



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

Legislative Program



2025

KEY COUNTY PRIORITIES



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NYSAC Advocacy Update

SFY 26 & 2025 Legislative Session

Top County Priorities



Do No Harm – Reject Shifting New Costs to County Taxpayers

Counties strongly support legislative efforts that prohibit shifting new costs for state programs on local governments. We also support measures that require new legislation to have fiscal notes that accurately reflect the local costs of implementation.

In addition, counties strongly oppose any administrative changes that increase costs to local taxpayers, especially for state programs.



Maintain the County Medicaid Cap

Requiring counties and New York City to pay \$7.6 billion of the State's Medicaid program is a major contributor to New York's nation-leading property tax burden. In fact, our counties pay more for Medicaid than all counties in the country combined. The existing Medicaid cap must remain intact to protect local taxpayers.



Provide Meaningful Property Tax Relief

To make New York more affordable, the state must fund a greater share of its programs it mandates counties to provide and fund. Reducing this burden on counties will provide property tax relief for residents and create a more sustainable path forward.



Expand the County Partnership Program

The SFY 2025 Enacted Budget included a \$50 million for a new county partnership program to facilitate economic development, housing, infrastructure, and other priorities that strengthen main streets and regions. Counties strongly support raising this funding to \$100 million in SFY 2026 and making this program permanent.

Bill numbers included in the 2025 Legislative Program reflect numbering from the 2023-2024 session.



Aging Services for Older Americans

New York State Area Agencies on Aging (AAAs) were established under the Older Americans Act of 1965 to respond to the needs of Americans over age 60. New York State ranks fourth in the nation with this population. By providing home and community-based services, the AAAs help older adults live with independence and dignity in their homes and communities for as long as possible. The following services are provided with funding from the federal Older Americans Act, New York State, county government, and other sources.

Core Services Include:

- Home-Delivered Group Meals
- Nutrition Counseling
- Information and Assistance
- Caregiver Support Services
- Health Insurance Information & Assistance
- Home Energy Assistance
- Long-Term Care Information through NY Connects
- Adult Day Services
- In-home Services
- Legal Services
- Volunteer Opportunities



RECOMMENDATIONS

Counties support a State Aging Master Plan that Invests in Aging Services to address a waiting list of over 16,000 older New Yorkers for these services. To address the waiting list, without expanding to any new services, NYSAC requests an increase of \$42 million in funding for core aging services, including but not limited to personal care level 1-2 and similar needs.

Not addressing the needs of these residents will cost \$177 million in Medicaid costs for skilled nursing facility care and \$60 million in Managed Long-Term Care (MLTC)/Community Medicaid costs.



Children with Special Needs

Counties play a vital role in supporting children with special needs, running all Early Intervention (EI) services and fully funding preschool special education programs that ensure all children who need services receive them at no cost to their families.

Pre-K/Special Ed Transportation

Counties fund the majority of the costs associated with the pre-school special education program, despite having no role in determining the efficacy, efficiency, or service levels.

Costs associated with transporting 3 to 5-year-olds to pre-school special education classrooms have grown to unsustainable levels, doubling since 2020. In some counties, transportation costs outstrip the cost of services. The administration of this program no longer makes sense and needs significant reform.



RECOMMENDATIONS

Reform the way we transport children with special needs who attend early intervention and preschool center-based programming by:

- **Partnering with counties and school districts** to establish new transportation partnerships. We understand and appreciate that school districts, like counties, are not able to assume any unfunded mandates.
- **Providing equal access to Universal Prekindergarten (UPK) for preschool special education students.**
- **Funding incentives for students to become special educators** (in speech, occupational or physical therapy, and other special education fields).
- **Increasing the administrative cost reimbursement rate** for counties to equal the rate paid to school districts for their students.



Community Colleges & Higher Education

Counties create, sponsor, and fund community colleges, while also paying a share of their residents' community college tuition. In recent years, the state has reduced its contribution to community college funding below its historic commitment of at least one-third and far short of the initial promise of 40 percent. The state is also required to reimburse counties for Fashion Institute of Technology (FIT) chargebacks but has complied with this state law requirement.

