

STATE OF NEW YORK

S. 4005--A

A. 3005--A

SENATE - ASSEMBLY

February 1, 2023

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991,

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [] is old law to be omitted.

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amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018, amending the criminal procedure law relating to the pre-criminal proceeding settlements in the City of New York, in relation to the effectiveness thereof (Part A); to amend the criminal procedure law, in relation to setting bail (Part B); to amend the public health law, in relation to authorizing body scanner utilization in the department of corrections and community supervision and the office of children and family services facilities (Part C); to amend the correction law, in relation to lowering the minimum age for correction officers (Part D); to amend the executive law, in relation to the reporting of certain criminal offenses to a central repository (Part E); to amend the penal law, in relation to certain crimes relating to the possession of a firearm and the purchase and sale of body armor

(Subpart A); and to amend the penal law, in relation to the purchase and sale of semiautomatic rifles (Subpart B) (Part F); to amend the state finance law and executive law, in relation to establishing a hazard mitigation revolving loan fund (Part G); to amend the volunteer firefighters' benefit law, the general municipal law, the labor law, and the civil service law, in relation to permitting the paying of a nominal fee to volunteer firefighters (Part H); to amend the executive law, in relation to a model domestic and gender-based violence policy; and to repeal certain provisions of such law relating to a model domestic violence policy for counties (Part I); to amend the military law, in relation to the expansion of eligibility for World Trade Center death and disability benefits for members of New York's organized militia (Part J); directing the state liquor authority to review the alcoholic beverage control law and recommend legislative changes (Part K); to amend the alcoholic beverage control law, in relation to the issuance of temporary wholesale permits (Part L); to amend the alcoholic beverage control law, in relation to changes of ownership of a licensed business (Part M); to amend the alcoholic beverage control law, in relation to notifying municipalities of the filing of certain applications (Part N); to amend the alcoholic beverage control law, in relation to the issuance of temporary retail permits, and to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part O); to amend the county law and the judiciary law, in relation to entitled compensation for client representation (Part P); to amend chapter 303 of the laws of 1988, relating to the extension of the state commission on the restoration of the capitol, in relation to extending such provisions for an additional five years (Part Q); to amend the state finance law, in relation to methods of procurement; and repealing certain provisions of such law relating thereto (Part R); to amend the civil service law, in relation to competitive workforce expansion and retention (Part S); to amend the civil service law, in relation to employment and transfer of certain persons with disabilities (Part T); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgment and accrued claims (Part U); to amend part HH of chapter 56 of the laws of 2022 amending the retirement and social security law relating to waiving approval and income limitations on retirees employed in school districts and board of cooperative educational services, in relation to the effectiveness thereof (Part V); to amend the retirement and social security law, in relation to allowing participating employers of the New York state and local retirement system to withdraw from the contribution stabilization program (Part W); to amend the civil service law, in relation to the ability to charge interest on past due balances for the New York state health insurance program (Part X); to amend the general municipal law, in relation to moving the special accidental death benefit appropriation from the department of audit and control to the general fund's miscellaneous all state department and agencies (Part Y); to amend the executive law, in relation to the first class of the commission on ethics and lobbying in government (Part Z); to amend the tax law and part C of chapter 2 of the laws of 2005 amending the tax law relating to exemptions from sales and use taxes, in relation to extending certain provisions thereof; to amend the general city law and the administrative code of the city of New York, in relation to extending certain provisions relating to special-

ly eligible premises and special rebates; to amend the administrative code of the city of New York, in relation to extending certain provisions relating to exemptions and deductions from base rent; to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements; to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements, benefit periods and applications for abatements; and to amend the administrative code of the city of New York, in relation to extending certain provisions relating to a special reduction in determining the taxable base rent (Part AA); to repeal subdivision 12 of section 239-bb of the general municipal law relating to county-wide shared services panels (Part BB); and to provide for the administration of certain funds and accounts related to the 2023-2024 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts; to amend part FFF of chapter 56 of the laws of 2022 providing for the administration of certain funds and accounts related to the 2022-2023 budget, in relation to the effectiveness of certain provisions thereof; to amend the military law, in relation to the deposit of funds for the use of armories; to amend the state finance law, in relation to the rainy day reserve fund; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; to amend chapter 81 of the laws of 2002 relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of certain bonds & notes; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the New York state medical care facilities finance agency act, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend part D of chapter 63 of the laws of 2005, relating to the composition and responsibilities of the New York state higher education capital matching grant board, in relation to increasing the amount of authorized matching capital grants; to amend the New York state urban development corporation act, in relation to the nonprofit infrastructure capital investment program; to amend the New York state urban development corporation act, in relation to personal income tax notes for 2024, in relation to authorizing the dormitory authority of the state of New York and the urban development corporation to enter into line of credit facilities for 2024, and in relation to state-supported debt issued during the 2024 fiscal year; to amend the state finance law, in relation to payments of bonds; to amend the state finance law, in relation to the mental health services fund; to amend the state finance law, in relation to the issuance of revenue bonds; to amend the New York state urban

development corporation act, in relation to permitting the dormitory authority, the New York state urban development corporation, and the thruway authority to issue bonds for the purpose of refunding obligations of the power authority of the state of New York to fund energy efficiency projects at state agencies; to amend the public authorities law, in relation to financing of metropolitan transportation authority (MTA) transportation facilities; and providing for the repeal of certain provisions upon expiration thereof (Part CC)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state public protection and general govern-
3 ment budget for the 2023-2024 state fiscal year. Each component is whol-
4 ly contained within a Part identified as Parts A through CC. The effec-
5 tive date for each particular provision contained within such Part is
6 set forth in the last section of such Part. Any provision in any section
7 contained within a Part, including the effective date of the Part, which
8 makes a reference to a section "of this act", when used in connection
9 with that particular component, shall be deemed to mean and refer to the
10 corresponding section of the Part in which it is found. Section three of
11 this act sets forth the general effective date of this act.

12 PART A

13 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
14 correction law relating to the psychological testing of candidates, as
15 amended by section 1 of part A of chapter 55 of the laws of 2021, is
16 amended to read as follows:

17 § 2. This act shall take effect on the one hundred eightieth day after
18 it shall have become a law and shall remain in effect until September 1,
19 ~~2023~~ 2025.

20 § 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
21 tive law and the criminal procedure law relating to expanding the
22 geographic area of employment of certain police officers, as amended by
23 section 2 of part A of chapter 55 of the laws of 2021, is amended to
24 read as follows:

25 § 3. This act shall take effect on the first day of November next
26 succeeding the date on which it shall have become a law, and shall
27 remain in effect until the first day of September, ~~2023~~ 2025, when it
28 shall expire and be deemed repealed.

29 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
30 correction law and the penal law relating to prisoner furloughs in
31 certain cases and the crime of absconding therefrom, as amended by
32 section 3 of part A of chapter 55 of the laws of 2021, is amended to
33 read as follows:

34 § 3. This act shall take effect 60 days after it shall have become a
35 law and shall remain in effect until September 1, ~~2023~~ 2025.

36 § 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
37 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
38 other chapters and laws relating to correctional facilities, as amended
39 by section 4 of part A of chapter 55 of the laws of 2021, is amended to
40 read as follows:

§ 20. This act shall take effect immediately except that section thirteen of this act shall expire and be of no further force or effect on and after September 1, ~~2023~~ 2025 and shall not apply to persons committed to the custody of the department after such date, and provided further that the commissioner of corrections and community supervision shall report each January first and July first during such time as the earned eligibility program is in effect, to the chairmen of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the standards in effect for earned eligibility during the prior six-month period, the number of inmates subject to the provisions of earned eligibility, the number who actually received certificates of earned eligibility during that period of time, the number of inmates with certificates who are granted parole upon their first consideration for parole, the number with certificates who are denied parole upon their first consideration, and the number of individuals granted and denied parole who did not have earned eligibility certificates.

§ 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, as amended by section 5 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

(q) the provisions of section two hundred eighty-four of this act shall remain in effect until September 1, ~~2023~~ 2025 and be applicable to all persons entering the program on or before August 31, ~~2023~~ 2025.

§ 6. Section 10 of chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, as amended by section 6 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

§ 10. This act shall take effect 30 days after it shall have become a law and shall remain in effect until September 1, ~~2023~~ 2025, and provided further that the commissioner of correctional services shall report each January first, and July first, to the chairman of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the number of eligible inmates in each facility under the custody and control of the commissioner who have applied for participation in any program offered under the provisions of work release, furlough, or leave, and the number of such inmates who have been approved for participation.

§ 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994, relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994, enacting the state operations budget, as amended by section 7 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

(c) sections forty-one and forty-two of this act shall expire September 1, ~~2023~~ 2025; provided, that the provisions of section forty-two of this act shall apply to inmates entering the work release program on or after such effective date; and

§ 8. Subdivision (aa) of section 427 of chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, as amended by section 10 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

(aa) the provisions of sections three hundred eighty-two, three hundred eighty-three and three hundred eighty-four of this act shall expire on September 1, ~~2023~~ 2025;

§ 9. Section 12 of chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, as amended by section 11 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

§ 12. This act shall take effect immediately, except that the provisions of sections one through ten of this act shall remain in full force and effect until September 1, ~~2023~~ 2025 on which date those provisions shall be deemed to be repealed.

§ 10. Subdivision (p) of section 406 of chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, as amended by section 12 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

(p) The amendments to section 1809 of the vehicle and traffic law made by sections three hundred thirty-seven and three hundred thirty-eight of this act shall not apply to any offense committed prior to such effective date; provided, further, that section three hundred forty-one of this act shall take effect immediately and shall expire November 1, 1993 at which time it shall be deemed repealed; sections three hundred forty-five and three hundred forty-six of this act shall take effect July 1, 1991; sections three hundred fifty-five, three hundred fifty-six, three hundred fifty-seven and three hundred fifty-nine of this act shall take effect immediately and shall expire June 30, 1995 and shall revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall take effect immediately and shall expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall remain in effect until September 1, ~~2023~~ 2025, at which time they shall be deemed repealed; provided, however, that the mandatory surcharge provided in section three hundred seventy-four of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, ~~2023~~ 2025 and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is necessary to assure that all applicants for examination for admission to practice as an attorney and counsellor at law shall pay the increased examination fee provided for by the amendment made to section 465 of the judiciary law by section three hundred eighty of this act for any examination given on or after the effective date of this act notwithstanding that an applicant for such examination may have prepaid a lesser fee for such examination as required by the provisions of such section 465 as of

1 the date prior to the effective date of this act; the provisions of
2 section 306-a of the civil practice law and rules as added by section
3 three hundred eighty-one of this act shall apply to all actions pending
4 on or commenced on or after September 1, 1991, provided, however, that
5 for the purposes of this section service of such summons made prior to
6 such date shall be deemed to have been completed on September 1, 1991;
7 the provisions of section three hundred eighty-three of this act shall
8 apply to all money deposited in connection with a cash bail or a
9 partially secured bail bond on or after such effective date; and the
10 provisions of sections three hundred eighty-four and three hundred
11 eighty-five of this act shall apply only to jury service commenced
12 during a judicial term beginning on or after the effective date of this
13 act; provided, however, that nothing contained herein shall be deemed to
14 affect the application, qualification, expiration or repeal of any
15 provision of law amended by any section of this act and such provisions
16 shall be applied or qualified or shall expire or be deemed repealed in
17 the same manner, to the same extent and on the same date as the case may
18 be as otherwise provided by law;

19 § 11. Subdivision 8 of section 1809 of the vehicle and traffic law, as
20 amended by section 13 of part A of chapter 55 of the laws of 2021, is
21 amended to read as follows:

22 8. The provisions of this section shall only apply to offenses commit-
23 ted on or before September first, two thousand [~~twenty-three~~] twenty-
24 five.

25 § 12. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
26 cle and traffic law relating to the ignition interlock device program,
27 as amended by section 14 of part A of chapter 55 of the laws of 2021, is
28 amended to read as follows:

29 § 6. This act shall take effect on the first day of April next
30 succeeding the date on which it shall have become a law; provided,
31 however, that effective immediately, the addition, amendment or repeal
32 of any rule or regulation necessary for the implementation of the fore-
33 going sections of this act on their effective date is authorized and
34 directed to be made and completed on or before such effective date and
35 shall remain in full force and effect until the first day of September,
36 [~~2023~~] 2025 when upon such date the provisions of this act shall be
37 deemed repealed.

38 § 13. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
39 laws of 1997, amending the military law and other laws relating to vari-
40 ous provisions, as amended by section 15 of part A of chapter 55 of the
41 laws of 2021, is amended to read as follows:

42 a. sections forty-three through forty-five of this act shall expire
43 and be deemed repealed on September 1, [~~2023~~] 2025;

44 § 14. Section 4 of part D of chapter 412 of the laws of 1999, amending
45 the civil practice law and rules and the court of claims act relating to
46 prisoner litigation reform, as amended by section 16 of part A of chap-
47 ter 55 of the laws of 2021, is amended to read as follows:

48 § 4. This act shall take effect 120 days after it shall have become a
49 law and shall remain in full force and effect until September 1, [~~2023~~]
50 2025, when upon such date it shall expire.

51 § 15. Subdivision 2 of section 59 of chapter 222 of the laws of 1994,
52 constituting the family protection and domestic violence intervention
53 act of 1994, as amended by section 17 of part A of chapter 55 of the
54 laws of 2021, is amended to read as follows:

55 2. Subdivision 4 of section 140.10 of the criminal procedure law as
56 added by section thirty-two of this act shall take effect January 1,

1 1996 and shall expire and be deemed repealed on September 1, [~~2023~~]
2 ~~2025~~.

3 § 16. Section 5 of chapter 505 of the laws of 1985, amending the crim-
4 inal procedure law relating to the use of closed-circuit television and
5 other protective measures for certain child witnesses, as amended by
6 section 18 of part A of chapter 55 of the laws of 2021, is amended to
7 read as follows:

8 § 5. This act shall take effect immediately and shall apply to all
9 criminal actions and proceedings commenced prior to the effective date
10 of this act but still pending on such date as well as all criminal
11 actions and proceedings commenced on or after such effective date and
12 its provisions shall expire on September 1, [~~2023~~] ~~2025~~, when upon such
13 date the provisions of this act shall be deemed repealed.

14 § 17. Subdivision d of section 74 of chapter 3 of the laws of 1995,
15 enacting the sentencing reform act of 1995, as amended by section 19 of
16 part A of chapter 55 of the laws of 2021, is amended to read as follows:

17 d. Sections one-a through twenty, twenty-four through twenty-eight,
18 thirty through thirty-nine, forty-two and forty-four of this act shall
19 be deemed repealed on September 1, [~~2023~~] ~~2025~~;

20 § 18. Section 2 of chapter 689 of the laws of 1993, amending the crim-
21 inal procedure law relating to electronic court appearance in certain
22 counties, as amended by section 20 of part A of chapter 55 of the laws
23 of 2021, is amended to read as follows:

24 § 2. This act shall take effect immediately, except that the
25 provisions of this act shall be deemed to have been in full force and
26 effect since July 1, 1992 and the provisions of this act shall expire
27 September 1, [~~2023~~] ~~2025~~ when upon such date the provisions of this act
28 shall be deemed repealed.

29 § 19. Section 3 of chapter 688 of the laws of 2003, amending the exec-
30 utive law relating to enacting the interstate compact for adult offender
31 supervision, as amended by section 21 of part A of chapter 55 of the
32 laws of 2021, is amended to read as follows:

33 § 3. This act shall take effect immediately, except that section one
34 of this act shall take effect on the first of January next succeeding
35 the date on which it shall have become a law, and shall remain in effect
36 until the first of September, [~~2023~~] ~~2025~~, upon which date this act
37 shall be deemed repealed and have no further force and effect; provided
38 that section one of this act shall only take effect with respect to any
39 compacting state which has enacted an interstate compact entitled
40 "Interstate compact for adult offender supervision" and having an iden-
41 tical effect to that added by section one of this act and provided
42 further that with respect to any such compacting state, upon the effec-
43 tive date of section one of this act, section 259-m of the executive law
44 is hereby deemed REPEALED and section 259-mm of the executive law, as
45 added by section one of this act, shall take effect; and provided
46 further that with respect to any state which has not enacted an inter-
47 state compact entitled "Interstate compact for adult offender super-
48 vision" and having an identical effect to that added by section one of
49 this act, section 259-m of the executive law shall take effect and the
50 provisions of section one of this act, with respect to any such state,
51 shall have no force or effect until such time as such state shall adopt
52 an interstate compact entitled "Interstate compact for adult offender
53 supervision" and having an identical effect to that added by section one
54 of this act in which case, with respect to such state, effective imme-
55 diately, section 259-m of the executive law is deemed repealed and

1 section 259-mm of the executive law, as added by section one of this
2 act, shall take effect.

