



Assemblymember
John T. McDonald III, RPh
Supporting Capital Region Families

2022-23 New York State Budget Highlights

In early April, my colleagues and I passed the 2022-23 New York State budget. This year's budget helps working parents succeed by expanding affordable child care options, supports small businesses as they regain their financial footing and invests in our communities by increasing public safety, bolstering local infrastructure and combating climate change. This spending plan also strengthens support for our schools and health care facilities and provides long-overdue wage increases for our heroic health care workers.

These important investments and much-needed relief will help families regain stability, take on new opportunities and thrive. Of course, there is still work to do. I will continue fighting for the issues that are important to you. Thank you again for your valuable input and I look forward to seeing you in the 108th.

Assemblymember John T. McDonald III, RPh

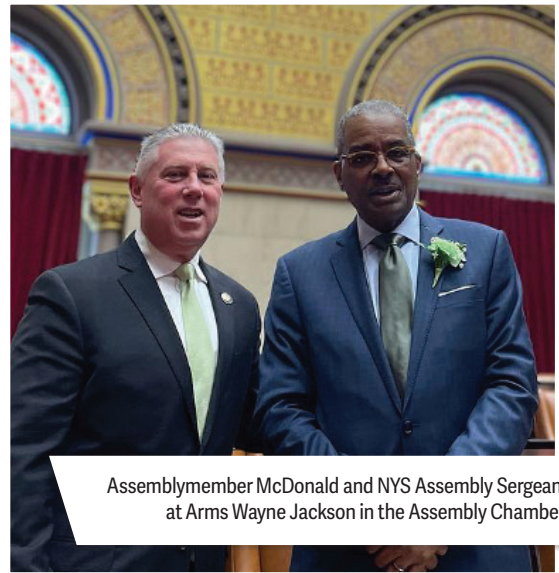
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Tax Relief

After a long two years of fighting the COVID-19 pandemic, New Yorkers are now facing the financial strain of rising inflation. The budget includes critical tax credits and rebates to help New York families save money, including:

- An acceleration of the phase-in of the middle-class tax cut from 2025 to 2023, saving New York families **\$162 million** in SFY 2022-23 and **\$615 million** in SFY 2023-24
- A one-year property tax rebate credit for households that are eligible for STAR and Enhanced STAR and have incomes below \$250,000
 - The benefit will be in the form of an advanced credit and the average benefit will be **nearly \$970** and benefit 2 million households. For homeowners with income below \$75,000, the average benefit is **approximately \$1,050**, benefitting about 837,800 recipients. The advanced credits will be sent directly to eligible homeowners beginning in the fall.
- **\$188 million** to provide a one-time supplemental Earned Income Tax Credit (EITC) that's equal to 25% of their 2021 EITC benefit, averaging **\$190** per taxpayer
- Supplemental Empire State Child Credit for families with children over the age of four and would be calculated based on the taxpayers' 2021 Empire State Tax Credit



Assemblymember McDonald and NYS Assembly Sergeant at Arms Wayne Jackson in the Assembly Chamber.

Child Care Funding

The State Budget also expands access to high-quality child care by:

- Raising the reimbursement in the market rate from the 69th percentile to the 80th percentile, providing **\$343 million** for additional child care stabilization grants and investing **\$50 million** for the capital needs of child care providers across the state
- Providing **\$901 million** in stabilization grants to nearly 15,000 providers to help cover the costs of child care



Assemblymembers McDonald, Fahy and Woerner at a press conference advocating for child care funding.

workers, rent or mortgage, utilities, supplies, training and other expenses

- Providing **\$163 million** in child care grants to over 50,000 children of essential workers
- Ensuring that families can receive 12 months of child care assistance even if their income exceeds the eligibility threshold during those 12 months
- Capping family co-pay contributions to no more than 10% of their annual income (prior to this, counties could set copays for families at their own discretion, with some counties charging parents as much as 30% of their annual income)
- Addressing child care deserts statewide by providing grants to new providers and existing providers who want to expand their capacity

Education and Higher Education

The final budget also makes significant investments in high-quality education across the state, from pre-K to graduation day. The spending plan:

