in New York City.

Division of Human Rights (DHR)

- The FY 2024-2025 Executive budget recommends an All Funds appropriation of \$28.9 million for State Operations. This is unchanged from FY 2023-2024.



Department of Labor (DOL)

- The Executive Budget recommends an All Funds appropriations of \$7.3 billion, an increase of approximately \$5.4 million from FY 2024.
- All Funds recommended appropriations excluding unemployment insurance is \$1.025 billion, an increase of approximately \$3.4 million from FY 2024.
- The appropriation for Unemployment Insurance benefits is \$6 billion.

Workers Compensation Board (WCB)

- The Executive Budget recommends an All Funds level of \$227 Million in appropriations.
- This represents an increase of \$14.9 million from FY 2024.

Department of Veterans' Services

- The FY 2024-2025 Executive Budget recommends an All Funds appropriation of \$30.4 million for State Operations, Aid to Localities assistance and Capital Funds, a decrease of \$2.4 million or 7 percent. The change is attributable to the elimination of a \$900 thousand appropriation in non-personal service for the Federal Veterans' Cemetery Fund; \$2.8 million in Legislative additions being eliminated and the Executive reappropriating \$1.1 million for the Homeless Veterans' Housing Program. The decrease is offset by the following: \$1.9 million for general salary increases in State Operations for the Veterans Benefits Advising Program; and an additional \$500,000 appropriation for the Homeless Veterans' Program.

Office of Welfare Inspector General (WIG)

- The FY 2024-2025 Executive Budget recommends an All Funds appropriation of \$1.39 million for State Operations, an increase of \$53 thousand or 3.8 percent. The change is attributable to general salary increases.

National and Community Service (NCS)

- The FY 2024-2025 Executive Budget recommends an All Funds appropriation of \$31 million for NCS, which is a \$121 thousand net increase from FY 2023-2024. Adjustments reflect the \$121,000 increase to support negotiated state workforce salary increases for PEF and M/C employees.

Notable Issues

Office of Children and Family Services (OCFS)

- The Executive proposes to use \$280 million in underutilized Federal funds to continue the Workforce Grant Retention Program. The Executive estimates that it will provide payments to child care providers



at nearly 14,000 programs statewide. Grants can be used for payroll tax assistance, staff recruitment strategies, sign on bonuses for new employees, and other expenses related to hiring staff.

- Funding for child care subsidies are increased. The Executive proposes to provide an additional \$536 million in General fund for child care subsidies for FY 2024-2025.
- The Executive proposes to consolidate the Advantage and Empire State Afterschool Programs into a single program. The Executive budget includes an overall \$23 million increase to the Consolidated Afterschool program.

Office of Temporary and Disability Assistance (OTDA)

- The Executive proposes to include significant funding for the migrant crisis. This includes a \$2.4 billion appropriation to provide aid to New York City for migrant support services and assistance.
- Support Anti-Poverty Efforts in Rochester, Syracuse, and Buffalo. The Executive provides \$50 million in federal funding to support select anti-poverty initiatives proposed by Rochester (\$25 million), Buffalo (\$12.5 million), and Syracuse (\$12.5 million) in FY 25.

Department of Labor (DOL)

- Limit Liquidated Damages in Certain Frequency of Pay Violations (ELFA Part K)
 - Would limit the plaintiff's recovery of damages for violations of the frequency of payments statute where employees were paid regularly on at least a semi-monthly basis.
- Expand Recovery Tools for Stolen Wages (ELFA Part L)
 - Would grant the Commissioner of Labor the same authority conferred upon sheriffs pursuant to Article 25 of the Civil Practice Law and Rules to execute an order or decision (filed by the Commissioner of Labor) to collect lost wages, wage supplements, interest, and liquidated damages from an employer.
 - The Commissioner would also be authorized to issue a warrant to the Sheriff of the county in which the employee resides to sell the real and personal property of an employer that is subject to the order or decision.
 - According to the Executive, the Department of Labor has the same enforcement powers relative to collection of unpaid contributions to the Unemployment Insurance Trust Fund.
- Sunset the State's COVID-19 Sick Leave Law on July 31, 2024 (ELFA Part M).

Workers' Compensation Board (WCB)

Part M – Establish First in Nation Paid Prenatal Leave (PPGG Part M)

- The Executive proposes granting eligible pregnant employees in New York an extra 40 hours of leave for prenatal medical appointments, in addition to the existing 12 weeks of Paid Family Leave. The



amendments to the Workers' Compensation Law allow this leave in hourly increments for prenatal care, such as exams, monitoring, testing, and discussions with healthcare providers. This leave, provided within 52 weeks, doesn't reduce the 12 weeks of Paid Family Leave or 26 weeks of disability leave. Benefits are paid hourly, with notice or proof required within 30 days of the appointment.

Part N – Increase Short Term Disability Leave Benefits (PPGG Part N)

- Would change the baseline for calculating the Average Weekly Wage from March 31 to May 31.
- Increase the short-term disability benefit which is currently \$170 per week to two thirds of an employee's Average Weekly Wage (AWW), capped at two thirds of the statewide AWW.
- Increases would be phased in over the next five years (from 2025 to 2029).
- Increase the maximum employee contribution for temporary disability benefits from one half of one percent (50 basis points) of their wage, capped at 60 cents per week, to 40 percent of the average combined employee and employer contributions to disability benefits.
- The Superintendent of Financial Services has jurisdiction over and responsibility for establishing the maximum contribution stated above. The disability benefits (which includes Paid Family Leave) governed by Article 9 of the Workers' Compensation Law would be provided through a group accident and health insurance policy or a self-funded employer plan.

Spending Highlights

Office of Temporary and Disability Assistance (OTDA)

- \$2.4 billion appropriation for Shelter and Migrant Services in New York City.
- \$122 million appropriation for costs associated with sheltering migrants at Floyd Bennet Field.
- \$300 million in federal funds for the Summer EBT Program.
- \$175 million in additional appropriation authority for Safety Net Assistance to fund an expected increase in the caseload.
- \$130 million in additional federal appropriation authority for the Refugee Resettlement Program

Office of Children and Family Services (OCFS)

- Provides an additional \$536 million in for child care subsidies.
- Provides an additional \$32.5 million to increase the Medicaid Per Diem appropriation.
- \$21 million in additional appropriation authority for Adult Protective Services.
- Provides an additional 23.7 million for the Consolidated After School Program. This brings total appropriation authority to \$100 million.



- Provides an additional \$3 million for the Supervision and Treatment Services for Juveniles Program (STSJP).

Department of Veterans' Services (DVS)

- Provides an additional \$500,000 in appropriation authority for the Homeless Veterans' Housing Program.
- Provides \$1.9 million for general salary increases in State Operations for the Veterans Benefits Advising Program.

Department of Labor (DOL)

- The Employment and Training Program includes an appropriation of \$25 million to bolster the Office of Just Transition to transition fossil fuel workers to an alternative occupation or retirement. This includes an appropriation of \$22.5 million to Assistance and Grants and \$2.5 million to State Operations. The Executive does not have a plan as to how these funds will be disbursed.
- While the Executive Budget includes approximately \$17.5 billion in undesignated fund balances and reserves for economic uncertainties, there is no relief proposed for the Unemployment Insurance Deficit of approximately \$7.2 billion.
- There is also no funding allocated to pay the Interest Assessment Surcharge (IAS), which is appropriated at \$250 million for FY 2025, and will be assessed against employers, including small and medium-sized businesses as well as not-for-profit and public employers.
- Reflects elimination of approximately \$26 million in labor initiatives.



HUMAN SERVICES

The FY 2025 Executive Budget recommends an All Funds appropriation of \$23.2 billion for State Operations, Aid to Localities and Capital funding for all Human Service agencies, an increase of \$758 million or three percent from the FY 2024 Enacted budget.

State Operations

Office of Children and Families (OCFS)

The Executive Budget recommends an appropriation of \$586 million in State Operation for the Office of Children and Families. This is an increase of \$29 million or 5.2 percent from FY 2024 levels. The change is attributed to the following:

- \$14 million in new federal appropriation authority for the Family First Prevention Services Act (FFPSA) for programming activities.
- \$15 million in negotiated salary increases.

Aid to Localities

Office of Children and Families (OCFS)

The FY 2025 Executive Budget recommends an appropriation of \$4.9 billion in the Aid to Localities budget. This is a decrease of \$411 million or 7.7 percent from FY 2024 levels.

Capital Funding

Office of Children and Families (OCFS)

The FY 2025 Executive Budget recommends a capital appropriation of \$60.2 million. This is an increase of \$78 thousand or .13 percent from FY 2024 levels.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:



Committee on Special Education
(ELFA, S.8306, Part G)

- Prior to the 2021 Enacted budget, the room and board costs for children with severe disabilities placed by CSEs were shared between local social services districts, school districts and by the State when placements were made by committees outside of New York City.
- The FY 2021, FY 2022, FY 2023 and FY 2024 Enacted Budgets eliminated the existing 18.4 percent State share, placing the fiscal responsibility with the school district responsible for placement. The FY 2025 Executive budget proposes to make the current funding structure permanent. The Executive estimates that this will produce \$28.6 million in annual savings.

FY 2024-25 Executive Budget
Summary of Agency Spending



FY 2025 Executive Budget Office of Children and Family Services Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
<i>Child Care Program</i>			
Child Care Subsidies - State	\$459,557	\$995,600	\$536,043
Child and Adult Care Food Prog	\$250	\$250	\$0
Child Care UFT - Professional Development	\$1,250	\$1,312	\$62
Child Care UFT - Quality Grant Program	\$1,000	\$1,090	\$90
Child Care CSEA - Professional Development	\$1,500	\$1,750	\$250
Child Care CSEA - Quality Grant Program	\$2,500	\$2,750	\$250
Business Navigator Program	\$1,000	\$1,000	\$0
Employer Supported Child Care Program	\$4,800	\$4,800	\$0
Child Care Subsidies - Federal	\$727,637	\$727,637	\$0
EPA Water Infrastructure Grant - lead testing	\$5,000	\$5,000	\$0
Child Care Quality Protection Fund	\$343	\$343	\$0
<i>Family and Children's Service Program</i>			
Foster Care Block Grant	\$398,390	\$401,279	\$2,889
Child Welfare Services	\$900,045	\$900,045	\$0
Child Welfare Services - bridge appropriation	\$900,045	\$0	(\$900,045)
Community Preventive Service (COPS)	\$12,125	\$12,125	\$0
OMH Medicaid Waiver	\$6,213	\$6,213	\$0
Adoption and Safe Families Act - Fingerprinting	\$1,857	\$1,857	\$0
Adoption Subsidies	\$231,670	\$233,846	\$2,176
Adoption De-linking	\$29,800	\$30,076	\$276
Indian Tribes	\$4,700	\$4,700	\$0
Child Fatality Review Teams	\$829	\$843	\$14
Child Advocacy Centers (CACs)	\$5,230	\$5,230	\$0
Medicaid Per Diem - foster children	\$37,450	\$70,000	\$32,550
OCFS Medicaid Waiver (Bridges to Health)	\$73,289	\$73,289	\$0
Advisory services from Dormitory Authority	\$6,620	\$6,620	\$0
Youth Sports Grant Program	\$5,000	\$5,000	\$0
Secure and Non-Secure Detention Services	\$76,160	\$76,160	\$0
Detention Retroactive Bills	\$9,444	\$9,444	\$0
Supervision and Treatment Services (STSJP)	\$8,376	\$11,376	\$3,000
Detention Capital	\$4,600	\$4,600	\$0
Youth Development Program (YDP)	\$14,122	\$14,122	\$0
Runaway and Homeless Youth Programs (RHY)	\$6,484	\$6,484	\$0
(RHY) - bridge appropriation	\$700	\$0	(\$700)
Post-Placement Care - Juveniles	\$312	\$312	\$0
Adult Protective Services	\$44,000	\$65,000	\$21,000
Adult Protective Services - bridge appropriation	\$44,000	\$0	(\$44,000)
Domestic Violence Pilot Program	\$5,000	\$5,000	\$0
Kinship Navigator Program	\$559	\$559	\$0
Healthy Families Home Visiting Program	\$26,162	\$26,162	\$0
Hoyt Children and Family Trust Fund	\$643	\$713	\$70
NY/NY III Supportive Housing	\$2,339	\$2,372	\$33
Consolidated Afterschool Program	\$0	\$100,755	\$100,755
Advantage After School Program	\$28,041	\$0	(\$28,041)
Empire State After School Program	\$55,000	\$0	(\$55,000)
Human Service Programs - minimum wage increa	\$4,491	\$10,054	\$5,563
Foster Care - IMD Investment	\$17,000	\$17,000	\$0
Legislative Adds	\$89,005	\$0	(\$89,005)
Social Services Block Grant (Title XX)	\$150,000	\$150,000	\$0
Foster Care Adoption IV-E	\$868,900	\$868,900	\$0
<i>NYS Commission for the Blind</i>			
Hoyt Trust Fund	\$3,459	\$3,459	\$0
Home Visiting Program	\$20,000	\$20,000	\$0
NYS Commission for the Blind	\$350	\$350	\$0
<i>OCFS Training and Development Program</i>	\$4,816	\$4,816	\$0
Total	\$5,302,063	\$4,890,293	(\$411,770)



FY 2025 Executive Budget Office of Children and Families Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Design and Construction	\$7,000	\$7,000	\$0
Facilities Maintenance and Operations	\$6,392	\$6,433	\$41
Maintenance and Improvement	\$28,722	\$28,759	\$37
Program Improvement or Program Change	\$18,000	\$18,000	\$0
			\$0
Total	\$60,114	\$60,192	\$78

State Operations

Office of Temporary and Disability Assistance (OTDA)

The FY 2025 Executive Budget recommends an appropriation of \$512 million in State Operation for the Office of Temporary and Disability Assistance. This is an increase of \$39.2 million or 8.4 percent from FY 2024 levels. The change is attributed to the following:

- \$13 million to support the administration of the new Summer EBT program.
- \$13.7 million to support an overall increase in administering the Supplemental Nutrition Program.
- \$12.5 million for contractual services under the Employment and Income Support Program

Aid to Localities

Office of Temporary and Disability Assistance (OTDA)

The FY 2025 Executive Budget recommends an appropriation of \$9.47 billion in the Aid to Localities budget. This is an increase of \$1.08 billion or 12 percent from FY 2024 levels.

Capital Funding

Office of Temporary and Disability (OTDA)

The FY 2025 Executive Budget recommends a Capital appropriation of \$128 million. This is unchanged from FY 2024.

Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:



[Authorize the 2025 SSI Federal COLA Pass-Through](#)
(ELFA, S.8306, Part Z)

- Would establish specific amounts for the monthly Personal Needs Allowance (PNA) and the monthly standard of need for SSI recipients in various living arrangements pursuant to the Social Services Law. The federal SSI benefit amount is increased annually, through a cost of living adjustment (COLA), and the State Law would be amended accordingly to ensure accurate payments are made.
- Sets forth the dollar amounts for the 2024 PNA and the standard of need for eligibility and payment of additional State payments. It also authorizes those amounts to be automatically increased, by the percentage of any federal SSI COLA, which becomes effective within the first six months of the calendar year 2025.



FY 2025 Executive Budget Office of Temporary and Disability Assistance Local Assistance Funding Appropriation Change (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Child Support Services Program	\$140,000	\$140,000	\$0
Empire State Supportive Housing Initiative (ESSE)	\$210,000	\$210,000	\$0
Employment and Income Support Program			
Public Assistance	\$625,000	\$800,000	\$175,000
Migrant Shelter and Services - NYC	\$1,000,000	\$2,400,000	\$1,400,000
Supplement Security Program (SSI)	\$700,000	\$700,000	\$0
Disability Advocacy Program (DAP)	\$5,260	\$5,260	\$0
Additional Funding - DAP	\$1,500	\$0	(\$1,500)
HIV/AIDS Welfare-to-Work Program	\$1,161	\$1,161	\$0
Nutrition Outreach and Education Program (NOEP)	\$3,450	\$3,503	\$53
Additional Funding - NOEP	\$2,000	\$2,000	\$0
Adult Shelter Cap Liability	\$2,000	\$2,000	\$0
Legislative Adds	\$4,575	\$0	(\$4,575)
Low Income Home Energy Assistance Prog (HEAP)	\$600,000	\$600,000	\$0
Temporary Assistance for Needy Families (TANF)	\$3,550,747	\$3,150,200	(\$400,547)
Supplement Nutrition Program (SNAP)	\$500,000	\$500,000	\$0
Summer EBT Program	\$0	\$300,000	\$300,000
Donated Funds Account	\$10,000	\$10,000	\$0
Offset Account	\$10,000	\$10,000	\$0
Legal Representation Eviction Program - State	\$35,000	\$35,000	\$0
Legal Representation Eviction Program - NYC	\$15,000	\$0	(\$15,000)
Specialized Services Program			
Rent Supplement Program	\$100,000	\$100,000	\$0
Adult Homeless Shelters	\$69,018	\$69,018	\$0
Public Homes	\$5,000	\$5,000	\$0
Homeless Housing and Preventive Services Programs	\$50,781	\$53,581	\$2,800
Code Blue	\$20,000	\$20,000	\$0
Formerly Incarcerated Services Pilot Program	\$200	\$200	\$0
Emergency Homeless Services Program	\$1,000	\$1,000	\$0
Refugee Resettlement Program	\$2,000	\$2,000	\$0
Refugee Resettlement Program Add	\$5,000	\$0	(\$5,000)
Assistance to Migrants Program (AMP)	\$5,000	\$5,000	\$0
Refuge and Immigrant Student Welcome Program (RIS)	\$0	\$1,500	\$1,500
Migrant Resettlement Assistance Program	\$0	\$25,000	\$25,000
Floyd Bennett Field Reimbursement	\$0	\$122,000	\$122,000
Human Trafficking Program	\$2,397	\$2,397	\$0
ERAP - Supplemental Costs	\$356,000	\$0	(\$356,000)
COVID Rental Arrears - NYC Housing Authority	\$35,000	\$0	(\$35,000)
Emergency Rental Assistance Program	\$250,000	\$0	(\$250,000)
Refugee Resettlement Program	\$50,000	\$180,000	\$130,000
Homeless Housing Programs	\$9,500	\$11,000	\$1,500
Adult and family Shelter Sanction Account	\$9,900	\$9,900	\$0
			\$0
Total	\$8,386,489	\$9,476,720	\$1,090,231



FY 2025 Temporary Assistance for Needy Families (TANF) (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
FAMILY ASSISTANCE - Emergency Assistance to F	\$1,500,000,000	\$1,500,000,000	\$0
CHILD CARE SUBSIDIES - transfer to credit OCFS	\$235,930,000	\$477,200,000	\$241,270,000
Flexible Fund for Family Services	\$964,000,000	\$1,014,000,000	\$50,000,000
Flexible Fund for Family Services - Bridge Approp	\$774,247,000	\$0	(\$774,247,000)
Summer Youth Employment Prog.	\$47,100,000	\$50,000,000	\$2,900,000
Youth Employment Program	\$18,000,000	\$38,800,000	\$20,800,000
Non-residential Domestic Violence Screening	\$3,000,000	\$3,000,000	\$0
add services/expenses Domestic Violence	\$200,000	\$0	(\$200,000)
Local District Case Mgmt Support	\$0	\$17,200,000	\$17,200,000
Anti-Poverty Program - Rochester, Buffalo, Syracuse	\$0	\$50,000,000	\$50,000,000
Advantage After School Program	\$0	\$0	\$0
Welfare to Careers Program	\$800	\$0	(\$800)
Technology Assisted Training Program	\$4,000	\$0	(\$4,000)
Career Pathways Program	\$1,425	\$0	(\$1,425)
Facilitated Enrollment Program (Capital Region-One)	\$25	\$0	(\$25)
Facilitated Enrollment Program (Brooklyn, Queens, E	\$141	\$0	(\$141)
SUNY Childcare	\$193	\$0	(\$193)
Preventative Services	\$785	\$0	(\$785)
Rochester-Genesee Regional Transp. Authority	\$82	\$0	(\$82)
Non-Custodial Parent (NCP) Employment Program	\$200	\$0	(\$200)
Wage Subsidy Program	\$475	\$0	(\$475)
Wheels for Work Program	\$144	\$0	(\$144)
Total	\$3,550,747,000	\$3,150,200,000	(\$392,285,270)

FY 2025 Executive Budget Office of Temporary and Disability Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Supported Housing Program			\$0
Capital Projects Fund	\$2,000	\$0	(\$2,000)
Housing Program Fund	\$126,000	\$0	(\$126,000)
			\$0
Total	\$128,000	\$0	(\$128,000)



State Operations

Division of Human Services (DHR)

The FY 2025 Executive budget recommends an All Funds appropriation of \$28 million for State Operations. This is unchanged from FY 2024.