RECOMMENDATIONS

- Set the base state aid formula allocation for each community college to **100% of the prior year** or increase **\$100 per full-time equivalent (FTE)** student, whichever is greater.
- Modify the institutional classification of the Fashion Institute of Technology (FIT) from a community college to a SUNY university and/or ensure **100% state reimbursement to counties** with students attending FIT for post associate degree instruction.
- **Increase the state share for community college base aid to 40% of a school's operating budget** to reduce the costs to counties and students.
- Provide the following appropriation increases to allow community colleges to remain competitive with private and public higher education facilities.
 - **\$30 million to stabilize faculty and staff**, covering the contractual cost increases for existing faculty and staff.
 - **\$10 million to address student success services**, which lead to retention and improved student outcomes.
 - **\$60 million to reduce the financial losses from high-cost programs** such as nursing and advanced manufacturing.





Economic Development and Agriculture

60-Hour Overtime Threshold for Farm Workers

The Farm Laborers Wage Board was convened in 2020 to make a recommendation on whether to reduce the 60-hour overtime threshold for farm workers to 40 hours. In January 2022, after numerous public hearings that included testimony from farmers, farm workers, and industry stakeholders, the Wage Board recommended lowering the threshold to 40 hours per week by 2032.

RECOMMENDATIONS

- **Counties oppose any decrease** to the 60-hour farm worker overtime threshold adopted by the Farm Laborers Wage Board and the NYS Department of Labor.
- **Repeal section 674-a of the Labor Law** to eliminate the three-member Farm Laborers Wage Board.

Deploy ConnectALL Funds & Expand Access to Cellular Service

On October 27, 2020, the Federal Communications Commission adopted a report establishing the 5G Fund for Rural America, which will make up to \$9 billion available to bring 5G mobile broadband service to rural areas. The 5G Fund will help ensure that rural Americans enjoy the same benefits from our increasingly digital economy as their urban counterparts and will include a special focus on deployments that support precision agriculture.



RECOMMENDATION

- Mandate providers build out middle-mile and final-mile broadband infrastructure before obtaining ConnectALL grant funding.



Environment

From promoting climate resiliency and safeguarding drinking water to managing waste sustainably, counties play a critical role in protecting New York’s natural resources. As we navigate a rapidly changing climate, coupled with volatile recycling markets and aging infrastructure, additional state support is essential to meet these challenges effectively. To address these critical issues, we propose the following recommendations.

Climate and Energy Recommendations

- **Prioritize solar energy production along the New York State Thruway**, excluding land protected by agricultural easements, to minimize development pressure on farmland and support clean energy goals. Additionally, study the feasibility of installing solar canopies above state and federal highways.
- **Require utilities to engage local governments** in planning and implementing distribution system upgrades to align them with local zoning, planning priorities, and clean energy objectives.
- **Enact S.1179 (Harckham)/A.7279 (Levenberg)** to allow local governments to build solar canopies above parking lots without State Legislative approval.
- **Establish an EPR program for solar panels** to ensure the responsible recycling and reuse of materials, reducing the environmental impact of solar infrastructure and require developers to address end-of-useful life remediation.
- **Authorize counties to create Community Choice Aggregation (CCA)** programs with a local opt-out for residents and businesses.
- **Address barriers to participation in weatherization and energy efficiency programs** by streamlining application processes and investing in clean energy advisors to guide New Yorkers through the process.
- **Increase education on the costs and benefits of climate transition** by creating a practical roadmap and plain language summary that clearly outlines the financial, health, and environmental impacts of the state’s climate goals.
- **Exempt highway construction and maintenance vehicles and equipment from the ACT Rule**, as these vehicles are vital for maintaining safe roadways and current limitations in zero-emission vehicle availability could hinder essential public services and safety.
- **Allocate \$200 million from the Environmental Bond Act for municipalities and non-profits to purchase open space** to support New York State in meeting its open space conservation goals.

Solid Waste Recommendations

Solid waste management is at a critical juncture in New York State. According to the state’s 2023-32 Solid Waste Management Plan, the combined capacity of New York’s 25 municipal solid waste (MSW) landfills is expected to be exhausted within 16 years. Counties are grappling with the combined challenges of rising waste generation, shrinking landfill capacity, and the need to reduce GHG emissions from waste. Expanding recycling programs, promoting waste diversion, and addressing the environmental impacts of landfills are essential to ensuring long-term sustainability.