3 § 20. Section 8 of part H of chapter 56 of the laws of 2009, amending
4 the correction law relating to limiting the closing of certain correc-
5 tional facilities, providing for the custody by the department of
6 correctional services of inmates serving definite sentences, providing
7 for custody of federal prisoners and requiring the closing of certain
8 correctional facilities, as amended by section 22 of part A of chapter
9 55 of the laws of 2021, is amended to read as follows:

10 § 8. This act shall take effect immediately; provided, however that
11 sections five and six of this act shall expire and be deemed repealed
12 September 1, [~~2023~~] 2025.

13 § 21. Section 3 of part C of chapter 152 of the laws of 2001, amending
14 the military law relating to military funds of the organized militia, as
15 amended by section 23 of part A of chapter 55 of the laws of 2021, is
16 amended to read as follows:

17 § 3. This act shall take effect immediately; provided however that the
18 amendments made to subdivision 1 of section 221 of the military law by
19 section two of this act shall expire and be deemed repealed September 1,
20 [~~2023~~] 2025.

21 § 22. Section 5 of chapter 554 of the laws of 1986, amending the
22 correction law and the penal law relating to providing for community
23 treatment facilities and establishing the crime of absconding from the
24 community treatment facility, as amended by section 24 of part A of
25 chapter 55 of the laws of 2021, is amended to read as follows:

26 § 5. This act shall take effect immediately and shall remain in full
27 force and effect until September 1, [~~2023~~] 2025, and provided further
28 that the commissioner of correctional services shall report each January
29 first and July first during such time as this legislation is in effect,
30 to the chairmen of the senate crime victims, crime and correction
31 committee, the senate codes committee, the assembly correction commit-
32 tee, and the assembly codes committee, the number of individuals who are
33 released to community treatment facilities during the previous six-month
34 period, including the total number for each date at each facility who
35 are not residing within the facility, but who are required to report to
36 the facility on a daily or less frequent basis.

37 § 23. Section 2 of part F of chapter 55 of the laws of 2018, amending
38 the criminal procedure law relating to pre-criminal proceeding settle-
39 ments in the city of New York, as amended by section 25 of part A of
40 chapter 55 of the laws of 2021, is amended to read as follows:

41 § 2. This act shall take effect immediately and shall remain in full
42 force and effect until March 31, [~~2023~~] 2025, when it shall expire and
43 be deemed repealed.

44 § 24. This act shall take effect immediately.

45 PART B

46 Section 1. The opening paragraph of subdivision 1 of section 510.10 of
47 the criminal procedure law, as amended by section 1 of subpart C of part
48 UU of chapter 56 of the laws of 2022, is amended and a new subdivision
49 1-a is added to read as follows:

50 When a principal, other than a principal charged with a qualifying
51 offense for which monetary bail is authorized under this article or a
52 principal for whom the court is otherwise authorized to fix bail or
53 commit to the custody of the sheriff, whose future court attendance at a
54 criminal action or proceeding is or may be required, comes under the

control of a court, such court shall, in accordance with this title, by a securing order release the principal on the principal's own recognizance~~[,]~~ or release the principal under non-monetary conditions~~[,]~~ or, ~~where authorized, fix bail or commit the principal to the custody of the sheriff~~. In all such cases, except where another type of securing order is shown to be required by law, the court shall release the principal pending trial on the principal's own recognizance, unless it is demonstrated and the court makes an individualized determination that the principal poses a risk of flight to avoid prosecution. If such a finding is made, the court must select the least restrictive alternative and condition or conditions that will reasonably assure the principal's return to court. The court shall explain its choice of release~~[,]~~ or release with conditions~~[, bail or remand]~~ on the record or in writing. In making its determination, the court must consider and take into account available information about the principal, including:

1-a. When a principal, charged with a qualifying offense for which monetary bail is authorized under this article or a principal for whom the court is otherwise authorized to fix bail or commit to the custody of the sheriff, whose future court attendance at a criminal action or proceeding is or may be required, comes under the control of a court, such court shall, in accordance with this title, by a securing order release the principal on the principal's own recognizance, release the principal under non-monetary conditions, fix bail, or commit the principal to the custody of the sheriff. The court shall explain its choice of release, release with conditions, bail or remand on the record or in writing. In making its determination, the court must consider and take into account available information about the principal, including:

- (a) The principal's activities and history;
- (b) If the principal is a defendant, the charges facing the principal;
- (c) The principal's criminal conviction record if any;
- (d) The principal's record of previous adjudication as a juvenile delinquent, as retained pursuant to section 354.1 of the family court act, or, of pending cases where fingerprints are retained pursuant to section 306.1 of such act, or a youthful offender, if any;
- (e) The principal's previous record with respect to flight to avoid criminal prosecution;
- (f) If monetary bail is authorized, according to the restrictions set forth in this title, the principal's individual financial circumstances, and, in cases where bail is authorized, the principal's ability to post bail without posing undue hardship, as well as his or her ability to obtain a secured, unsecured, or partially secured bond;
- (g) Any violation by the principal of an order of protection issued by any court;
- (h) The principal's history of use or possession of a firearm;
- (i) Whether the charge is alleged to have caused serious harm to an individual or group of individuals; and
- (j) If the principal is a defendant, in the case of an application for a securing order pending appeal, the merit or lack of merit of the appeal.

§ 2. The opening paragraph of subdivision 1 of section 510.30 of the criminal procedure law, as amended by section 2 of subpart C of part UU of chapter 56 of the laws of 2022, is amended and a new subparagraph 1-a is added to read as follows:

With respect to any principal, other than a principal charged with a qualifying offense for which monetary bail is authorized under this article or a principal for whom the court is otherwise authorized to fix

1 bail or commit to the custody of the sheriff, the court in all cases,
2 unless otherwise provided by law, must impose the least restrictive kind
3 and degree of control or restriction that is necessary to secure the
4 principal's return to court when required. In determining that matter,
5 the court must, on the basis of available information, consider and take
6 into account information about the principal that is relevant to the
7 principal's return to court, including:

8 1-a. When a principal, charged with a qualifying offense for which
9 monetary bail is authorized under this article or a principal for whom
10 the court is otherwise authorized to fix bail or commit to the custody
11 of the sheriff, whose future court attendance at a criminal action or
12 proceeding is or may be required, comes under the control of a court,
13 such court shall, in accordance with this title, by a securing order
14 release the principal on the principal's own recognizance, release the
15 principal under non-monetary conditions, fix bail, or commit the princi-
16 pal to the custody of the sheriff. The court shall explain its choice of
17 release, release with conditions, bail or remand on the record or in
18 writing. In making its determination, the court must consider and take
19 into account available information about the principal, including:

20 (a) The principal's activities and history;

21 (b) If the principal is a defendant, the charges facing the principal;

22 (c) The principal's criminal conviction record if any;

23 (d) The principal's record of previous adjudication as a juvenile
24 delinquent, as retained pursuant to section 354.1 of the family court
25 act, or, of pending cases where fingerprints are retained pursuant to
26 section 306.1 of such act, or a youthful offender, if any;

27 (e) The principal's previous record with respect to flight to avoid
28 criminal prosecution;

29 (f) If monetary bail is authorized, according to the restrictions set
30 forth in this title, the principal's individual financial circumstances,
31 and, in cases where bail is authorized, the principal's ability to post
32 bail without posing undue hardship, as well as his or her ability to
33 obtain a secured, unsecured, or partially secured bond;

34 (g) Any violation by the principal of an order of protection issued by
35 any court;

36 (h) The principal's history of use or possession of a firearm;

37 (i) Whether the charge is alleged to have caused serious harm to an
38 individual or group of individuals; and

39 (j) If the principal is a defendant, in the case of an application for
40 a securing order pending appeal, the merit or lack of merit of the
41 appeal.

42 § 3. The opening paragraph of paragraph (b) of subdivision 1 of
43 section 530.20 of the criminal procedure law, as amended by section 3 of
44 part UU of chapter 56 of the laws of 2020, is amended to read as
45 follows:

46 Where the principal stands charged with a qualifying offense for which
47 monetary bail is authorized or where the court is otherwise authorized
48 to fix bail, the court, unless otherwise prohibited by law, may in its
49 discretion release the principal pending trial on the principal's own
50 recognizance or under non-monetary conditions, fix bail, or, where the
51 defendant is charged with a qualifying offense which is a felony, the
52 court may commit the principal to the custody of the sheriff. The court
53 shall explain its choice of release, release with conditions, bail or
54 remand on the record or in writing. A principal stands charged with a
55 qualifying offense when he or she stands charged with:

§ 4. The opening paragraph of subdivision 4 of section 530.40 of the criminal procedure law, as amended by section 4 of part UU of chapter 56 of the laws of 2020, is amended to read as follows:

Where the principal stands charged with a qualifying offense for which monetary bail is authorized or where the court is otherwise authorized to fix bail, the court, unless otherwise prohibited by law, may in its discretion release the principal pending trial on the principal's own recognizance or under non-monetary conditions, fix bail, or, where the defendant is charged with a qualifying offense which is a felony, the court may commit the principal to the custody of the sheriff. The court shall explain its choice of release, release with conditions, bail or remand on the record or in writing. A principal stands charged with a qualifying offense for the purposes of this subdivision when he or she stands charged with:

§ 5. This act shall take effect on the thirtieth day after it shall have become a law.

PART C

Section 1. Subparagraphs (i) and (ii) of paragraph (a), paragraph (b), subparagraphs (i), (ii), (iii) and (v) of paragraph (c), paragraph (e) and the opening paragraph and subparagraphs (i) and (ii) of paragraph (f) of subdivision 6 of section 3502 of the public health law, subparagraph (ii) of paragraph (a), paragraph (b), subparagraphs (i), (iii) and (v) of paragraph (c), paragraph (e) and the opening paragraph of paragraph (f) as added by chapter 313 of the laws of 2018, subparagraph (i) of paragraph (a), subparagraph (ii) of paragraph (c), and subparagraphs (i) and (ii) of paragraph (f) as amended by chapter 486 of the laws of 2022, are amended to read as follows:

(i) Notwithstanding the provisions of this section or any other provision of law, rule or regulation to the contrary, licensed practitioners, persons licensed under this article and unlicensed personnel employed at a state or local correctional facility, secure or specialized secure detention facility, or facility for youth placed with or committed to the office of children and family services may, in a manner permitted by the regulations promulgated pursuant to this subdivision, utilize body imaging scanning equipment that applies ionizing radiation to humans for purposes of screening ~~[incarcerated]~~ individuals detained in or committed to such facility and visitors visiting such facility, in connection with the implementation of such facility's security program.

(ii) The utilization of such body imaging scanning equipment shall be in accordance with regulations promulgated by the department, or for local correctional facilities in cities having a population of two million or more, such utilization shall be in accordance with regulations promulgated by the New York city department of health and mental hygiene. The state commission of correction, in consultation with the department of corrections and community supervision and the office of children and family services, shall promulgate regulations establishing when body imaging scanning equipment will be used to screen visitors in state and local correctional facilities, specialized secure detention facilities, and secure facilities operated by the office of children and family services. The office of children and family services shall promulgate regulations establishing when body imaging scanning equipment will be used to screen visitors in secure detention facilities and all facilities, other than secure facilities, operated by the office.

(b) Prior to establishing, maintaining or operating in a state or local correctional facility, secure or specialized secure detention facility, or facility for youth placed with or committed to the office of children and family services, any body imaging scanning equipment, the chief administrative officer of the facility shall ensure that such facility is in compliance with the regulations promulgated pursuant to this subdivision and otherwise applicable requirements for the installation, registration, maintenance, operation and inspection of body imaging scanning equipment.

(i) A requirement that prior to operating body imaging scanning equipment, unlicensed personnel employed at state or local correctional facilities, secure or specialized secure detention facilities, or facilities for youth placed with or committed to the office of children and family services shall have successfully completed a training course approved by the department, or for local correctional facilities in cities of two million or more, approved by the New York city department of health and mental hygiene, and that such personnel receive additional training on an annual basis;

(ii) Limitations on exposure which shall be no more than fifty percent of the annual exposure limits for non-radiation workers as specified by applicable regulations, except that [~~incarcerated~~] individuals under the age of eighteen shall not be subject to more than five percent of such annual exposure limits, and pregnant women shall not be subject to such scanning at any time. Procedures for identifying pregnant women shall be set forth in the regulations;

(iii) Registration with the department of each body imaging scanning machine purchased or installed at a state or local correctional facility, secure or specialized secure detention facility, or facility for youth placed with or committed to the office of children and family services;

(v) A requirement that records be kept regarding each use of body imaging scanning equipment by the state or local correctional facility, secure or specialized secure detention facility, or facility for youth placed with or committed to the office of children and family services.

(e) For the purposes of this subdivision[~~7~~]:

(i) "[~~local~~] Local correctional facility" shall have the same meaning as found in subdivision sixteen of section two of the correction law.

(ii) "State correctional facility" shall mean a "correctional facility" as defined in subdivision four of section two of the correction law.

(iii) "Secure detention facility" shall mean a secure detention facility certified by the office of children and family services pursuant to section five hundred three of the executive law.

(iv) "Specialized secure detention facility" shall mean a facility for adolescent offenders certified by the office of children and family services in consultation with the state commission on correction pursuant to subdivision nine of section five hundred three of the executive law.

(v) "Facility for youth placed with or committed to the office of children and family services" shall mean a facility operated pursuant to section five hundred four of the executive law.

Any local government agency that utilizes body imaging scanning equipment in a state or local correctional facility, secure detention facility, or specialized secure detention facility under its jurisdiction shall submit an annual report to the department, the speaker of the assembly, and the temporary president of the senate. If body imaging scanning equipment is utilized in one or more state correctional facili-

1 ties or facilities for youth placed with or committed to the office of
2 children and family services, then the department of corrections and
3 community supervision or the office of children and family services, as
4 applicable, shall submit an annual report to the department, the speaker
5 of the assembly, and the temporary president of the senate. Such report
6 by either the local government agency, the department of corrections and
7 community supervision, or the office of children and family services
8 shall be submitted within eighteen months after the initial date of
9 registration of such equipment with the department, and annually there-
10 after, and shall contain the following information as to each such
11 facility:

12 (i) the number of times the equipment was used on [~~incarcerated~~] indi-
13 viduals detained in, committed to or visiting the facility upon intake,
14 before visits, after visits, and upon the suspicion of contraband, as
15 well as any other event that triggers the use of such equipment;

16 (ii) the average, median, and highest number of times the equipment
17 was used on any [~~incarcerated~~] individual detained in, committed to or
18 visiting the facility, with corresponding exposure levels;

19 § 2. This act shall take effect on the one hundred twentieth day after
20 it shall have become a law; provided however, that the amendments to
21 subdivision 6 of section 3502 of the public health law made by section
22 one of this act shall not affect the repeal of such subdivision and
23 shall be deemed repealed therewith. Effective immediately, the addition,
24 amendment and/or repeal of any rule or regulation necessary for the
25 implementation of this act on its effective date are authorized to be
26 made and completed on or before such effective date.

27 PART D

28 Section 1. Subdivision 4 of section 7 of the correction law, as
29 amended by section 5 of subpart A of Part C of section 62 of the laws of
30 2011, is amended to read as follows:

31 4. The commissioner shall not appoint any person as a correction offi-
32 cer, unless such person has attained his or her nineteenth birthday, or
33 as a parole officer, unless such person has attained his or her twenty-
34 first birthday.

35 § 2. This act shall take effect immediately.