Department of Veterans' Services (DVS)

The FY 2025 Executive budget recommends an All Funds appropriation of \$14 million for State Operations, an increase of \$1.04 million or 8 percent. The change is attributed to:

- \$1.6 million for the Veteran's Benefits Advising Program to help establish Mobile Veterans' Benefit Advisor Clinics.
- \$341 thousand in general salary increases for the Administration Program.
- The increase is partially offset by the elimination of a \$900 thousand Special Revenue Federal cemetery appropriation that was unutilized.

Aid to Localities

Department of Veterans' Services (DVS)

The FY 2025 Executive Budget recommends an appropriation of \$12.3 million in the Aid to Localities budget. This is a decrease of \$3.4 million or 22 percent from FY 2024 levels. The change is attributed to \$2.8 million in Legislative additions being eliminated.

Capital Funding

Department of Veterans' Services (DVS)

The FY 2025 Executive Budget recommends a capital appropriation \$4 million. This is a unchanged from FY 2024.



FY 2025 Executive Budget Department of Veterans' Local Assistance Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
<i>Administration Program</i>			
Supplemental Burial Benefits	\$400	\$400	\$0
Gold Star Annuity Benefits	\$599	\$599	\$0
<i>Blind Veteran Annuity Assistance Program</i>	\$6,380	\$6,380	\$0
<i>Veterans' Benefits Advising Program</i>			\$0
Aid to City and County Veterans Service Agencies	\$2,380	\$2,380	\$0
Veterans' Outreach (Monroe)	\$250	\$250	\$0
Veterans' Indigent Burial	\$100	\$100	\$0
Veterans' Court Services	\$1,000	\$1,000	\$0
Justice for Heroes Initiative	\$250	\$250	\$0
Homeless Veterans' Housing	\$1,100	\$500	(\$600)
<i>Legislative Adds</i>			
Buffalo and Erie County Naval and Military Park	\$100	\$0	(\$100)
SAGE Veterans' Project	\$100	\$0	(\$100)
SAGE Veterans' Project add	\$100	\$0	(\$100)
Dept. of NY Veterans of Foreign Wars of Us	\$125	\$0	(\$125)
Legal Services Hudson Valley Veterans	\$225	\$0	(\$225)
NYS Defenders Assoc. Veterans Defense Prog	\$250	\$0	(\$250)
Outdoor RX Program	\$150	\$0	(\$150)
NYS Defenders Assoc. Veterans Defense Prog (L.I.)	\$220	\$0	(\$220)
Clear Path for Veterans	\$325	\$0	(\$325)
Helmets-to-Hardhats	\$125	\$0	(\$125)
Hunts Point WWI Veteran Monument	\$15	\$0	(\$15)
Legal Services of NYC Veterans Justice Project	\$200	\$0	(\$200)
Legal Services of Hudson Valley Veterans and Military	\$180	\$0	(\$180)
North Country Veterans Association	\$125	\$0	(\$125)
NYS Defenders Association Veterans Defense Program	\$250	\$0	(\$250)
Vietnam Veterans of American - NYS Council	\$100	\$0	(\$100)
Utica Center for Development	\$100	\$0	(\$100)
Helmets-to-Hardhats	\$175	\$0	(\$175)
<i>Veterans Counseling and Outreach</i>	\$500	\$500	\$0
Total	\$15,824	\$12,359	(\$3,465)



FY 2025 Executive Budget Division of Veterans' Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Veterans' Cemetery	\$2,000	\$2,000	\$0
Veterans' Cemetery	\$2,000	\$2,000	\$0
			\$0
			\$0
Total	\$4,000	\$4,000	\$0

State Operations

Department of Labor

FY 2025 Executive Budget recommends State Operations appropriation authority of \$996.2 million, an increase of \$12.3 million or 1.3 percent from FY 2024. This includes:

- \$250 million for the Interest Assessment Surcharge (IAS), which represents the interest charged to the State by the federal government for amounts loaned to finance unemployment benefits. Because the Executive Budget does not allocate resources to pay the IAS, this additional amount will be levied against employers through the State Unemployment Tax Act (SUTA) assessment.
- \$2.5 million General Fund allocation in the Employment and Training Program to bolster the Office of Just Transition, which would be tasked with transitioning fossil fuel workers to “a new occupation, sector or retirement”. There is no Article VII language associated with this initiative.

Aid to Localities

Department of Labor

FY 2025 Executive Budget recommends Aid to Localities appropriation authority of 6.3 billion, a decrease of approximately \$2 million, essentially unchanged from FY 2024. This includes:

- \$6 billion appropriation to the Unemployment Insurance program, which is unchanged from the FY 2024. According to the Executive the deficit in the UI program is approximately \$7.2 billion.
- Elimination of approximately \$24 million in legislative labor initiatives.
- \$22.5 million in appropriation authority for the Office of Just Transition to support targeted workforce training related to renewable energy. The Executive does not have a plan for the distribution of these funds.



Article VII Proposals

The FY 2025 Executive Budget proposes the following statutory amendments:

Require Paid Breaks for Breast Milk Expression in Workplace ***(ELFA, S.8306, Part J)***

- Requires employers to give employees up to 20 minutes of paid break time to express milk in the workplace.

Limit Liquidated Damages in Certain Frequency of Pay Violations ***(ELFA, S.8306, Part K)***

- Pertains to the frequency of payments statute that requires employees to be paid frequently with some exceptions (Labor Law §191).
- Would limit the plaintiff's recovery of damages for violations of the frequency of payments statute where employees were paid regularly on at least a semi-monthly basis.
- This Part is in response to an Appellate Division ruling in Vega v. CM & Associates Construction Management, LLC where the court ruled that employees meeting the definition of "manual workers" who received full pay but were paid on a bi-weekly instead of a weekly basis would have a private right of action and would be entitled to liquidated damages for untimely payment of wages.

Expand Recovery Tools for Stolen Wages ***(ELFA, S.8306, Part L)***

- Would grant the Commissioner of Labor the same authority conferred upon sheriffs pursuant to Article 25 of the Civil Practice Law and Rules to execute an order or decision (filed by the Commissioner of Labor) to collect lost wages, wage supplements, interest, and liquidated damages from an employer.

Sunset the State's COVID-19 Sick Leave Law ***(ELFA, S.8306, Part M)***

- Sunsets Chapter 25 of the Laws of 2020 effective July 31, 2024.



FY 2025 Executive Budget Department of Labor ATL/CAP Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Administration	\$15,000,000	\$15,000,000	\$0
Employment and Training	\$246,008,000	\$237,105,000	(\$8,903,000)
Occupational Safety and Health	\$419,000	\$419,000	\$0
Unemployment Insurance Benefit Program	\$6,026,500,000	\$6,028,500,000	\$2,000,000

State Operations

Workers' Compensation Board

FY 2025 Executive Budget recommends State Operations appropriation authority of \$227 million, an increase of \$14.9 million or seven percent from FY 2024.

This increase from the FY 2024 Enacted Budget reflects organize growth in the salary base and a request for five additional full time equivalent employees.

Article VII Proposals

Establish First in Nation Paid Prenatal Leave ***(PPGG, S.8305, Part M)***

- The Executive proposes granting eligible pregnant employees in New York an extra 40 hours of leave for prenatal medical appointments, in addition to the existing 12 weeks of Paid Family Leave. The amendments to the Workers' Compensation Law allow this leave in hourly increments for prenatal care, such as exams, monitoring, testing, and discussions with healthcare providers. This leave, provided within 52 weeks, doesn't reduce the 12 weeks of Paid Family Leave or 26 weeks of disability leave. Benefits are paid hourly, with notice or proof required within 30 days of the appointment.

Increase Short Term Disability Leave Benefits ***(PPGG, S.8305, Part N)***

- Changes base line for calculating Average Weekly Wage from March 31 to May 31.
- Increase the short-term disability benefit which is currently \$170 per week to two thirds of an employee's Average Weekly Wage (AWW), capped at two thirds of the statewide AWW. The benefit increase is structured into two tiers: Tier 1 consists of the first 12 weeks and tier two consists of weeks 13 through 26.
- Tier 1 increases would be phased in over the next five years (from 2025 to 2029).
 - 2025: 50% AWW up to \$400



- 2026: 50% AWW up to \$630
- 2027: 50% AWW up to 50% State AWW
- 2028: 60% AWW up to 60% State AWW
- 2029: 67% AWW up to 67% State AWW
- Tier two increases would be phased in as follows:
 - 2025: 50% AWW up to \$280
 - 2028: 60% AWW up to \$280
 - 2029: 67% AWW up to \$280
- Increase maximum employee contribution for temporary disability benefits from one half of one percent (50 basis points) of wage, capped at 60 cents per week, to 40 percent of the average combined employee and employer contributions to disability benefits.
- The Superintendent of Financial Services would have jurisdiction over and responsibility for establishing the maximum contribution stated above. The disability benefits (which includes Paid Family Leave) are governed by Article 9 of the Workers' Compensation Law and would be provided through a group accident and health insurance policy or a self-funded employer plan.
- The Superintendent would have the authority to delay disability benefit increases by one or more calendar years in consideration of the following:
 - Cost to employees and employers and anticipated impact of future increases
 - Current number of insurers issuing policies with disability benefits and the projected impact on those insurers (including the number of insurers)
 - Impact on employers and overall stability of the program
 - Impact on the stability of the disability and family leave market and carriers
 - Additional relevant factors as determined by the Superintendent

FY 2025 Executive Budget Workers' Compensation Board ATL/CAP Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Workers' Compensation Board	\$212,381,000	\$227,286,000	\$14,905,000
Total	\$6,500,308,000	\$6,508,310,000	\$8,002,000



State Operations

National and Community Service (NCS)

The FY 2025 Executive budget recommends an All Funds appropriation of \$30.5 million for State Operations. This is an increase of \$89,000 or .29 percent from the FY 2024 Enacted Budget. The increase is due to general salary increases.

Aid to Localities

National and Community Services (NCS)

The FY 2025 Executive Budget recommends an appropriation of \$489,000 in the Aid to Localities budget. This is an increase of \$32,000 or 7.4 percent from FY 2023 levels.

FY 2025 Executive Budget National and Community Service Local Assistance Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
<i>Operations Programs</i>			\$0
Regional Volunteer Centers	\$457	\$489	\$32
			\$0
Total	\$457	\$489	\$32

Raise the Age (RTA)

The FY 2025 Executive Budget recommends an appropriation of \$250 million in the Aid to Localities budget. This is unchanged from FY 2024 levels.

FY 2025 Executive Budget Raise the Age Local Assistance Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Raise the Age Program	\$250	\$250	\$0
			\$0
Total	\$250	\$250	\$0



State Operations

Welfare Inspector General (WIG)

The FY 2025 Executive budget recommends an All Funds appropriation of \$1.38 million for State Operations, increase of \$53,000 or 3.8 percent. The change is attributed to general salary increases.

FY 2025 Executive Budget Office of Welfare Inspector General Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Office of Welfare Inspector General	\$1,336	\$1,389	\$53
			\$0
			\$0
Total	\$1,336	\$1,389	\$53



FACT SHEET: General Government

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General Government Budget Highlights

- The Fiscal Year 2025 Executive Budget proposes an All Funds appropriation for General Government /Local agencies of \$14 billion, a 8.5 percent increase from the current year. This increase is attributed to a \$75.6 million increase or 91 percent from the current year for the NYS Board of Elections and is offset by a \$29 million decrease or 4 percent from the current year for Local Government Assistance.

Spending Highlights

- The Department of State issued another round of funding for the Downtown Revitalization Initiative (DRI) totaling \$200 Million and a third round of NY Forward totaling \$100 Million.
- Additional funding in the Office of Technology Services for increased Cyber Security to strengthen State and Local defense and response efforts.
- Additional funding in the Department of Civil Service for the support of programs to modernize the State's civil service system.

Department of State Budget Overview

- The Fiscal Year 2025 Executive Budget proposes All Funds spending authorization of \$683.2 million, an increase of \$102.3 million.
 - The increase is due to an anticipated additional Federal Coastal zone management funding, funding for New York State Commission on African American History, the new Office of Faith and Non-Profit Development Services, and for the New York Statewide Investment in More Swimming (SWIMS) initiative to provide additional resources to support more lifeguards and swimming instruction throughout the State.

Spending Highlights

- State Operations funding for the Department of State increased by \$51 million.
- The Aid to Localities Budget for the Department of State increased by \$41 million.



Office of General Services Budget Overview

- The Fiscal Year 2025 Executive Budget proposes All Funds spending authorization of \$1.4 billion, an increase of \$30.1 million.
 - The increase is due to an increase in contractual services for the real property management and development program, rent associated with the temporary housing of migrants at Floyd Bennett Field along with increases in personal service.

Spending Highlights

- State Operations funding for the Office of General Services increased by \$24 million.
- Capital funding for the Office of General Services decreased by \$2.5 million which reflects one-time funding for renovations to the NYS Legislative Library and a study and pilot on hybrid workspaces in state office space.
- Aid To Localities funding for the Office of General Services increased by \$15 million.

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Local Government Budget Highlights

- The FY 2025 Executive Budget recommends All Funds appropriation of \$809.7 million for Aid to Localities and State Operations, a decrease of \$30 million, or a four percent decrease from the FY 2024 Enacted Budget.
- The FY 2025 Executive Budget recommends an appropriation of \$807.2 million for Aid to Localities, a decrease of \$30 million, or a four percent decrease from the 2024 Enacted Budget. This decrease is attributed to the removal of the special account for the municipal assistance corporation for the city of Troy as well as legislative adds.
- The FY 2025 Executive Budget recommends an appropriation of \$2.5 million for the Financial Restructuring Board, which is unchanged from the FY 2024 Enacted Budget

Notable Issues

- The Executive proposes in Part U to remove portions of the General Municipal Law which require counties to submit County-Wide Shared Services Panels to the Department of State and for the State to provide matching funds of achieved plan savings. The Executive notes that matching fund applications for projects that have already been implemented will continue to be supported. The



proposal notes that shared service panels may continue to meet at local option to the county, but will not receive state matching funds.

- The Executive proposes in Part W to reform the current Local Government Efficiency Grant Program by increasing the maximum dollar amounts of planning and implementation grants for municipalities. The Executive notes that total annual funding would increase from \$4 million to \$8 million. This program would continue to target shared opportunities for municipalities, cost savings, and delivery of services. The Department of State would continue to oversee this grant program.

Spending Highlights

- The Executive Budget maintains the FY 2025 Enacted Budget level for AIM- base aid payments to municipalities at \$715 million. There are no recommended changes to these programs and municipalities should expect to receive the same base payments that they received in the FY 2024 Enacted Budget.

Department of Financial Services Budget Highlights

- The FY 2025 Executive Budget recommends All Funds disbursement appropriation of \$594 million for Aid to Localities, State Operations, and Capital an increase of \$73 million, or a fourteen percent increase from the FY 2024 Enacted Budget. This increase is attributed to the \$60 million in capital funding for IT modernization.
- The FY 2025 Executive Budget recommends an appropriation of \$77 million for Aid to Localities, an increase of \$3 million, or four percent from the FY 2025 Executive Budget. This increase is due primarily to the \$600,000 increase to the Healthy NY program and a \$2 million increase for entertainment industry workers.
- The FY 2025 Executive Budget recommends an appropriation of \$457 million for State Operations, an increase of \$10 million, or 2 percent. This increase is due to various state operations programs personal service costs among other adjustments.

Notable Issues

- The Executive proposes in Part CC to authorize the Department of Financial Services to grant licensing and regulatory authority over “Buy Now, Pay Later” loans.
- The Executive proposes in Part II to propose procedures that would authorize financial institutions to impose holds on suspicious transactions that appear to be aimed at taking advantage of eligible adults

Spending Issues

- The Executive proposes \$60 million in capital for IT modernization.



- The Executive proposes \$3 million in local assistance for the Healthy New York Program. This is a \$2 million increase from the FY 2024 Enacted Budget.

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State Board of Elections Budget Highlights

- The FY 2025 Executive Budget recommends All Funds appropriation of \$158.4 million, an increase of \$75.6 million or 91 percent.
- The Executive Budget recommends State Operations of \$31 million, a decrease of \$7.8 million, nearly all of which is from the Regulation of Elections program and being appropriated to the same program in Aid to Localities. The Executive Budget recommends Aid to Localities appropriations of \$112.7 million, an increase of \$83.7 million, largely due to appropriating \$100 million in matching funds for eligible candidates of the Public Campaign Finance Board program.

Notable Issues

- The FY 2025 Executive Budget recommends All Funds appropriation of \$158.4 million, an increase of \$75.6 million or 91 percent. No additional funding provided to reflect the moving of elections to even-years.

Spending Highlights

- \$100 million to provide matching funds for the Public Campaign Finance Program (up \$75 million from FY 2024 Enacted Budget)
- \$12.7 million in aid to localities for pre-paid return postage and outgoing postage on absentee ballots and Early Mail voting ballots
- \$14.7 million in Capital funding to reimburse local Boards of Elections for electronic poll books

Gaming Commission Budget Highlights

- The FY 2025 Executive Budget recommends All Funds appropriation of \$373.4 million, an increase of \$28.5 million or 8 percent.
- The Executive Budget recommends State Operations of \$111.36 million, an increase of \$3.5 million, namely \$1.5 million for a new lease agreement and related costs. The Executive Budget recommends Aid to Localities appropriations of \$262 million, an increase of \$25 million, attributable to the Tribal State Compact Revenue Program.



Notable Issues

- The Executive proposes to extend for one year the Capital Region OTB's ability to use capital funds for operating expenses but does not extend Catskill OTB's ability as there has been in past years.

Spending Highlights

- The FY 2025 Executive Budget recommends Commercial Casinos local assistance appropriation authority of \$62 million, consistent with FY 2024.
- There is an increase of \$25 million in the Tribal State Compact Revenue Program from \$175 million in FY 2024 to \$200 million in the Executive Budget for FY 2025.
 - The State has exclusivity compacts with The Oneida, Seneca, and St. Regis Mohawk Tribe. These compacts require the three Nations to remit 25 percent of their slot machine proceeds to the State. State Finance Law requires the State to share 25 percent of revenue received from Native American casinos with the local host government and an additional 10 percent of the State's share with the non-host counties within the exclusivity zone.
 - The Seneca Compact was set to expire on December 9, 2023. The State and Seneca Nation came to an agreement shortly prior to the expiration date for a short-term extension with the current compact remaining in place until March 31 and will continue after then unless a new deal is reached or either party decides to end it.



GENERAL GOVERNMENT

General Government consists of 22 agencies, boards and commissions that provide a diverse array of services. It also includes General State Charges and Local Government Assistance.

The FY 2025 Executive Budget recommends All Funds Appropriations of approximately \$14 billion for General Government Agencies, General State Charges, and Local Government Assistance. This represents a year-over-year increase of 8.5 percent from FY 2024 levels.

The following General Government Agencies are projected to have flat or near flat All Funds appropriation growth in FY 2025:

- Data Analytics
- Deferred Compensation Board
- Division of the Budget
- Executive Chamber

State Operations

Alcoholic Beverage Control

The FY 2025 Executive Budget recommends an appropriation of \$84.6 million in State Operations. This is an increase of \$1.4 million, or 1.7 percent from the FY 2024 Enacted Budget.