Environment

- **Plan for future landfill capacity** and invest in innovative technologies to enhance waste diversion and recycling, including organics recycling programs.
- **Increase funding for the Municipal Waste Reduction and Recycling (MWR&R) Program** to help counties invest in waste reduction technologies and expand recycling efforts.
- **Expand the Bottle Bill to include additional glass containers**, such as liquor, wine, and iced tea bottles, to improve curbside recycling quality and increase recovery rates.
- **Reject adding additional plastic and aluminum containers to the Bottle Bill**, as this would remove over \$10 million in value from curbside bins, which helps offset local recycling program costs.
- **Enact the Packaging Reduction and Recycling Infrastructure Act (S.4246-D/A.5322-D)** to establish an Extended Producer Responsibility (EPR) program for paper and packaging, shifting the burden of waste management from local governments to producers and manufacturers, reducing waste, and encouraging more sustainable product designs.
- **Enact S.6419-E (Kavanagh)/A.6436-B (Paulin)** to reduce local government costs and landfill waste by ensuring manufacturers take responsibility for recycling and reusing mattress components.
- **Increase collection options under the electronic waste (e-waste) recycling statute** (ECL Article 27, Title 26) to eliminate a cost burden on local governments and achieve the stated goal of providing free, convenient e-waste recycling to consumers across New York State.

Water Recommendations

Access to clean, safe drinking water is a fundamental public health priority. Counties play a key role in protecting water resources, but aging infrastructure, emerging contaminants like PFAS, and increasing demand for water services require significant state investments. Strengthening partnerships between state and local governments is essential to safeguard water quality and improve water infrastructure resilience.

- **Adopt the Safe Water Infrastructure Program, S.4350-A (Hinchey)/A.6155 (Gunther)/A.3133-A (Steck)**, to provide direct assistance to local governments for drinking water, stormwater, and sanitary sewer infrastructure.
- **Hold PFAS polluters accountable** by establishing mechanisms to ensure manufacturers—not local taxpayers – bear the costs of PFAS remediation.
- **Amend Public Authorities Law § 1285-u** to reimburse counties for expenses incurred administering the State’s Septic System Replacement Fund.
- **Enact the Private Well Testing Act, S.1650 (Hoylman)/A.5979 (Burdick)**, to ensure New Yorkers have access to information about the quality of their drinking water, helping protect rural and underserved communities.
- **Increase funding for county drinking water enhancement grants** to protect public water supplies from harmful contaminants and facilitate partnerships between state and local entities.



Gaming

Making Municipalities Whole for Lost Gaming Revenue

Several counties that are entitled to revenue from the state’s agreement with the St. Regis Mohawk Tribe have not received payments since the last quarter of 2019.

RECOMMENDATIONS

- Immediately **make municipalities whole** for funding that is being withheld by the state.
- **Provide advance payments** to counties impacted by ongoing negotiations with the Seneca Indian Nation.

Commercial Gaming Tax Reduction Impact Appropriation

The 2022 State Budget lowered the tax rate on commercial casinos to support the industry, jobs, and economic activity they provide to communities. Coupled with this tax break, the budget included a one-time \$7 million appropriation to hold counties harmless for the resulting decrease in shared tax revenue. This appropriation was raised to \$10 million in the SFY 23 Budget and to \$17 million in the SFY 25 Budget.

RECOMMENDATIONS

- Make a permanent annual appropriation of **\$20 million** to offset any local funding decrease that results from the state’s private casino tax reduction.
- Ensure that any loss in revenue for downstate counties within the Resorts World Catskills catchment area will be offset so that these **communities are held harmless** from the development of a New York City based casino.





General Government & Shared Services

Provide Direct Financial Assistance to Counties Impacted by State Correctional Facility Closures

The State of New York has downsized certain correctional facilities and assets that the state has deemed to be underused. Communities have relied on these state facilities for their economic impact and to help fund government operations. In the past, the state has provided fiscal assistance to help communities through downsizing and closures.

RECOMMENDATION

Develop a robust assistance program to help counties repurpose closed or decommissioned correctional facilities through direct cash assistance, encouraging private-sector redevelopment, transferring properties to localities, job training, site clearing/contamination remediation and preparation for future development.

In situations where the state determines a closed state property or decommissioned asset lies within a state park or state protected area and cannot be repurposed, the state should provide payments in lieu of taxes (PILOT) based on the economic impact the facility/asset had while in use.

Intergovernmental Affairs & Shared Services

Counties have long shared services and consolidated functions to improve local government efficiency. Over the last two decades, the state has enacted multiple to encourage more consolidation and service sharing at the local level. However, additional state policy can be enacted to achieve additional cost savings for our residents.