36 PART E

37 Section 1. The executive law is amended by adding a new section 236 to
38 read as follows:

39 § 236. Criminal offenses involving the discharge of any firearm, shot-
40 gun, or rifle. The division of state police shall maintain a statewide
41 repository of data relating to criminal offenses involving the discharge
42 of any firearm, shotgun, or rifle and shall develop and implement a
43 program to provide for the collection of such data and the reporting
44 thereof by law enforcement agencies. The superintendent of the division
45 of state police shall adopt and promulgate regulations prescribing
46 reporting procedures for such state or local law enforcement agencies,
47 including the form for reporting such information. Data acquired by law
48 enforcement agencies relating to criminal offenses involving the
49 discharge of any firearm, shotgun, or rifle shall be sent to the reposi-
50 tory as soon as practicable, but in no case more than seventy-two hours
51 after the agency has determined that the firearm, rifle, or shotgun
52 discharge occurred in connection with a criminal offense. In addition

1 to any other information which the superintendent of the division of
2 state police may require, the reporting shall include: (a) the location
3 of the incident; (b) the nature of the criminal offense and the circum-
4 stances of the firearm, rifle, or shotgun discharge; (c) the nature and
5 extent of any injuries suffered as a result of the firearm, rifle, or
6 shotgun discharge; (d) the firearm, rifle, or shotgun manufacturer,
7 model, serial number, caliber, and any ammunition microstamping identi-
8 fier; (e) whether the firearm, rifle, or shotgun has been recovered by a
9 law enforcement agency; (f) whether an arrest has been made and, if so,
10 the crimes charged; and (g) any information related to any ammunition
11 cartridge cases recovered at the scene including, but not limited to,
12 the caliber and manufacturer.

13 § 2. This act shall take effect on the one hundred eightieth day after
14 it shall have become a law.

15 PART F

16 Section 1. This act enacts into law components of legislation relating
17 to firearms and body armor. Each component is wholly contained within a
18 Part identified as Subparts A through B. The effective date for each
19 particular provision contained within such Subpart is set forth in the
20 last section of such Subpart. Any provision in any section contained
21 within a Subpart, including the effective date of the Subpart, which
22 makes a reference to a section "of this act", when used in connection
23 with that particular component, shall be deemed to mean and refer to the
24 corresponding section of the Subpart in which it is found. Section two
25 of this act sets forth the general effective date of this act.

26 SUBPART A

27 Section 1. Section 265.01-e of the penal law, as added by chapter 371
28 of the laws of 2022, is amended to read as follows:

29 § 265.01-e Criminal possession of a firearm, rifle or shotgun in a
30 sensitive location.

31 1. A person is guilty of criminal possession of a firearm, rifle or
32 shotgun in a sensitive location when such person possesses a firearm,
33 rifle or shotgun in or upon a sensitive location, and such person knows
34 or reasonably should know such location is a sensitive location.

35 2. For the purposes of this section, a sensitive location shall mean:

36 (a) any place owned or under the control of federal, state or local
37 government, for the purpose of government administration, including
38 courts;

39 (b) any location providing health, behavioral health, or chemical
40 dependance care or services;

41 (c) any place of worship [~~or religious observation~~], except for those
42 persons responsible for security at such place of worship;

43 (d) libraries, public playgrounds, public parks, and zoos;

44 (e) the location of any program licensed, regulated, certified, fund-
45 ed, or approved by the office of children and family services that
46 provides services to children, youth, or young adults, any legally
47 exempt childcare provider; a childcare program for which a permit to
48 operate such program has been issued by the department of health and
49 mental hygiene pursuant to the health code of the city of New York;

50 (f) nursery schools, preschools, and summer camps;

51 (g) the location of any program licensed, regulated, certified, oper-
52 ated, or funded by the office for people with developmental disabili-
53 ties;

1 (h) the location of any program licensed, regulated, certified, oper-
2 ated, or funded by office of addiction services and supports;

3 (i) the location of any program licensed, regulated, certified, oper-
4 ated, or funded by the office of mental health;

5 (j) the location of any program licensed, regulated, certified, oper-
6 ated, or funded by the office of temporary and disability assistance;

7 (k) homeless shelters, runaway homeless youth shelters, family shel-
8 ters, shelters for adults, domestic violence shelters, and emergency
9 shelters, and residential programs for victims of domestic violence;

10 (l) residential settings licensed, certified, regulated, funded, or
11 operated by the department of health;

12 (m) in or upon any building or grounds, owned or leased, of any educa-
13 tional institutions, colleges and universities, licensed private career
14 schools, school districts, public schools, private schools licensed
15 under article one hundred one of the education law, charter schools,
16 non-public schools, board of cooperative educational services, special
17 act schools, preschool special education programs, private residential
18 or non-residential schools for the education of students with disabili-
19 ties, and any state-operated or state-supported schools;

20 (n) any place, conveyance, or vehicle used for public transportation
21 or public transit, subway cars, train cars, buses, ferries, railroad,
22 omnibus, marine or aviation transportation; or any facility used for or
23 in connection with service in the transportation of passengers,
24 airports, train stations, subway and rail stations, and bus terminals;

25 (o) any establishment ~~[issued a]~~ holding an active license for
26 on-premise consumption pursuant to article four, four-A, five, or six of
27 the alcoholic beverage control law where alcohol is consumed and any
28 establishment licensed under article four of the cannabis law for
29 on-premise consumption;

30 (p) any place used for the performance, art entertainment, gaming, or
31 sporting events such as theaters, stadiums, racetracks, museums, amuse-
32 ment parks, performance venues, concerts, exhibits, conference centers,
33 banquet halls, and gaming facilities and video lottery terminal facili-
34 ties as licensed by the gaming commission;

35 (q) any location being used as a polling place;

36 (r) any public sidewalk or other public area restricted from general
37 public access for a limited time or special event that has been issued a
38 permit for such time or event by a governmental entity, or subject to
39 specific, heightened law enforcement protection, or has otherwise had
40 such access restricted by a governmental entity, provided such location
41 is identified as such by clear and conspicuous signage;

42 (s) any gathering of individuals to collectively express their consti-
43 tutional rights to protest or assemble;

44 (t) the area commonly known as Times Square, as such area is deter-
45 mined and identified by the city of New York; provided such area shall
46 be clearly and conspicuously identified with signage.

47 3. This section shall not apply to:

48 (a) ~~[consistent with federal law, law enforcement who qualify to carry~~
49 ~~under the federal law enforcement officers safety act,]~~ qualified law
50 enforcement officers who are authorized to carry concealed firearms
51 pursuant to 18 U.S.C 926B, or qualified retired law enforcement officers
52 who are authorized to carry concealed firearms pursuant to 18 U.S.C.
53 926C;

54 (b) persons who are police officers as defined in subdivision thirty-
55 four of section 1.20 of the criminal procedure law;

(c) persons who are designated peace officers by section 2.10 of the criminal procedure law;

(d) persons who were employed as police officers as defined in subdivision thirty-four of section 1.20 of the criminal procedure law but are retired;

(e) security guards as defined by and registered under article seven-A of the general business law, who have been granted a special armed registration card, while at the location of their employment and during their work hours as such a security guard;

(f) active-duty military personnel;

(g) persons licensed under paragraph (c), (d) or (e) of subdivision two of section 400.00 of this chapter while in the course of his or her official duties;

(h) a government employee under the express written consent of such employee's supervising government entity for the purposes of natural resource protection and management;

(i) persons while lawfully engaged in taking of wildlife or attempts to take wildlife pursuant to a hunting ~~[activity, including hunter education training]~~ license, permit or license issued by the department of environmental conservation, or as otherwise authorized pursuant to the environmental conservation law, and persons while engaged in hunter education training, marksmanship practice, marksmanship competition or training, or training in the safe handling and use of firearms; ~~[or]~~

(j) persons operating a program in a sensitive location out of their residence, ~~[as defined by this section,]~~ which is licensed, certified, authorized, or funded by the state or a municipality, so long as such possession is in compliance with any rules or regulations applicable to the operation of such program and use or storage of firearms;

(k) persons, while acting in the scope of their official duties, who are employed in the revenue control and security departments of the metropolitan transportation authority, or the New York city transit authority or an affiliate or subsidiary thereof, who are authorized to carry a firearm as part of their employment;

(l) persons while engaged in historical reenactments or motion picture or theatrical productions;

(m) persons, while acting within the scope of their official duties, responsible for storage or display of antique firearms, rifles or shotguns at museums and historic sites;

(n) persons while participating in military ceremonies, funerals, and honor guards; or

(o) persons while lawfully engaging in learning, practicing, training for, competing in, or travelling into or within the state to learn, practice, train for, or compete in, the sport of biathlon.

4. For the purposes of this section, a "public park" shall not include those areas designated as an "Adirondack park" pursuant to subdivision one of section 9-0101 of the environmental conservation law, or designated as a "Catskill park" pursuant to subdivision two of section 9-0101 of the environmental conservation law.

Criminal possession of a firearm, rifle or shotgun in a sensitive location is a class E felony.

§ 2. Section 265.01-d of the penal law, as added by a chapter 371 of the laws of 2022, is amended to read as follows:

§ 265.01-d Criminal possession of a weapon in a restricted location.

1. A person is guilty of criminal possession of a weapon in a restricted location when such person possesses a firearm, rifle, or shotgun and enters into or remains on or in private property where such

1 person knows or reasonably should know that the owner or lessee of such
2 property has not permitted such possession by clear and conspicuous
3 signage indicating that the carrying of firearms, rifles, or shotguns on
4 their property is permitted or ~~has~~ by otherwise ~~given~~ giving express
5 consent.

6 2. This section shall not apply to:

7 (a) police officers as defined in section 1.20 of the criminal proce-
8 dure law;

9 (b) persons who are designated peace officers as defined in section
10 2.10 of the criminal procedure law;

11 ~~(c) [persons who were employed as police officers as defined in~~
12 ~~section 1.20 of the criminal procedure law, but are]~~ qualified law
13 enforcement officers who are authorized to carry concealed firearms
14 pursuant to 18 U.S.C. 926B, or qualified retired law enforcement offi-
15 cers who are authorized to carry concealed firearms pursuant to 18
16 U.S.C. 926C;

17 (d) security guards as defined by and registered under article seven-A
18 of the general business law who has been granted a special armed regis-
19 tration card, while at the location of their employment and during their
20 work hours as such a security guard;

21 (e) active-duty military personnel;

22 (f) persons licensed under paragraph (c), (d) or (e) of subdivision
23 two of section 400.00 of this chapter while in the course of his or her
24 official duties; ~~or~~

25 (g) persons while lawfully engaged in taking of wildlife or attempts
26 to take wildlife pursuant to a hunting ~~activity~~ license, permit or
27 license issued by the department of environmental conservation, or as
28 otherwise authorized pursuant to section 11-0707 and 11-0709 of the
29 environmental conservation law, and persons while engaged in hunter
30 education training, marksmanship practice, marksmanship competition or
31 training, or training in the safe handling and use of firearms; or

32 (h) persons, while acting in the scope of their official duties, who
33 are employed in the revenue control and security departments of the
34 metropolitan transportation authority, or the New York city transit
35 authority or an affiliate or subsidiary thereof, who are authorized to
36 carry a firearm as part of their employment.

37 Criminal possession of a weapon in a restricted location is a class E
38 felony.

39 § 3. Subdivision 2 of section 265.45 of the penal law, as added by
40 chapter 371 of the laws of 2022, is amended to read as follows:

41 2. No person shall store or otherwise leave a rifle, shotgun, or
42 firearm out of ~~his or her~~ such person's immediate possession or
43 control inside a vehicle without first removing the ammunition from and
44 securely locking such rifle, shotgun, or firearm in an appropriate safe
45 storage depository out of sight from outside of the vehicle; provided,
46 however, this subdivision shall not apply to police officers as defined
47 pursuant to subdivision thirty-four of section 1.20 of the criminal
48 procedure law, qualified law enforcement officers who are authorized to
49 carry concealed firearms pursuant to 18 U.S.C. 926B, or persons in the
50 military service of the United States or the state of New York when
51 acting in the course of such person's official military duty or employ-
52 ment.

53 § 4. Section 270.21 of the penal law, as amended by chapter 371 of the
54 laws of 2022, is amended to read as follows:

55 § 270.21 Unlawful purchase of body armor in the second degree.

1 A person is guilty of the unlawful purchase of body armor in the
2 second degree when, not being engaged or employed in an eligible profes-
3 sion, they knowingly purchase or take possession of body armor, as such
4 term is defined in subdivision two of section 270.20 of this article.
5 This section shall not apply to individuals or entities engaged or
6 employed in eligible professions, which shall include police officers as
7 defined in section 1.20 of the criminal procedure law, peace officers as
8 defined in section 2.10 of the criminal procedure law, [~~persons in mili-~~
9 ~~tary service in the state of New York or military or other service for~~
10 ~~the United States,~~] and such other professions designated by the depart-
11 ment of state in accordance with section one hundred forty-four-a of the
12 executive law. As it relates to knowingly taking possession of body
13 armor, this section shall not apply to persons in the military service
14 for the state of New York or military or other service for the United
15 States who are issued body armor as a requirement of such service.
16 "Eligible professions" shall not include members of the unorganized
17 militia as defined pursuant to subdivision two of section two of the
18 military law.

19 Unlawful purchase of body armor in the second degree is a class A
20 misdemeanor [~~for a first offense and a class E felony for any subsequent~~
21 ~~offense~~].

22 § 5. The penal law is amended by adding a new section 270.21-a to read
23 as follows:

24 § 270.21-a Unlawful purchase of body armor in the first degree.

25 A person is guilty of the unlawful purchase of body armor in the first
26 degree when:

27 1. not being engaged or employed in an eligible profession, they know-
28 ingly purchase or take possession of body armor, as such term is defined
29 in subdivision two of section 270.20 of this article. This section shall
30 not apply to individuals or entities engaged or employed in eligible
31 professions, which shall include police officers as defined in section
32 1.20 of the criminal procedure law, peace officers as defined in section
33 2.10 of the criminal procedure law, and such other professions desig-
34 nated by the department of state in accordance with section one hundred
35 forty-four-a of the executive law. As it relates to knowingly taking
36 possession of body armor, this section shall not apply to persons in the
37 military service for the state of New York or military or other service
38 for the United States who are issued body armor as a requirement of such
39 service. "Eligible professions" shall not include members of the unor-
40 ganized militia as defined pursuant to subdivision two of section two of
41 the military law; and

42 2. has been convicted of the crime of unlawful purchase of body armor
43 in the second degree within the previous ten years.

44 Unlawful purchase of body armor in the first degree is a class E felo-
45 ny.

46 § 6. Section 270.22 of the penal law, as amended by a chapter 371 of
47 the laws of 2022, is amended to read as follows:

48 § 270.22 Unlawful sale of body armor in the second degree.

49 A person is guilty of the unlawful sale of body armor in the second
50 degree when they sell, exchange, give or dispose of body armor, as such
51 term is defined in subdivision two of section 270.20 of this article, to
52 an individual whom they know or reasonably should have known is not
53 engaged or employed in an eligible profession, as such term is defined
54 in section 270.21 of this article.

Unlawful sale of body armor in the second degree is a class A misdemeanor ~~[for the first offense and a class E felony for any subsequent offense]~~.

§ 7. The penal law is amended by adding a new section 270.22-a to read as follows:

§ 270.22-a Unlawful sale of body armor in the first degree.

A person is guilty of the unlawful sale of body armor in the first degree when:

1. they sell, exchange, give or dispose of body armor, as such term is defined in subdivision two of section 270.20 of this article, to an individual whom they know or reasonably should have known is not engaged or employed in an eligible profession, as such term is defined in section 270.21 of this article; and

2. they have been convicted of the crime of unlawful sale of body armor in the second degree within the previous ten years.

Unlawful sale of body armor in the first degree is a class E felony.

§ 8. This act shall take effect immediately.

SUBPART B

Section 1. Section 265.65 of the penal law, as added by chapter 212 of the laws of 2022, is amended and a new section 265.65-a is added to read as follows:

§ 265.65 Criminal purchase of a semiautomatic rifle in the second degree.

A person is guilty of criminal purchase of a semiautomatic rifle in the second degree when ~~[he or she]~~ such person purchases or takes possession of a semiautomatic rifle and does not possess a license to purchase or take possession of a semiautomatic rifle as provided in subdivision two of section 400.00 of this chapter. ~~[Criminal purchase of a semiautomatic rifle is a class A misdemeanor for the first offense and a class E felony for subsequent offenses]~~ This section shall not apply to police officers, as defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law, peace officers as defined pursuant to section 2.10 of the criminal procedure law, except those peace officers who are not authorized under such section to carry or possess a firearm unless the appropriate license therefore has been issued pursuant to section 400.00 of this chapter, persons in the military service of the United States or the state of New York when acting in the course of their official military duties or employment, or dealers in firearms as defined pursuant to subdivision nine of section 265.00 of this article.

