

Chapter 55 of the Laws of 2022
PART X

23 Section 1. Paragraph b of subdivision 10 of section 54 of the state
24 finance law is amended by adding a new subparagraph (vii) to read as
25 follows:

26 (vii) Notwithstanding subparagraph (i) of this paragraph, within
27 amounts appropriated in the state fiscal year commencing April first,
28 two thousand twenty-two, and annually thereafter, there shall be
29 apportioned and paid to each municipality as of April first, two thou-
30 sand twenty-two a base level grant in an amount equal to the aid
31 received by such municipality in the state fiscal year commencing April
32 first, two thousand twenty-one; provided, however, and notwithstanding
33 any law to the contrary, for each municipality that did not receive a
34 base level grant in the state fiscal year commencing April first, two
35 thousand twenty-one, there shall be apportioned and paid to each munici-
36 pality a base level grant in an amount equal to the aid received by such
37 municipality in the fiscal year commencing April first, two thousand
38 eighteen.

39 § 2. Paragraph 3 of subdivision c of section 1261 of the tax law, as
40 amended by section 1 of part NN of chapter 55 of the laws of 2020, is
41 amended to read as follows:

42 (3) However, the taxes, penalties and interest which (i) the county of
43 Nassau, (ii) the county of Erie, to the extent the county of Erie is
44 contractually or statutorily obligated to allocate and apply or pay net
45 collections to the city of Buffalo and to the extent that such county
46 has set aside net collections for educational purposes attributable to
47 the Buffalo school district, or the city of Buffalo or (iii) the county
48 of Erie is authorized to impose pursuant to section twelve hundred ten
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1 of this article, other than such taxes in the amounts described, respec-
2 tively, in subdivisions one and two of section one thousand two hundred
3 sixty-two-e of this part, during the period that such section authorizes
4 Nassau county to establish special or local assistance programs there-
5 under, together with any penalties and interest related thereto, and
6 after the comptroller has reserved such refund fund and such costs,
7 shall, commencing on the next payment date after the effective date of
8 this sentence and of each month thereafter, until such date as (i) the
9 Nassau county interim finance authority shall have no obligations
10 outstanding, or (ii) the Buffalo fiscal stability authority shall cease
11 to exist, or (iii) the Erie county fiscal stability authority shall
12 cease to exist, be paid by the comptroller, respectively, to (i) the
13 Nassau county interim finance authority to be applied by the Nassau
14 county interim finance authority, or (ii) to the Buffalo fiscal stabili-
15 ty authority to be applied by the Buffalo fiscal stability authority, or
16 (iii) to the Erie county fiscal stability authority to be applied by the
17 Erie county fiscal stability authority, as the case may be, in the
18 following order of priority: first pursuant to the Nassau county interim
19 finance authority's contracts with bondholders or the Buffalo fiscal
20 stability authority's contracts with bondholders or the Erie county
21 fiscal stability authority's contracts with bondholders, respectively,
22 then to pay the Nassau county interim finance authority's operating
23 expenses not otherwise provided for or the Buffalo fiscal stability
24 authority's operating expenses not otherwise provided for or the Erie
25 county fiscal stability authority's operating expenses not otherwise
26 provided for, respectively, ~~then (i) for the Nassau county interim~~
27 ~~finance authority to pay to the state as soon as practicable in the~~
28 ~~months of May and December each year, the amount necessary to fulfill~~
29 ~~the town and village distribution requirement on behalf of Nassau county~~
30 ~~pursuant to paragraph five-a of this subdivision, or (ii) for the~~
31 ~~Buffalo fiscal stability authority to pay to the state as soon as prac-~~
32 ~~ticable in the months of May and December each year, the percentage of~~
33 ~~the amount necessary to fulfill the town and village distribution~~
34 ~~requirement on behalf of Erie county pursuant to paragraph five-a of~~
35 ~~this subdivision that equates to the percentage of the county net~~