RECOMMENDATIONS

- **Enact S.3554 (Breslin)/A.4412 (Steck)** to ease the creation of local government health insurance consortia under Article 47 of the Insurance Law.
- Provide funding for a dedicated, **full-time FOIL Officer** in each county to assist with FOIL compliance.
- Provide county boards of elections with more flexibility when identifying and operating **early voting polling sites**.
 - Provide \$20 million in state operating aid and \$15 million in recurring aid to counties to help administer federal, state, and local elections.
- **Authorize DASNY** to provide its planning, design, procurement, and construction management services to counties and municipalities.



Human Services

Counties play a critical role in providing residents with human services by funding and/or administering nearly all state and federal health and human service mandates.

RECOMMENDATIONS

- **Restore and enhance child welfare funding** to a 65/35 state/county statutory share for preventive, protective, and independent living services..
- **Expand of the Empire State Tax Credit** by \$25,000 for married filing jointly, single, head of household, qualifying surviving spouse, and married filing separately, should all be increased by **\$25,000**, respectively, so that more middle-class families can achieve this benefit.
- **Expand in-patient psychiatric beds for children and adolescents.** The SFY 25 Enacted Budget included \$55 million to open 125 state operated in-patient psychiatric beds, 15 of which are for children and adolescents. The SFY 26 Budget should create an additional **50 in-patient psychiatric beds** for adolescents and children.
- **Restore Safety Net state matching funds to a 50/50 state and local match.** The disinvestment of state resources has increased costs to local taxpayers by over \$5.2 billion since the cost shift was enacted over a decade ago.
- **Partner with Counties to Address Shelter and Emergency Housing Needs.**
 - **Update rental allowances and the standard of need**, which have not changed in decades, to fully address the dramatic increase in housing, energy and food costs, as long as the state restores Safety Net to 50/50.
 - **Make permanent housing the central focus of state homelessness prevention goals.** Coordinate a timely transition to supportive housing for the highest need individuals with mental health and substance use disorders.
 - Build on the Governor’s initiative to expand transitional housing opportunities for the highest need individuals by subsidizing a recurring \$100 million capital component for counties to build new facilities.
- **Restore county authority to audit individuals applying for Medicaid and other social service programs to ensure program integrity.**
- Invest in Childcare and Early Learning Programs. Counties recommend the state develop a collaborative plan for OCFS and SED to create and fund year-round, full-day universal care, including access to 3K, infant care, and toddler care and operationalize Universal Pre-Kindergarten (UPK).
 - **Invest in increasing the number of childcare professionals and facilities** to ensure eligible families can access state childcare incentives.
 - **Prioritize investments in childcare deserts.**
 - **Expand modalities of childcare** by incentivizing schools, nursing homes, and employers to open childcare centers.
 - **Sustain childcare investments and incentives** to ensure local taxpayers are not burdened with increased costs in the absence of state support.



Judiciary

Judicial Funding

In 2021, state leaders created an additional 14 Supreme Court judgeships, costing counties \$14 million to provide facilities and judicial chambers for these new judges. In 2022, Governor Hochul signed legislation creating another 14 Supreme Court judgeships and seven more family court judgeships, costing counties an additional \$21 million for judicial chamber construction.

RECOMMENDATIONS

- **Allocate \$50 million** to offset the capital costs of increasing the number of Supreme Court judges.
- **Fully fund the mandated DA salary** increase as part of the 2023-24 state budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date.
- **Fully fund parental representation** in child welfare proceedings.

Indigent Legal Services – 18-b Attorney Rates

Two years ago, the state more than doubled attorney hourly rates for providing criminal legal defense services that had not increased for many years, bringing it to \$156 per hour. This will increase county costs by \$180 million a year. The state budget provided \$90 million in funding in the first year and re-appropriated these funds in year two.

RECOMMENDATION

Fully fund 18-b rate increase to live up to the intent of the Hurrell-Harring settlement agreed to by state leadership years ago.

Judgement Interest Rates

When appealing a civil case judgment, the appealing party must pay interest on the lower court settlement ruling while awaiting the higher court determination. Judgment interest rates, set by New York law, are the highest in the nation, currently fixed at nine percent. Appeals can take multiple years to be heard, which costs counties and the State millions of dollars while waiting for a ruling. Most states and the federal government link their judgment interest rates to the fed.

RECOMMENDATION

Lower court judgment interest rates by enacting S.3250 (Sanders) / A.5016 (McDonald) (2021), which links judgement interest rates to federal interest rates.