Criminal purchase of a semiautomatic rifle in the second degree is a class A misdemeanor.

§ 265.65-a Criminal purchase of a semiautomatic rifle in the first degree.

A person is guilty of criminal purchase of a semiautomatic rifle in the first degree when such person:

1. purchases or takes possession of a semiautomatic rifle and does not possess a license to purchase or take possession of such semiautomatic rifle as provided in subdivision two of section 400.00 of this chapter. This section shall not apply to police officers as defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law, peace officers as defined pursuant to section 2.10 of the criminal procedure law, persons in the military service of the United States or the state of New York when acting in the course of their official mili-

tary duties or employment, or dealers in firearms as defined pursuant to subdivision nine of section 265.00 of this article; and

2. has been convicted of criminal purchase of a semiautomatic rifle in the second degree within the previous ten years.

Criminal purchase of a semiautomatic rifle in the first degree is a class E felony.

§ 2. Section 265.66 of the penal law, as added by chapter 212 of the laws of 2022, is amended to read as follows:

§ 265.66 Criminal sale of a semiautomatic rifle.

A person is guilty of criminal sale of a semiautomatic rifle when, knowing or having reason to know it is a semiautomatic rifle, ~~[he or she]~~ such person sells, exchanges, gives or disposes of a semiautomatic rifle to another person and such other person does not possess a license to purchase or take possession of a semiautomatic rifle as provided in subdivision two of section 400.00 of this chapter. This section shall not apply to a sale, exchange, or other disposition of a semiautomatic rifle to a person who is a police officer as defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law, a peace officer as defined pursuant to section 2.10 of the criminal procedure law, except those peace officers who are not authorized under such section to carry or possess a firearm unless the appropriate license therefore has been issued pursuant to section 400.00 of this chapter, a person in the military service of the United States or the state of New York when acting in the course of their official military duties or employment, or a dealer in firearms as defined pursuant to subdivision nine of section 265.00 of this article.

Criminal sale of a semiautomatic rifle is a class E felony.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.

§ 2. This act shall take effect immediately; provided, however, that the applicable effective date of Subparts A through B of this act shall be as specifically set forth in the last section of such Subparts.

PART G

Section 1. The state finance law is amended by adding a new section 99-qq to read as follows:

§ 99-qq. Hazard mitigation state revolving loan fund. 1. There is hereby established within the custody of the state comptroller a new fund to be known as the "hazard mitigation revolving loan fund".

2. The fund shall consist of all moneys appropriated therefore, all moneys received by the state pursuant to a capitalization grant from the federal emergency management agency in accordance with the Safeguarding Tomorrow through Ongoing Risk Mitigation Act of 2020 (STORM Act) (P.L. 116-284), payments of principal and interest on loans made from the fund, and interest earned on amounts in the fund.

3. Moneys of the account, when allocated, shall be available to the commissioner of the Division of Homeland Security and Emergency Services to make loans pursuant to section seven hundred nineteen of the executive law.

§ 2. The executive law is amended by adding a new section 719 to read as follows:

§ 719. Loans for eligible hazard mitigation activities. 1. The commissioner may make loans to local governments for eligible hazard mitigation activities, as defined in the STORM Act and corresponding federal regulations, to reduce disaster risks for homeowners, busi-

1 nesses, non-profit organizations, and communities subject to available
2 funds for such purpose pursuant to section ninety-nine-qq of the state
3 finance law.

4 2. The commissioner may make loans under this section subject to such
5 other terms and conditions of the STORM Act, and related federal and
6 state rules, regulations, policies and guidelines.

7 § 3. This act shall take effect immediately.

8 PART H

9 Section 1. Section 2 of the volunteer firefighters' benefit law, as
10 amended by chapter 476 of the laws of 2018, is amended to read as
11 follows:

12 § 2. Purpose. One of the finest traditions of American community life
13 is the service which people render to others [~~without remuneration~~].
14 Volunteer firefighters have long been in the forefront of this group. In
15 recognition of the unselfish service by these volunteers, government has
16 undertaken to provide for them and their families some measure of
17 protection against loss from death or injuries in line of duty. Over the
18 years there has developed a dual system of benefits when volunteer fire-
19 fighters are killed or injured. The dual system has caused uncertainty
20 and confusion. This law establishes a new single system of benefits for
21 volunteer firefighters and provides for the administration of such
22 system by the workers' compensation board and the chairman of such
23 board.

24 It is hereby declared that this chapter is intended to effectuate the
25 objects and purposes of section eighteen of article one of the state
26 constitution and that the relationship between the political subdivision
27 liable for benefits under this chapter and a volunteer firefighter enti-
28 tled to such benefits is that of employer and employee within the mean-
29 ing of such provision of the state constitution.

30 § 2. Subdivision 3 of section 3 of the volunteer firefighters' benefit
31 law, as amended by chapter 458 of the laws of 1996, is amended to read
32 as follows:

33 3. "Line of duty" means the performance by a volunteer firefighter as
34 a volunteer firefighter of the duties and activities described in subdi-
35 vision one of section five of this chapter and the same such duties and
36 activities performed for a specialized team established pursuant to the
37 provisions of section two hundred nine-bb of the general municipal law
38 for which the volunteer firefighter does not receive any remuneration or
39 a gratuity and shall be deemed to include any date of injury as deter-
40 mined by the workers' compensation board pursuant to the provisions of
41 section forty-one of this chapter. The following shall not be deemed to
42 be remuneration or a gratuity: payment of a nominal fee as outlined in
43 section two hundred-aa of the general municipal law; reimbursement of
44 expenses for meals, lodging and actual and necessary travel; the receipt
45 of a mileage allowance in lieu of travel expense; reimbursement of
46 expenses for registration and tuition fees payable under section seven-
47 ty-two-g of the general municipal law, and the acceptance of transporta-
48 tion, food, drink, shelter, clothing and similar items while on duty or
49 engaged in such activities.

50 § 3. The general municipal law is amended by adding a new section
51 200-aa to read as follows:

52 § 200-aa. Nominal fee for volunteer firefighters. 1. For purposes of
53 this section:

1 (a) "fire company" shall have the same meaning as defined in section
2 three of the volunteer firefighters' benefit law.

3 (b) "nominal fee" means payment to a volunteer firefighter of a
4 stipend or a fee for a per call or on call basis. The payment of the
5 nominal fee is not a substitute for compensation and must not be tied to
6 productivity.

7 (c) "volunteer firefighter" shall have the same meaning as defined in
8 section three of the volunteer firefighters' benefit law.

9 2. The governing board of a city, town, village or fire district may,
10 by local law, ordinance or resolution, authorize a fire company to
11 provide nominal fees to volunteer firefighters for: (a) response to a
12 fire, alarm of fire, hazardous material incident or other emergency to
13 which their fire department, fire company, or any unit thereof, either
14 has responded or would be required or authorized to respond; and (b) for
15 completion of certain training, as identified and published by the
16 office of fire prevention and control.

17 3. The office of fire prevention and control may make available state
18 funds through a stipend to volunteer firefighters for completion of
19 certain firefighter training, as identified and published by the office
20 of fire prevention and control.

21 § 4. Subdivision 2 of section 517 of the labor law is amended by
22 adding a new paragraph (j) to read as follows:

23 (j) Any nominal fee paid to a volunteer firefighter pursuant to
24 section two hundred-aa of the general municipal law.

25 § 5. Subparagraph (m) of the opening paragraph of subdivision 5 of
26 section 651 of the labor law, as amended by chapter 105 of the laws of
27 2019, is amended to read as follows:

28 (m) by a federal, state or municipal government or political subdivi-
29 sion thereof, including volunteer firefighters as defined in section
30 three of the volunteer firefighters' benefit law;

31 § 6. Section 35 of the civil service law is amended by adding a new
32 subdivision (l) to read as follows:

33 (l) all volunteer firefighters as defined by section three of the
34 volunteer firefighters' benefit law.

35 § 7. Subdivision 7 of section 201 of the civil service law is amended
36 by adding a new paragraph (h) to read as follows:

37 (h) The term "public employee" shall not mean a volunteer firefighter
38 as defined by section three of the volunteer firefighters' benefit law
39 for purposes of this article.

40 § 8. Paragraph (c) of subdivision 1 of section 205-g of the general
41 municipal law, as added by chapter 559 of the laws of 2006, is amended
42 to read as follows:

43 c. "Line of duty" means the performance by a volunteer firefighter of
44 the duties and activities described in subdivision one of section five
45 of the volunteer firefighters' benefit law and the same such duties and
46 activities performed for a specialized team established pursuant to the
47 provisions of section two hundred nine-bb of this article for which the
48 volunteer firefighter does not receive any remuneration or a gratuity
49 and shall be deemed to include any date of injury as determined by the
50 workers' compensation board pursuant to the provisions of section
51 forty-one of the volunteer firefighters' benefit law. The following
52 shall not be deemed to be remuneration or a gratuity: reimbursement of
53 expenses for meals, lodging and actual and necessary travel; the receipt
54 of a mileage allowance in lieu of travel expense; reimbursement of
55 expenses for registration and tuition fees payable under section seven-
56 ty-two-g of this chapter, ~~and~~ the acceptance of transportation, food,

1 drink, shelter, clothing and similar items while on duty or engaged in
2 such activities; and payment of a nominal fee as outlined in section
3 200-aa of this article.

4 § 9. Section 209-d of the general municipal law, as amended by chapter
5 476 of the laws of 2018, is amended to read as follows:

6 § 209-d. Contracts for outside service by volunteer fire departments
7 and companies. Notwithstanding any other provision of law, no contract
8 shall be made by a municipality or fire district whereby the services of
9 a volunteer fire department or company are to be supplied outside of
10 such municipality or fire district to provide (1) fire protection, (2)
11 emergency service in case of accidents, calamities or other emergencies,
12 or (3) general ambulance service pursuant to the provisions of section
13 two hundred nine-b of this article, unless such volunteer fire depart-
14 ment or company consents thereto. Any such contract may provide for the
15 payment of a portion of the consideration expressed therein to such
16 volunteer fire department or company to be expended for fire department
17 or company purposes only. If the municipality or fire district owns all
18 of the fire apparatus to be used in carrying out the contract, the
19 portion of the consideration which may be paid to such volunteer fire
20 department or company shall not exceed thirty-five per centum, unless a
21 greater portion was being so paid on March fifteenth, nineteen hundred
22 forty-one, under a contract entered into on or before that date, in
23 which event a not greater portion than was being paid on said date may
24 be paid to such volunteer fire department or company in respect to any
25 contract entered into on or after such date. No payments shall be made
26 to individual volunteer firefighters as compensation for rendering such
27 outside service. The payment of a nominal fee to a volunteer firefighter
28 pursuant to section two hundred-aa of this article shall not constitute
29 compensation for rendering such outside service.

30 § 10. This act shall take effect immediately.

31 PART I

32 Section 1. Subdivision 7 of section 575 of the executive law is
33 REPEALED and a new subdivision 7 is added to read as follows:

34 7. Model domestic and gender-based violence policy for New York state
35 and its counties. (a) The office shall convene a task force of state and
36 county level municipal officials, including but not limited to the
37 following: commissioners of local departments of social services,
38 members of the judiciary or their representatives, directors of domestic
39 violence programs, representatives from statewide and national advocacy
40 organizations for the prevention of domestic and gender-based violence,
41 including the New York state coalition against domestic violence and the
42 New York state coalition against sexual assault, directors of sexual
43 violence programs, representatives from statewide and national advocacy
44 organizations for the prevention of sexual violence, local hospitals,
45 health and mental health professionals, representatives from continuums
46 of care and other housing providers, local police department chiefs,
47 directors of county departments of probation, education representatives,
48 state agency partners overseeing programs and funding for victims of
49 gender-based violence, including commissioners or delegates from the
50 office of victim services, the office of children and family services,
51 the office of temporary and disability assistance, the department of
52 health, the division of criminal justice services, and members of the
53 New York state interagency task force against human trafficking. In
54 selecting task force members, the office shall seek diversity in repre-

1 sentation in membership by people from intersectional identities which
2 can include diverse cultures, beliefs, abilities and geographic region
3 or those who have worked with culturally specific or population specific
4 survivors.

5 (b) The purpose of the task force shall be to develop a model domestic
6 and gender-based violence policy for counties and the state that fosters
7 a survivor-centered, culturally responsive, and trauma-informed response
8 across all systems providing services to victims of domestic and
9 gender-based violence, by assuring that best practices, policies, proto-
10 cols and procedures are used to address the issue of domestic and
11 gender-based violence. Such policy shall also address, including, but
12 not limited to:

13 (i) how survivors are referred to or access services, with the goal of
14 creating uniform response by social services districts and community-
15 based providers, hospitals and medical providers, mental health and
16 substance use providers, including identification, assessment, inter-
17 vention and referral policies and responses to victims and persons who
18 cause harm;

19 (ii) creating uniform response and investigation by police agencies
20 and other criminal justice agencies to gender-based violence, including
21 use of domestic incident reports, screening tools and assessments,
22 disposition of domestic violence complaints, the provision of informa-
23 tion and orders of protection;

24 (iii) training and appropriate and relevant measures for periodic
25 evaluation of community efforts between the office and other state agen-
26 cies having oversight over any local system; and

27 (iv) other issues as shall be appropriate and relevant for the task
28 force to develop such policy.

29 (c) The office shall convene a public hearing for members of the task
30 force to receive input into the model policy developed pursuant to this
31 subdivision, after which the office shall draft such policy with input
32 from the task force. Such draft shall be circulated for review by the
33 public no later than December first, two thousand twenty-four and
34 amended as necessary to reflect written comments received.

35 (d) The model policy developed pursuant to this subdivision shall be
36 reviewed and approved by the advisory council, and once approved, such
37 model policy shall be posted on the office's website.

38 (e) Notification of the availability of the model domestic and
39 gender-based violence policy developed pursuant to this subdivision
40 shall be made by the office to every county and executive state agency
41 in the state. Upon notification of the availability of such model poli-
42 cy, the office shall set reasonable timeframes for the submission,
43 review, and adoption of all local policies, which shall be adopted no
44 later than six months after the dissemination of such model policy.

45 (f) Upon adoption of the model policy developed pursuant to this
46 subdivision, every county and executive state agency in the state shall
47 submit a certification to the office.

48 (g) The office shall provide training, technical support, and informa-
49 tion to implement the development of the model policy developed pursuant
50 to this subdivision.

51 (h) Nothing contained in this subdivision shall be deemed to prevent
52 the governing body of a county or locality from designating a local
53 advisory committee to investigate the issues, work with providers of
54 domestic and gender-based violence programs and other interested
55 parties, and to aid in the implementation of the policy required by this
56 subdivision. Such governing body or advisory committee may request and

1 shall receive technical assistance from the office for the development
2 of such a policy. Implementation of the model domestic violence policy
3 may take place in a form considered appropriate by the governing body of
4 a county, including guidelines, regulations and local laws.

5 (i) The office, in conjunction with any state agency having oversight
6 over any local system, shall have authority to oversee compliance with
7 the model policy developed pursuant to this subdivision and, upon
8 discovering any compliance concerns, to require corrective actions to
9 come into compliance with such policy. The office shall survey county
10 governments every five years after the issuance of such policy to evalu-
11 ate the effectiveness of such policy, to determine the level of compli-
12 ance with such model domestic and gender-based violence policy, and
13 identify any additional steps necessary to aid in the implementation of
14 such policy.

15 § 2. This act shall take effect on the one hundred eightieth day after
16 it shall have become a law.

17 PART J

18 Section 1. Subdivisions 1 and 2 of section 217 of the military law,
19 subdivision 1 as amended by chapter 141 of the laws of 1988, and subdivi-
20 sion 2 as amended by chapter 63 of the laws of 1976, are amended to
21 read as follows:

22 1. Any member of the organized militia who (a) shall be disabled or
23 has been so disabled in the performance of any actual service of this
24 state within three years preceding the application for a pension under
25 this chapter, in case of riots, tumults, breach of the peace, resistance
26 to process, invasion, insurrection or imminent danger thereof, or when-
27 ever called upon in aid of the civil authorities, or while engaged in
28 any lawfully ordered parade, drill, encampment or inspection, shall,
29 upon proof of the fact, as hereinafter provided, be placed on the disa-
30 bility retired roll of the state and shall receive out of any moneys in
31 the treasury of the state, not otherwise appropriated, upon the approval
32 of the chief of staff and approval of the governor, the same pension or
33 reward that persons under similar circumstances receive from the United
34 States~~[-]~~, or

35 (b) was activated on state active duty on or after September eleventh,
36 two thousand one, and participated in World Trade Center site rescue,
37 recovery, or cleanup operations as part of such state active duty, and
38 who is determined to have incurred a qualifying World Trade Center
39 condition shall be entitled to a performance of duty disability pension
40 equivalent to three-quarters of the member's final average salary. The
41 deadline for submitting any qualifying claim under this paragraph shall
42 be on or before September eleventh, two thousand twenty-six. The adju-
43 tant general of the division of military and naval affairs is authorized
44 to promulgate regulations to implement the provisions of this section.