- Increases the state's annual investment in high-quality prekindergarten to **\$1.1 billion**, an increase of **\$125 million** or **13%**
 - With this funding, school districts will be able to provide access to full-day prekindergarten across the state for approximately 17,500 more four-year old children
- Includes a historic **\$31.2 billion** in School Aid, and **\$21.3 billion** in Foundation Aid
- Raises the amount campuses receive for Excelsior Scholarship recipients by **\$13.7 million** for SUNY campuses and **\$2.1 million** for SUNY community colleges
- Includes **\$416.4 million** for SUNY
- Provides **\$15.6 million** in start-up funds to expand child care to all SUNY campuses
- Enacts a **98%** funding floor instead of funding on a solely per-pupil basis to ensure that community colleges receive critical funding to educate their students
- **\$45 million** for the Higher Education Facilities Capital Matching Grants Program (HECap)

Nursing Programs and Mental Health Services

The budget addresses our state's nursing shortage by providing:

- **\$2.7 million** for SUNY's High Needs Nursing Programs
- **\$4 million** for the Senator Patricia K. McGee Nursing Faculty Scholarship to ensure that there is qualified faculty to prepare New York State's future nurses for successful careers, an increase of **\$2 million**

TAP Increases

Many New York students and families rely on grants and scholarships as they consider how to afford higher education options. The enacted budget includes **\$150 million** to expand Tuition Assistance Program (TAP) eligibility to 75,000 additional part-time students and **\$5 million** to restore TAP eligibility for incarcerated individuals.



Assemblymember McDonald attends the ribbon cutting for the City of Albany Multi-Craft Apprenticeship Preparation Program (MAPP).

Workforce Development

- **\$200,000** for the Multi-Craft Apprenticeship Preparation Program (MAPP)
- **\$500 million** to develop the state's offshore wind supply chains and port infrastructure, including at the Port of Albany
 - This nation-leading initiative will create 2,000 jobs and careers in a growing industry, while helping to make New York the offshore wind capital of the country.
- **\$7.7 billion** will be spent over four years to increase the home care worker minimum wage

Small Business Relief

The State Budget also includes a **\$1 billion** investment in the state's small businesses, including:

- **Seed Funding for New Small Businesses** - This initiative will provide flexible grants to support early stage, micro and small businesses. The program will ensure that small businesses that opened their doors soon before or during the COVID-19 pandemic will have the funds to continue to operate and grow.
- **A COVID Capital Costs Small Business Tax Credit** - This **\$250 million** investment will provide small businesses a 50% tax credit of up to \$25,000 to cover the unexpected COVID-related costs. This credit covers costs such as the purchase of cleaning supplies, outdoor heaters, air purifiers, signage denoting vaccine/masking policies and equipment to accommodate contactless payments.
- **Tax Relief for Small Businesses** - The State will provide **\$100 million** in tax relief for an estimated 195,000 small businesses to help them keep their doors open.

- **Expansion of Access to Capital and Job-Creating Investments** - This funding will provide capital access, reduced rate financing and opportunities for venture investments into New York small businesses, with a focus on supporting economically disadvantaged small-business owners.

Alcohol To-Go

The new policy addresses the concerns of small-business owners operating liquor stores by prohibiting bottle sales and requiring food orders and sealed containers. The measure:

- Requires to-go drinks only be sold with substantial food purchases
- Beverages must be sold in a sealed container
- Prohibits restaurants from selling full bottles of wine or liquor

Housing

The 2022-23 budget includes a five-year housing plan with **\$4.5 billion** in capital funding to support the construction or rehabilitation of 100,000 units of affordable housing. In addition to the construction and rehabilitation of units, the plan would create programs to encourage homeownership among moderate- and low-income families, and support affordable housing for seniors. The budget also includes:

- **\$1.1 billion** in funding for the Emergency Rental Assistance Program (ERAP) and the Landlord Rental Assistance Program (LRAP)
- **\$250 million** for a utility arrears program, to be administered by the Department of Public Service
- An additional **\$15 million** for the Homeowner Protection Program (HOPP), for a total of **\$35 million**, to protect individuals from home mortgage default
- **\$50 million** for Land Banks to purchase and redevelop vacant or abandoned properties to better serve the public interest
- **\$50 million** for public housing outside of New York City
- **\$35 million** to create an Eviction Prevention Legal Assistance Program to make free legal counsel more readily available to low- and moderate-income tenants to defend against eviction proceedings
- **\$7 million** for the construction of rental housing with under 20 units
- **\$2 million** in additional funding for the HOPE/RESTORE program, for a total of **\$3.4 million**, to help keep seniors in their homes