- This increase is due to general salary increases for the Office of Cannabis Management, FTE's remained unchanged.

Audit and Control, Department of

The FY 2025 Executive Budget recommends \$563.5 million in All Funds appropriation authority for State Operations, an increase of \$8.8 million or 1.6 percent. This includes:

- The increase is attributed to general salary increases and operational growth. Requested workforce size is 2,890 FTE, an increase of 3 FTE for the Bureau of State Payroll Services.

Division of the Budget

The FY 2025 Executive Budget recommends an appropriation of \$50.2 million in State Operations. This is a decrease of \$537,000 million, or 1 percent from the FY 2024 Enacted Budget.



- The decrease is due to the reduction in non-personal service for membership dues.

Civil Service, Department of

The FY 2025 Executive Budget recommends \$97.8 million in All Funds appropriation authority for State Operations, an increase of \$12.5 million or 15 percent. This includes:

- An increase of \$1 million to the Office of Diversity, Inclusion and Management Program, for an FY 2025 All Funds total of \$4.6 million. The additional funding would be used to create and facilitate anti-racism training.
- An increase of \$12.7 million for Personnel Management Service to modernize the civil service system and expand continuous recruitment.

Executive Chamber

The FY 2025 Executive Budget recommends an appropriation of \$23.3 million in State Operations. This appropriation along with FTE's remained unchanged from the FY 2024 Enacted Budget.

Gaming Commission

The Executive Budget recommends State Operations of \$111.36 million, an increase of \$3.5 million, namely \$1.5 million for a new lease agreement and related costs.

General State Charges

The FY 2025 Executive Budget recommends \$7.8 billion in All Funds appropriation authority for General State Charges (GSC), an increase of \$765.8 million from FY 2024.

However, in GSC, appropriations generally do not directly correspond with projected cash disbursements, which usually exceed appropriation authority due to payments for fringe benefits that are appropriated outside the General Fund but disbursed through GSC.

The FY 2025 Financial Plan projects All Funds GSC disbursements of \$8.7 billion, which is a reduction of \$2.3 billion or 21 percent from FY 2024. Major factors impact GSC include the following:

- \$641 million or 14.8 percent increase in health insurance premiums from approximately \$4.3 to \$5 billion in FY 2025. This is supported by \$5.8 billion in FY 2025 appropriation authority.
- Pension prepayments reducing cash disbursements for pensions by \$3.2 billion for FY 2025 even though the requested appropriation authority remains relatively flat at \$2.2 billion.
- The Executive does not plan to amortize pension cost for FY 2025.



Office of General Services

The FY 2025 Executive Budget recommends State Operation Funds appropriation of \$1.1 billion. This is an increase of \$24 million, or 2 percent from the FY 2024 Enacted Budget.

- This increase is due to general salary increases, real property management and development to enable OGS to strategically manage and optimize the use of the State's real estate portfolio, including identifying potential cost reduction opportunities and efficiency improvements, as well as real estate management best practices and methods.

Office of Information Technology Services

The FY 2025 Executive Budget recommends State Operation Funds appropriation of \$915 million, \$52.5 million increase or, 6 percent from the FY 2024 Enacted Budget.

- This is due to an increase of cyber security funding for State and Local defense and maintain critical systems.

Commission on Ethics and Lobbying in Government

The Executive Budget recommends an appropriation of \$8.1 million in state operations for the Commission on Ethics and Lobbying in Government. This is an increase of \$279,000, or 3.6 percent.

Local Government Assistance

The FY 2025 Executive Budget recommends All Funds appropriation of \$809.7 million for Aid to Localities and State Operations, a decrease of \$30 million, or a four percent decrease from the FY 2024 Enacted Budget

The FY 2025 Executive Budget recommends an appropriation of \$2.5 million in State Operations for Local Government Assistance. This is funding for the Financial Restructuring Board. This is the same appropriation level as the FY 2024 Enacted Budget.

Office of the Lieutenant Governor

The FY 2025 Executive Budget recommends State Operation Funds appropriation of \$921,000, \$175,000 million increase or, 23 percent from the FY 2024 Enacted Budget.

- This increase is due to the creation of the Office of Service and Civil Engagement (OSCE). OSCE will be charged with connecting more New Yorkers, particularly our youth, to service opportunities.



Office of Employee Relations (OER)

The FY 2025 Executive Budget recommends \$16 million in All Funds appropriation authority for State Operations, an increase of \$4 million or 33 percent.

- The increase is primarily for diversity, equity and inclusion (DEI) programs and to staff affirmative action administrator positions so state agencies can conduct discrimination complaint investigations.

Public Employment Relations Board

The FY 2025 Executive Budget recommends \$5.9 million in All Funds appropriation authority for State Operations, an increase of \$963,000 or 19 percent. The Executive has not provided specific information on what this additional funding would be for. The staffing level remains unchanged at 36 FTE, although one of their employees is transitioned to ITS to facilitate PERB being onboarded as an ITS customer.

State Board of Elections

The FY 2025 Executive Budget recommends State Operations of \$31 million, a decrease of \$7.8 million, nearly all of which is from the Regulation of Elections program and being appropriated to the same program in Aid to Localities.

Department of Financial Services

The FY 2025 Executive Budget recommends All Funds appropriation of \$594 million for Aid to Localities, State Operations, and Capital an increase of \$73 million, or a fourteen percent increase from the FY 2024 Enacted Budget. This increase is attributed to the \$60 million in capital funding for IT modernization.

The FY 2025 Executive Budget recommends an appropriation of \$457 million for State Operations, an increase of \$10 million, or 2 percent. This increase is due to various state operations programs, personal service costs among other adjustments.

Department of State

The FY 2025 Executive Budget recommends State Operations Funds appropriation of \$192 million, an increase of \$51 million or 36 percent from the FY 2024 Enacted Budget.

- This increase is due to an anticipated additional Federal Coastal zone management funding, funding for New York State Commission on African American History, the new Office of Faith and Non-Profit Development Services, and for the New York Statewide Investment in More Swimming (SWIMS) initiative to provide additional resources to support more lifeguards and swimming instruction throughout the State.



Statewide Financial System

The FY 2025 Executive Budget recommends State Operations Funds appropriation of \$32 million. This remained unchanged from the FY 2024 Enacted Budget.

Department of Tax and Finance

The FY 2025 Executive Budget recommends State Operations Funds appropriation of \$499 million, \$27 million increase or 6 percent from the FY 2024 Enacted Budget.

- This increase is for the services and expenses related to the Revenue Analysis, Collection, Enforcement, Processing, and Real Property Tax program.
- The Executive Budget recommends a workforce of 3,828 FTEs for the Department, an increase of 43 over FY 2024 levels, which includes additional resources to assist the agency in combatting the sale of unlicensed cannabis.

Office of Inspector General

The FY 2025 Executive Budget recommends State Operations Funds appropriation of \$11.8 million. This is an increase of \$1.2 million, or 13 percent from the FY 2024 Enacted Budget.

- This is due to an increase in general salaries and updating of legacy systems.

Aid to Localities

Alcoholic Beverage Control

The FY 2025 Executive Budget recommends Aid to Localities Funds appropriation of \$5 million. This remained unchanged from the FY 2023 Enacted Budget. *(see chart at end of section)*

Civil Service, Department of

The FY 2025 Executive Budget recommends \$2 million in All Funds appropriation authority for Aid to Localities. This is related to administration and information management and allocated for payment to municipal corporations and public authorities that provided sick leave to officers and employees with a qualifying world trade center condition. It is unchanged from FY 2024.

(see chart at end of section)



State Board of Elections

The FY 2025 Executive Budget recommends Aid to Localities appropriations of \$112.7 million, an increase of \$83.7 million, largely due to appropriating \$100 million in matching funds for eligible candidates of the Public Campaign Finance Board program. *(see chart at end of section)*

Department of Financial Services

The FY 2025 Executive Budget recommends an appropriation of \$77 million for Aid to Localities, an increase of \$3 million, or four percent from the FY 2024 Enacted Budget. This increase is due primarily to the \$600,000 increase to the Healthy NY program and a \$2 million increase for entertainment industry workers. *(see chart at end of section)*

Gaming Commission

The Executive Budget recommends Aid to Localities appropriations of \$262 million, an increase of \$25 million, attributable to the Tribal State Compact Revenue Program. *(see chart at end of section)*

Office of General Services

The FY 2025 Executive Budget recommends Aid to Localities Funds appropriation of \$15 million. This is an increase of \$15 million from the FY 2024 Enacted Budget.

- This is due to rent associated with the temporary housing of migrants at Floyd Bennett Field. *(see chart at end of section)*

Local Government Assistance

The FY 2025 Executive Budget recommends an appropriation of \$807.2 million for Aid to Localities, a decrease of \$30 million, or a four percent decrease from the FY 2024 Enacted Budget. This decrease is attributed to the removal of the special account for the municipal assistance corporation for the city of Troy as the removal of various legislative adds. *(see chart at end of section)*

Department of State

The FY 2025 Executive Budget recommends Aid to Localities Funds appropriations of \$278.9 million, an increase of \$41 million from FY 2024. *(see chart at end of section)*

- This increase is due the creation of the New York State Commission on African American History, Office of Faith and Non-Profit Development Services, the New York Statewide Investment in More Swimming (SWIMS) initiative and additional anticipated Federal coastal zone management funding.



Department of Tax and Finance

The FY 2025 Executive Budget recommends Aid to Localities appropriation of \$7.9 million. This remained unchanged from the FY 2024 Enacted Budget. *(see chart at end of section)*

Capital Funding

State Board of Elections

The FY 2025 Executive Budget recommends State Operations of \$14.7 million, a decrease of \$300,000, for reimbursement to local boards for technologies such as electronic poll books, software, and ballot printers. *(see chart at end of section)*

Department of Financial Services

The FY 2025 Executive Budget recommends an appropriation of \$60 million in capital funding. This capital funding would be used for an information technology modernization project. This state funding would be utilized from the assessments to defray operating expenses. There were no capital projects appropriations for the FY 2024 Enacted Budgets. *(see chart at end of section)*

Office of General Services

The FY 2025 Executive Budget recommends an appropriation of \$259 million in Capital Funding, \$2.5 million decrease or, 1 percent from the FY 2024 Enacted Budget. *(see chart at end of section)*

- This decrease reflects one-time funding for renovations to the NYS legislative library and a study and pilot on hybrid workspaces in state office space.

Office of Information Technology Services

The FY 2025 Executive Budget recommends an appropriation of \$130.7 million in Capital Funding which remained unchanged from FY 2024 Enacted Budget. *(see chart at end of section)*

Department of State

The FY 2025 Executive Budget recommends an appropriation of \$212 million in Capital Funding, a \$10 million increase or 5 percent from the FY 2024 Enacted Budget. *(see chart at end of section)*

- This increase is a capital grant to support the recommendations of the New York State Commission on African American History.



Article VII Proposals

The FY 2024 Executive Budget proposes the following statutory amendments:

PPGG

Combat Unlicensed Sale of Cannabis ***(PPGG, S8305, Part G)***

- Amends the Cannabis Law in a number of ways in a further attempt to curtail the proliferation of illegal cannabis sales throughout the State.
- Enforcement would be strengthened by-
- Authorizes local governments to combat illegal cannabis by-
 - Allowing local governments to adopt local laws to execute closure orders, seize and destroy illegal cannabis, and levy civil penalties against illegal operators.
 - Local governments would be required to work with the Office of Cannabis Management (OCM) to maintain a registry of legal licensees operating under their jurisdiction, which would allow for greater ease of targeting illegal operators.
 - Local governments would be allowed to receive revenue for legal action taken against unlicensed activity.
- Increases existing civil penalties for refusing to allow OCM to conduct regulatory inspections.
- Allows for sealing orders and padlocking of illegal operations.
- Strengthens the existing powers of OCM and the Cannabis Control Board to go after illegal cannabis operators.

ABC Law Commission Recommendations ***(PPGG, S8305, Part H)***

- Amends the Alcoholic Beverage Control(ABC) Law to advance a number of the recommendations of the Commission to Study Reform of the ABC Law.
- Allow applicants applying for a license from the New York State Liquor Authority ("SLA") to be apply to apply on the same day they provide notice to their municipality that they are applying.
 - Currently, applicants must provide notice to their municipality and then wait 30 days before they can apply to SLA.
- Requires that the SLA act on any changes to the membership or other corporate structure changes of a limited liability company (LLC) within 90 days of receiving an application.
- If SLA does not take any action with the 90 day period, the application would be deemed approved.
- Removes the requirement that temporary catering permits only be issued for indoor events.



- Currently, if an event is taking place outdoors, a tent must be erected and the tent must meet a certain standard of creating a “wall” for a permit to be issued.
- Removes the requirement that liquor stores be located at street level.

Temporary Wholesale Permit & Multiple Wholesale Licenses *(PPGG, S8305, Part I)*

- Authorizes the New York State Liquor Authority ("SLA") to issue temporary permits to wholesalers while their applications for permanent licensure is being reviewed as long as they meet the following criteria
 - the applicant has a wholesale license application at the same premises pending before the SLA;
 - the applicant has obtained all permits, licenses, and other documents necessary for the operation of the business; and;
 - any current license in effect at the same premises that may not operate concurrently has been surrendered prior to the application.
- SLA would be required to make a decision on issuing the temporary permit within 45 days of receiving the application
- The temporary permit would be in effect for 6 months or until the permanent license is approved.
- Additionally, this would authorize an entity that holds multiple wholesalers licenses (cider, beer, wine, or liquor) to operate on the same premise.

Sole Administrative Authority (Powers of the Chair and Members of the Authority) *(PPGG, S8305, Part J)*

- Permanently extends the exclusive executive authority of the Chair of the State Liquor Authority (SLA) over SLA and the Division of Alcoholic Beverage Control.
- This authority was originally granted as part of Chapter 118 of the Laws of 2012, and has been extended in three year increments since.
- The authority is currently set to sunset July 18, 2024.

Temporary Permit Extender *(PPGG, S8305, Part K)*

- Extends the authority of the New York State Liquor Authority ("SLA") to issue temporary permits to a new business as long as no former license at the proposed location was not canceled, suspended or revoked for an additional year.
- This authority is currently scheduled to sunset October 12, 2024.



Noncontinuous/Outdoor Café Licensing
(PPGG, S8305, Part L)

- Permanently authorizes State Liquor Authority (SLA) licensees to utilize in municipal public spaces including non-contiguous space.
- SLA licensees currently have the authority to do so from Chapter 238 of the Laws of 2021, which was passed to extent authority that had originally been granted under emergency order during the COVID-19 pandemic by allowing licensees such as restaurants the authority to operate in public spaces such as sidewalks.
- According to the Executive, this proposal is meant to establish clearer guidelines going forward for the operation of SLA licensees in nearby public space that goes beyond simply extending the pandemic era program.
- The current authorization is scheduled to sunset on June 30, 2025.

Eliminate the Lag Payroll and Salary Withholding Program for newly hired state employees.
(PPGG, S.8305, Part Q)

- Pursuant to agreements with labor unions representing state employee and at the election of the Judiciary and the Legislature.

Cease reimbursement of the Medicare Income Related Monthly Adjustment Amounts to high income retirees and their dependents in the New York State Health Insurance Program.
(PPGG, S.8305, Part S)

- Would eliminate State reimbursement of the Income Related Monthly Adjustment Amount (IRMAA) for retirees and their dependents enrolled in the New York Health Insurance Program (NYSHIP) and described by the Executive as “high income”.

NYSHIP Interest and Intercept for Premiums in Arrears.
(PPGG, S.8305, Part T)

- Would authorize the Department of Civil Service (DCS) to charge interest participating employers in NYSHIP that are late on their premium payments and authorize a state aid intercept to recover such amounts due.



Sunset State Matching Funds for the County-Wide Shared Services Initiative *(PPGG, S8305, Part U)*

- The Executive proposes to remove portions of the General Municipal Law, which require counties to submit County-Wide Shared Services plans from the County-Wide Shared Services Panels to the Department of State and for the State to provide matching funds of achieved plan savings.
- Matching fund applications for projects that have already been implemented would continue to be supported by those matching funds.
- State matching funds would sunset as this proposal would take effect on April 1, 2024.
- The proposal notes that shared services panels may continue to meet at local option to the county, but will not receive state matching funds

Reform the Local Government Efficiency Grant (LGEG) Program *(PPGG, S8305, Part W)*

- The Executive proposes reform the current Local Government Efficiency Grant Program by increasing the maximum dollar grant amounts of planning and implementation grants for municipalities.
- This program provides technical assistance and grants to intermunicipal projects targeting shared opportunities, cost savings, and delivery of services.
- This proposal would increase planning grants from the current maximum of \$12,500 to \$20,000 per municipality and would increase the total grant amount of \$100,000 to \$120,000.
- Implementation grant maximums would increase from \$200,000 per municipality to \$250,000 per municipality and would increase the \$1 million total per grant to \$1.25 million.
- The Department of State would continue to oversee this grant program.

TED

Regulated “Buy Now, Pay Later” (BNPL) loans *(TED, S8308, Part CC)*

- The Executive proposes to authorize the Department of Financial Services to grant licensing and regulatory authority over BNPL loans and their providers.
- BNPL allows the customer to make a purchase and receive it immediately, but pay overtime over a series of installments.
- These are short term loans that allow the customer to purchase an item over time with the customer generally encountering this option when shopping online or through a mobile application.



Supplemental Spousal Liability (TED, S., Part DD)

- The Executive proposes to require auto insurance policies provide supplemental spousal liability coverage only to insurers who are married unless the insured chooses to opt-out of such coverage in writing and establishes notification requirements to policyholders.

Insulin Cost Sharing (TED, S., Part EE)

- The Executive proposes to eliminate out-of-pocket costs for insulin, which includes deductibles, copayments, coinsurance and any other cost sharing requirement.

Mental Health Parity (TED, S., Part HH)

- The Executive proposes to increase penalties on health insurance companies for violations of mental health and substance use disorder requirements to \$2,000 for each offense.

Financial Exploitation Prevention (TED, S8308, Part II)

- The Executive proposes to enact procedures that would authorize financial institutions to impose holds on suspicious transactions that appear to be aimed at taking advantage of an eligible adult, who for the purposes of this part, would be 65 years of age or older.
- The broker dealer, investment advisor, or qualified individual, who reasonably believes that financial exploitation of an eligible adult has occurred or will occur or will be attempted, would promptly notify adult protective services and law enforcement and place a hold on the account.
- Financial exploitation would mean the improper use of an eligible adult's funds, property, income or assets, or to obtain control, through deception, intimidation, threats or undue influence over the eligible adult's money, assets, income or property.
- The transaction hold would expire 15 business days after its application except for cases where the transaction hold would need to extend for no more than 25 additional business days or it is determined by the broker dealer, investment advisor, or qualified individual that the hold is no longer the subject of financial exploitation.

Modernization of the Life Insurance Guaranty Credit (TED, S., Part LL)

- The Executive proposes to amend the Guaranty Fund so that assessments paid by not-for-profit insurers are comparable to those for for-profit insurers after the applicable tax credit.



- The Executive proposes to amend tax credits issued to for-profit insurers for assessments under the Guaranty Fund are calculated and authorize the Superintendent to determine tax credit eligibility and issue a certificate of tax credit that would amount to:
 - 80 percent of the insurer's net Class A assessments; and
 - 80 percent of the total net Class B and C assessment paid up to an aggregate amount of tax credits for all insurers not to exceed \$150 million.

The Tax credit for Class B and C would be allocated annually by the Superintendent on a pro rata basis, with any amount exceeding \$150 million to be allocated to the following calendar year and the insurer would be eligible to claim 33.33 percent of the tax credit in the tax year the certificate was issued and in the following two taxable years.