45 2. In case any such member of the organized militia (a) shall die as
46 the result of any such wound, injury or disease within one year after it
47 has been incurred or contracted, the surviving spouse, children under
48 twenty-one years of age or dependent parent of such member of the organ-
49 ized militia shall receive such pension and reward as persons under
50 similar circumstances receive from the United States~~[-]~~, or

51 (b) was activated on state active duty on or after September eleventh,
52 two thousand one, and participated in World Trade Center site rescue,
53 recovery, or cleanup operations as part of such state active duty, and
54 whose death is determined to be the result of incurring a qualifying

World Trade Center condition shall be entitled to an accidental death benefit of one-half of the member's final average salary. The deadline for submitting any qualifying claim under this paragraph shall be on or before September eleventh, two thousand twenty-six. The adjutant general of the division of military and naval affairs is authorized to promulgate regulations to implement the provisions of this section.

§ 2. This act shall take effect immediately.

PART K

Section 1. New York's alcoholic beverage control law was enacted in 1934. Since that time, the law has grown organically to meet the changing needs of the industry. However, through that growth over the course of nearly a century, the structure of the law has become unwieldy and inconsistent. Consequently, it is difficult for the industry and regulators to understand, implement, enforce, and comply with the law.

The State believes that with an open, transparent legislative review process, the alcoholic beverage control law can be properly rewritten. To begin the process of modernizing the state's alcoholic beverage control laws, the New York State Liquor Authority ("SLA") is hereby directed to undertake a review of those laws and recommend changes. Such recommended changes shall focus on clearly and rationally delineating policies, procedures, criteria, and legal standards that are in current law but not in an intelligible form. The SLA shall prepare an amended version of the law containing the proposed changes and post it on their website for public review.

§ 2. This act shall take effect immediately.

PART L

Section 1. The alcoholic beverage control law is amended by adding a new section 97-d to read as follows:

§ 97-d. Temporary wholesale permit. 1. Any person may apply to the liquor authority for a temporary permit to operate any alcoholic beverage wholesale business as may be licensed under this chapter. Such application shall be in writing and verified and shall contain information as the liquor authority shall require. Such application shall be accompanied by a check or draft in the amount of one hundred twenty-five dollars for such permit.

2. Upon application, the liquor authority may issue such temporary permit when:

(a) the applicant has a wholesale license application at the same premises pending before the liquor authority, together with all required filing and license fees;

(b) the applicant has obtained and provided evidence of all permits, licenses and other documents necessary for the operation of such a business; and

(c) any current license in effect at the premises that may not under law operate concurrently has been surrendered or placed in safekeeping, or has been deemed abandoned by the authority.

3. The liquor authority in granting such permit shall ensure that:

(a) issuance of the permit will not inordinately hinder the operation or effective administration of this chapter;

(b) the applicant would in all likelihood be able to ultimately obtain the wholesale license being applied for; and

1 (c) the applicant has substantially complied with the requirements
2 necessary to obtain such license.

3 4. The application for a permit shall be approved or denied by the
4 liquor authority within forty-five days after the receipt of such appli-
5 cation.

6 5. A temporary permit shall authorize the permittee to operate a
7 wholesale facility for the sale of alcoholic beverages according to the
8 laws applicable to the type of wholesale license being applied for.

9 6. Such temporary permit shall remain in effect for six months or
10 until the wholesale license being applied for is approved and the
11 license granted, whichever is shorter. Such permit may be extended at
12 the discretion of the liquor authority for additional three-month peri-
13 ods of time upon payment of an additional fee of fifty dollars for each
14 such extension.

15 7. Notwithstanding any provision of law to the contrary, a temporary
16 permit may be summarily cancelled or suspended at any time if the liquor
17 authority determines that good cause for cancellation or suspension
18 exists. The liquor authority shall promptly notify the permittee in
19 writing of such cancellation or suspension and shall set forth the
20 reasons for such action.

21 8. The liquor authority in reviewing such application shall review the
22 entire record and grant the temporary permit unless good cause is other-
23 wise shown. A decision on an application shall be based on substantial
24 evidence in the record and supported by a preponderance of the evidence
25 in favor of the applicant.

26 § 2. This act shall take effect on the ninetieth day after it shall
27 have become law.

28 PART M

29 Section 1. The opening paragraph of subdivision 2 of section 99-d of
30 the alcoholic beverage control law, as amended by chapter 560 of the
31 laws of 2011, is amended to read as follows:

32 Before any change in the members of a limited liability company or the
33 transfer or assignment of a membership interest in a limited liability
34 company or any corporate change in stockholders, stockholdings, alcohol-
35 ic beverage officers, officers or directors, except officers and direc-
36 tors of a premises licensed as a club or a luncheon club under this
37 chapter can be effectuated for the purposes of this chapter, there shall
38 be filed with the liquor authority an application for permission to make
39 such change and there shall be paid to the liquor authority in advance
40 upon filing of the application a fee of one hundred twenty-eight
41 dollars. If the authority does not act within ninety days of receipt of
42 such application, the change shall be deemed approved. Provided, howev-
43 er, any change which is in violation of any provision of this chapter,
44 including but not limited to those in sections one hundred one, one
45 hundred twenty-six, and one hundred twenty-eight of this chapter, may
46 not be approved or deemed approved.

47 § 2. This act shall take effect immediately.

48 PART N

49 Section 1. The opening paragraph of subdivision 1 of section 110-b of
50 the alcoholic beverage control law, as amended by chapter 222 of the
51 laws of 2019, is amended to read as follows:

1 Not [~~less than thirty nor~~] more than two hundred [~~and~~] seventy days
2 before filing any of the following applications provided for in this
3 subdivision, an applicant shall notify the municipality in which the
4 premises is located of such applicant's intent to file such an applica-
5 tion. The proof of notification, provided for in subdivisions six and
6 six-a of this section, must be provided at the time of application;
7 failure to so provide shall constitute good cause for denial. The
8 authority may not act to approve any application subject to this section
9 prior to the passage of thirty days from the date notification was
10 provided to the municipality. This section shall apply to an
11 application:

12 § 2. This act shall take effect immediately.

13 PART 0

14 Section 1. Subdivision 3 of section 97-a of the alcoholic beverage
15 control law, as amended by chapter 106 of the laws of 2022, is amended
16 to read as follows:

17 3. A temporary retail permit under paragraph (b) of subdivision one of
18 this section may not be issued for any premises that is subject to the
19 provisions of section sixty-three or seventy-nine of this chapter; a
20 temporary retail permit under paragraph (b) of subdivision one of this
21 section shall not be issued for a premises subject to the provisions of
22 paragraph (b) of subdivision seven of section sixty-four, subparagraph
23 (ii) of paragraph (a) of subdivision seven of section sixty-four-a,
24 subparagraph (ii) of paragraph (a) of subdivision eleven of section
25 sixty-four-c, or paragraph (b) of subdivision eight of section sixty-
26 four-d, unless and until a recommendation that there be a finding of
27 public interest has been made by an administrative law judge pursuant to
28 paragraph (f) of subdivision seven of section sixty-four, paragraph (d)
29 of subdivision seven of section sixty-four-a, paragraph (c) of subdivi-
30 sion five of section sixty-four-b, paragraph (c) of subdivision eleven
31 of section sixty-four-c, or paragraph (e) of subdivision eight of
32 section sixty-four-d of this chapter. Provided however, any premises
33 granted a temporary retail permit pursuant to this subdivision in a city
34 with a population of one million or more people shall only be allowed to
35 operate on the premises under the following conditions: [~~an active~~] no
36 retail license [shall have existed] at the applied for location [within
37 the past two years, and such license] shall [~~not~~] have been canceled,
38 suspended, or revoked by the authority within the past two years; the
39 closing time any day of the week shall be no later than midnight;
40 provided however that the closing time of any outdoor space shall be no
41 later than ten o'clock post-meridian Sunday through Thursday and eleven
42 o'clock post-meridian Friday and Saturday; no outdoor music; indoors
43 shall have recorded background music only, with no live music, DJ's,
44 karaoke, or similar forms of music; and no dancing. The authority shall
45 automatically lift such restrictions if the authority issues a retail
46 license for the premises, and replace such restrictions with other
47 restrictions, if any, imposed by the authority in accordance with the
48 public interest standard.

49 § 2. Subdivision 4 of section 97-a of the alcoholic beverage control
50 law, as added by chapter 396 of the laws of 2010, is amended to read as
51 follows:

52 4. A temporary retail permit issued by the authority pursuant to this
53 section shall be for a period not to exceed ninety days. A temporary
54 permit may be extended at the discretion of the authority, for an addi-

1 tional [~~thirty~~] ninety day period upon payment of an additional fee of
2 sixty-four dollars for all retail beer licenses and ninety-six dollars
3 for all other temporary permits and upon compliance with all conditions
4 required in this section. The authority may, in its discretion, issue
5 additional [~~thirty~~] ninety day extensions upon payment of the appropri-
6 ate fee.

7 § 3. Subdivision 6 of section 97-a of the alcoholic beverage control
8 law, as added by chapter 396 of the laws of 2010, is amended to read as
9 follows:

10 6. The holder of a temporary retail permit shall [~~purchase alcoholic~~
11 ~~beverages only by payment in currency or check for such alcoholic beverages on or before the day such alcoholic beverages are delivered,~~
12 ~~provided, however, that the holder of a temporary permit issued pursuant to this section who also holds one or more retail licenses and is operating under such retail license or licenses in addition to the temporary~~
13 ~~retail permit, and who is not delinquent under the provisions of section~~
14 ~~one hundred one-aa of this chapter as to any retail license under which~~
15 ~~he operates, may purchase alcoholic beverages on credit under the tempo-~~
16 ~~rary permit]~~ be subject to sections one hundred one-aa and one hundred
17 one-aaa of this chapter.

21 § 4. Section 5 of chapter 396 of the laws of 2010 amending the alco-
22 holic beverage control law relating to liquidator's permits and tempo-
23 rary retail permits, as amended by section 1 of part M of chapter 55 of
24 the laws of 2022, is amended to read as follows:

25 § 5. This act shall take effect on the sixtieth day after it shall
26 have become a law[, ~~provided that paragraph (b) of subdivision 1 of~~
27 ~~section 97-a of the alcoholic beverage control law as added by section~~
28 ~~two of this act shall expire and be deemed repealed October 12, 2023].~~

29 § 5. This act shall take effect immediately; provided, however, that
30 section two of this act shall take effect on the ninetieth day after it
31 shall have become a law.

32 PART P

33 Section 1. Section 722-b of the county law, as amended by section 2 of
34 part J of chapter 62 of the laws of 2003, is amended to read as follows:

35 § 722-b. Compensation and reimbursement for representation. 1. All
36 counsel assigned in accordance with a plan of a bar association conform-
37 ing to the requirements of section seven hundred twenty-two of this
38 article whereby the services of private counsel are rotated and coordi-
39 nated by an administrator shall at the conclusion of the representation
40 receive:

41 (a) for representation of a person [~~entitled to representation by law~~
42 ~~who is initially charged with a misdemeanor or lesser offense and no~~
43 ~~felony, compensation for such misdemeanor or lesser offense represen-~~
44 ~~tation at a rate of sixty dollars per hour for time expended in court or~~
45 ~~before a magistrate, judge or justice, and sixty]~~ in all cases governed
46 by this article, and arising in New York county, Kings county, Bronx
47 county, Richmond county, Queens county, Suffolk county, Nassau county,
48 Westchester county, Rockland county, Putnam county, Orange county,
49 Dutchess county, Ulster county, and Sullivan county, including all
50 representation in an appellate court, compensation at a rate of one
51 hundred fifty-eight dollars per hour for time expended in court before a
52 magistrate, judge or justice and one hundred fifty-eight dollars per
53 hour for time reasonably expended out of court, and shall receive
54 reimbursement for expenses reasonably incurred; and

(b) for representation of a person in all ~~[other]~~ cases governed by this article, arising in all remaining New York state counties, including all representation in an appellate court, compensation at a rate of ~~[seventy-five]~~ one hundred nineteen dollars per hour for time expended in court before a magistrate, judge or justice and ~~[seventy-five]~~ one hundred nineteen dollars per hour for time reasonably expended out of court, and shall receive reimbursement for expenses reasonably incurred.

~~2. [Except as provided in this section, compensation for time expended in providing representation:]~~

~~(a) pursuant to paragraph (a) of subdivision one of this section shall not exceed two thousand four hundred dollars; and~~

~~(b) pursuant to paragraph (b) of subdivision one of this section shall not exceed four thousand four hundred dollars.~~

~~3. For representation on an appeal, compensation and reimbursement shall be fixed by the appellate court. For all other representation, compensation and reimbursement shall be fixed by the trial court judge. In extraordinary circumstances a trial or appellate court may provide for compensation in excess of the foregoing limits and for payment of compensation and reimbursement for expenses before the completion of the representation.~~

4.] Except as provided in this section, compensation for time expended in providing representation pursuant to paragraph (a) of subdivision one of this section shall not exceed ten thousand dollars; and (b) pursuant to paragraph (b) of subdivision one of this section shall not exceed seven thousand dollars.

3. Each claim for compensation and reimbursement shall be supported by a sworn statement specifying the time expended, services rendered, expenses incurred and reimbursement or compensation applied for or received in the same case from any other source. No counsel assigned hereunder shall seek or accept any fee for representing the party for whom he or she is assigned without approval of the court as herein provided.

§ 2. Subdivision 3 of section 35 of the judiciary law, as amended by section 5 of part J of chapter 62 of the laws of 2003, is amended to read as follows:

3. (a) No counsel assigned pursuant to this section shall seek or accept any fee for representing the person for whom he or she is assigned without approval of the court as herein provided. Whenever it appears that such person is financially able to obtain counsel or make partial payment for the representation, counsel may report this fact to the court and the court may terminate the assignment or authorize payment, as the interests of justice may dictate, to such counsel. Counsel assigned hereunder shall at the conclusion of the representation receive compensation at a rate of ~~[seventy-five]~~: (i) one hundred fifty-eight dollars per hour for time expended in court~~[, and seventy-five dollars per hour for time reasonably expended out of court]~~ in the following counties: New York, Kings, Bronx, Richmond, Queens, Suffolk, Nassau, Westchester, Rockland, Putnam, Orange, Dutchess, Ulster, and Sullivan; and (ii) one hundred nineteen dollars per hour for time expended in court in all other New York state counties, and shall receive reimbursement for expenses reasonably incurred.

(b) For representation upon a hearing, compensation and reimbursement shall be fixed by the court wherein the hearing was held and such compensation shall not exceed ~~[four thousand four hundred dollars. For representation in an appellate court, compensation and reimbursement shall be fixed by such court and such compensation shall not exceed four~~

1 ~~thousand four hundred dollars]~~ ten thousand dollars for time expended in
2 providing representation pursuant to subparagraph (i) of paragraph (a)
3 of this subdivision; and seven thousand dollars for time expended in
4 providing representation pursuant to subparagraph (ii) of paragraph (a)
5 of this subdivision. In extraordinary circumstances the court may
6 provide for compensation in excess of the foregoing limits.

7 § 3. This act shall take effect April 1, 2023. Effective immediately,
8 the addition, amendment, and/or repeal of any rule or regulation neces-
9 sary for the implementation of this act on its effective date are
10 authorized to be made and completed on or before such effective date.