Local Finance & Tax Relief

In 2012, New York State mandated that local governments adhere to a property tax growth cap of two percent or the rate of inflation, whichever is lower. At the time, the state promised a robust package of mandate reforms that would help local governments stay under the tax cap. The state's zero percent growth cap on county Medicaid costs and the implementation of new pension tiers slowed the growth in state-mandated costs to allow counties to hold the line on property tax growth. However, dozens of other state mandates were not addressed, and new ones were added or expanded.

The recent intercept of \$550 million in annual Medicaid savings and reversed pension reforms make it difficult for counties to stay within the state property tax cap. Some counties have had to scale back or eliminate important local programs. As state mandates continue to grow, other counties may soon face no choice but to override the tax cap just to keep up.

RECOMMENDATIONS

- Require all state legislation to **include a statement of fiscal impact** affecting local governments as outlined in S.5966 (Harckham) / A.305 (Burdick).
- Grant counties **sales tax permanency** at their existing rates and authorize all counties to raise sales tax rates to 4% as outlined in Part O, S.4009/A.3009 (2023) Part U, S.8009/A.9009 (2022) and S. Part L, S.2509/A.3009 (2021).
- Allow counties to set other **home rule revenue tax rates** up to the most common rate existing in other counties without state legislative approval. Including mortgage recording, occupancy and real estate transfer taxes, etc.
- Authorize gig economy industries, such as VRBO, AirBnB, and other vacation and home rental agencies to **collect sales tax** (outside of New York City), S.885-C (Hinckley) / A.4130-C (Fahy).
- Eliminate the use of "**dark store theory**" to lower property tax assessments and create a task force to identify solutions.
- Grant counties the authority to be included in the state's debt set-off program for any outstanding debt totaling **\$50 or more**.
- Enact "No New Unfunded Mandates" legislation.
- **Cap current state-mandated costs** at a rate that does not exceed the state-imposed property tax growth cap.
- **Allow reserve funds** to be used for public health and safety emergencies, and update tax stabilization reserve fund provisions.



Medicaid

The state has long acknowledged that requiring counties and New York City to pay for a share of Medicaid and a wide variety of other state social services programs increases local taxes to levels that far exceed other states.

At \$7.6 billion, the counties of New York are mandated to pay more for Medicaid. This places New York State at an affordability disadvantage to other states.

Outstanding ACA & COVID eFMAP Funding

Since SFY 2016-17, the State of New York has withheld millions of dollars in the Affordable Care Act and now Family First Coronavirus Relief Act (FFCRA) enhanced FMAP funding. Historically, the State reconciled county Medicaid contributions at the end of each fiscal year and returned additional federal dollars to counties.

Counties are also seeking clarification from the state on the \$1.4 billion in COVID eFMAP savings the state shared with counties during COVID. This is just over 11 percent of the federal savings provided to the state overall and is based on the amount of funding counties contributed to Medicaid. However, documents provided by NYSDOH maintain that the county contribution was closer to 18 percent of the nonfederal cost for the period. At 18 percent, federal savings to counties would be closer to \$2.2 billion.

RECOMMENDATIONS

- Finalize unfinished Medicaid eFMAP Affordable Care Act **reconciliations** for state fiscal years 2017-2023, and COVID eFMAP reconciliations for 2020-2023.
- **File an 1115 Medicaid waiver** with the federal Centers for Medicaid and Medicaid Services (CMS) to assist high-risk incarcerated individuals, including those held in county jails, to enroll in Medicaid/CHIP prior to their release.
- **Preserve the county Medicaid zero percent growth cap** to ensure counties have the resources to provide local health and human services and reduce pressure on property taxes.
- **Provide fiscal resources and incentives** to address the severe deficit of qualified home healthcare professionals in many areas of New York. These incentives should include:
 - career ladders,
 - assistance with transportation (car loan forgiveness) or bus passes,
 - a traveling per diem staff pool,
 - assistance with childcare,
 - job sharing,
 - career milestone incentives, and
 - standardizing language and communication needs.
- **Complete the state takeover** of the administration of the Medicaid program from local districts as required under state law. Counties have downsized their Medicaid administrative operations, but the state continues to add more responsibilities to counties for most complex parts of the Medicaid program.



Public Employee/Personnel

Scaffold Law/ Wicks Law Reform

Both the “Scaffold Law” (Labor Law §240 and §241) and Wicks Law (General Municipal Law §101) are outdated and unnecessarily raise construction costs for municipalities.