REVENUE

Extend Authorized Use of Capital Funds by a Certain Offtrack Betting Corporation for One Year (REV, S.8309, Part O)

- Extends for one year the Capital Region OTB's ability to use capital funds for operating expenses
- Current authority expires March 31, 2024
- Changes the date of from October 1, 2023 to last day of calendar year for reports to commission
- Does not extend Catskill OTB's ability as there had been in past years; no report was sent by them last year and therefore not requested as per Executive representatives.

Extend Pari-Mutuel Tax Rates and Simulcast Provisions for One Year (REV, S.8309, Part P)

- Extends for one year the simulcast provisions and tax rates at racing associations and off-track betting corporations.
- Current authority expires June 30, 2024

FY 2025 Executive Budget Alcoholic Beverage Control Agency Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Cannabis management program	\$5,000,000	\$5,000,000	\$0
Total	\$5,000,000	\$5,000,000	\$0



FY 2025 Executive Budget Civil Services Agency Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Administration and information management program	\$2,000,000	\$2,000,000	\$0
Total	\$2,000,000	\$2,000,000	\$0

FY 2025 Executive Budget Gaming Commission Local Assistance/Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Gaming Program	\$62,000	\$62,000	\$0
Tribal State Compact Revenue Program	\$175,000	\$200,000	\$25,000
Total	\$237,000	\$262,000	\$25,000

FY 2025 Executive Budget OGS Agency ATL Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Cost associated with temporarily sheltering migrants and asylum seekers at Floyd Bennett Field	\$0	\$15,000,000	\$15,000,000
Total	\$0	\$15,000,000	\$15,000,000

FY 2025 Executive Budget Office of General Services Agency Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Design and Construction	\$15,000,000	\$16,000,000	\$1,000,000
Facilities Maintenance and operations	\$83,739,000	\$85,397,000	\$1,658,000
Flood recovery	\$15,000,000	\$15,000,000	\$0
Preservation, alteration, rehabilitation and preventive maintenance of existing facilities	\$131,500,000	\$126,250,000	(\$5,250,000)
Conversion of light duty vehicles in New York State fleet to electric	\$17,000,000	\$17,000,000	\$0
Total	\$262,239,000	\$259,647,000	(\$2,592,000)

FY 2025 Executive Budget Information Technology Services Agency Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
IT Initiative program	\$130,700,000	\$130,700,000	\$0
Total	\$130,700,000	\$130,700,000	\$0

FY 2025 Executive Budget Department of State Agency Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Downtown Revitalization	\$200,000,000	\$200,000,000	\$0
Maintenance and Repairs of cemetery property	\$2,000,000	\$2,000,000	\$0
NYS Commission on African American History	\$0	\$10,000,000	\$10,000,000
Total	\$202,000,000	\$212,000,000	\$10,000,000

FY 2024-25 Executive Budget
Summary of Agency Spending



FY 2025 Executive Budget Department of State Agency Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Administration of the Public utility law project	\$400,000	\$0	(\$400,000)
Rockland county	\$500,000	\$0	(\$500,000)
Doe Fund, Inc.	\$200,000	\$0	(\$200,000)
Caribbean Preparedness and Response	\$200,000	\$0	(\$200,000)
Grants in aid to certain municipalities and for not-for-profit institut	\$3,700,000	\$0	(\$3,700,000)
NYS Immigration Coalition	\$2,000,000	\$0	(\$2,000,000)
Additional services and expenses for the Public Utility Law Project	\$1,000,000	\$0	(\$1,000,000)
Westchester Opportunity Center	\$224,000	\$0	(\$224,000)
Rockefeller Institute of Gov for municipal studies	\$100,000	\$0	(\$100,000)
NY Legal Assistance Group Inc.	\$75,000	\$0	(\$75,000)
NYS Commission on African American History	\$0	\$5,000,000	\$5,000,000
NYS statewide swimming initiative	\$0	\$5,000,000	\$5,000,000
Community Services Block Grant	\$125,000,000	\$125,000,000	\$0
Grant Programs for poverty reduction	\$2,500,000	\$2,500,000	\$0
Appalachian regional grants program	\$1,000,000	\$1,000,000	\$0
Coastal zone management program	\$2,200,000	\$2,200,000	\$0
Additional Federal Coastal Zone funding	\$0	\$85,000,000	\$85,000,000
Local government federal program	\$4,000,000	\$4,000,000	\$0
Office of Faith and Non-Profit Development Services	\$0	\$3,500,000	\$3,500,000
Program administration for the office of new Americans	\$43,000,000	\$44,200,000	\$1,200,000
additional services and expenses to assist w/ job placement and reter	\$20,000,000	\$0	(\$20,000,000)
Asian American Pacific Islander Crisis Intervention Initiatives	\$30,000,000	\$0	(\$30,000,000)
Gifts, grants, contributions to the office for new Americans	\$1,500,000	\$1,500,000	\$0
Total	\$237,599,000	\$278,900,000	\$41,301,000

FY 2025 Executive Budget Tax & Finance Agency Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Medical cannabis program	\$7,000,000	\$7,000,000	\$0
Revenue analysis, collection, enforcement, processing and real property tax program	\$926,000	\$926,000	\$0
Total	\$7,926,000	\$7,926,000	\$0



FY 2025 Executive Budget Board of Elections Local Assistance/Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Public Campaign Finance Board (matching funds)	\$25,000	\$100,000	\$75,000
Regulations of Elections Program (reimbursement to local boards for pre-paid return postage on absentee and Early Mail ballots)	\$4,000	\$12,700	\$8,700
Reimbursement to local boards for technologies (electronic poll books, software, ballot printers)	\$15,000	\$14,700	(\$300)
Total	\$44,000	\$127,400	\$83,400

FY 2025 Executive Budget Department of Financial Services Local Assistance Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Administration	\$850	\$850	\$0
Community Service Society of New York- Education debt Consumer Assistance (EDCAP)	\$3,000	\$3,000	\$0
Additional Expenses of (EDCAP) suballocation	\$250	\$0	(\$250)
Aid to municipalities fighting fires on state property suballocation to DHSES	\$989	\$989	\$0
Payments for services for family planning services (suballocation to DOH)	\$27,402	\$27,402	\$0
Payments for services for immunization program (suballocation to DOH)	\$7,520	\$7,520	\$0
Payments for services for lead poisoning prevention program (suballocation to DOH)	\$14,604	\$14,604	\$0
Healthy New York	\$18,800	\$19,400	\$600
Entertainment Industry Employees Pilot Program	\$1,000	\$3,000	\$2,000
Total	\$74,415	\$76,765	\$2,350

FY 2025 Executive Budget Department of Financial Services Agency Capital Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Information Technology Modernization Project	\$0	\$60,000	\$60,000
Total	\$0	\$60,000	\$60,000

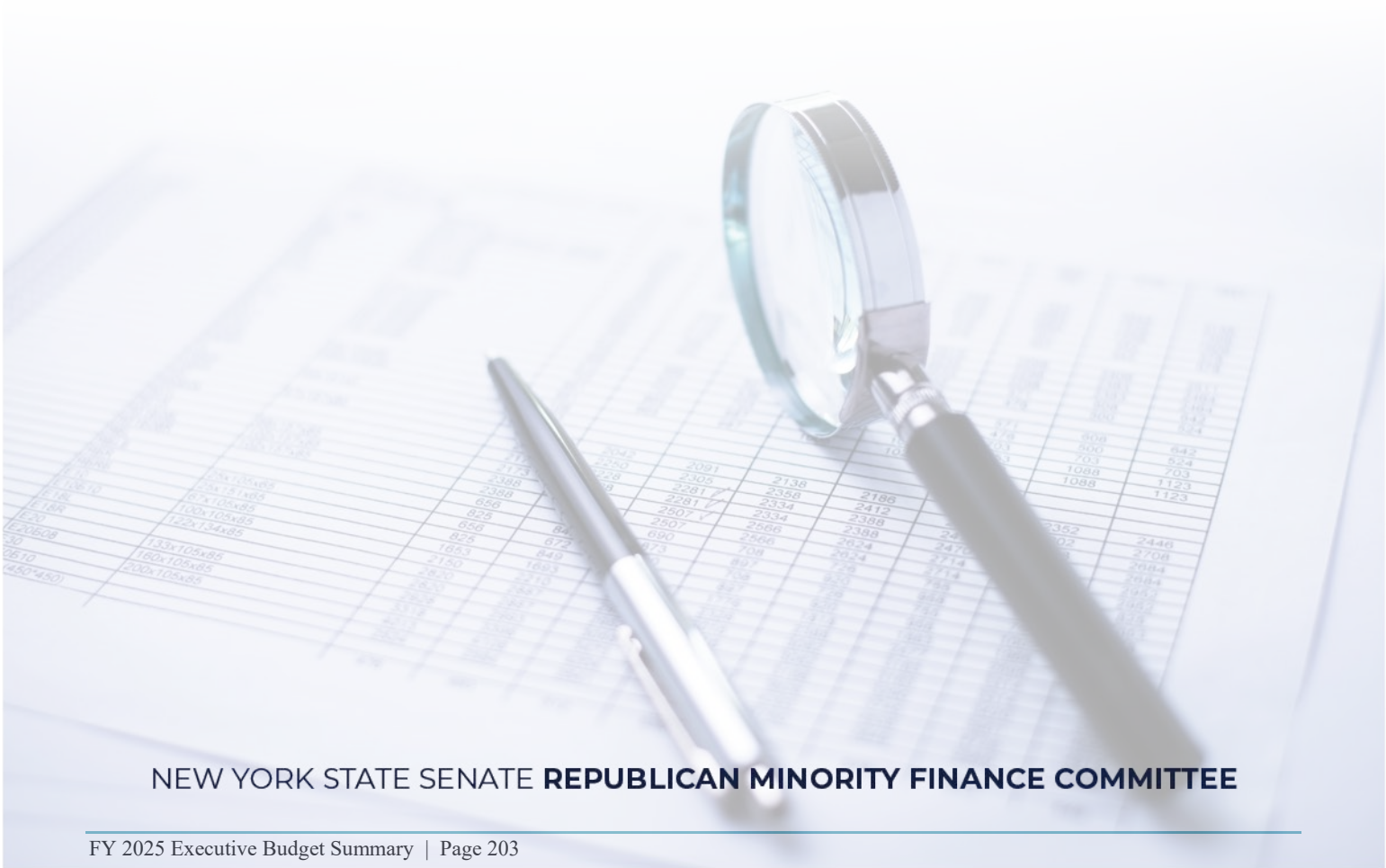
FY 2024-25 Executive Budget
Summary of Agency Spending



FY 2025 Executive Budget Local Government Assistance Local Assistance Funding Appropriation Changes (Thousands of Dollars)			
Program	FY 2024 Enacted	FY 2025 Proposed	Change
Aid and Incentives for Municipalities base payments	\$715,172	\$715,172	\$0
Citizen Re-organization Empowerment Grants	\$35,000	\$35,000	\$0
Local Government Efficiency Grants	\$4,000	\$8,000	\$4,000
City of Yonkers, Video Lottery Terminal Payment	\$19,000	\$19,600	\$600
Payments to eligible Video Lottery Gaming Facilities	\$9,285	\$10,519	\$1,234
Payment to Madison County (where gaming facility is located)	\$3,750	\$3,750	\$0
Payment to the City of Albany	\$15,000	\$15,000	\$0
Payment to the North Shore Water Authority	\$2,000	\$0	(\$2,000)
Payment to the County of Albany	\$300	\$0	(\$300)
Payment to the County of Onondaga for a school discipline pilot pro	\$1,200	\$0	(\$1,200)
Payment to the County of Sullivan	\$55	\$0	(\$55)
Payment to the Town of Niskayuna	\$500	\$0	(\$500)
Payment to the Town of Whitestown	\$100	\$0	(\$100)
Payment to the County of Broome	\$115	\$0	(\$115)
Payment to the Village of New Paltz (SUNY Impact Aid)	\$300	\$0	(\$300)
Payment to the Town of Oswego (SUNY Impact Aid)	\$300	\$0	(\$300)
Municipal Assistance Tax Fund for the City of Troy (Fiduciary Funds	\$15,000	\$0	(\$15,000)
Municipal Assistance State Aid Fund for the City of Troy (Fiduciary F	\$15,000	\$0	(\$15,000)
For Payment to the County of Essex	\$124	\$124	\$0
For Payment to the County of Franklin	\$72	\$72	\$0
For Payment to the County of Hamilton	\$21	\$21	\$0
Total	\$836,294	\$807,258	(\$29,036)

SECTION TWO

SUMMARY OF ARTICLE VII LEGISLATION AND APPENDICES





SCHEDULE FOR LEGISLATIVE REVIEW OF THE FY 2024 EXECUTIVE BUDGET



2024 Joint Legislative Hearing Schedule

Date	Day	Time	Hearing	Request to Testify Can be Found at:
January 23	Tuesday	9:30 a.m.	Health	Senate
January 24	Wednesday	9:30 a.m.	Transportation	Assembly
January 25	Thursday	9:30 a.m.	Public Protection	Senate
January 30	Tuesday	9:30 a.m.	Economic Dev./Arts	Senate
		2:00 p.m.	Workforce Dev./Labor	Senate
January 31	Wednesday	9:30 a.m.	Human Services	Assembly
February 1	Thursday	9:30 a.m.	Elementary & Secondary Education	Assembly
February 6	Tuesday	9:30 a.m.	Local/General Government	Assembly
February 7	Wednesday	9:30 a.m.	Environmental Conservation	Senate
February 8	Thursday	9:30 a.m.	Higher Education	Assembly
February 13	Tuesday	9:30 a.m.	Mental Hygiene	Senate
February 14	Wednesday	9:30 a.m.	Taxes	Assembly
		12:00 p.m.	Housing	Assembly



APPENDIX

SUMMARY OF THE IMPLEMENTING BUDGET BILLS

This appendix contains a summary of the implementing legislation submitted with, and required to enact the FY 2025 Executive Budget. The Governor's presentation consists of twelve total bills, five appropriation and seven article VII bills. While this section provides a brief summary, any questions or additional information on any of the provisions contained in these bills should be addressed to the appropriate Senate Finance or Counsel analyst.

FY 2024 EXECUTIVE BUDGET BILLS

Article VII Bills

S.8305 / A.8805	Public Protection & General Government
S.8306 / A.8806	Education, Labor & Family Assistance
S.8307 / A.8807	Health & Mental Hygiene
S.8308 / A.8808	Transportation, Economic Development & Environmental Conservation
S.8309 / A.8809	Revenue

Concurrent Resolution



ARTICLE VII LEGISLATION

Public Protection and General Government (S.8305)

Part A - Increase Penalties for Assault of Retail Workers

- Amends the Assault in the Second Degree statute to include assaults against retail workers, which would enhance penalties for those who commit such assaults. With this amendment, a person would be guilty of Assault in the Second Degree when, with intent to prevent a retail worker from performing a lawful duty, he or she causes physical injury to such retail worker.
- Assault in the Second Degree is a Class D violent felony punishable by up to seven years in prison.

Part B - Make it Illegal to Foster the Sale or Stolen Goods Online

- Creates a new offense of Fostering the Sale of Stolen Goods. A person would be guilty of this offense when they host, advertise, or otherwise assist in the sale of stolen goods, including on an internet website, and they knew or should have known that such goods were stolen.
- This offense would be a class A misdemeanor punishable by up to one year in jail.

Part C - Expand Hate Crime Eligibility

- Expands the list of offenses that can be charged as hate crimes to include:
 - Gang Assault in the Second Degree (PL § 120.06)
 - Gang Assault in the First Degree (PL § 120.07)
 - Criminal Obstruction of Breathing or Blood Circulation (PL § 121.11)
 - Aggravated Murder (PL § 125.26)
 - Murder in the First Degree (PL § 125.27)
 - Sexual Misconduct (PL § 130.20)
 - Rape in the Third Degree (PL § 130.25)
 - Rape in the Second Degree (PL § 130.30)
 - Criminal Sexual Act in the Third Degree (PL § 130.40)
 - Criminal Sexual Act in the Second Degree (PL § 130.45)
 - Forcible Touching (PL § 130.52)
 - Persistent Sexual Abuse (PL § 130.55)
 - Sexual Abuse in the Third Degree (PL § 130.55)



- Sexual Abuse in the Second Degree (PL § 130.60)
- Aggravated Sexual Abuse in the Fourth Degree (PL § 130.65-a)
- Aggravated Sexual Abuse in the Third Degree (PL § 130.66)
- Labor Trafficking (PL § 135.35)
- Aggravated Labor Trafficking (PL § 135.37)
- Making Graffiti (PL § 145.60)
- Arson in the Fifth Degree (PL § 150.15)
- Jostling (PL § 165.25)
- Sex Trafficking (PL § 230.45)
- Sex Trafficking of a Child (PL § 230.34-a)
- Falsely Reporting an Incident in the Third Degree (PL § 240.50)
- Falsely Reporting an Incident in the Second Degree (PL § 240.55)
- Falsely Reporting an Incident in the First Degree (PL § 240.60)
- Endangering the Welfare of a Child (PL § 260.10)
- Criminal Possession of a Weapon in the Fourth Degree (PL § 265.01)
- Criminal Possession of a Weapon in the Third Degree (PL § 265.02)
- Criminal Possession of a Weapon in the Second Degree (PL § 265.03)
- Criminal Possession of a Weapon in the First Degree (PL § 265.04)

Part D - Correctional Facility Closures

- Authorizes the Executive to close up to five state correctional facilities in Fiscal Year 2024-25. The Executive would be required to provide at least 90 days' notice to the Temporary President of the Senate and the Speaker of the Assembly.
- The notice would be required to include the list of facilities to be closed and the number of staff working at such facilities.
- The Commissioner of the Department of Corrections and Community Supervision would be required to report the results of staff relocation efforts to the Temporary President of the Senate and the Speaker of the Assembly within 60 days after any closures.

Part E - Extend the Suspension of the Subsidy to Revolving Loan Fund from Cell Surcharge Revenue

- The Executive proposes extending the ongoing suspension of the yearly transfer of \$1.5 million from the Public Safety Communications Account to the Emergency Services Revolving Loan Fund for an additional two fiscal years. The transfer was initially suspended for FY 2022-23 and 2023-24.



Part F - Judicial Protection

New York State Judicial Security Act

- Creates the New York State Judicial Security Act in a new Article 22-C of the Judiciary Law, which would create a mechanism for actively employed and former State and Federal judges, court staff, and immediate family members of judges and court staff to request the removal of their personal information from public disclosure.
- Personal information that can be removed includes home address, personal phone numbers, personal email addresses, social security number, driver license number, license plate number, marital status and the identity of present or former spouses, name and address of school or day care facility attended by immediate family members, bank account number, credit or debit card number, personal identification number, automated or electronic signature, unique biometric data, and account passwords.
- Eligible individuals would be able to submit a written request to the Chief Administrator of the Courts (for New York State Judges, staff, and family) or their employer, specifying the items of personal information the individual wishes to keep from being made public, the identity of the eligible individual's immediate family and whether their personal information should be deemed to include that of such immediate family members, and each person, business association, and public or private agency that the eligible individual wishes to prevent from making such personal information public.
- Once a written request has been properly submitted, the applicable employer would have a set amount of time to comply with the request.
- An eligible individual who has properly submitted a request to prevent the disclosure of personal information would be able to seek injunctive or declaratory relief against a person or entity who fails to comply with a notification to remove personal information. Courts that issue an order for injunctive or declaratory relief may impose a fine of \$1,000 if the violator is a public agency or a fine up to a maximum of three times the damages to the affected eligible defendant, but not less than \$4,000, if the violator is a person, business, association, or private agency.