Expanded Clean Water, Clean Air, and Green Jobs Environmental Bond Act

The budget authorizes **\$4.2 billion** – an increase of **\$1.2 billion** – for the Clean Water, Clean Air, and Green Jobs Environmental Bond Act, which will be on the ballot for voter approval in the fall. This initiative will protect our

drinking water, invest in critical water infrastructure, restore critical habitats, reduce flood risks, preserve our outdoor spaces and local farms, and invest in climate change mitigation and adaptation projects that will reduce air pollution, lower carbon emissions and improve New York's climate resilience. The Bond Act will also support a substantial investment in the Clean Green Schools initiative that will reach every public school located in a disadvantaged community.

The budget also provides:

- A record **\$400 million** Environmental Protection Fund to support climate change mitigation and adaptation efforts, promote sustainable agriculture, protect our water sources, advance conservation efforts and provide recreational opportunities for New Yorkers
- **\$500 million** in clean water infrastructure bringing the state's total clean water investment to **\$4.5 billion** since 2017

Zero Emission School Buses

To improve air quality for school-age New Yorkers, the state budget provides **\$500 million** for zero-emission buses and related charging infrastructure. It authorizes school districts to lease or finance zero-emission buses for 12 years, more than double the current five-year limitation for diesel buses, in order to help districts meet this goal. The budget also ensures Transportation Aid is provided on zero-emission buses and related charging infrastructure.

Office of Parks, Recreation and Historic Preservation Funding

The budget will also increase funding for the Office of Parks, Recreation and Historic Preservation by **\$140 million**, for a total of **\$250 million**, to enhance and improve New York's state parks.

Public Safety

As an Assemblymember, looking out for the safety of my community will always be my top priority, this year's budget includes:

- **\$300,000** for the Albany Law Enforcement Assistance Diversion program (LEAD)
- **\$90 million** in new resources to support discovery reform implementation and pretrial services, including:
 - **\$65 million** for public safety initiatives, including systemwide coordination, technology, expanded storage capabilities and administrative support
 - **\$25 million** for pretrial services, alternatives to incarceration services and reentry programs. These services include reminders and monitoring of court attendance, screening and referrals for mental health and substance use treatment

There has been some misinformation surrounding the changes to bail reform and discovery laws. The changes in the state budget address public safety concerns. In addition, the changes are mindful of the guiding principle that all defendants are innocent until proven guilty and entitled to equal treatment under the law, regardless of income.

Bail Law Changes

Adds the following factors that the court must consider when determining the type of securing order to impose (release, release on conditions, set bail or remand):

- Whether the alleged conduct caused serious harm to an individual or individuals
- Violations of orders of protection
- History of use or possession of firearms

Allows police officers to make a custodial arrest instead of issuing a desk appearance ticket in the following additional circumstances:

- When a person over the age of 18 is charged with a hate crime
- When a person is charged with a felony or class A misdemeanor involving "harm to an identifiable person or property" or criminal possession of a firearm while a defendant is released on their own recognizance, released on conditions or has yet to be arraigned after the issuance of a desk appearance ticket for a separate felony or class A misdemeanor involving "harm to an identifiable person or property" or criminal possession of a firearm
- Lowers the threshold of criminal sale of a firearm in the 2nd degree to apply to those who unlawfully sell, exchange

or give to another from five firearms or more in a year to two or more firearms within a year

Discovery Law Changes

- To reinforce the intent of the original law – that while there are certain specified deadlines for disclosing discovery, there are also anticipated and unanticipated delays in providing material that should not be the sole basis for dismissing a case – changes in the budget:
 - Clarify that the validity of the original certificate of compliance will not be impacted when additional discovery is disclosed – and therefore impact the speedy trial clock – if the prosecutor made good faith and diligent attempts to obtain the discovery prior to the filing of the initial certificate
 - Require that a party notify the opposing party as soon as practicable if they are aware of any potential defect or deficiency with either an original or supplemental certificate of compliance so that it can be remedied
 - Provide that any challenges to a certificate of compliance or supplemental certificate of compliance be heard as soon as practicable



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