11 PART Q

12 Section 1. Section 2 of chapter 303 of the laws of 1988, relating to
13 the extension of the state commission on the restoration of the capitol,
14 as amended by section 1 of part T of chapter 55 of the laws of 2018, is
15 amended to read as follows:

16 § 2. The temporary state commission on the restoration of the capitol
17 is hereby renamed as the state commission on the restoration of the
18 capitol (hereinafter to be referred to as the "commission") and is here-
19 by continued until April 1, ~~2023~~ 2028. The commission shall consist
20 of eleven members to be appointed as follows: five members shall be
21 appointed by the governor; two members shall be appointed by the tempo-
22 rary president of the senate; two members shall be appointed by the
23 speaker of the assembly; one member shall be appointed by the minority
24 leader of the senate; one member shall be appointed by the minority
25 leader of the assembly, together with the commissioner of general
26 services and the commissioner of parks, recreation and historic preser-
27 vation. The term for each elected member shall be for three years,
28 except that of the first five members appointed by the governor, one
29 shall be for a one year term, and two shall be for a two year term, and
30 one of the first appointments by the president of the senate and by the
31 speaker of the assembly shall be for a two year term. Any vacancy that
32 occurs in the commission shall be filled in the same manner in which the
33 original appointment was made. The commission shall elect a chairman and
34 a vice-chairman from among its members. The members of the state
35 commission on the restoration of the capitol shall be deemed to be
36 members of the commission until their successors are appointed. The
37 members of the commission shall receive no compensation for their
38 services, but shall be reimbursed for their expenses actually and neces-
39 sarily incurred by them in the performance of their duties hereunder.

40 § 2. Section 9 of chapter 303 of the laws of 1988, relating to the
41 extension of the state commission on the restoration of the capitol, as
42 amended by section 2 of part T of chapter 55 of the laws of 2018, is
43 amended to read as follows:

44 § 9. This act shall take effect immediately, and shall remain in full
45 force and effect until April 1, ~~2023~~ 2028.

46 § 3. This act shall take effect immediately and shall be deemed to
47 have been in full force and effect on and after April 1, 2023; provided
48 that the amendments to section 2 of chapter 303 of the laws of 1988 made
49 by section one of this act shall not affect the expiration of such chap-
50 ter, and shall be deemed to expire therewith.

51 PART R

1 Section 1. Subdivision 7 of section 163 of the state finance law, as
2 amended by section 2 of subpart A of part KK of chapter 57 of the laws
3 of 2018, is amended to read as follows:

4 7. Method of procurement. Consistent with the requirements of subdivi-
5 sions three and four of this section, state agencies shall select among
6 permissible methods of procurement including, but not limited to, an
7 invitation for bid, request for proposals or other means of solicitation
8 pursuant to guidelines issued by the state procurement council. State
9 agencies may [~~accept~~] require electronic submission as the sole method
10 for the submission of bids [electronically] for commodity, service and
11 technology contracts, including submission of the statement of non-col-
12 lusion required by section one hundred thirty-nine-d of this chapter,
13 and the statement of certification required by section one hundred thir-
14 ty-nine-l of this chapter[, and[, ~~starting April first, two thousand~~
15 ~~twelve, and ending March thirty-first, two thousand fifteen,~~] may[, ~~for~~
16 ~~commodity, service and technology~~] require electronic signatures on all
17 documents required for submission of a bid, any resulting contracts
18 [~~require electronic submission as the sole method for the submission of~~
19 ~~bids for the solicitation~~], and required submissions during the term of
20 any contract. [~~State agencies shall undertake no more than eighty-five~~
21 ~~such electronic bid solicitations, none of which shall be reverse~~
22 ~~auctions, prior to April first, two thousand fifteen. In addition, state~~
23 ~~agencies may conduct up to twenty reverse auctions through electronic~~
24 ~~means, prior to April first, two thousand fifteen.~~] Prior to requiring
25 the electronic submission of bids, the agency shall make a determi-
26 nation, which shall be documented in the procurement record, that elec-
27 tronic submission affords a fair and equal opportunity for offerers to
28 submit responsive offers, and that the electronic signature complies
29 with the provisions of article three of the state technology law.
30 [~~Within thirty days of the completion of the eighty-fifth electronic bid~~
31 ~~solicitation, or by April first, two thousand fifteen, whichever is~~
32 ~~earlier, the commissioner shall prepare a report assessing the use of~~
33 ~~electronic submissions and make recommendations regarding future use of~~
34 ~~this procurement method. In addition, within thirty days of the~~
35 ~~completion of the twentieth reverse auction through electronic means, or~~
36 ~~by April first, two thousand fifteen, whichever is earlier, the commis-~~
37 ~~sioner shall prepare a report assessing the use of reverse auctions~~
38 ~~through electronic means and make recommendations regarding future use~~
39 ~~of this procurement method. Such reports shall be published on the~~
40 ~~website of the office of general services.~~] Except where otherwise
41 provided by law, procurements shall be competitive, and state agencies
42 shall conduct formal competitive procurements to the maximum extent
43 practicable. State agencies shall document the determination of the
44 method of procurement and the basis of award in the procurement record.
45 Where the basis for award is the best value offer, the state agency
46 shall document, in the procurement record and in advance of the initial
47 receipt of offers, the determination of the evaluation criteria, which
48 whenever possible, shall be quantifiable, and the process to be used in
49 the determination of best value and the manner in which the evaluation
50 process and selection shall be conducted.

51 § 2. Subdivision 7-a of section 163 of the state finance law is
52 REPEALED.

53 § 3. This act shall take effect immediately; provided, however, that
54 the amendments to section 163 of the state finance law made by section
55 one of this act shall not affect the repeal of such section and shall be
56 deemed repealed therewith.

1

PART S

2 Section 1. Section 57 of the civil service law, as added by chapter
3 83 of the laws of 1963, is amended to read as follows:

4 § 57. Continuous recruitment for certain positions. Notwithstanding
5 any other provisions of this chapter or any other law, the civil service
6 department or a municipal commission may establish a continuing eligible
7 list for any class of positions for which it finds [~~inadequate numbers~~
8 ~~of well-qualified persons available for recruitment~~] such lists appro-
9 priate. The civil service department may only establish continuing
10 eligible lists for any class of positions filled through open compet-
11 itive examination. Names of eligibles shall be inserted in such list
12 from time to time as applicants are tested and found qualified in exam-
13 inations held at such intervals as may be prescribed by the civil
14 service department or municipal commission having jurisdiction. Such
15 successive examinations shall, so far as practicable, be constructed and
16 rated so as to be equivalent tests of the merit and fitness of candi-
17 dates. The name of any candidate who passes any such examination and who
18 is otherwise qualified shall be placed on the continuing eligible list
19 in the rank corresponding to his or her final rating on such examina-
20 tion. The period of eligibility of successful candidates for certifi-
21 cation and appointment from such continuing eligible list, as a result
22 of any such examination, shall be fixed by the civil service department
23 or municipal commission but, except as a list may reach an announced
24 terminal date, such period shall not be less than one year; nor shall
25 such period of eligibility exceed four years. Subject to such conditions
26 and limitations as the civil service department or municipal commission
27 may prescribe, a candidate may take more than one such examination;
28 provided, however, that no such candidate shall be certified simultane-
29 ously with more than one rank on the continuing eligible list. With
30 respect to any candidate who applies for and is granted additional cred-
31 it in any such examination as a disabled or non-disabled veteran, and
32 for the limited purpose of granting such additional credit, the eligible
33 list shall be deemed to be established on the date on which his or her
34 name is added thereto.

35 § 2. This act shall take effect immediately.

36

PART T

37 Section 1. Subdivision 1 of section 55-b of the civil service law, as
38 amended by chapter 603 of the laws of 1995, is amended to read as
39 follows:

40 1. The commission may determine up to [~~twelve~~] seventeen hundred posi-
41 tions with duties such as can be performed by persons with a physical or
42 mental disability who are found otherwise qualified to perform satisfac-
43 torily the duties of any such position. Upon such determination the said
44 positions shall be classified in the noncompetitive class, and may be
45 filled only by persons who shall have been certified by the employee
46 health service of the department as being a person with either a phys-
47 ical or mental disability. The number of persons appointed pursuant to
48 this section shall not exceed [~~twelve~~] seventeen hundred.

49 § 2. Section 55-b of the civil service law is amended by adding a new
50 subdivision 3 to read as follows:

51 3. Those employees hired under subdivision one of this section shall
52 be afforded the opportunity to transfer into competitive class positions

so long as they meet the requirements for transfer pursuant to section fifty-two of this title and section seventy of this chapter.

§ 3. Section 55-c of the civil service law, as amended by chapter 603 of the laws of 1995, is amended by adding a new subdivision 4 to read as follows:

4. Those employees hired under subdivision one of this section shall be afforded the opportunity to transfer into competitive class positions so long as they meet the requirements for transfer pursuant to section fifty-two of this title and section seventy of this chapter.

§ 4. This act shall take effect immediately.

PART U

Section 1. Subdivision (a) of section 5004 of the civil practice law and rules, as amended by chapter 831 of the laws of 2021, is amended to read as follows:

(a) ~~[Interest shall be at the rate of nine per centum per annum, except where otherwise provided by statute; provided]~~ Notwithstanding any other provision of law or regulation to the contrary, including any law or regulation that limits the annual rate of interest to be paid on a judgment or accrued claim, the annual rate of interest to be paid on a judgment or accrued claim shall be calculated at the one-year United States treasury bill rate. For purposes of this section, the "one-year United States treasury bill rate" means the weekly average one-year constant maturity treasury yield, as published by the board of governors of the federal reserve system, for the calendar week preceding the date of the entry of the judgment awarding damages; provided however, that this section shall not apply to any provision of the tax law which provides for the annual rate of interest to be paid on a judgment or accrued claim. Provided, however, the annual rate of interest to be paid in an action arising out of a consumer debt where a natural person is a defendant shall be two per centum per annum (i) on a judgment or accrued claim for judgments entered on or after the effective date of ~~[the]~~ chapter eight hundred thirty-one of the laws of two thousand twenty-one ~~[which amended this section]~~, and (ii) for interest upon a judgment pursuant to section five thousand three of this article from the date of the entry of judgment on any part of a judgment entered before the effective date of ~~[the]~~ chapter eight hundred thirty-one of the laws of two thousand twenty-one ~~[which amended this section]~~ that is unpaid as of such effective date.

§ 2. Section 16 of the state finance law, as amended by chapter 681 of the laws of 1982, is amended to read as follows:

§ 16. Rate of interest on judgments and accrued claims against the state. The rate of interest to be paid by the state upon any judgment or accrued claim against the state shall ~~[not exceed nine per centum per annum]~~ be calculated at the one-year United States treasury bill rate. For the purposes of this section, the "one-year United States treasury bill rate" means the weekly average one-year constant maturity treasury yield, as published by the board of governors of the federal reserve system, for the calendar week preceding the date of the entry of the judgment awarding damages. Provided however, that this section shall not apply to any provision of the tax law which provides for the annual rate of interest to be paid on a judgment or accrued claim.

§ 3. This act shall take effect immediately, and shall be deemed to have been in full force and effect on and after April 1, 2023.

1

PART V

2 Section 1. Part HH of chapter 56 of the laws of 2022, amending the
3 retirement and social security law relating to waiving approval and
4 income limitations on retirees employed in school districts and board of
5 cooperative educational services, is amended to read as follows:

6 § 2. Notwithstanding any other provision of law to the contrary, none
7 of the provisions of this act shall be subject to section 25 of the
8 retirement and social security law.

9 § 3. This act shall take effect immediately and shall expire and be
10 deemed repealed June 30, ~~2023~~ 2024.

11 § 2. This act shall take effect immediately.

12

PART W

13 Section 1. Paragraphs 2 and 3 of subdivision e of section 19-a of the
14 retirement and social security law, as amended by chapter 48 of the laws
15 of 2017, are amended to read as follows:

16 (2) For any given fiscal year for which (i) the system actuarial
17 contribution rate exceeds nine and one-half percent of payroll as of the
18 end of the previous fiscal year, and (ii) an employer's average actuari-
19 al contribution rate exceeds the ~~[system]~~ employer's graded contribution
20 rate or the alternative ~~[system]~~ employer's graded contribution rate,
21 the balance in the employer's account within such fund shall be applied
22 to reduce the employer's payment to the retirement system for such
23 fiscal year in an amount not to exceed the difference between the
24 employer's actuarial contribution and the employer's graded contribution
25 for the fiscal year.

26 (3) Notwithstanding the provisions of paragraph two of this subdivi-
27 sion, if at the close of any given fiscal year the balance of an employ-
28 er's account within the fund exceeds ~~[one hundred percent of]~~ the
29 employer's ~~[payroll]~~ actuarial contribution for the previous fiscal
30 year, ~~[the excess shall be applied to reduce the employer's payment to~~
31 ~~the retirement system for the next succeeding fiscal year]~~ no graded
32 payment shall be required or allowed.

33 § 2. Section 19-a of the retirement and social security law is amended
34 by adding a new subdivision f to read as follows:

35 f. (1) An amortizing employer may elect to terminate participation in
36 the contribution stabilization program provided that such employer shall
37 have paid in full all such prior year amortization amounts including
38 interest as determined by the comptroller. Furthermore, any amortizing
39 employer that has terminated participation in the contribution stabili-
40 zation program may re-enter the program in a year in which the employer
41 is eligible to amortize and their employer contribution reserve fund has
42 been depleted.

43 (2) An alternative amortizing employer may elect to terminate partici-
44 ipation in the alternative contribution stabilization program provided
45 that such employer shall have paid in full all such prior year amorti-
46 zation amounts including interest as determined by the comptroller.
47 Furthermore, any alternative amortizing employer that has terminated
48 participation in the alternative contribution stabilization program may
49 not re-enter the alternative contribution stabilization program;
50 provided, however, such employer may enter the regular contribution
51 stabilization program as set forth in paragraph one of this subdivision.

52 (3) In order to terminate participation in the contribution stabili-
53 zation or alternative contribution stabilization program, such employer

1 must file an election on a form prescribed by the comptroller. Such
2 election is subject to review and approval by the comptroller.

3 (4) Termination shall take effect for the fiscal year billing cycle
4 following the fiscal year of approval. An employer who has been approved
5 to terminate from the contribution stabilization or alternative contrib-
6 ution stabilization program pursuant to this section shall not be
7 required to make a graded payment starting in the following fiscal year
8 billing cycle.

9 (5) In the event an employer in the contribution stabilization program
10 or alternative contribution stabilization program terminates partic-
11 ipation pursuant to this section, any such balance in their employer
12 contribution reserve fund shall be applied to the employer's annual bill
13 in the maximum amount permitted under paragraph two of subdivision e of
14 this section, for the following fiscal year and continue to be applied
15 to future annual bills until the reserve fund is depleted.

16 § 3. Paragraphs 2 and 3 of subdivision e of section 319-a of the
17 retirement and social security law, as amended by chapter 48 of the laws
18 of 2017, are amended to read as follows:

19 (2) For any given fiscal year for which (i) the system actuarial
20 contribution rate exceeds seventeen and one-half percent of payroll as
21 of the end of the previous fiscal year, and (ii) for which an employer's
22 average actuarial contribution rate exceeds the employer's graded
23 contribution rate or the alternative ~~[system]~~ employer's graded contrib-
24 ution rate, the balance in the employer's account within such fund shall
25 be applied to reduce the employer's payment to the retirement system for
26 such fiscal year in an amount not to exceed the difference between the
27 employer's actuarial contribution and the employer's graded contribution
28 for the fiscal year.

29 (3) Notwithstanding the provisions of paragraph two of this subdivi-
30 sion, if at the close of any given fiscal year the balance of an employ-
31 er's account within the fund exceeds ~~[one hundred percent of]~~ the
32 employer's ~~[payroll]~~ actuarial contribution for the previous fiscal
33 year, ~~[the excess shall be applied to reduce the employer's payment to~~
34 ~~the retirement system for the next succeeding fiscal year]~~ no graded
35 payment shall be required or allowed.

36 § 4. Section 319-a of the retirement and social security law is
37 amended by adding a new subdivision f to read as follows:

38 f. (1) An amortizing employer may elect to terminate participation in
39 the contribution stabilization program provided that such employer shall
40 have paid in full all such prior year amortization amounts including
41 interest as determined by the comptroller. Furthermore, any amortizing
42 employer that has terminated participation in the contribution stabili-
43 zation program may re-enter the program in a year in which the employer
44 is eligible to amortize and their employer contribution reserve fund has
45 been depleted.