Criminal Offenses Against Judges

New Offenses

- Creates a new offense of Aggravated Assault on a Judge, which would be a class B felony. A person would be guilty of this offense when, with intent to cause serious physical injury and prevent a judge from performing official duties, he or she causes serious physical injury to such judge.
- Creates a new offense of Aggravated Harassment of a Judge, which would be a class E felony. A person would be guilty of this offense when:
 - He or she communicates, or causes a communication to be initiated, threats of physical harm to, or unlawful harm to the property of, a person who the actor knows or reasonably



- should know is a judge, or a member of the judge's family, and the actor knows or reasonably should know that such communication will cause such judge to reasonably fear harm
- He or she makes a telephone call with no legitimate purpose to a person the actor knows or reasonably should know is a judge a member of the judge's family, with intent to harass or threaten such judge or a member of the judge's family
 - With intent to harass, annoy, threaten, or alarm a person the actor knows or reasonably should know is a judge or a member of a judge's family, the actor strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability, or sexual orientation.
 - With intent to harass, annoy, threaten or alarm a person the actor knows or reasonably should know is a judge or a member of a judge's family, the actor strikes, shoves, kicks, or otherwise subjects another person to physical contact and causes physical injury.
 - The actor commits the offense of Harassment in the First Degree against a person the actor knows or reasonably should know is a judge and has previously been convicted of Harassment in the First Degree within the preceding ten years.

Amended Offenses

- Amends the Stalking in the Fourth Degree statute to include situations where the offender disseminates personal information through or posting personal information on social networking websites about the victim, a member of the victim's family or a third party with whom the victim is acquainted.
- The proposal would also create a presumption within this statute that an offender acts with no legitimate purpose when the victim is a judge or a member of their immediate family, and the offender was or is a party in a proceeding pending before the judge.
- Amends the Stalking in the Second Degree statute to include committing the crime of Stalking in the Fourth Degree against a judge or a member of the judge's family.
- Amends the Stalking in the First Degree statute to include those who have committed Stalking in the Second Degree for stalking a judge and has previously been convicted of a stalking offense within the preceding five years.

Part G- Combat Unlicensed Sale of Cannabis

- Amends the Cannabis Law in a number of ways in a further attempt to curtail the proliferation of illegal cannabis sales throughout the State.
- Enforcement would be strengthened by-
- Authorizes local governments to combat illegal cannabis by-
 - Allowing local governments to adopt local laws to execute closure orders, seize and destroy illegal cannabis, and levy civil penalties against illegal operators.



- Local governments would be required to work with the Office of Cannabis Management (OCM) to maintain a registry of legal licensees operating under their jurisdiction, which would allow for greater ease of targeting illegal operators.
- Local governments would be allowed to receive revenue for legal action taken against unlicensed activity.
- Increases existing civil penalties for refusing to allow OCM to conduct regulatory inspections.
- Allows for sealing orders and padlocking of illegal operations.
- Strengthens the existing powers of OCM and the Cannabis Control Board to go after illegal cannabis operators.

Part H- ABC Law Commission Recommendations

- Amends the Alcoholic Beverage Control(ABC) Law to advance a number of the recommendations of the Commission to Study Reform of the ABC Law.
- Allow applicants applying for a license from the New York State Liquor Authority ("SLA") to be apply to apply on the same day they provide notice to their municipality that they are applying.
 - Currently, applicants must provide notice to their municipality and then wait 30 days before they can apply to SLA.
- Requires that the SLA act on any changes to the membership or other corporate structure changes of a limited liability company (LLC) within 90 days of receiving an application.
- If SLA does not take any action with the 90 day period, the application would be deemed approved.
- Removes the requirement that temporary catering permits only be issued for indoor events.
 - Currently, if an event is taking place outdoors, a tent must be erected and the tent must meet a certain standard of creating a "wall" for a permit to be issued.
- Removes the requirement that liquor stores be located at street level.

Part I- Temporary Wholesale Permit & Multiple Wholesale Licenses

- Authorizes the New York State Liquor Authority ("SLA") to issue temporary permits to wholesalers while their applications for permanent licensure is being reviewed as long as they meet the following criteria
 - the applicant has a wholesale license application at the same premises pending before the SLA;
 - the applicant has obtained all permits, licenses, and other documents necessary for the operation of the business; and;
 - any current license in effect at the same premises that may not operate concurrently has been surrendered prior to the application.



- SLA would be required to make a decision on issuing the temporary permit within 45 days of receiving the application
- The temporary permit would be in effect for 6 months or until the permanent license is approved.
- Additionally, this would authorize an entity that holds multiple wholesalers licenses (cider, beer, wine, or liquor) to operate on the same premise.

Part-J-Sole Administrative Authority (Powers of the Chair and Members of the Authority)

- Permanently extends the exclusive executive authority of the Chair of the State Liquor Authority (SLA) over SLA and the Division of Alcoholic Beverage Control.
- This authority was originally granted as part of Chapter 118 of the Laws of 2012, and has been extended in three year increments since.
- The authority is currently set to sunset July 18, 2024.

Part K-Temporary Permit Extender

- Extends the authority of the New York State Liquor Authority ("SLA") to issue temporary permits to a new business as long as no former license at the proposed location was not canceled, suspended or revoked for an additional year.
- This authority is currently scheduled to sunset October 12, 2024.

Part L- Noncontiguous/Outdoor Cafes Licensing

- Permanently authorizes State Liquor Authority (SLA) licensees to utilize in municipal public spaces including non-contiguous space.
- SLA licensees currently have the authority to do so from Chapter 238 of the Laws of 2021, which was passed to extent authority that had originally been granted under emergency order during the COVID-19 pandemic by allowing licensees such as restaurants the authority to operate in public spaces such as sidewalks.
- According to the Executive, this proposal is meant to establish clearer guidelines going forward for the operation of SLA licensees in nearby public space that goes beyond simply extending the pandemic era program.
- The current authorization is scheduled to sunset on June 30, 2025.



Part M - Establish first-in-nation paid prenatal leave

- The Executive proposes granting eligible pregnant employees in New York an extra 40 hours of leave for prenatal medical appointments, in addition to the existing 12 weeks of Paid Family Leave. The amendments to the Workers' Compensation Law allow this leave in hourly increments for prenatal care, such as exams, monitoring, testing, and discussions with healthcare providers. This leave, provided within 52 weeks, doesn't reduce the 12 weeks of Paid Family Leave or 26 weeks of disability leave. Benefits are paid hourly, with notice or proof required within 30 days of the appointment.

Part N - Increase Short Term Disability Leave Benefits

- Changes base line for calculating Average Weekly Wage from March 31 to May 31.
- Increase the short-term disability benefit which is currently \$170 per week to two thirds of an employee's Average Weekly Wage (AWW), capped at two thirds of the statewide AWW. The benefit increase is structured into two tiers: Tier 1 consists of the first 12 weeks and tier two consists of weeks 13 through 26.
- Tier 1 increases would be phased in over the next five years (from 2025 to 2029).
 - 2025: 50% AWW up to \$400
 - 2026: 50% AWW up to \$630
 - 2027: 50% AWW up to 50% State AWW
 - 2028: 60% AWW up to 60% State AWW
 - 2029: 67% AWW up to 67% State AWW
- Tier two increases would be phased in as follows:
 - 2025: 50% AWW up to \$280
 - 2028: 60% AWW up to \$280
 - 2029: 67% AWW up to \$280
- Increase maximum employee contribution for temporary disability benefits from one half of one percent (.5% or 50 basis points) of earned wage, which is currently capped at 60 cents per week, to 40 percent of the average combined employee and employer contributions to disability benefits.
- The Superintendent of Financial Services would have jurisdiction over and responsibility for establishing the maximum contribution stated above. The disability benefits (which includes Paid Family Leave) are governed by Article 9 of the Workers' Compensation Law and would be provided through a group accident and health insurance policy or a self-funded employer plan.
- The Superintendent would have the authority to delay disability benefit increases by one or more calendar years in consideration of the following:
 - Cost to employees and employers and anticipated impact of future increases
 - Current number of insurers issuing policies with disability benefits and the projected impact on those insurers (including the number of insurers)
 - Impact on employers and overall stability of the program



- Impact on the stability of the disability and family leave market and carriers
- Additional relevant factors as determined by the Superintendent

Part O- Stop Addictive Feeds Exploitation (SAFE) for Kids Act

- The Executive proposes to limit “addictive social media platforms” (websites, online service, online application, or mobile application) from providing a feed of web content to minors (those under the age of 18).
- The operator of an addictive social media platform would be prohibited from sending notifications to a minor between the hours of 12 AM EST and 6 AM EST unless the operator has obtained verifiable parental consent to send these notifications.
- The operator would be required to provide a mechanism in which parents may be able to limit their child’s access to the platform between 12 AM EST and 6 AM EST and setting length of time per day to view this media.
- The Attorney General would be able to promulgate rules and regulations regarding this act and to bring an action to obtain monetary relief, etc. of those companies found in violation of the act
- Provides for a Private Right of action to obtain damages of up to \$5,000.
- Allows the business to cure a noticed violation if a covered user provides a notice of possible violation

Part P - Child Data Protection Act

- The Executive proposes to create Article 39-FF under the General Business Law. The New York Child Data Protection Act would prohibit those operating websites and online services from processing (collecting, utilizing, disclosing, or selling) the personal data of covered users (individuals under the age of 18) unless specific requirements are satisfied. The scope of the proposal applies to conduct taking place in whole or in part in New York State.
- Processing is allowed for specific activities, including providing or maintaining a requested product or service, internal business operations (excluding marketing and advertising), identifying and repairing technical errors, protecting against malicious activity, complying with laws, and other defined purposes under section 899-ff (2).
- Protections for third party operators under section 899-jj. Exclusions apply if the operator received reasonable written representations that the covered user provided informed consent for such processing. The operator must not have actual knowledge that the covered user is a minor. The operator must not have actual knowledge that the other website, online service, application, mobile application, or connected device is primarily directed to minors.
- Under section 899-mm, the State Attorney General is authorized to bring an action to enjoin any violation of the legislation, seeking a civil penalty of up to \$5,000 and any other relief deemed appropriate by the court.



- Additionally, covered users who have been injured by a violation of the legislation or the parent or legal guardian of a covered minor may bring a private action to obtain damages of up to \$5,000 per covered user per incident (or actual damages).
- Before bringing an action for violations, a covered user must provide the operator with 30 days' written notice identifying the specific provisions of the Act that the covered user alleges have been or are being violated. If it is possible to remedy the identified violation, and the operator successfully addresses the issue within the 30 day notice period, the covered user is prevented from initiating an action for individual or class-wide statutory damages against the operator (section 899-mm 5). Under this proposal the operator would also need to provide the covered user with a written statement confirming the resolution and the commitment to avoid further violations.

Part Q – Eliminate the Lag Payroll and Salary Withholding Program for newly hired State employees.

- Pursuant to agreements with labor unions representing state employees
- At the election of the Judiciary and the Legislature
- Effective July 1, 2024

Part R - Market-Based Interest Rate on Court Judgments

- Changes the post-judgment legal rate of interest for civil actions and accrued claims. The current legal rate of nine percent per year would be changed to a market rate that is equal to the weekly average one-year constant maturity yield, during the calendar week preceding the date of the entry of judgment.

Part S – Cease reimbursement of the Medicare Income Related Monthly Adjustment Amounts to high income retirees and their dependents in the New York State Health Insurance Program

- Would eliminate State reimbursement of the Income Related Monthly Adjustment Amount (IRMAA) for retirees and their dependents enrolled in the New York Health Insurance Program (NYSHIP) and described by the Executive as “high income”.

Part T – NYSHIP Interest and Intercept for Premiums in Arrears

- Would authorize the Department of Civil Service (DCS) to charge interest participating employers in NYSHIP that are late on their premium payments and also authorize a state aid intercept to recover such amounts due.



Part U - Sunset State Matching Funds for the County-Wide Shared Services Initiative

- The Executive proposes to remove portions of the General Municipal Law which require counties to submit plans from the County-Wide Shared Services Panels to the Department of State and for the State to provide matching funds of achieved plan savings.
- Matching fund applications for projects that have already been implemented would continue to be supported by these matching funds.
- State matching funds would sunset as this proposal would take effect on April 1, 2024.
- The proposal notes that shared service panels may continue to meet at local option to the county, but will not receive state matching funds.

Part V - Increase the Bonding Limit for the New York City Transitional Finance Authority

- The Executive proposes to increase the bonding limit for the New York City Transitional Finance Authority from the current limit of \$13.5 billion to a limit of \$19.5 billion in 2024 and a limit of \$25.5 billion in 2025.

Part W - Reform the Local Government Efficiency Grant Program

- The Executive proposes to reform the current Local Government Efficiency Grant Program by increasing the maximum dollar grant amounts of planning and implementation grants for municipalities.
- The Department of State would continue to oversee this grant program.

Part X-Authorization for Transfers, Temporary Loans, and Amendments to Miscellaneous Capital/Debt Provisions, Including Bond Caps

- New sweep authority to authorize temporary loans and deposits for certain funds and accounts, authorize transfers and deposits of funds to and across various accounts, extend various provisions concerning certain capital projects and certifications, and modify various debt and bond provisions to adjust state cash flow.
- Adjusts various bond caps to reflect capital spending financed by the issuance of debt.



Education, Labor, and Family Assistance (S.8306)

Part A - School Aid

- This section provides for \$35.3 Billion in Support to School Districts. The proposed language would drive \$825 million (2.4 percent), including a \$507 million Foundation Aid increase and a \$318 million increase in all other School Aid programs, including expense-based aids, categorical aids, and competitive grants on to the school aid run.
- The statutory CPI growth factor is amended to move to an 8 year CPI average lowering the factor to 2.4 percent.
- This Part amends Transportation Aid to exclude any grants (or vouchers on behalf of a district) provided through the Clean Water, Clean Air and Green Jobs Environmental Bond Act of 2022 from being considered revenue that would otherwise reduce a district's allowable transportation expense. School districts that receive these grants (or vouchers) to purchase zero-emission buses would thus receive more Transportation Aid than under the current law; however, the sum of Transportation Aid and the Bond Act funding could not exceed the expenses.
- Prekindergarten. The FY 2025 Executive Budget removes the "supplement, not supplant" requirement for State funds, allowing school districts to access their Statewide Universal Full-Day Prekindergarten grants prior to exhausting their Universal Prekindergarten allocations.
- New York City School Governance. The FY 2025 Executive Budget provides a four-year extension of the current system of governance of New York City public schools, which is currently scheduled to expire on June 30, 2024.
- Special Education Tuition Rate-Setting Reform. As requested by SED, the FY 2025 Executive Budget provides an additional \$1.4 million for SED to study and design a new special education tuition rate-setting methodology in order to streamline and improve the timeliness of tuition rates for providers, bringing total available project funding to \$3.9 million. The Executive Budget also extends the deadline for SED to present its recommendations from July 1, 2025 to July 1, 2027.

Part B - Teaching of Reading

- This bill would require the Commissioner of the State Education Department (SED) to issue statewide instructional best practices in the teaching of reading for prekindergarten through grade three. Beginning in the 2025-26 school year, these instructional best practices would be required to be implemented by all school districts, with districts certifying to SED by September 1 of each such year that their curriculum and instructional programming and teacher professional development programs incorporate these instructional best practices.



Part C - FAFSA Completion for High School Students

- For each high school senior, this Part would require school districts to obtain from the student's parent or guardian or from the student (if applicable) either certification of completion and submission of the FAFSA or the New York State DREAM Act application or completion of a waiver form indicating that they were aware of the FAFSA but had chosen not to complete it.

Part D - BUNDY Aid Eligibility

- This Part would alter BUNDY Aid eligibility for Unrestricted Aid to Independent Colleges and Universities to institutions with endowment assets of less than \$750 million.

Part E - Higher Education Agency Information Sharing

- This Part would amend Education Law to clarify that student data may be shared by educational agencies with HESC, SUNY, and CUNY for educational purposes in accordance with the provisions of the federal Family Educational Rights and Privacy Act (FERPA). The bill would also authorize HESC to provide other State educational authorities with any assistance or data necessary for purposes of financial aid program evaluation.

Part F - Tuition Assistance Credit Extender

- This Part would permanently extend the TAP tuition credit and the other remaining Part provisions of the NY-SUNY 2020 Challenge Grant Program Act (Chapter 260 of the Laws of 2011, as amended), which would otherwise expire on July 1, 2024.

Part G - Special Education Placement Financial Responsibilities

- This Part amends section 3 of Part N of Chapter 56 of the Laws of 2020 to remove the April 1, 2024 sunset and make these provisions permanent. Part N of Chapter 56 of 2020 eliminated the 18.424 percent State share for residential placements made by a school district CSE outside of New York City and increased the school district's share by an equal amount, from 38.424 percent to 56.848 percent. This Chapter also shifted the 50 percent State share for certain placements to the NYS School for the Blind or the NYS School for the Deaf to the school district.

Part H - Authorize the 2024 SSI Federal COLA Pass-Through

- Executive proposal would establish specific amounts for the monthly Personal Needs Allowance (PNA) and the monthly standard of need for SSI recipients in various living arrangements in the Social Services Law. The federal SSI benefit amount is increased annually, through a cost of living adjustment (COLA), and the State Law must be amended accordingly to ensure accurate payments are made.
- Sets forth the dollar amounts for the 2024 PNA and the standard of need for eligibility and payment of additional State payments. It also authorizes those amounts to be automatically increased, by the



percentage of any federal SSI COLA, which becomes effective within the first six months of the calendar year 2025.

Part I- Mandatory Federal Child Support Changes

- The Executive proposes amendments to the Family Court Act (FCA) and Domestic Relations Law (DRL) to align with federal guidelines on child support enforcement. Key provisions include adjusting child support calculations based on the noncustodial parent's earnings and eliminating the requirement for incarcerated individuals to continue payments based on former resources. These changes are crucial for New York to maintain federal reimbursement for the Child Support Enforcement program and eligibility for Temporary Assistance for Needy Families (TANF) funding. The legislation would take effect immediately.

Part J – Require Paid Breaks for Breast Milk Expression in the Workplace

- Requires employers to give employees up to 20 minutes of paid break time to express milk in the workplace.
- Employees would be required to use existing paid time break or mealtime for time in excess of 20 minutes.

Part K – Limit Liquidated Damages in Certain Frequency of Pay Violations

- Pertains to the frequency of payments statute that requires employees to be paid frequently with some exceptions (Labor Law §191).
- Would limit plaintiff's recovery of damages for violations of frequency of payments statute where employees were paid regularly on at least a semi-monthly basis.
- This Part is in response to an Appellate Division ruling in *Vega v. CM & Associates Construction Management, LLC* where the court ruled that employees meeting the definition of "manual workers" who received full pay but were paid on a bi-weekly instead of a weekly basis would have a private right of action and would be entitled to liquidated damages for untimely payment of wages.

Part L - Expand Recovery Tools for Stolen Wages

- Would grant the Commissioner of Labor the same authority conferred upon sheriffs pursuant to Article 25 of the Civil Practice Law and Rules to execute an order or decision (filed by the Commissioner of Labor) to collect lost wages, wage supplements, interest, and liquidated damages from an employer.
- The Commissioner would also be authorized to issue a warrant to the Sheriff of the county in which the employee resides to sell the real and personal property of an employer that is subject to the order or decision.
- Within five days the Sheriff would be required to file a lien on the property and chattels of the employer.



- The sheriff would have 60 days to liquidate the employer's property and remit the proceeds to the Commissioner.
- The Commissioner would also have the option of directing any officer or employee of the Department of Labor (DOL) to initiate the same process with the clerk of any county in the State of New York.
- According to the Executive, the DOL has the same enforcement powers relative to collection of unpaid contributions to the Unemployment Insurance Trust Fund.

Part M – Sunset the State's COVID-19 Sick Leave Law

- Sunsets Chapter 25 of the Laws of 2020 effective July 31, 2024.

Part N - Authorize Mortgage Insurance Fund Utilization

- The Executive proposes to authorize disbursements from the State of New York Mortgage Agency's Mortgage Insurance Fund to various housing programs.
- \$53.6 million for the Homeless Housing and Assistance Corporation
- \$23.2 million for the Rural Rental Assistance Program
- \$12.8 million for the Neighborhood Preservation Program
- \$5.36 million for the Rural Preservation Program.