36 ~~collections that the city of Buffalo and the Buffalo city school~~
37 ~~district, together, are due in the months of May and December each year,~~
38 ~~or (iii) for the Erie county fiscal stability authority to pay to the~~
39 ~~state as soon as practicable in the months of May and December each~~
40 ~~year, the amount necessary to fulfill the town and village distribution~~
41 ~~requirement on behalf of Erie county pursuant to paragraph five-a of~~
42 ~~this subdivision, less the amount being paid to the state by the Buffalo~~
43 ~~fiscal stability authority in each respective month,] and then (i)~~
44 pursuant to the Nassau county interim finance authority's agreements
45 with the county of Nassau, which agreements shall require the Nassau
46 county interim finance authority to transfer such taxes, penalties and
47 interest remaining after providing for contractual or other obligations
48 of the Nassau county interim finance authority, and subject to any
49 agreement between such authority and the county of Nassau, to the county
50 of Nassau as frequently as practicable; or (ii) pursuant to the Buffalo
51 fiscal stability authority's agreements with the city of Buffalo, which
52 agreements shall require the Buffalo fiscal stability authority to
53 transfer such taxes, penalties and interest remaining after providing
54 for contractual or other obligations of the Buffalo fiscal stability
55 authority, and subject to any agreement between such authority and the
56 city of Buffalo, to the city of Buffalo or the city of Buffalo school
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1 district, as the case may be, as frequently as practicable; or (iii)
2 pursuant to the Erie county fiscal stability authority's agreements with
3 the county of Erie, which agreements shall require the Erie county
4 fiscal stability authority to transfer such taxes, penalties and inter-
5 est remaining after providing for contractual or other obligations of
6 the Erie county fiscal stability authority, and subject to any agreement
7 between such authority and the county of Erie, to the county of Erie as
8 frequently as practicable. During the period that the comptroller is
9 required to make payments to the Nassau county interim finance authority
10 described in the previous sentence, the county of Nassau shall have no
11 right, title or interest in or to such taxes, penalties and interest
12 required to be paid to the Nassau county interim finance authority,
13 except as provided in such authority's agreements with the county of
14 Nassau. During the period that the comptroller is required to make
15 payments to the Buffalo fiscal stability authority described in the
16 second previous sentence, the city of Buffalo and such school district
17 shall have no right, title or interest in or to such taxes, penalties
18 and interest required to be paid to the Buffalo fiscal stability author-
19 ity, except as provided in such authority's agreements with the city of
20 Buffalo. During the period that the comptroller is required to make
21 payments to the Erie county fiscal stability authority described in the
22 third previous sentence, the county of Erie shall have no right, title
23 or interest in or to such taxes, penalties and interest required to be
24 paid to the Erie county fiscal stability authority, except as provided
25 in such authority's agreements with the county of Erie.

26 § 3. Paragraph 5-a of subdivision c of section 1261 of the tax law is
27 REPEALED.

28 § 4. Subdivision 5 of section 3657 of the public authorities law, as
29 amended by section 3 of part NN of chapter 55 of the laws of 2020, is
30 amended to read as follows:

31 5. Tax revenues received by the authority pursuant to section twelve
32 hundred sixty-one of the tax law, together with any other revenues
33 received by the authority, shall be applied in the following order of
34 priority: first pursuant to the authority's contracts with bondholders,
35 then to pay the authority's operating expenses not otherwise provided
36 for, [~~then to pay to the state pursuant to paragraph three of subdivi-~~
37 ~~sion (c) of section twelve hundred sixty-one of the tax law,] and then,
38 subject to the authority's agreements with the county, to transfer the
39 balance of such tax revenues not required to meet contractual or other
40 obligations of the authority to the county as frequently as practicable.~~

41 § 5. Subdivision 5 of section 3965 of the public authorities law, as
42 amended by section 5 of part NN of chapter 55 of the laws of 2020, is
43 amended to read as follows:

44 5. Revenues of the authority shall be applied in the following order
45 of priority: first to pay debt service or for set asides to pay debt
46 service on the authority's bonds, notes, or other obligations and to
47 replenish any reserve funds securing such bonds, notes or other obli-
48 gations of the authority in accordance with the provision of indenture
49 or bond resolution of the authority; then to pay the authority's operat-
50 ing expenses not otherwise provided for; [~~then to pay to the state
51 pursuant to paragraph three of subdivision (c) of section twelve hundred
52 sixty-one of the tax law;~~] and then, subject to the authority's agree-
53 ments with the county for itself or on behalf of any covered organiza-
54 tion to transfer as frequently as practicable the balance of revenues
55 not required to meet contractual or other obligations of the authority
56 to the county as provided in subdivision seven of this section.

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1 § 6. Subdivision 5 of section 3865 of the public authorities law, as
2 amended by section 4 of part NN of chapter 55 of the laws of 2020, is
3 amended to read as follows:

4 5. Revenues of the authority shall be applied in the following order
5 of priority: first to pay debt service or for set asides to pay debt
6 service on the authority's bonds, notes, or other obligations and to
7 replenish any reserve funds securing such bonds, notes or other obli-
8 gations of the authority, in accordance with the provision of any inden-
9 ture or bond resolution of the authority; then to pay the authority's
10 operating expenses not otherwise provided for; [~~then to pay to the state
11 pursuant to paragraph three of subdivision (c) of section twelve hundred
12 sixty-one of the tax law;~~] and then, subject to the authority's agree-
13 ment with the city, for itself or on behalf of the city's dependent
14 school district and any other covered organization, to transfer as
15 frequently as practicable the balance of revenues not required to meet
16 contractual or other obligations of the authority to the city or the
17 city's dependent school district as provided in subdivision seven of
18 this section.

19 § 7. This act shall take effect July 1, 2022.