RECOMMENDATIONS

- Reform Scaffold Law to include a pure standard of comparative negligence **S.1703 (Gallivan), 2021**.
- Reform the NYS Wicks Law (GML §101) by raising current thresholds to at least **\$5 million for all entities** currently subject to limits to adjust for inflation.

Modernize Civil Service Law

The State Civil Services system needs to be updated and improved to help county governments compete with the private sector for employees.

RECOMMENDATIONS

- Raise the public sector retiree earnings cap from **\$35,000 to \$50,000** by enacting S.3144-D (Mannion) / A.6419 (Stirpe).
- Allow a title approved by the State Civil Service Commission for any civil service jurisdiction for the **HELP program to be used by any other jurisdiction**, as long as at the time of the appointment there is no mandatory civil service list.
- **Amend Public Officers Law §3** to allow for home rule authority to set employee residency rules.
- Expand the acceptable zone of “**band scoring**” of civil service examinations.
- Pass legislation to disqualify applicants who **failed a background check** or psychological examination for roles in law enforcement or corrections.
- **Eliminate the competitive status** for any position that requires the applicant to hold a valid Professional License issued by the State of New York.
- **Eliminate the need for applicants to cross-file** in adjacent municipalities to have their test scores counted for the same title in multiple jurisdictions.
- Allow all tests, or as many as practicable, to be **administered locally**.
- Change all or certain subsets of exams to **pass/fail**.
- Construct reforms that **follow county success models**, like Livingston County’s “GLOW With Your Hands” initiative and Monroe County’s RETAIN and Mpower.
- Establish a new exempt class of employees for **airport positions**.

Public Health

Local Health Departments (LHDs) are New York State’s partners and operational extensions, addressing public health issues and serving as the first line of defense against all public health crises. Activities led by the 58 local health departments are paramount to our collective ability to achieve prevention goals, address disparities, improve outcomes, and ensure community safety and stability. The following recommendations will bolster LHDs’ capacity to respond to evolving public health needs and fortify efforts to protect and promote the health of all New Yorkers.

RECOMMENDATIONS

- **Enact S.1531 (Hoylman) / A.7154 (McDonald)** to require healthcare providers to enter adult immunizations into the New York State Immunization Information System (NYSIIS)/Citywide Immunization Registry (CIR).
- **Enact S.8531 (Hoylman-Sigal)/A.9110 (Rosenthal)** to strengthen enforcement mechanisms and close statutory loopholes that undermine the efficacy of the ban on flavored vapor products.
- **Introduce and pass legislation to require a state system or mechanism for vetting volunteers** for public health emergency response.
- **Amend subdivision 14 of Cannabis Law Section 77** to ensure that sites that receive on-site consumption licenses are not located on the same premises as sites subject to the Clean Indoor Air Act (CIAA).
- **Support LHDs in developing targeted public health interventions** to combat the opioid epidemic by amending County Law § 677 to allow local health officials to access reports and records related to deaths within their county.
- **Reimburse LHDs for costs incurred during state-led communicable disease investigations** and establish a mechanism to request state support when necessary.
- **Create a permanent carve-out for School-Based Health Centers (SBHCs)** from the Medicaid Managed Care Program to enable SBHCs to receive reimbursement directly from NYSDOH.
- **Increase the lead poisoning prevention appropriation by \$30.3 million** to fully fund the lowering of the elevated blood lead level (EBLL) from 10 to 5 ug/dL and provide an additional \$30 million in funding should the EBLL be lowered to 3.5 ug/dL per the CDC’s recommendation.
- **Provide additional reimbursements to county coroners and medical examiners** for the purpose of carrying out their duties in accordance with County Law § 671 and 677.





Mental Health

Investing in our Mental Wellbeing (Identify SPOA)

In SFY 2001, the Enacted Budget created the SPOA (single point of access) initiative under the Office of Mental Health (OMH) to create a more streamlined process for linking and providing timely access to intensive OMH services and supports based on the identified service needs. SPOA coordinators are embedded under the authority of the LGU and serve both Adults (A-SPOA) and Children (C-SPOA) to help achieve community-based mental health systems that are cohesive and well-coordinated to serve those most in need of services. All LGUs have an established C-SPOA (funded by state aid and the county tax levy) to support, prioritize, and effectively ensure access to children’s mental health services.