Part O – Enhance Protections Against Deed Theft

- Creates a New Article 162 within the Penal Law, which contains the offenses of Deed Theft in the Third (class D felony), Second (class C felony) and First (class B felony) Degrees and Aggravated Deed Theft (Class B felony).
- The level of offenses would generally depend on the type and number of properties involved in the deed theft.
- "Deed theft" is committed by a person who:
 - (a) intentionally alters, falsifies, forges, or misrepresents property documents such as a residential or commercial deed or title, with the intent to deceive, defraud or unlawfully transfer or encumber the ownership rights of a residential or commercial property; or
 - (b) with intent to defraud, misrepresents themselves as the owner or authorized representative of residential or commercial real property to induce others to rely on such false information in order to obtain ownership or possession of such real property; or
 - (c) with intent to defraud, takes, obtains, steals, or transfers title or ownership of real property by fraud, forgery, larceny, or any other fraudulent or deceptive practice.
- The proposal also expands the statute of limitations from 5 year to 8 years for deed theft related felonies or where there is fraud committed in connection with a transaction involving real property.



- The proposal also prohibits individuals who did not inherit shares of a property or is not a relative of someone who inherited shares of a property from initiating a partition action.
- Creates a right of first refusal on behalf of the other co-tenants of the property when a co-tenant receives a bona fide offer to purchase shares in the property. The would be purchaser must notify the other co-tenants of the offer, and the other co-tenants shall have 90 days to match the offer.
- In the event that the other tenants were not notified and the sale is completed, the other tenants shall have the right to buy back the shares.
- Creates a process whereby a transfer of deed upon death may be created and executed.

Part P – Authorize the Repurposing of Real Property Owned by SUNY and DOT

- The Executive proposes to authorize SUNY Farmingdale and SUNY Stony Brook to lease vacant land owned by the universities to economic development corporations for the purposes of developing housing. Furthermore, the Executive proposes to authorize DOT to convey a 12.5 acre parcel in Suffolk county upon terms and conditions that DOT deems appropriate.

Part Q – Authorize NYC and the NYS Urban Development Corporation to Allow for Denser Residential Development

- The Executive proposes to allow NYC to expand its floor area ratio beyond 12.0.

Part R – Authorize Tax Incentive Benefits for Converting Commercial Property to Affordable Housing

- Creates a property tax exemption for eligible conversions where the newly created units are rent stabilized.
- Eligible conversion shall mean the conversion of a non-residential building except a hotel or other class B multiple dwelling to an eligible multiple dwelling with at least 6 units that operates as a rental property.
- Eligible multiple dwelling must contain at least 20% affordable housing units, at least 5% of units are for those whose area median income does not exceed 40%, the weighted average for all units area median income does not exceed 80% and there are no more than three income bands, which are percentages of area median income that are a multiple of 10%.
- The units remain rent stabilized until the NYC Department of Housing terminates the tax benefit or the owner renounces the tax benefit with approval from the Department. If such termination does occur, than the individual units shall remain rent-stabilized until such tenant vacates the unit.
- Any affordable housing unit that is occupied by a tenant that has been approved by the department of Housing prior to the Department of Housing denying an application of tax exemption shall remain subject to rent stabilization until the tenant vacates the unit.
- Affordable housing units must be immediately offered for rent upon receipt of a temporary certificate of occupancy, and upon each vacancy thereafter.



- The bill also subjects any building service employee, in a multiple dwelling with less than 30 units, to prevailing wage laws.
- If an owner violates the affordability provisions, the Department of Housing may impose a penalty on the owner not to exceed 1000 percent of the program benefits the property received in the first year. The penalty is imposed on the owner who owned the property at the time the violation occurred.

Part S – Authorize NYC to Create a Pathway to Legalize Pre-Existing Basement and Cellar Dwelling Units

- Authorizes NYC to create a pathway for the legalization of inhabited basement and cellar dwelling units in NYC.
- Provides tenants right to return if a unit must be vacated to complete repairs in compliance with the legalization of the unit.

Part T – Extend the Project Completion Deadline for Vested Projects in Real Property Tax Law 421-a

- Extends the completion deadline of vested projects to June 15th, 2031.

Part U – Create New Tax Abatement for Rental Housing Construction

- Creates the Affordable Neighborhoods for New Yorkers program in NYC.
- Allows property tax exemptions to rental and homeownership projects for up to a forty year period
- All projects must contain at least 6 units and are subject to affordability requirements set for by the Department of Housing.
- All projects must be developed in conjunction with a memorandum of understanding between representatives of the largest association of real estate developers in New York City (REBNY) and the largest trade labor association representing construction workers (Building and Construction Trades Council) with respect to wages paid to construction workers.



Health and Mental Hygiene (S.8307)

Part A - Medicaid Global Cap Extension

- The Executive proposes to extend the Medicaid Global cap for another two years through 2026.

Part B - Extend Various Provision of the Public Health and Social Services Law

- Extends for five years Medicaid coverage for children who are 19 or 20 years old living with their parents who meet certain criteria through October 1, 2029.
- Extends for five years the Commissioner of Mental Health's authority to certify Mental Health Special Needs Plans through March 31, 2030.
- Extends for four years the issuance of certificates of authority to accountable care organizations through December 31, 2028.
- Extends for four years the authority of the Commissioner of Health to issue certificates of public advantage through December 31, 2028.
- Extends for one year payment parity for Medicaid fee-for-service and Medicaid managed care services, whether they are provided in a traditional in-person setting or provided via telehealth modalities through April 1, 2025.
- Extends for five years affiliation requirements to allow a managed care organization to affiliate with an entity or entities that are controlled by non-profit organizations to provide care coordination services through December 31, 2029.
- Extends for three years the Opioid Stewardship Act through June 30, 2027.
- Extends for two years the Statewide Medicaid integrity and efficiency initiative for the purpose of achieving audit recoveries through March 31, 2026.
- Extends for three years authorization for the Commissioner's preparation of an energy audit and/or disaster preparedness review of residential health care facilities through July 1, 2027.
- Extends for two years the ability of the Department of Health (DOH), Office of Mental Health (OMH), Office of People with Developmental Disabilities (OPWDD), and Office of Addiction Services and Supports (OASAS) to waive any necessary regulatory requirements to allow providers involved in DSRIP projects, or authorized replication and scaling activities, to avoid duplicative requirements through April 1, 2026.

Part C - Removal of the Temporary Allowance for School Psychologists to Render Early Intervention Services

- This bill would remove the temporary exemption School Psychologists currently have that allows them to practice as Early Intervention (EI) providers but would extend their authorization to provide non-EI services for certain preschool programs.



Part D – Hospitals

- The Executive proposes to reduce the capital rate add-on by an additional 10 percent for hospital inpatient services and extends for an additional three years through, March 31, 2028, the Distressed Provider Assistance Program.

Part E – Nursing Home Program Reforms

- The Executive proposes to freeze nursing home operating rates to those as of January 1, 2024, to allow the Department of Health to develop and implement a case mix methodology using the Patient Driven Payment Model and reduces the capital portion of the nursing home rates by 10 percent.
- The Executive proposes to reduce from one year to six months the residency requirements for admission to a state-run Veterans Home.

Part F – Long-Term Care Facilities

- The Executive proposes to make the special needs assisted living residence (SNALR) Voucher Program permanent.
- The Executive proposes to require assisted living residences, including those special needs assisted living residences or enhanced assisted living residences, to report annually on quality measures, disclose the monthly service rate, staffing complement, approved admission or residency agreement and a consumer-friendly summary of all service fees;
 - Requires the Department of Health to rate facilities based on quality reporting and top scoring facilities would be granted the classification of “advanced standing” on their annual surveillance schedules;
 - Facilities achieving an “advanced standing” shall be surveyed every twelve to eighteen months while all other facilities shall be surveyed on an unannounced basis no less than annually, and this shall not apply to surveys, inspections or investigations based on complaints received by the Department;
 - The Department may post on its website the results of the assisted living quality reporting effective January 31, 2025.
- The Executive proposes to authorize adult care facilities duly licensed to provide assisted living to seek accreditation by one or more nationally recognized accrediting agencies and accredited agencies may be exempt from Department inspections for the duration they maintain accreditation in good standing; requires operators to report to the Department loss of accreditation within ten business days which will result in no longer being exempt from Department inspections.



Part G – Long-Term Care Proposals

- The Executive proposes to remove consumer directed personal assistants from the home care worker wage parity requirements as of October 1, 2024, impacting those assistants in New York City and in Nassau, Suffolk, and Westchester counties.

Part H – Managed Care Proposals

- The Executive proposes to exclude Medicaid Managed Care services from the independent dispute resolution process (IDR) for surprise medical billing which includes emergency services.
- The Executive proposes to establish a moratorium on the processing and approval of applications seeking authority to establish a managed care provider, including applications to expand the scope of eligible enrollee populations and applies to: applications submitted prior to January 1, 2024, application seeking approval to transfer ownership or control of an existing managed care provider; applications seeking authorization to expand an existing managed care provider's approved service area; application seeking authorization to form or operate a HIV Special Needs Plans or Developmental Disability Individual Support and Care Coordination Organization; or applications, at the discretion of the Commissioner, which would be appropriate to address a serious concern with care delivery, such as a lack of adequate access to managed care providers in a geographic area or a lack of adequate and appropriate care, language and cultural competence or special needs services.
- The Executive proposes to require the Department, through a competitive bid process, to select qualified managed care providers (MCOs) to participate in the managed care program, excludes comprehensive HIV special needs plans from the competitive bid process, and establishes the following criteria for the Commissioner to consider:
 - Accessibility and geographic distribution of network providers; the extent to which major public hospitals are included in provider networks; cultural and language competencies specific to the population participants; the corporate organization and status of the bidder as a charitable organization; the ability of the bidder to offer plans to multiple regions; the type and number of products proposed to operate including whether products for integrated care for dual eligible are offered; whether the bidder participates in value based payment arrangements, including the delegation of significant financial risk to clinically integrated provider networks; the bidder's commitment to participation in managed care in the state; the bidder's commitment to quality improvement; the bidder's commitment to community reinvestment spending; for current or previously authorized managed care providers, past performance in meeting contract, state and federal requirements and any other criteria deemed appropriate by the Commissioner.
- The Executive proposes to require the Department to post certain information about the request for proposals on its website.
- The Executive proposes to limit contracts to two or more managed care providers in each geographic area, provides the Commissioner with discretion to offer more contracts based on need for access and allows the Commissioner to reissue a request for proposals where necessary and limit it to the geographic or other basis of need that the request for proposals is seeking to address.



- The Executive proposes to authorize the Commissioner to select a limited number of special needs managed care plans capable of managing the behavioral and physical health needs of Medicaid enrollees with significant behavioral health needs.
- The Executive proposes to additionally subject Medicaid Long-Term Care (MLTC) plans to competitive bid process utilizing similar criteria to that imposed on Medicaid Managed Care organizations.
- The Executive proposes to continue the moratorium on new plans until the request for proposal is published on the Department's website.
- The Executive proposes to repeal the 1 percent across-the-board rate increase for Managed Care Organizations.
- The Executive proposes to authorize the Department of Health to impose liquidated damages from managed care organizations for failure to meet contractual obligations and performance standards of the contract; authorizes the Department to recover \$250 to \$25,000 per violation depending on the severity of the noncompliance.

Part I – Pharmacy Related Recommendations

- The Executive proposes to authorize the Department of Health to modify drugs from the list of over-the-counter (OTC) drugs that are reimbursable through Medicaid Fee for Service (FFS).
- The Executive proposes to repeal prescriber prevails.
- The Executive proposes to restructure the Medicaid Drug Cap to allow the State to directly negotiate supplemental rebates with manufactures; where a rebate arrangement is not reached, the manufacturer is required to provide the Department with the following:
 - The actual cost of developing, manufacturing, producing and distribution of the drug;
 - Research and development costs of the drug;
 - Administrative, marketing and advertising costs for the drug;
 - The extent of utilization of the drug;
 - Prices for the drug that are charged to purchasers outside the United States;
 - Prices charged to typical purchasers in the state, including but not limited to pharmacies, pharmacy chains, pharmacy wholesalers, or other direct purchasers;
 - The average rebates and discounts provided per payer type in the state; and
 - The average profit margin of each drug over the prior five-year period and the projected profit margin anticipated for such drug.
- Requires the Department to annually review the State's Medicaid pharmacy spending to identify high cost and high expenditure drugs, and authorizes the Commissioner to refer such drugs to the Drug Utilization Review Board (DURB).
- The Executive proposes to provide flexibility to exclude drugs from the State's Medicaid formulary and proposes to remove reporting requirements of the Department to the Legislature.



- The Executive proposes to expand the Department’s authority to negotiate directly with manufacturers for a supplemental rebate on certain class of pharmaceuticals including accelerated approval drugs.
- The Executive proposes to authorize the Department to develop and implement a cost reporting program for licensed pharmacists that participate in Medicaid which shall include a requirement to submit an annual cost report on costs incurred during procurement and dispensing of prescription drugs.
- The Executive proposes to establish a new reimbursement structure for physician administered drugs covered under Medicaid by shifting from the actual cost of the drug to the lower of the national average drug acquisition cost (NADC) or wholesale acquisition cost if no NADC is available, the federal upper payment limit, the state maximum acquisition cost, or the actual cost of the drug to the practitioner and the amount actually paid by a 340B entity.

Part J – Essential Plan Proposals

- The Executive proposes to amend the name of the Basic Health Program to the Essential Plan.
- The Executive proposes to extend for one year through 2025 the authority to provide lawfully present individuals between 0-138 percent of the FPL long term care supports and services (LTSS) in the Essential Plan and delay for one year until 2025 the implementation to provide LTSS in the Essential Plan to individuals between 0-200 percent of the FPL.
- The Executive proposes to incorporate the recently approved 1332 state innovation waiver into the Health and Social Services Law and functions of the marketplace.
- The Executive proposes to authorize the Commissioner of Health to establish a new subsidy to assist low-income New Yorkers with the payment of premiums and/or cost sharing subject to federal approval.

Part K - Physician’s Excess Medical Malpractice

- The Executive proposes to extend the Excess Medical Malpractice Program for one year through June 30, 2025.
- The Executive proposes to amend the methodology and timing of fund distribution by establishing that on or after July 1, 2023, excess coverage shall be purchased directly by a physician or dentist from an excess insurance coverage insurer, and at the end of the policy period the Superintendent and Commissioner shall pay 50 percent of the premium to the provider and the remaining 50 percent to be paid one year later. Additionally, effective July 1, 2024, excess coverage shall be purchased directly by a physician or dentist from an excess insurance coverage insurer who must only bill for 50 percent of the premium and at the conclusion of the policy the Departments shall pay half of the remaining 50 percent of the premium to the provider and the remaining 25 percent to be paid one year after.
 - The Executive proposes to cancel such coverage and make it null and void as of the first day on or after the commencement of the policy where the liability for payment has not been met if the physician or dentist has failed to pay 50 percent of the premium.



- Authorizes the Superintendent to establish a rate that providers of excess insurance coverage will charge and establish that beginning July 1, 2024, the Superintendent may direct that the premium for the policy be the same as it was for the policy period that concluded June 30, 2023.

Part L - Miscellaneous Public Health Recommendations

- The Executive proposes to repeal certain programs within the Public Health Law and Social Services Law including: the Hospital Audit Program, the enhanced quality of adult living program (EQUAL), the Enhanced Housing program, the Empire clinical research investigator program (ECRIP) and the Medical Society of the State of New York Committee for Physician Health program.

Part M - Continuous Eligibility for Children Ages 0-6

- The Executive proposes to provide eligible children until age six continuous enrollment in Medicaid and Child Health Plus until the later of (i) the last day of the twelfth months after the eligibility determination or (ii) the last day of the month in which the child reaches the age of six.

Part N - Maternal and Reproductive Health

- The Executive proposes to authorize the Commissioner of Health to issue a non-patient specific statewide standing order for the provision of doula services for pregnant, birthing and postpartum individuals through twelve months postpartum.
- The Executive proposes to authorize pregnant minors to give consent for “any and all” medical, dental health and hospital services relating to reproductive health care, including consent to terminate a pregnancy for any reason.
- The Executive proposes to include minors within the Reproductive Health Act.
- The Executive proposes to authorize health care practitioners to prescribe or distribute a contraceptive device or medication when, in the practitioner’s reasonable and good faith professional judgement based on facts of the patient’s case they determine the patient is able to medically tolerate such treatment.

Part O – Medical Debt Protections

- The Executive proposes to require hospitals to extend assistance to underinsured individuals in order to receive funding from the indigent care pool and establishes a definition for “underinsured” to mean an individual with out-of-pocket medical costs that amount to more than 10 percent of such individual’s gross annual income for the past twelve months.
- The Executive proposes to increase hospital financial assistance requiring hospitals to offer assistance to individuals with incomes up to 400 percent of the federal poverty level (FPL) in the following manner:



- For patients with incomes below at least 200 percent of the FPL the hospital shall waive all charges and states no nominal payment shall be collected;
 - For patients with incomes between at least 200 percent and up to 300 percent of the FPL a hospital shall collect no more than 10 percent of the amount that would have been paid by Medicaid for the uninsured and collect no more than 10 percent of the patient's cost-sharing for the underinsured;
 - For patients with incomes between 301 and 400 percent, the hospital shall collect no more than 20 percent of the amount that would have been paid by Medicaid for the uninsured and no more than 20 percent of the patient's cost-sharing for the underinsured.
- The Executive proposes to require hospitals to provide additional notice to patients of the availability of financial assistance during discharge and authorizes patients to apply for assistance at any time during the collection process.
- The Executive proposes to reduce monthly payment amounts under installment plans so a plan shall not exceed 5 percent of the gross monthly income of the patient and reduces the rate of interest to 2 percent.
- The Executive proposes to establish that no hospital shall establish a policy or procedure that would prohibit the following: the denial of admission or treatment for services because the patient has an unpaid medical bill; the sale of medical debt to a third party, unless the third party explicitly purchases medical debt in order to relieve the debt of the patient and commencing a legal action related to the recovery of medical debt or unpaid bills against patients with incomes below 400 percent of the FPL and requires the hospital to include an affidavit by the hospital's chief financial officer stating that based on the hospital's reasonable effort to determine the patient's income, the patient whom they are taking action against does not have an income below 400 percent of the FPL.
- The Executive proposes to require informed consent to treatment be obtained separately from the patient's consent to pay for services and consent to pay for such services shall not be given prior to the patient receiving such services and discussing treatment costs.
- The Executive proposes to prohibit any individual from completing any portion of an application for medical financial products for the patient or otherwise arrange for or establish an application that is not completely filled out by the patient.
- The Executive proposes to prohibit a health care provider from requiring credit card pre-authorization or require the patient to have a credit card on file prior to providing emergency or medically necessary services to such patient and requires providers to notify patients about the risks of paying for medical services with a credit card.

Part P - Scope of Practice Extenders

- This Part would amend the Public Health Law and the Education Law, extending authorization for pharmacists to direct limited-service laboratories and order and administer COVID-19 and influenza tests permanently.
- Additionally, this Part would extend the Nurse Practitioner Modernization Act through April 1, 2026.



- This Part would make permanent authorization for physicians and certified nurse practitioners to order non-patient specific regimen to registered professional nurses for tests to determine the presence of COVID-19 or its antibodies or influenza virus.
- Finally, this Part would amend the Education Law to make permanent the CDTM that was established in 2011. CDTM allows pharmacists to work in collaborative agreements with physicians to adjust, manage, evaluate and implement drug therapies for patients in certain settings.

Part Q - Scope of Practice Expansion

- This Part would allow qualifying physician assistants to independently practice in primary care and hospitals, granting them the authority to prescribe, order, and perform other specific actions.
- Additionally, in residential health care facilities certified nurse aides could become certified medication aides able to administer routine medications to residents under the supervision of a registered nurse.
- In outpatient settings, licensed physicians, nurse practitioners, and physician assistants would be authorized to assign and supervise medical assistants' tasks related to immunizations.
- The Part would also expand the scope of practice for dentists, allowing them to administer specified vaccines and tests for COVID19, influenza, HPV or others as related to a declared public health emergency.
- Finally, this Part would authorize dental hygienists to handle additional procedures currently within the exclusive scope of dentists.