46 (2) An alternative amortizing employer may elect to terminate partic-
47 ipation in the alternative contribution stabilization program provided
48 that such employer shall have paid in full all such prior year amorti-
49 zation amounts including interest as determined by the comptroller.
50 Furthermore, any alternative amortizing employer that has terminated
51 participation in the alternative contribution stabilization program may
52 not re-enter the alternative contribution stabilization program;
53 provided, however, such employer may enter the regular contribution
54 stabilization program as set forth in paragraph one of this subdivision.

55 (3) In order to terminate participation in the contribution stabili-
56 zation or alternative contribution stabilization program, such employer

1 must file an election on a form prescribed by the comptroller. Such
2 election is subject to review and approval by the comptroller.

3 (4) Termination shall take effect for the fiscal year billing cycle
4 following the fiscal year of approval. An employer who has been approved
5 to terminate from the contribution stabilization or alternative contrib-
6 ution stabilization program pursuant to this section shall not be
7 required to make a graded payment starting in the following fiscal year
8 billing cycle.

9 (5) In the event an employer in the contribution stabilization program
10 or alternative contribution stabilization program terminates partic-
11 ipation pursuant to this section, any such balance in their employer
12 contribution reserve fund shall be applied to the employer's annual bill
13 in the maximum amount permitted under paragraph two of subdivision e of
14 this section, for the following fiscal year and continue to be applied
15 to future annual bills until the reserve fund is depleted.

16 § 5. This act shall take effect immediately, and shall be deemed to
17 have been in full force and effect on and after April 1, 2023.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would revise the terms of participation in the New York State and Local Retirement Systems (NYSLRS) Contribution Stabilization Program (CSP). Participating employers in the NYSLRS may enter the CSP to reduce volatility in average annual contribution rates. Should employer billing rates increase rapidly, the CSP allows a portion of the increase to be amortized over 10 years for the regular CSP or 12 years for the alternative CSP. Should employer billing rates decrease rapidly, the CSP requires employers to make an additional contribution, called a graded payment. The graded payment is deposited into an interest-bearing reserve fund held within the NYSLRS for the exclusive use by the employer to reduce future amortizations.

This bill revises the CSP in the following ways:

1) Limits the value of the reserve fund assets. Graded payments would cease when the employer's reserve fund assets exceed the employer's actuarial contribution in the prior fiscal year. Currently, the reserve fund is capped at 100% of the employer's payroll.

2) Creates provisions for termination from the CSP, subject to approval by the Comptroller, provided all prior year amortizations are paid in full, including interest. Beginning the fiscal year following termination, the employer would not be required (or allowed) to make a graded payment. Any existing reserve fund assets would be used to reduce future annual bills up to the amount the employer would have been able to amortize if still in the program. The employer would be permitted to re-enter the regular CSP only if eligible to amortize, provided all reserve fund assets are depleted.

3) Allows an employer to utilize its reserve fund assets to pay a portion of its annual bill when the employer's average actuarial contribution rate exceeds the employer's graded rate. Currently, the employer's average actuarial rate must exceed the System graded rate.

If this bill is enacted during the 2023 legislative session, we anticipate some administrative costs to implement the provisions of this legislation.

Summary of relevant resources:

Membership data as of March 31, 2022 was used in measuring the impact of the proposed change, the same data used in the April 1, 2022 actuarial valuation. Distributions and other statistics can be found in the 2022 Report of the Actuary and the 2022 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2020, 2021, and 2022 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2022 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 26, 2023, and intended for use only during the 2023 Legislative Session, is Fiscal Note No. 2023-57, prepared by the Actuary for the New York State and Local Retirement System.

1

PART X

2 Section 1. Subdivision 2 of section 163 of the civil service law, as
3 amended by section 4 of part T of chapter 56 of the laws of 2010, is
4 amended to read as follows:

5 2. The contract or contracts shall provide for health benefits for
6 retired employees of the state and of the state colleges of agriculture,
7 home economics, industrial labor relations and veterinary medicine, the
8 state agricultural experiment station at Geneva, and any other institu-
9 tion or agency under the management and control of Cornell university as
10 the representative of the board of trustees of the state university of
11 New York, and the state college of ceramics under the management and
12 control of Alfred university as the representative of the board of trus-
13 tees of the state university of New York, and their spouses and depend-
14 ent children as defined by the regulations of the president, on such
15 terms as the president may deem appropriate, and the president may
16 authorize the inclusion in the plan of the employees and retired employ-
17 ees of public authorities, public benefit corporations, school
18 districts, special districts, district corporations, municipal corpo-
19 rations excluding active employees and retired employees of cities
20 having a population of one million or more inhabitants whose compen-
21 sation is or was before retirement paid out of the city treasury, or
22 other appropriate agencies, subdivisions or quasi-public organizations
23 of the state, including active members of volunteer fire and volunteer
24 ambulance companies serving one or more municipal corporations pursuant
25 to subdivision seven of section ninety-two-a of the general municipal
26 law, and their spouses and dependent children as defined by the regu-
27 lations of the president. Any such corporation, district, agency or
28 organization electing to participate in the plan shall be required to
29 pay: (a) its proportionate share of the expenses of administration of
30 the plan in such amounts and at such times as determined and fixed by
31 the president; and (b) at the president's discretion, if such amount is
32 not paid on the date due, interest for such late payment as determined
33 and fixed by the president by regulation, which in no case shall be
34 greater than the interest incurred by the health insurance plan as a
35 result of such late payment. All amounts payable for such expenses of
36 administration shall be paid to the commissioner of taxation and finance
37 and shall be applied to the reimbursement of funds previously advanced
38 for such purposes. Neither the state nor any other participant in the

1 plan shall be charged with the particular experience attributable to the
2 employees of the participant, and all dividends or retroactive rate
3 credits shall be distributed pro-rata based upon the number of employees
4 of such participant covered by the plan.

5 § 2. This act shall take effect immediately.

6 PART Y

7 Section 1. The opening paragraph and paragraph 1 of subdivision b and
8 subdivision e of section 208-f of the general municipal law, paragraph 1
9 of subdivision b and subdivision e as added by chapter 472 of the laws
10 of 1978 and the opening paragraph of subdivision b as amended by chapter
11 782 of the laws of 2022, are amended and a new subdivision k is added to
12 read as follows:

13 The special accidental death benefit shall be paid by the county,
14 city, town or village which employed the deceased member at the time of
15 death, and shall consist of a pension which is equal to the salary of
16 the deceased member, reduced by the sum of each of the following bene-
17 fits received by the widow or widower or the deceased member's children
18 under the age of eighteen, if the widow or widower has died, or to the
19 deceased member's parents if the member has no widow, widower, children
20 under the age of eighteen, or a student under the age of twenty-three,
21 on account of the death of the deceased member:

22 1. Any death benefit and any supplementation thereto paid by the said
23 county, city, town or village in the form of a pension, and

24 e. There shall be appropriated to the [~~local assistance fund in the~~]
25 general fund [~~to the department of audit and control~~] an amount equal to
26 the special accidental death benefits paid pursuant to subdivisions b
27 and c of this section during each preceding state fiscal year, as certi-
28 fied to the comptroller by the appropriate municipal official, for the
29 purposes of reimbursing such special accidental death benefits.

30 The monies appropriated [~~to the department of audit and control~~] and
31 made available pursuant to this subdivision shall be paid under rules
32 and regulations adopted by the comptroller and subject to the approval
33 of the director of the budget upon the audit and warrant of the comp-
34 troller on vouchers certified or approved as provided by law.

35 k. In the case of a deceased county member who died prior to the
36 effective date of this subdivision, the payment of the benefit to the
37 deceased member's beneficiaries pursuant to subdivision f of this
38 section, shall commence on the effective date of this subdivision,
39 provided, however that the benefit amount shall be deemed to have been
40 subject to annual increases pursuant to subdivision b of this section
41 and escalation pursuant to subdivision c of this section, from the date
42 of such member's death.

43 § 2. This act shall take effect immediately, and shall be deemed to
44 have been in full force and effect on and after April 1, 2023.

45 PART Z

46 Section 1. Paragraph (a) of subdivision 4 of section 94 of the execu-
47 tive law, as added by section 2 of part QQ of chapter 56 of the laws of
48 2022, is amended to read as follows:

49 (a) The first class of members of the commission shall serve stag-
50 gered terms to ensure continuity. For the first class of the commis-
51 sion, [~~five members shall serve a term of four years, three members~~
52 ~~shall serve a term of two years, and one member shall serve a term of~~

~~one year. All subsequent members shall serve a term of four years]~~ the governor's first appointee shall serve an initial term of four years, their second appointee shall serve an initial term of two years, and their third appointee shall serve an initial term of one year; the attorney general's appointee shall serve an initial term of four years; the comptroller's appointee shall serve an initial term of four years; the temporary president of the senate's first appointee shall serve an initial term of four years and their second appointee shall serve a term of two years; the minority leader of the senate's first appointee shall serve an initial term of four years; the speaker of the assembly's first appointee shall serve initial terms of four years and their second appointee shall serve a term of two years; and the minority leader of the assembly's appointee shall serve a term of four years. All subsequent members shall serve a term of four years. No member shall be selected to the commission for more than two full consecutive terms, except that a member who has held the position by filling a vacancy can only be selected to the commission for an additional two full consecutive terms.

§ 2. This act shall take effect immediately.

PART AA

Section 1. Subparagraph (A) of paragraph 7 of subdivision (ee) of section 1115 of the tax law, as amended by section 1 of item A of subpart H of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

(A) "Tenant" means a person who, as lessee, enters into a space lease with a landlord for a term of ten years or more commencing on or after September first, two thousand five, but not later than, in the case of a space lease with respect to leased premises located in eligible areas as defined in clause (i) of subparagraph (D) of this paragraph, September first, two thousand ~~twenty-three~~ twenty-eight and, in the case of a space lease with respect to leased premises located in eligible areas as defined in clause (ii) of subparagraph (D) of this paragraph not later than September first, two thousand ~~twenty-five~~ thirty, of premises for use as commercial office space in buildings located or to be located in the eligible areas. A person who currently occupies premises for use as commercial office space under an existing lease in a building in the eligible areas shall not be eligible for exemption under this subdivision unless such existing lease, in the case of a space lease with respect to leased premises located in eligible areas as defined in clause (i) of subparagraph (D) of this paragraph expires according to its terms before September first, two thousand ~~twenty-three~~ twenty-eight or such existing lease, in the case of a space lease with respect to leased premises located in eligible areas as defined in clause (ii) of subparagraph (D) of this paragraph and such person enters into a space lease, for a term of ten years or more commencing on or after September first, two thousand five, of premises for use as commercial office space in a building located or to be located in the eligible areas, provided that such space lease with respect to leased premises located in eligible areas as defined in clause (i) of subparagraph (D) of this paragraph commences no later than September first, two thousand ~~twenty-three~~ twenty-eight, and provided that such space lease with respect to leased premises located in eligible areas as defined in clause (ii) of subparagraph (D) of this paragraph commences no later than September first, two thousand ~~twenty-five~~ thirty and provided,

1 further, that such space lease shall expire no earlier than ten years
2 after the expiration of the original lease.

3 § 2. Section 2 of part C of chapter 2 of the laws of 2005 amending the
4 tax law relating to exemptions from sales and use taxes, as amended by
5 section 2 of item A of subpart H of part XXX of chapter 58 of the laws
6 of 2020, is amended to read as follows:

7 § 2. This act shall take effect September 1, 2005 and shall expire and
8 be deemed repealed on December 1, ~~2026~~ 2031, and shall apply to sales
9 made, uses occurring and services rendered on or after such effective
10 date, in accordance with the applicable transitional provisions of
11 sections 1106 and 1217 of the tax law; except that clause (i) of subpar-
12 agraph (D) of paragraph seven of subdivision (ee) of section 1115 of the
13 tax law, as added by section one of this act, shall expire and be deemed
14 repealed December 1, ~~2024~~ 2029.

15 § 3. Paragraph 1 of subdivision (b) of section 25-s of the general
16 city law, as amended by section 3 of item A of subpart H of part XXX of
17 chapter 58 of the laws of 2020, is amended to read as follows:

18 (1) non-residential premises that are wholly contained in property
19 that is eligible to obtain benefits under title two-D or two-F of arti-
20 cle four of the real property tax law, or would be eligible to receive
21 benefits under such article except that such property is exempt from
22 real property taxation and the requirements of paragraph (b) of subdivi-
23 sion seven of section four hundred eighty-nine-dddd of such title two-D,
24 or the requirements of subparagraph (ii) of paragraph (b) of subdivision
25 five of section four hundred eighty-nine-cccccc of such title two-F,
26 whichever is applicable, have not been satisfied, provided that applica-
27 tion for such benefits was made after May third, nineteen hundred eight-
28 y-five and prior to July first, two thousand ~~twenty-three~~
29 ~~twenty-eight~~, that construction or renovation of such premises was
30 described in such application, that such premises have been substantial-
31 ly improved by such construction or renovation so described, that the
32 minimum required expenditure as defined in such title two-D or two-F,
33 whichever is applicable, has been made, and that such real property is
34 located in an eligible area; or

35 § 4. Paragraph 3 of subdivision (b) of section 25-s of the general
36 city law, as amended by section 4 of item A of subpart H of part XXX of
37 chapter 58 of the laws of 2020, is amended to read as follows:

38 (3) non-residential premises that are wholly contained in real proper-
39 ty that has obtained approval after October thirty-first, two thousand
40 and prior to July first, two thousand ~~twenty-three~~ ~~twenty-eight~~
41 financing by an industrial development agency established pursuant to
42 article eighteen-A of the general municipal law, provided that such
43 financing has been used in whole or in part to substantially improve
44 such premises (by construction or renovation), and that expenditures
45 have been made for improvements to such real property in excess of ten
46 per centum of the value at which such real property was assessed for tax
47 purposes for the tax year in which such improvements commenced, that
48 such expenditures have been made within thirty-six months after the
49 earlier of (i) the issuance by such agency of bonds for such financing,
50 or (ii) the conveyance of title to such property to such agency, and
51 that such real property is located in an eligible area; or

52 § 5. Paragraph 5 of subdivision (b) of section 25-s of the general
53 city law, as amended by section 5 of item A of subpart H of part XXX of
54 chapter 58 of the laws of 2020, is amended to read as follows:

55 (5) non-residential premises that are wholly contained in real proper-
56 ty owned by such city or the New York state urban development corpo-

ration, or a subsidiary thereof, a lease for which was approved in accordance with the applicable provisions of the charter of such city or by the board of directors of such corporation, and such approval was obtained after October thirty-first, two thousand and prior to July first, two thousand [~~twenty-three~~ **twenty-eight**], provided, however, that such premises were constructed or renovated subsequent to such approval, that expenditures have been made subsequent to such approval for improvements to such real property (by construction or renovation) in excess of ten per centum of the value at which such real property was assessed for tax purposes for the tax year in which such improvements commenced, that such expenditures have been made within thirty-six months after the effective date of such lease, and that such real property is located in an eligible area; or

§ 6. Paragraph 2 of subdivision (c) of section 25-t of the general city law, as amended by section 6 of item A of subpart H of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

(2) No eligible energy user, qualified eligible energy user, on-site cogenerator, or clean on-site cogenerator shall receive a rebate pursuant to this article until it has obtained a certification from the appropriate city agency in accordance with a local law enacted pursuant to this section. No such certification for a qualified eligible energy user shall be issued on or after November first, two thousand. No such certification of any other eligible energy user, on-site cogenerator, or clean on-site cogenerator shall be issued on or after July first, two thousand [~~twenty-three~~ **twenty-eight**].