RECOMMENDATION

- Provide a **20 percent state aid increase** for Local Government Units (LGUs) to support county-based SPOA programs.

Mental Health Competency Restoration

State law requires individuals who are deemed to be incompetent to stand trial must receive “restoration services” before they can stand trial.

The SFY 21 Enacted Budget mandated counties to reimburse the state for 100 percent of the costs of competency restoration, at a current cost of approximately \$1,000 per day. This policy action resulted in **tens of millions of dollars** in new expenses for counties. These expenses are not determinable at the time county budgets are passed and the county mental health department has no input on the type of services rendered nor the length of time the defendant is to receive such services.

NYSAC, in partnership with the Conference of Local Mental Hygiene Directors (CLMHD), has developed a series of statutory reforms which will help achieve the recommendations as set forth by the Council of State Governments Justice Center.

RECOMMENDATION

- Reform the process of Mental Health Competency Restoration by enacting **S.1874 (Brouk) / A.5063 (Gunther)**.



Public Infrastructure & Transportation

Local Roads and Bridges

Locally-owned roads and bridges account for 87 percent of the state’s 110,000 miles of roadways and over 50 percent of the state’s 18,000 bridges. Increases in the state’s local road and bridge funding programs are expected to have a positive impact on the condition and resiliency of our transportation systems. Unfortunately, inflation and fuel costs offset funding for CHIPS, PAVE-NY, BRIDGE-NY, and Extreme Winter Recovery enacted in last year’s budget.

RECOMMENDATIONS

- Provide **additional funding** in the next state transportation budget (SFY 26) for the 5-Year Transportation Capital Plan to account for recent inflation.
- Provide a funding offset for counties to comply with the **2035 ZEV requirement**.
- **Pause implementation of the Advanced Clean Truck (ACT) Rule** until there is strong evidence that the state has in place the necessary direct financial assistance, incentives and charging infrastructure necessary, and can definitively determine that vehicle manufacturers are prepared to supply vehicles without disrupting the work needed to maintain our vast and aging infrastructure.
- **Expand the ACT Rule** exemption for transit buses, motor coaches, and emergency vehicles to include municipally owned highway construction, maintenance vehicles, and equipment.
- **Enact A.426 (Magnarelli)** to increase the CHIPS bidding threshold to \$750,000 to give localities more flexibility to perform in-house projects.
- **Extend design-build authority** to counties.

Upstate Airports

Regional upstate airports are critical access points to counties and are vital to economic development. The SFY 23 Enacted Budget included \$100 million for a new “Upstate Airport Economic Development and Revitalization Competition” and another \$12.5 million to be allocated through the Aviation Capital Grant Program.

RECOMMENDATIONS

- Build on SFY 23 investment in Upstate Airports by maintaining a **\$250 million** appropriation in SFY 26 Executive Budget proposal.
- **Enact S.2725 (Skoufis) / A.1341 (Lupardo)**, authorizing DEC to issue enhanced special airport air strike hazard permits to federal or state government employees and professionals responsible for wildlife management at airports.



Public Safety

Counties operate and maintain 9-1-1 functions, county jails, road patrol, and public safety functions through their sheriff departments and/or county police forces. As such we have been responsible for implementing many of New York’s substantial justice reform initiatives over the past five years, including raising the age of criminal responsibility, reforms to bail, discovery, and speedy trials, gun law reforms, and enhanced orders of protection.

RECOMMENDATIONS

- Initiate a **mental health first aid** system of care for first responders, including law enforcement, fire, EMS, corrections, probation, and 9-1-1 dispatchers.
- **Enact S.4583-A (Martinez) / A.5942-A (Jean-Pierre)** to require NYS to build the Next Generation Emergency Services Internet Protocol Network (ESINet).
- **Enact S.2695-B (Harckham) / A.7086-A (Jones)** to ensure sheriffs and undersheriffs continue to have police officer powers.
- **Enact A.6452 (Solages) / S.396 (Cleare)** to expedite the distribution of state aid for the Supervision and Treatment Services for Juveniles Program (STSJP).
- **Enact S.4020-C (Mayer) / A.3392-C (Otis)** to grant counties the option to create county-wide EMS taxing districts for underserved communities and exclude this initiative from the property tax cap calculation.
- Provide home rule authority to local governments **to ban sex offenders in short-term rentals.**
- Grant county probation departments the flexibility to quickly apply for a **temporary order of protection** as a part of the adjustment process.
- **Eliminate the requirement** for a sentence of conditional discharge or probation for Leandra’s Law cases when a defendant is sentenced to prison.
- **Authorize court consolidation.**
- **Enact A.3743 (Simpson) / S.2033 (Stec)** to allow any county within the state to conduct electronic court appearances for defendants.