Part R - Interstate Compact Authorization for Physicians and Nurses

- This bill would amend the Education Law to allow New York State to enter into two separate interstate licensure compacts for medical professionals: the Interstate Medical Compact for licensed physicians and the Interstate Nurse Licensure Compact for registered nurses (RNs) and licensed practical nurses (LPNs).

Part S - Safety Net Hospital Transformation Program

- The Executive proposes to establish the Healthcare Safety Net Transformation Program to fund financially distressed safety net hospitals. The program would elevate accessibility, equity, quality, and outcomes in these hospitals while enhancing their financial sustainability. Eligible safety net hospitals would seek funding through either independently or in collaboration with partner organizations such as health systems, hospitals, or community-based entities. DOH would be empowered to enter agreements for fund distribution and has the authority to waive certain regulatory requirements conducive to effective project implementation, excluding those associated with patient safety and rights. Applicants would be required to submit a comprehensive Transformation Plan delineating a strategic five-year vision, roles, responsibilities, and the requisite regulatory flexibility. This program would use \$500 million in existing capital resources from the Statewide IV and V Transformation plans through reappropriation authority.



Part T – Ending the Epidemic

- The Executive proposes to reduce the spread of epidemics such as HIV, hepatitis C (HCV), hepatitis B virus (HBV) and Syphilis through the following actions:
 - Requires clinical laboratories to report negative test results for such illnesses to the Commissioner of Health;
 - Requires notice by means readily accessible in multiple languages to individuals prior to performing an HIV related test and include information that HIV testing is voluntary; refusal of an HIV test shall be noted in the individual's record;
 - Requires where a test indicates evidence of HIV infection to provide information regarding pre- and post- exposure prophylaxis medications available to sexual partners to prevent HIV infection and where the test is negative requires providing the same information;
 - Authorizes a registered nurse to collect specimens for Hepatitis B (HBV) testing through a non-patient specific standing order;
 - Authorizes pharmacist with training to administer mpox vaccines and dispense HIV Pre-exposure Prophylaxis (PrEP) without a patient specific order and requires pharmacist to ensure on an annual basis that the patient being prescribed PrEP is HIV negative.
- The Executive proposes to repeal Public Health Law section 2307 which makes it a misdemeanor where any person, knowing himself or herself to be infected with an infectious venereal disease, has sexual intercourse with another.

Part U – Opioids and Overdose Prevention

- The Executive proposes to establish definitions for “public health surveillance” and “patient identifying information” within definitions under Public Health Law Article 33 regarding Controlled Substances.
- The Executive proposes to exempt practitioners prescribing or ordering a controlled substance for use on the premises of a correctional facility, an inpatient mental health facility or nursing home from the requirement that practitioners check the Prescription Monitoring Program (PMP) when prescribing a controlled substance.
- The Executive proposes to extend the record expungement period from five to ten years of any record of the name of any patient.
- The Executive proposes to update the State's controlled substance schedules to align to the Federal Drug Enforcement Administration (DEA) and removes references to “addict” and replaces it with “person with a substance use disorder.”
- The Executive authorizes practitioners to prescribe, order and dispense any schedule III, IV or V narcotic drug approved by the FDA specifically for use in maintenance or detoxification treatment to a person with a substance use disorder or habitual user.



- The Executive proposes to align state law with DEA regulations that permit providers to distribute a narcotic drug for the purpose of initiating maintenance or detoxification treatment while arrangements are made for a referral for a longer time period authorized by the DEA.

Part V – EMS and Hospital at Home

- The Executive proposes to expand hospital services outside the facility by expanding the existing home care collaboration models to allow general hospital to provide care in a patient's home without a license as a home care agency and requires minimum application for collaborative initiatives must identify service gaps and/or community need the collaboration seeks to address.
 - Specifically, the provisions allow a general hospital to provide off-site primary care and medical care services including but not limited to acute care and preventative wellness care that are: not home care services; services provided by a primary care professional including a physician, registered nurse or physician assistant to a patient with a pre-existing clinical relationship with the general hospital, or with the health care professional providing the service; and services provided to a patient who is unable to leave his or her residence to receive services at a general hospital without unreasonable difficult due to clinical impairment or immunosuppression.
 - Requires hospitals to submit a report to the Department its annual operating costs, specifically for such off-site acute services.
- The Executive proposes to amend the definition of “emergency medical services” to mean a coordinated system of healthcare delivery that responds to the needs of sick and injured individuals, by providing: essential emergency, non-emergency, specialty need or public event medical care, community education and prevention programs, ground and air ambulance services, emergency medical dispatch, training for emergency medical services practitioners, medical first response, mobile trauma care systems, mass casualty management and medical direction.
- The Executive proposes to amend the Education Law to authorize certified nurse practitioners and licensed physicians to prescribe and order a non-patient specific regimen to an emergency medical practitioner for administering immunizations and is limited to those authorized licensed persons.
- The Executive proposes to establish the Emergency Medical Services (EMS) Essential Services Act which would designate medical emergency response and medical emergency dispatch as essential services within NYS to ensure a uniform, effective and coordinated response to medical emergencies in the State.
 - Requires every county, acting individually or jointly with any other county, city, town and village to ensure that an EMS, ambulance eservice, advanced life support first response service, other first response services, or a combination of such services are provided to effectuate medical emergency response within the boundaries of the county.
 - Requires every county, acting individually or jointly with any other county, city, town and village to develop, implement and maintain a comprehensive county medical emergency response plan ensuring the effective operation, coordination and funding of medical emergency response and requires counties to designate one or more primary medical emergency response agencies that shall respond to all calls and demands for medical emergency response.



- Prohibits a medical emergency response agency from refusing to respond to a request for services unless they can provide that they are unable to respond because of capacity limitations.
- Authorizes the Department to issue a permanent municipal ambulance service operating certificate to any county, town or village that provides emergency medical service or general ambulance services to effectuate a medical emergency response that meets or exceeds all the administrative and operation standards established by the Department and satisfies notice requirements to the Department.
- Authorizes every county, acting individually or jointly with any other county, city, town and village that provides emergency medical services or general ambulance services to establish a special district for financing and operation of such services and establishes that such special district will be exempt for five years after the establishment of the district from provisions of section 3-C of the general municipal law regarding limits upon real property tax levies by local governments.
- Authorizes the Department to establish standards with advice from the state emergency medical services council, the state emergency medical advisory committee and the state trauma advisory board and requires all emergency medical dispatchers employed by emergency medical dispatch agencies to complete a certification training course approved by the department and maintain continuous certification while employed by the agency.
- The Executive proposes to establish an emergency medical services demonstration program to facilitate innovation in medical care provided by emergency medical service practitioners in meeting the community's health care needs, including collaboration with other health care organizations and requires providing a framework to support voluntary initiatives to improve patient access and management, health outcomes and cost-effectiveness in the use of health care services and community population health and authorizes the Commissioner to provide financing where available to support voluntary initiatives.
- The Executive proposes to authorize the Department of Health to establish minimum standards for the licensure of EMS practitioners including emergency medical technicians and advanced emergency medical technicians and authorizes the Department to establish minimum standards for specialized credentialing of EMS practitioners to include, but not limited to, emergency vehicle operator, critical care paramedic, emergency medical dispatcher, emergency medical services field training officer, emergency medical services administrator, emergency medical control physician and emergency medical services agency medical director.
- The Executive proposes to establish a paramedic urgent care program to evaluate the role of EMS personnel in the delivery of health care services in rural counties and establishes that any program established shall:
 - Be under the overall supervision and direction of a qualified physician; be staffed by qualified medical and health personnel, physician assistants or nurse practitioners; utilize advanced emergency medical technicians whose scope of practice is appropriate for the services provided; maintain a treatment-management record for each patient; and be integrated with a hospital or other appropriate healthcare organization.



Part W - Creation of an Interagency Council of Elder Justice

- The Executive proposes to establish within the Office of the Aging an elder justice coordinating council consisting of representatives of state agencies whose work involves elder justice to create greater collaboration and develop overarching strategies, systems, and programs to be carried out in accordance with the governor's elder justice priorities with the goal of protecting older adults from abuse and mistreatment. The council shall: develop and implement a cohesive, comprehensive state plan on elder justice that aligns state elder justice policy and programs across state agency responsibilities; develop plans for a coordinated and comprehensive response from state and local government and other entities when elder abuse is reported; facilitate interagency planning and policy development on elder justice; review and purpose agency initiatives for their impact on systems and services related to elder justice; coordinate activities for world elder abuse awareness day; and make recommendations to the Governor that will improve New York's elder abuse prevention and intervention efforts. Requires the council to meet regularly and shall submit a report on its activities to the Governor and Legislature no later than December 31, 2025, and annually thereafter.

Part X – Make the Opioid Stewardship Fund Permanent

- The Executive proposes to make the Opioid Stewardship Fund permanent, which is set to expire on June 30, 2024.

Part Y - Make the Community Mental Health Support and Workforce Reinvestment Program Permanent

- The Executive proposes to require the Office of Mental Health (OMH) to permanently continue reinvesting savings from potential State Psychiatric Center inpatient bed closures for community mental health services and workforce.

Part Z - Make Flexibilities for Demonstration Programs Permanent

- The Executive proposes to make permanent the authority for Office of Mental Health (OMH), Office of Addiction Services and Supports (OASAS) and Office for People with Developmental Disabilities (OPWDD) to design and implement time-limited demonstration programs.

Part AA - Require Minimum Commercial Insurance Reimbursement Rates for Behavioral Health Services

- The Executive proposes to require insurers to reimburse outpatient, intensive outpatient, outpatient rehabilitation and opioid treatment that are participating in the insurer's provider network at facilities authorized by the Office of Addiction Services and Supports at a rate that is not less than the fee for service Medicaid rate.



Part BB - Make the Comprehensive Psychiatric Emergency Programs Permanent

- The Executive proposes to make permanent the Comprehensive Psychiatric Emergency Program (CPEP), which is set to expire on July 1, 2024, and provides psychiatric emergency services including hospital-based crisis intervention services, extended observation beds, crisis outreach services and crisis residential services.

Part CC – Justice Center Notification to OMIG

- The Executive proposes to clarify that the requirement of the Justice Center to forward to the Office of the Medicaid Inspector General (OMIG) substantiated reports of abuse or neglect are final reports which are not subject to further amendment or appeal, when such reports may result in exclusion or other sanction imposed by OMIG and requires the Justice Center to consult with OMIG on which reports are final.

Part DD - Representative payee authority for mental hygiene facility directors

- The Executive proposes to make permanent the authority of State mental hygiene facility directors, who act as federally appointed representative payees to use funds for the cost of an individual's care and treatment consistent with federal law.

Part EE – Support Access to More Independent Living Settings

- The Executive proposes to authorize Direct Support Professionals (DSPs) in non-facility-based programs, certified by the Office for People with Developmental Disabilities, to perform certain nursing tasks so long as the staff does not hold themselves out as one who accept employment solely for performing such care, and where nursing services are under the instruction of a service recipient or family or household member determined by a registered professional nurse to be capable of providing such instruction.
 - Where the registered professional nurse determines such service recipient, family or household member is not capable of providing such instruction, nursing tasks may be performed by direct support staff.

Part FF - Human Services Cost-of-Living Adjustment

- The Executive proposes to implement a 1.5 percent cost of living adjustment (COLA) to certain human services programs from April 1, 2024 to March 31, 2025 and includes programs and services licensed and certified by the Office of Mental Health, the Office of People with Developmental Disabilities, the Office of Addiction Services and Supports, the Office of Temporary and Disability Assistance, the Office of Children and Family Services and the State Office of the Aging.



Transportation, Economic Development, and Environmental Conservation (S.8308)

Part A - Extend the Metropolitan Transportation Authority Tax Increment Financing Authority

- Extends the authority for municipalities within the metropolitan commuter transportation district to share property tax revenue on real estate value that results from MTA capital projects for ten years.
- The current authority is scheduled to sunset April 1, 2024.

Part B - MTA Fare Enforcement

- Increases maximum penalty for fare beating from \$100 to \$200 per violation.
- Allows the New York City Transit Authority to issue a written warning for the first violation by an individual.
- Gives the Transit Adjudication Bureau jurisdiction over MTA fare violations.
- Gives the Bureau discretion to deliver written warnings and farecards.
- Increases total limit on civil penalties issued by the Bureau from \$100 to \$250
- Also imposes a penalty of up to \$50 for failing to appear for Transit Adjudication Bureau proceedings. Failure to appear shall be deemed an admission of liability and a default judgment may be rendered.
- Funds collected from penalties will be used by the MTA to fund prevention and enforcement of fare evasion.

Part C - Toll Enforcement

- Amends the Theft of Services offense to include intentionally using a toll highway, parkway, road, bridge, or tunnel, or entering or remaining in the tolled central business district, without payment of the toll. Theft of Services is a class A misdemeanor.
- Prohibits operating a motor vehicle on a toll highway, parkway, road, bridge, or tunnel, or entering or remaining the tolled central business district with license plate coverings that conceal or obscure the license plate number. A violation would result in a fine of no less than \$100 and no more than \$500.
- Police officers would be authorized to seize and confiscate unlawful license plate coverings and offenders who have their plate coverings seized would face a fine of no less than \$250.
- The proposal would also make it unlawful to register, re-register, renew, replace or transfer a registration, or change the name, address or other information of the registered owner, or change the



registration classification of a vehicle where there are existing or pending vehicle registration suspensions for failing to pay a toll.

- The Department of Motor Vehicles would also be able to suspend a vehicle registration for failing to comply with a requirement to remove an unlawful plate covering.
- Public authorities with bridges, tolls or highways under their jurisdiction would be authorized to enter civil judgments for unpaid toll violations.

Part D - Toll Fraud Deterrence

- Makes defrauding the central business tolling program (congestion pricing) a crime
- Knowingly making a false statement, or falsifying, or permitting to be falsified any record for the purpose of fraudulently obtaining a credit, discount, or exemption from the central business district tolling program, or from the Triborough Bridge and Tunnel Authority, will be classified as a class A misdemeanor.
- A person who commits this violation and receives credits, discounts or exemptions in excess of \$1000 is guilty of a class E felony
- If they receive credit discounts, or credits in excess of \$3000, they are guilty of a class D felony.

Part E - Warren County Contribution to Capital District Transportation Authority

- Authorizes the Capital District Transportation Authority (CDTA) to receive State transit aid that previously went to Greater Glens Falls Transit.
- The CDTA assumed the operations of Greater Glens Falls Transit on January 1, 2024.

Part F - Extend the Internet Point Insurance Reduction Program

- The Executive proposes to extend the accident prevention course internet technology pilot program from April 1st, 2024 to April 1st, 2026.

Part G - Extend the Authorization for Certain Department of Motor Vehicle Fees

- Extends the authorization for the Department of Motor Vehicles to collect fees related to vehicle inspection, record searches, dealer and transporter applications, and title certificates for two additional years.
- This authority is currently scheduled to sunset April 1, 2024.

Part H - Online Insurance Verification System

- Gives the DMV commissioner the power to establish an online insurance verification system for the purposes of verifying evidence of mandatory liability insurance coverage.



- Creates a repository of driver's insurance information so that police are able to access it.
- A pilot program will last for at least one year.
- Mandates insurance providers to provide access to car insurance policy information.
- Directs the creation of a sticker program that police may interface with to pull up insurance information.
- Directs insurers to file a termination of service notification with the Commissioner.
- Repeals funding assessment on insurance companies, as well as other funding provisions. Program will be funded out of DMV Transformation.

Part I - Allow New York City to Lower Its Speed Limit

- The Executive proposes to authorize the City of New York to reduce the speed limit from 25 miles per hour (mph) to 20 mph, and from 15 mph to 10 mph near schools.

Part J - Autonomous Vehicle Technology Extender

- Extends the authority of the Department of Motor Vehicles to authorize tests and demonstrations of autonomous vehicle technology for two additional years.
- The current authority is scheduled to sunset April 1, 2024.

Part K - Stretch Limousine Passenger Safety Act

- Requires stretch limousines to be equipped with anti-roll bars and anti-intrusion devices
- Requires stretch limousines to be equipped with a window breaker tool, fire-extinguisher, and driver and passenger partitions that are capable of being used for emergency egress in order to for operation permit to be issued.
- Prohibits operation of a stretch limousine that is 10 years old or has greater than 350,000 miles on a public roadway.
- Operating a stretch limousine whose registration has been suspended shall be a class A misdemeanor punishable by a fine of not less than \$10,000.
- Provides a process by which stretch limousines with defective odometers may record their mileage with DOT. Mileage would be based on averaging the monthly mileage from the previous two years inspections.
- Requires pre-trip safety briefings be provided to passengers.



Part L - New York Waterfront Commission Statute

- The Executive proposes to establish the New York Waterfront Commission
 - In 1953, Congress approved a compact between the states of New York and New Jersey for the purpose of regulating the occupations of longshoremen, stevedores, pier superintendents, hiring agents, and port watchmen within the Port of New York district due to organized crime and corruption. The port includes docks in Brooklyn and Staten Island.
 - That Waterfront Commission Compact established a bistate agency known as the Waterfront Commission of New York Harbor where New York and New Jersey shared responsibility & appointment of a commissioner from each state.
 - In 2023, New Jersey was successful in their years-long attempt to leave the compact, despite New York's opposition to New Jersey's withdrawal, in a decision granted unanimously by the Supreme Court of the United States, and the bistate agency was dissolved.
 - This act repeals sections of New York law relating to the 1953 compact commission and establishes a new commission called the New York Waterfront Commission within the Executive Department.
 - The newly created New York Waterfront Commission shall be led by a commissioner, for a term of three years, appointed by the governor of New York with the advice and consent of the State Senate.
 - Generally keeps in line with the original compact (without reference to New Jersey). Authorizes audits, licensing, registration, and investigations, with the ability to hold disciplinary hearings before administrative law judges; penalty power includes fines, suspension and revocation of licenses, and the barring of people from employment.
 - Directs the Commission to submit an annual budget request to the New York Division of Budget. The Commission will be funded by an assessment of up to two percent on the gross payroll of longshoremen, pier superintendents, hiring agents, and port watchmen for work undertaken at the port in New York.

Part M - NYSEERDA Build-Ready Program Extender

- The Executive proposes to extend the build-ready program to April 19th, 2030

Part N - Annual NYSEERDA Special Assessment

- The Executive proposes to assess gas and utility companies a tax, not to exceed total revenue of \$28.7 million, to fund NYSEERDA.



Part O - Renewable Action through Project Interconnection and Deployment Act

- The Executive proposes to fold in the Office of Renewable Energy Siting (ORES) under the Department of Public Service and create a new regulatory process to streamline permit applications for major renewable energy facilities and major electric transmission facilities.
- ORES, in consultation with the Department of Environmental Conservation and the Department of Agriculture shall develop a uniform set of standards and regulations for the siting, design, construction and operation of major renewable energy facilities and electric transmission facilities.
- Said standards shall take into account the CLCPA targets, environmental benefits, environmental impact, and public need. ORES may set site-specific conditions to mitigate adverse environmental impact and may require payment for any off-site mitigation efforts.
- No later than 60 days following the date which a permit application has been deemed complete, ORES shall publish for public comment draft permit conditions prepared by the ORES. Local municipalities and political subdivisions must be notified in writing. Those municipalities and political subdivisions must submit a statement within 60 days to ORES indicating whether the proposed project is in compliance with local laws and regulations. If the proposed project is not deemed by the localities to be in compliance with local laws and regulations, ORES shall hold a hearing in relation to the matter.
- ORES may choose to ignore any local law or regulation if it determines that the local law or regulation is unreasonably burdensome in view of the CLCPA targets, the environmental benefits, or public need of a transmission facility.
- Permits will require payment of application fees, a portion of which may be given to municipalities and community intervenors for participation in the public comment period.
- Any party aggrieved by the issuance or denial of a siting permit may seek judicial review.
- The act also creates a farmland protection working group, whose purpose is to develop recommendations that include approaches to minimize the impact on viable agricultural land. The group is comprised of:
 - The Commissioner of the Department of Agriculture and Markets
 - The Commissioner of the Department of Environmental Conservation
 - The Executive Director of ORES
 - The CEO of the Department of Public Service
 - The President of NYSERDA
 - Local government officials or representatives from municipal organizations representing towns, villages, and counties
 - Representatives from at least two county agricultural and farmland protection boards
- Makes changes to eminent domain procedure law to incorporate major electric transmission facilities.
- Subjects major renewable energy facilities and major electric transmission facilities to article eight of the public service law.



Part P - Affordable Gas Transition Act

- Gives the Public Service Commission all powers necessary and proper to “enable achievement of the climate justice and emission reduction mandates in article seventy-five of the environmental conservation law.”
- Gives the PSC the power to encourage all persons and corporations subject to its jurisdiction to formulate and carry out long range programs for achieving CLCPA provisions.
- Stipulates that new residential gas service shall only be provided in accordance CLCPA goals and that the applicant for the new gas service shall bear the costs of the installation of gas lines.
- Gives the PSC the power to prohibit the use of natural gas in wasteful devices and to order the curtailment or discontinuance of the works, pipes, and other gas plant of a gas plant to meet CLCPA goals.
- Repeals section 66-b of the public service law which guarantees no gas customer shall be denied a continuation of gas service follow the demolition and reconstruction of any structure owned by the customer.
- Prohibits construction of new gas plants in areas where gas service was not previously available after December 31st, 2025, unless authorized by the PSC.

Part Q - Assessments on Cable Companies and Public Utilities

- Adds expenses related to ratemaking proceedings incurred by the Department of Agriculture, the Department of State, the Office of Parks, and the Department of Environmental Conservation to the 18-a assessment.
- Classifies expenses of the Department of Health’s public service education program as expenses of the PSC and makes them eligible for cable television assessment revenues.

Part R - Weighmaster License Fee

- The Executive proposes to amend the Agriculture and Markets Law to remove the setting of the weighmaster fee (\$15) and instead allow the Department of Agriculture and Markets to see the fee by regulation.

Part S - Climate Smart Communities Grant Program

- The Executive proposes to increase the maximum award certain communities may receive from Climate Smart Community (CSC) grants from 50% to 80%, or \$2 million, to municipalities that meet the criteria for financial hardship or disadvantaged communities. This grant is for cities, towns, villages, and counties that participate in climate change mitigation, adaptation, and planning and assessment projects.



Part T - Clean Air Compliance and Pollution Reduction

- The Executive proposes to amend the visiting fee structure for the Department of Environmental Conservation air pollution control permits and registrations. The bill would restructure the State Air Quality Control fees for non-title V facilities where the current fee structure is based on the number of emission points. According to the Executive, the quantity of emission points does not equate to more emissions, therefore, the bill would establish a flat annual fee per facility.
- This bill would also restructure the Operating Permit Program (OPP) fees for Title V facilities since in recent years, NYS's OPP has not raised sufficient funds to cover the program. In addition, this bill would authorize DEC to impose fees through regulations for major sources of emissions in the NY Metro Area and ensure compliance with new requirements pursuant to the National Ambient Air Quality Standard (NAAQS).

Part U - Dormitory Authority of the State of New York Omnibus State & Municipal Authorization for Certain Projects

- The Executive proposes to expand DASNY financing to state agencies and municipal governments for construction and development of projects related to transformative housing, economic development, transportation, and community projects.

Part V - Extend the Dormitory Authority of the State of New York's Subsidiary Authorizations

- The Executive proposes to extend the powers and duties of DASNY to create subsidiaries from July 1, 2024 to July 1, 2027.

Part W - Increase Battery Park City Authority Bond Capacity

- The Executive proposes to increase the bonding capacity for the Battery Park City Authority from the current limit of \$1.5 billion to a limit of \$2.5 billion.

Part X - Increase the Cap on Grants to Entrepreneurial Assistance Centers

- The Executive proposes to increase the cap on grants for Entrepreneurial Assistance Centers from the current \$175,000 to \$250,000.

Part Y - Minority and Women Owned Business 15-A Extension

- The Executive proposes to amend section 121 of Chapter 261 of the laws of 1988 to reauthorize the Minority and Women Owned Business Program (MWBE). The program is set to lapse on December 31, 2024. This proposal extends the program for five years until December 31, 2029.



Part Z- Extend the authorization of the New York State Urban Development Corporation to administer the Empire State Economic Development Fund

- Extends the authorization of UDC to administer the Empire State Economic Development Fund for three additional years.
- Current authority expires July 1, 2024.

Part AA- Extend the general loan powers of the New York State Urban Development Corporation

- Extends the general loan powers of Urban Development Corporation until for three additional years.
- Current authority expires July 1, 2024.

Part BB- Extension of the Assistance Demonstration Project for Displaced Workers

- Extends the authority for the Superintendent of the Department of Financial Services to subsidize health insurance continuation benefits for people in the entertainment industry due to intermittent employment for an additional year.
- This authority is currently scheduled to sunset July 1, 2024.

Part CC - Regulate “Buy Now, Pay Later” (BNPL) loans

- The Executive proposes to authorize the Department of Financial Service to grant licensing and regulatory authority over BNPL loans and their providers.

Part DD - Supplemental Spousal Liability

- The Executive proposes to require auto insurance policies provide supplemental spousal liability coverage only to insurers who are married unless the insured chooses to opt-out of such coverage in writing.
- The Executive proposes to require insurers to provide notice of the availability of supplemental spousal liability insurance upon policy issuance and at least once a year for all motor vehicle liability policies that do not already provide supplemental spousal liability insurance.

Part EE - Insulin Cost Sharing

- The Executive proposes to eliminate out-of-pocket costs for insulin, which includes deductibles, copayments, coinsurance and any other cost sharing requirement.



Part FF – Combatting Discrimination in Housing

- Prohibits insurers from inquiring on an application, canceling, refusing to issue, refusing to renew, or increasing the premium of a policy based on:
 - The level of income of an individual or group of individuals residing or intending to reside upon the property to be insured, if the individual or group of individuals is not the owner of the property.
 - The property containing any residential dwelling units that are affordable housing units.
 - The property owner receiving government housing subsidies.

Part GG - Safe Lithium-Ion Batteries

- Prohibits anyone from distributing, assembling, reconditioning, selling, or offering to sell any lithium-ion battery or second-hand lithium-ion battery for an electric bicycle or electric scooter, unless the battery has been certified by an accredited testing laboratory.
- An accredited testing laboratory is an OSHA recognized testing laboratory that has been certified by an accrediting body to ISO 17025 or ISO 17065
- A person who violates this prohibition shall be liable for a fine of \$200 for the first offense and no more than \$1000 for each subsequent offense.

Part HH - Mental Health Parity

- The Executive proposes to increase penalties on health insurance companies for violations of mental health and substance use disorder requirements to \$2,000 for each offense.

Part II - Financial Exploitation Prevention

- The Executive proposes procedures that would authorize financial institutions to impose holds on suspicious transactions that appear to be aimed at taking advantage of an eligible adult.

Part JJ - Enhancing Consumer Protection

- The Executive proposes to amend section 349 of the General Business Law. Currently, the law prohibits deceptive acts and practices in the conduct of any business, trade, commerce or furnishing of any service in New York State. The amendments expand the scope of the current law to include "unfair, deceptive, and abusive acts and practices."
- Under section 349 (1), an act or practice is considered unfair when it meets the following criteria:
 - It causes or is likely to cause substantial injury.
 - The injury is not reasonably avoidable.
 - The injury is not outweighed by counterbalancing benefits to consumers or competition.



- An act or practice is considered abusive when it meets one of the following conditions section 349 (2):
 - Materially interferes with a person's ability to understand a term or condition of a product or service.
 - Takes unreasonable advantage of:
 - A person's lack of understanding of the material risks, costs, or conditions of the product or service.
 - A person's inability to protect their interests in selecting or using a product or service.
- Broad scope of Actions: legal actions can be brought by the Attorney General and private plaintiffs regardless of whether the underlying violation is directed at individuals, businesses, or involves the offering of goods, services, or property for personal, family, or household purposes. This would expand liability to cover disputes that have no consumer impact.
- Increase statutory damages from \$50 to \$1000 per violation. Mandates that courts award attorney's fee and costs to a prevailing plaintiff. At least thirty days prior to the commencement of an action for monetary damages exceeding \$500, consumers are required to fulfill certain notice and demand requirements.
- Under Section 349 (4), no action for monetary damages greater than \$500 may be maintained if the person alleged to have committed violation has provided an appropriate correction, repair, replacement, or other remedy within thirty days of receiving notice from the consumer.
- Class actions against an alleged violator can not be brought if certain conditions are met. The alleged violator must demonstrate efforts to identify similarly situated consumers, provide them with corrective measures, and cease engaging in unfair practices within a reasonable time frame, making it a complete defense against monetary damages under Article Nine of the CPLR.

Part KK- Extend Video Conference Participation in Public Meetings

- Extends the authorization for public bodies to conduct virtual public meetings for two additional years.
- The authorization is currently scheduled to sunset July 1, 2024.

Part LL - Modernization of the Life Insurance Guaranty Credit

- The Executive proposes to amend the Guaranty Fund so that assessments paid by not-for-profit insurers are comparable to those for for-profit insurers after the applicable tax credit.
- The Executive proposes to amend tax credits issued to for-profit insurers for assessments under the Guaranty Fund are calculated and authorize the Superintendent to determine tax credit eligibility and issue a certificate of tax credit that would amount to:
 - 80 percent of the insurer's net Class A assessments; and
 - 80 percent of the total net Class B and C assessment paid up to an aggregate amount of tax credits for all insurers not to exceed \$150 million.



- The Tax credit for Class B and C would be allocated annually by the Superintendent on a pro rata basis, with any amount exceeding \$150 million to be allocated to the following calendar year and the insurer would be eligible to claim 33.33 percent of the tax credit in the tax year the certificate was issued and in the following two taxable years.



Revenue (S.8309)

Part A - Permanently Extend the Itemized Deduction Limit on High Income Filers

- Permanently extends the current limitation on the itemized charitable deduction under the NYS and NYC personal income tax for individuals with adjusted gross income of more than \$10 million.
- Presently, the NY itemized charitable deduction is limited to 50 percent of the federal deduction for individuals with adjusted gross income between \$1 million and \$10 million, and to 25 percent of the federal deduction for individuals with adjusted gross income over \$10 million. The 25 percent limitation, which has been in place since 2009, is set to sunset at the end of the 2024 tax year. Should these limitations be allowed to expire, all individuals with adjusted gross income over \$1 million would be subject to the 50 percent limitation, upon a reversion to pre-2009 law.
- According to the Executive, this provision would increase State revenue by \$175 million in FY 2026, \$350 million in FY 2027 and FY 2028, \$300 million in FY 2029, and \$250 million thereafter.

Part B- Permanently Extend the Tax Shelter Provisions

- Permanently extends New York's tax shelter penalty and reporting requirements. These provisions are modeled after the federal tax shelter provisions in the Internal Revenue Code, and were first added to the New York State Tax Law as temporary provisions in 2005, and have been renewed several times thereafter on a temporary basis.
- These provisions are scheduled to expire on July 1, 2024.

Part C- Make Technical Corrections to the Metropolitan Commuter Transportation Mobility Tax

- Amends the Metropolitan Commuter Transportation Mobility Tax to clarify that the old rate of 0.34 percent still applies to self employed individuals in the counties outside of New York City by adding a designation of subparagraph (A) and listing out the counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester.

Part D- Close the Amended Return Loophole for Personal Income and Corporation Franchise Taxes

- Amends the Tax Law relating to the filing of petitions with the Division of Tax Appeals to take an action on an amended return filed after a taxpayer has filed a petition challenging a deficiency or refund denial from an original filing or prior return.
 - According to the Executive, this has created a problem where the Department of Tax and Finance cannot take an action on an amended return when the taxpayer has filed a petition relating to the original filing.



- According to the Executive, this will increase All Funds revenue annually by \$20 million starting in FY 2025.

Part E- Establish the Commercial Security Tax Credit

- Establishes a new Commercial Security Tax Credit for a qualified businesses's retail theft prevention expenses.
- A qualified business is one with 100 or fewer employees that operates physical retail space in New York State.
- The credit would be equal to \$3,000 for each retail location that spent more than \$12,000 in qualified retail theft prevention expenses.
 - Qualified retail theft prevention expenses means the cost of the use of security officers, security cameras, perimeter security lighting, interior or exterior locking or hardening measures, alarm systems, access control systems, or other appropriate anti-theft devices as determined by the Division of Criminal Justice Services.
- Businesses that qualify must apply for the credit before October 31st to be eligible for the credit for that tax year.
- The total credit pool will be capped at \$5 million annually, and will be available for tax year 2024 and tax year 2025.

Part F- Permanently Extend the Mandatory Electronic Filing and Payment Requirements

- Permanently extends the tax modernization provisions enacted in the FY 2012 budget. These provisions include the electronic filing (e-file) mandate on tax preparers who prepared more than 5 returns in the prior year, and the requirement that personal income taxpayers who use tax software to prepare their return must e-file their return.
- These provisions are due to sunset December 31, 2024.

Part G- Permanently Extend Authorization to Manage Delinquent Sales Tax Vendors

- Permanently extends the authorization for the Commissioner of the Department of Tax and Finance to require that non-compliant vendors deposit the sales tax they collect into a segregated account, in trust for the State.
- This authority was first authorized in 2011, and is scheduled to sunset December 31, 2024.
- According to the Executive, this program has improved vendor compliance and reduced the need for collection actions.



Part H- Provide for the Filing of Amended Sales Tax Returns

- Advances language to clarify the procedure for amending sales tax returns in a manner that reflects the process for amended returns in other Articles of Tax Law.
- According to the Executive, current law has no procedure in place for filing amended sales tax returns, but the Department of Taxation and Finance has accepted amended returns. However, certain entities have amended returns after having been found to have inaccuracies, so using the existing procedure will allow the Department to address any issues.
- Clarifies that the Department will have three years to audit amended returns, which is consistent with original returns.
- Tax and Finance would notify vendors of the changes made by this proposal by September 1, 2024.
- The Executive estimates this proposal, when fully enacted, will increase State revenue by \$10 million annually.
- This proposal would apply to returns filed on or after December 1, 2024.

Part I- Extend Certain Sales Tax Exemption Related to the Dodd-Frank Protection Act for Three Years

- Extends for three years, until 2030, the exemption from sales and use tax for certain sales or services transacted between financial institutions and their subsidiaries. Under the Dodd-Frank Wall Street Reform and Consumer Protection Act, certain financial institutions were required to create subsidiaries and then transfer property or services to those subsidiaries.

Part J- Extend the Sales Tax Vending Machine Exemption for One Year

- Extends the existing sales tax exemption for food and drink sold from vending machines for an additional year.
- This exemption is currently scheduled to sunset May 31, 2024.

Part K- Modernize Tax Law to Include the Vacation Rental Industry

- Amends Tax Law to require vacation rental marketplace providers to collect sales tax on vacation rentals that they facilitate.
- Requires vacation rentals to impose sales tax on individuals who rent the location for more than three days.
- The Part would essentially reverse the “bungalow” rule,” which excluded from sales tax rentals of furnished living units (e.g., bungalows, cabins, etc.) without typical hotel amenities.
- In addition, the Part would also include vacation rentals in the imposition of the \$1.50 per day NYC hotel unit fee.



- In essence, this Part is attempting to treat entities that facilitate vacation rentals (such as Airbnb, VRBO, etc.) as persons required to collect tax on such sales, thereby requiring them to collect tax, file returns, and remit the tax collected.
- Defines a “vacation rental marketplace provider” as a person who collects the rent and provides the forum, physical or virtual, where the transaction occurs.
- Relieves persons renting properties through vacation rental marketplace providers of any tax collection responsibilities, as long as that person receives, in good faith, a certification from the vacation rental marketplace provider, on a form authorized by the Department, that the vacation rental marketplace provider is collecting the tax on such transactions.
- A seller of vacation rentals that makes all of its sales through vacation rental marketplace providers who certify that the providers will collect the tax would have no New York sales tax registration, collection, filing or remittance responsibilities.
- Requires vacation rental marketplace providers (Airbnb, VRBO) to collect sales tax on the vacation rentals that they facilitate, thereby easing the sales tax collection burdens for many individuals who rent their residences as vacation rentals, improve taxpayer compliance, and level the playing field for New York’s hotel operators that compete with vacation rental marketplaces that do not collect tax on vacation rentals in the state.
- Any persons who rent their own property for three days or fewer in a calendar year and who do not use a vacation rental marketplace provider to facilitate that rental would be excluded from the definition of “persons required to collect tax” and “person required to collect any tax imposed by this article.”
- The financial plan estimates that enactment of this part will increase All Funds revenue by \$8 million in FY 2024 and \$16 million annually thereafter.
- Effective on or after September 1, 2024.

Part L- Repeal and Replace the Cannabis Potency Tax

- Repeals the Cannabis Potency Tax and replaces it with a flat tax of nine percent on the sale of adult use cannabis that is charged for the sale or transfer of adult use cannabis from a distributor to a retailer.
- Provides that for retail sales by vertically integrated microbusinesses and registered organizations, the nine percent tax would only apply to seventy-five percent of the amount they charge for the sale to a retail customer.
- According to the Executive, this will simplify tax computation and is intended to be revenue neutral.

Part M- Clarify the Telecommunications Assessment Ceiling Program

- Amends the Real Property Tax Law to clarify that only property used “primarily or exclusively” in the transmission of radio, television, or cable television signals are excluded from the definition of real property.



- The current law was enacted in 1987 and was intended to promote the development of the cable television industry. According to the Executive, this has created a loophole where some individuals have attempted to avoid paying property taxes by claiming their property is used to transmit news and entertainment via the internet. This proposal would close that loophole.

Part N- Return Tax Foreclosure Surplus to Property Owner

- Brings the State's property tax enforcement laws into compliance with the 2023 United States Supreme Court case *Tyler v. Hennepin County, Minnesota*.
- The plaintiff in *Tyler v. Hennepin County, Minnesota* was an individual who had her home seized due to her failing to pay property taxes. The home was then sold at auction for an amount significantly above the tax debt owed, with the county keeping the difference between the sale and the taxes owed. In a 9-0 decision, the Supreme Court ruled that this violated the Fifth Amendment's takings clause, and any additional amount of money above the tax debt owed should be returned to the former owner.
- Under the pre-*Tyler v. Hennepin County, Minnesota* current law, local governments have the authority to sell real property they have acquired due to delinquent taxes; they generally may retain all proceeds that the sale generates. If there is a surplus from the sale of the property, the local government may be entitled to keep it all.
- Amends the Real Property Tax Law so that any surplus resulting from a tax foreclosure sale would be distributed to local governments for the taxes they are owed, any third parties who have liens on the property and any remaining proceeds from the sale would be returned to the former property owner.

Part O - Extend Authorized Use of Capital Funds by a Certain Off-track Betting Corporation for One Year

- The Executive proposes to extend one year the Capital Region OTB's ability to use capital funds for operating expenses and does not extend Catskill OTB's ability as there had been in past years.

Part P - Extend Pari-Mutuel Tax Rates and Simulcast Provisions for One Year

- The Executive proposes to extend one year the simulcast provisions and tax rates at racing associations and off-track betting corporations.



Concurrent Resolution

Remove the Cap on Supreme Court Justices

- Amends the constitution to remove the current cap limiting the number of Supreme Court justices the legislature can establish in each judicial district. Currently, under the constitution, the cap is set at one justice per 50,000 people or fraction over 30,000 people.