Public Safety

Raise the Age Reform

Six years after implementation of Raise the Age, counties across the state have evaluated the program and are offering the following reforms to the program.

RECOMMENDATIONS

- Require the State to develop **alternatives to jails** and specialized secure detention facilities to house 16- and 17-year-old Adolescent Offenders and Juvenile Delinquents.
- Mandate that the state's evidence-based criteria should account for existing **local best practice programs**.
- Let probation apply for a **temporary protection order** as part of the adjustment process;
- Authorize law enforcement agencies to issue **appearance tickets** if appropriate when Adolescent and Juvenile Offenders are charged with most D felonies; and
- Allow Adolescent and Juvenile Offenders to be held in detention facilities **after hours without a securing order** until the Youth Part is in session.
- **Establish a dedicated funding stream** through DCJS/OPCA for 100 percent of all local probation costs associated with Raise the Age Legislation.
- Amend Criminal Procedural Law Section 722.23 to include **all felony violations of Penal Law Article 265 (Gun Cases)**.
- Amend Criminal Procedural Law Section 722.23 to **allow for the court's discretion** in allowing DA's to maintain prosecution in certain additional circumstances, including but not limited to whether a defendant participated in a crime that resulted in significant physical injury other pending charges.
- **Close the Robbery Loophole** by expanding Section 722.23(2).
- Allow Youth Part Judges, Prosecutors, and Defense counsel to **see Family Court Records**.



Rescue EMS

In some areas of the state, ambulance wait times are getting longer and longer, and a lack of volunteers and funding shortfalls have thrown our Emergency Medical Services (EMS) systems into crisis. In response, NY-SAC and a coalition of state lawmakers and advocates have introduced a package of legislation to strengthen local EMS services.

RECOMMENDATIONS

- Create a methodology for **ambulance reimbursement** under Medicaid that more closely approximates the true cost of delivering EMS services, S.3223 (Sanders) / A.9237 (Hevesi).
- Provide our EMS partners with to establish joint, **inter-municipal taxing districts** to properly fund EMS services, S.4020-C (Mayer) / A.3392-C (Otis).



- **Exempt EMS funding** from the tax cap calculation, S.5000 (May) / A.4077 (Lupardo).
- Allow volunteer firefighters and ambulance workers to claim both **state income and local property tax credits**, S.6630 (Mannion) / A.6274 (Barrett).
- Increase the volunteer firefighters' and ambulance workers' **personal income tax credit to \$800** for eligible individuals and \$1,600 for married joint filers, S.7286 (Martinez) / A.7524 (Thiele).
- Require the Thruway Authority to issue **emergency services permits** to EMS vehicles as is already done for fire vehicles, which would exempt EMS from Thruway tolls, S.6645 (Comrie) / A.6136 (Eachus).
- Extend the community **paramedicine demonstration project** (Public Health Law Sec. 3018) to sunset June 22, 2027, a two-year extension.



Veterans

Counties provide important services for the 676,000 Veterans living in our state.

The SFY 23 Budget included an increase in the minimum annual State funding to Veterans' Service Agencies from \$10,000 to \$25,000 as well as \$7.7 million to expand the Joseph P. Dwyer Peer-to-Peer Veterans' Support Program for peer support and counseling services to those transitioning from military service to civilian life. Additional action is needed to create long-term sustainability in veteran programming.

RECOMMENDATIONS

- Increase state funding to county veterans' service agencies to a minimum of **\$50,000** to help counties hire a part-time Veteran Service Officer to assist in processing benefit claims, link veterans to peer support services, and develop robust Dwyer programs, for a total of \$1,550,000 in new state investment.
- Increase the base aid for Joseph P. Dwyer grants to **\$185,000 per county**, which will level that playing field among counties. (\$3,585,000 in new funding.)
- Require county VSO's and the Dwyer program to report annual outcomes to the NYS Department of Veterans' Services.
- Create a veteran green energy jobs program to train veterans for sustainable, environmentally friendly jobs to meet the goals of the CLCPA. The NYS DOL, SUNY and DVS should partner to create the guidelines and program requirements for a new Veteran Green Energy Workforce Development program.





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