§ 7. Paragraph 1 of subdivision (a) of section 25-aa of the general city law, as amended by section 7 of item A of subpart H of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

(1) is eligible to obtain benefits under title two-D or two-F of article four of the real property tax law, or would be eligible to receive benefits under such title except that such property is exempt from real property taxation and the requirements of paragraph (b) of subdivision seven of section four hundred eighty-nine-dddd of such title two-D, or the requirements of subparagraph (ii) of paragraph (b) of subdivision five of section four hundred eighty-nine-cccccc of such title two-F, whichever is applicable, of the real property tax law have not been satisfied, provided that application for such benefits was made after the thirtieth day of June, nineteen hundred ninety-five and before the first day of July, two thousand [~~twenty-three~~ **twenty-eight**], that construction or renovation of such building or structure was described in such application, that such building or structure has been substantially improved by such construction or renovation, and (i) that the minimum required expenditure as defined in such title has been made, or (ii) where there is no applicable minimum required expenditure, the building was constructed within such period or periods of time established by title two-D or two-F, whichever is applicable, of article four of the real property tax law for construction of a new building or structure; or

§ 8. Paragraphs 2 and 3 of subdivision (a) of section 25-aa of the general city law, as amended by section 8 of item A of subpart H of part XXX of chapter 58 of the laws of 2020, are amended to read as follows:

(2) has obtained approval after the thirtieth day of June, nineteen hundred ninety-five and before the first day of July, two thousand [~~twenty-three~~ **twenty-eight**], for financing by an industrial development agency established pursuant to article eighteen-A of the general municipal law, provided that such financing has been used in whole or in part

1 to substantially improve such building or structure by construction or
2 renovation, that expenditures have been made for improvements to such
3 real property in excess of twenty per centum of the value at which such
4 real property was assessed for tax purposes for the tax year in which
5 such improvements commenced, and that such expenditures have been made
6 within thirty-six months after the earlier of (i) the issuance by such
7 agency of bonds for such financing, or (ii) the conveyance of title to
8 such building or structure to such agency; or

9 (3) is owned by the city of New York or the New York state urban
10 development corporation, or a subsidiary corporation thereof, a lease
11 for which was approved in accordance with the applicable provisions of
12 the charter of such city or by the board of directors of such corpo-
13 ration, as the case may be, and such approval was obtained after the
14 thirtieth day of June, nineteen hundred ninety-five and before the first
15 day of July, two thousand [~~twenty-three~~] twenty-eight, provided that
16 expenditures have been made for improvements to such real property in
17 excess of twenty per centum of the value at which such real property was
18 assessed for tax purposes for the tax year in which such improvements
19 commenced, and that such expenditures have been made within thirty-six
20 months after the effective date of such lease; or

21 § 9. Subdivision (f) of section 25-bb of the general city law, as
22 amended by section 9 of item A of subpart H of part XXX of chapter 58 of
23 the laws of 2020, is amended to read as follows:

24 (f) Application and certification. An owner or lessee of a building or
25 structure located in an eligible revitalization area, or an agent of
26 such owner or lessee, may apply to such department of small business
27 services for certification that such building or structure is an eligi-
28 ble building or targeted eligible building meeting the criteria of
29 subdivision (a) or (q) of section twenty-five-aa of this article.
30 Application for such certification must be filed after the thirtieth day
31 of June, nineteen hundred ninety-five and before a building permit is
32 issued for the construction or renovation required by such subdivisions
33 and before the first day of July, two thousand [~~twenty-three~~] twenty-
34 eight, provided that no certification for a targeted eligible building
35 shall be issued after October thirty-first, two thousand. Such applica-
36 tion shall identify expenditures to be made that will affect eligibility
37 under such subdivision (a) or (q). Upon completion of such expenditures,
38 an applicant shall supplement such application to provide information
39 (i) establishing that the criteria of such subdivision (a) or (q) have
40 been met; (ii) establishing a basis for determining the amount of
41 special rebates, including a basis for an allocation of the special
42 rebate among eligible revitalization area energy users purchasing or
43 otherwise receiving energy services from an eligible redistributor of
44 energy or a qualified eligible redistributor of energy; and (iii)
45 supporting an allocation of charges for energy services between eligible
46 charges and other charges. Such department shall certify a building or
47 structure as an eligible building or targeted eligible building after
48 receipt and review of such information and upon a determination that
49 such information establishes that the building or structure qualifies as
50 an eligible building or targeted eligible building. Such department
51 shall mail such certification or notice thereof to the applicant upon
52 issuance. Such certification shall remain in effect provided the eligi-
53 ble redistributor of energy or qualified eligible redistributor of ener-
54 gy reports any changes that materially affect the amount of the special
55 rebates to which it is entitled or the amount of reduction required by
56 subdivision (c) of this section in an energy services bill of an eligi-

1 ble revitalization area energy user and otherwise complies with the
2 requirements of this article. Such department shall notify the private
3 utility or public utility service required to make a special rebate to
4 such redistributor of the amount of such special rebate established at
5 the time of certification and any changes in such amount and any suspen-
6 sion or termination by such department of certification under this
7 subdivision. Such department may require some or all of the information
8 required as part of an application or other report be provided by a
9 licensed engineer.

10 § 10. Paragraph 1 of subdivision (i) of section 22-601 of the adminis-
11 trative code of the city of New York, as amended by section 10 of item A
12 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
13 to read as follows:

14 (1) Non-residential premises that are wholly contained in property
15 that is eligible to obtain benefits under part four or part five of
16 subchapter two of chapter two of title eleven of this code, or would be
17 eligible to receive benefits under such chapter except that such proper-
18 ty is exempt from real property taxation and the requirements of para-
19 graph two of subdivision g of section 11-259 of this code, or the
20 requirements of subparagraph (b) of paragraph two of subdivision e of
21 section 11-270 of this code, whichever is applicable, have not been
22 satisfied, provided that application for such benefits was made after
23 May third, nineteen hundred eighty-five and prior to July first, two
24 thousand [~~twenty-three~~] twenty-eight, that construction or renovation of
25 such premises was described in such application, that such premises have
26 been substantially improved by such construction or renovation so
27 described, that the minimum required expenditure as defined in such part
28 four or part five, whichever is applicable, has been made, and that such
29 real property is located in an eligible area; or

30 § 11. Paragraph 3 of subdivision (i) of section 22-601 of the adminis-
31 trative code of the city of New York, as amended by section 11 of item A
32 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
33 to read as follows:

34 (3) non-residential premises that are wholly contained in real proper-
35 ty that has obtained approval after October thirty-first, two thousand
36 and prior to July first, two thousand [~~twenty-three~~] twenty-eight for
37 financing by an industrial development agency established pursuant to
38 article eighteen-A of the general municipal law, provided that such
39 financing has been used in whole or in part to substantially improve
40 such premises (by construction or renovation), and that expenditures
41 have been made for improvements to such real property in excess of ten
42 per centum of the value at which such real property was assessed for tax
43 purposes for the tax year in which such improvements commenced, that
44 such expenditures have been made within thirty-six months after the
45 earlier of (i) the issuance by such agency of bonds for such financing,
46 or (ii) the conveyance of title to such property to such agency, and
47 that such real property is located in an eligible area; or

48 § 12. Paragraph 5 of subdivision (i) of section 22-601 of the adminis-
49 trative code of the city of New York, as amended by section 12 of item A
50 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
51 to read as follows:

52 (5) non-residential premises that are wholly contained in real proper-
53 ty owned by such city or the New York state urban development corpo-
54 ration, or a subsidiary thereof, a lease for which was approved in
55 accordance with the applicable provisions of the charter of such city or
56 by the board of directors of such corporation, and such approval was

1 obtained after October thirty-first, two thousand and prior to July
2 first, two thousand [~~twenty-three~~ twenty-eight], provided, however, that
3 such premises were constructed or renovated subsequent to such approval,
4 that expenditures have been made subsequent to such approval for
5 improvements to such real property (by construction or renovation) in
6 excess of ten per centum of the value at which such real property was
7 assessed for tax purposes for the tax year in which such improvements
8 commenced, that such expenditures have been made within thirty-six
9 months after the effective date of such lease, and that such real prop-
10 erty is located in an eligible area; or

11 § 13. Paragraph 1 of subdivision (c) of section 22-602 of the adminis-
12 trative code of the city of New York, as amended by section 13 of item A
13 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
14 to read as follows:

15 (1) No eligible energy user, qualified eligible energy user, on-site
16 cogenerator, clean on-site cogenerator or special eligible energy user
17 shall receive a rebate pursuant to this chapter until it has obtained a
18 certification as an eligible energy user, qualified eligible energy
19 user, on-site cogenerator, clean on-site cogenerator or special eligible
20 energy user, respectively, from the commissioner of small business
21 services. No such certification for a qualified eligible energy user
22 shall be issued on or after July first, two thousand three. No such
23 certification of any other eligible energy user, on-site cogenerator or
24 clean on-site cogenerator shall be issued on or after July first, two
25 thousand [~~twenty-three~~ twenty-eight]. The commissioner of small busi-
26 ness services, after notice and hearing, may revoke a certification
27 issued pursuant to this subdivision where it is found that eligibility
28 criteria have not been met or that compliance with conditions for
29 continued eligibility has not been maintained. The corporation counsel
30 may maintain a civil action to recover an amount equal to any benefits
31 improperly obtained.

32 § 14. Subparagraph (b-2) of paragraph 2 of subdivision i of section
33 11-704 of the administrative code of the city of New York, as amended by
34 section 14 of item A of subpart H of part XXX of chapter 58 of the laws
35 of 2020, is amended to read as follows:

36 (b-2) The amount of the special reduction allowed by this subdivision
37 with respect to a lease other than a sublease commencing between July
38 first, two thousand five and June thirtieth, two thousand [~~twenty-three~~ twenty-eight]
39 twenty-eight with an initial or renewal lease term of at least five
40 years shall be determined as follows:

41 (i) For the base year the amount of such special reduction shall be
42 equal to the base rent for the base year.

43 (ii) For the first, second, third and fourth twelve-month periods
44 following the base year the amount of such special reduction shall be
45 equal to the lesser of (A) the base rent for each such twelve-month
46 period or (B) the base rent for the base year.

47 § 15. Subdivision 9 of section 499-aa of the real property tax law, as
48 amended by section 15 of item A of subpart H of part XXX of chapter 58
49 of the laws of 2020, is amended to read as follows:

50 9. "Eligibility period." The period commencing April first, nineteen
51 hundred ninety-five and terminating March thirty-first, two thousand
52 one, provided, however, that with respect to eligible premises defined
53 in subparagraph (i) of paragraph (b) of subdivision ten of this section,
54 the period commencing July first, two thousand and terminating June
55 thirtieth, two thousand [~~twenty-four~~ twenty-nine], and provided,
56 further, however, that with respect to eligible premises defined in

1 subparagraph (ii) of paragraph (b) or paragraph (c) of subdivision ten
2 of this section, the period commencing July first, two thousand five and
3 terminating June thirtieth, two thousand [~~twenty-four~~] **twenty-nine**.

4 § 16. Subparagraph (iii) of paragraph (a) of subdivision 3 of section
5 499-cc of the real property tax law, as amended by section 16 of item A
6 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
7 to read as follows:

8 (iii) With respect to the eligible premises defined in subparagraph
9 (ii) of paragraph (b) or paragraph (c) of subdivision ten of section
10 four hundred ninety-nine-aa of this title and for purposes of determin-
11 ing whether the amount of expenditures required by subdivision one of
12 this section have been satisfied, expenditures on improvements to the
13 common areas of an eligible building shall be included only if work on
14 such improvements commenced and the expenditures are made on or after
15 July first, two thousand five and on or before December thirty-first,
16 two thousand [~~twenty-four~~] **twenty-nine**; provided, however, that expendi-
17 tures on improvements to the common areas of an eligible building made
18 prior to three years before the lease commencement date shall not be
19 included.

20 § 17. Subdivisions 5 and 9 of section 499-a of the real property tax
21 law, as amended by section 17 of item A of subpart H of part XXX of
22 chapter 58 of the laws of 2020, are amended to read as follows:

23 5. "Benefit period." The period commencing with the first day of the
24 month immediately following the rent commencement date and terminating
25 no later than sixty months thereafter, provided, however, that with
26 respect to a lease commencing on or after April first, nineteen hundred
27 ninety-seven with an initial lease term of less than five years, but not
28 less than three years, the period commencing with the first day of the
29 month immediately following the rent commencement date and terminating
30 no later than thirty-six months thereafter. Notwithstanding the forego-
31 ing sentence, a benefit period shall expire no later than March thirty-
32 first, two thousand [~~thirty~~] **thirty-five**.

33 9. "Eligibility period." The period commencing April first, nineteen
34 hundred ninety-five and terminating March thirty-first, two thousand
35 [~~twenty-four~~] **twenty-nine**.

36 § 18. Paragraph (a) of subdivision 3 of section 499-c of the real
37 property tax law, as amended by section 18 of item A of subpart H of
38 part XXX of chapter 58 of the laws of 2020, is amended to read as
39 follows:

40 (a) For purposes of determining whether the amount of expenditures
41 required by subdivision one of this section have been satisfied, expend-
42 itures on improvements to the common areas of an eligible building shall
43 be included only if work on such improvements commenced and the expendi-
44 tures are made on or after April first, nineteen hundred ninety-five and
45 on or before September thirtieth, two thousand [~~twenty-four~~]
46 **twenty-nine**; provided, however, that expenditures on improvements to the
47 common areas of an eligible building made prior to three years before
48 the lease commencement date shall not be included.

49 § 19. Subdivision 8 of section 499-d of the real property tax law, as
50 amended by section 19 of item A of subpart H of part XXX of chapter 58
51 of the laws of 2020, is amended to read as follows:

52 8. Leases commencing on or after April first, nineteen hundred nine-
53 ty-seven shall be subject to the provisions of this title as amended by
54 chapter six hundred twenty-nine of the laws of nineteen hundred ninety-
55 seven, chapter one hundred eighteen of the laws of two thousand one,
56 chapter four hundred forty of the laws of two thousand three, chapter

sixty of the laws of two thousand seven, chapter twenty-two of the laws of two thousand ten, chapter fifty-nine of the laws of two thousand fourteen, chapter twenty of the laws of two thousand fifteen, chapter ~~sixty-one~~ of the laws of two thousand seventeen [~~and the~~], chapter fifty-eight of the laws of two thousand twenty, and the chapter of the laws of two thousand twenty-three that amended this phrase. Notwithstanding any other provision of law to the contrary, with respect to leases commencing on or after April first, nineteen hundred ninety-seven, an application for a certificate of abatement shall be considered timely filed if filed within one hundred eighty days following the lease commencement date or within sixty days following the date chapter six hundred twenty-nine of the laws of nineteen hundred ninety-seven became a law, whichever is later.

§ 20. Subparagraph (a) of paragraph 2 of subdivision i of section 11-704 of the administrative code of the city of New York, as amended by section 20 of item A of subpart H of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

(a) An eligible tenant of eligible taxable premises shall be allowed a special reduction in determining the taxable base rent for such eligible taxable premises. Such special reduction shall be allowed with respect to the rent for such eligible taxable premises for a period not exceeding sixty months or, with respect to a lease commencing on or after April first, nineteen hundred ninety-seven with an initial lease term of less than five years, but not less than three years, for a period not exceeding thirty-six months, commencing on the rent commencement date applicable to such eligible taxable premises, provided, however, that in no event shall any special reduction be allowed for any period beginning after March thirty-first, two thousand ~~thirty~~ thirty-five. For purposes of applying such special reduction, the base rent for the base year shall, where necessary to determine the amount of the special reduction allowable with respect to any number of months falling within a tax period, be prorated by dividing the base rent for the base year by twelve and multiplying the result by such number of months.

§ 21. This act shall take effect immediately, provided, however, that if this act shall become a law after June 30, 2023, this act shall be deemed to have been in full force and effect on and after June 30, 2023; provided further, however, that the amendments to subparagraph (A) of paragraph 7 of subdivision (ee) of section 1115 of the tax law made by section one of this act shall not affect the repeal of such subdivision and shall be repealed therewith.

PART BB

Section 1. Subdivision 12 of section 239-bb of the general municipal law is REPEALED.

§ 2. This act shall take effect immediately.

PART CC

Section 1. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the following funds and/or accounts:

1. DOL-Child performer protection account (20401).
2. Local government records management account (20501).
3. Child health plus program account (20810).

- 1 4. EPIC premium account (20818).
- 2 5. Education - New (20901).
- 3 6. VLT - Sound basic education fund (20904).
- 4 7. Sewage treatment program management and administration fund
- 5 (21000).
- 6 8. Hazardous bulk storage account (21061).
- 7 9. Utility environmental regulatory account (21064).
- 8 10. Federal grants indirect cost recovery account (21065).
- 9 11. Low level radioactive waste account (21066).
- 10 12. Recreation account (21067).
- 11 13. Public safety recovery account (21077).
- 12 14. Environmental regulatory account (21081).
- 13 15. Natural resource account (21082).
- 14 16. Mined land reclamation program account (21084).
- 15 17. Great lakes restoration initiative account (21087).
- 16 18. Environmental protection and oil spill compensation fund (21200).
- 17 19. Public transportation systems account (21401).
- 18 20. Metropolitan mass transportation (21402).
- 19 21. Operating permit program account (21451).
- 20 22. Mobile source account (21452).
- 21 23. Statewide planning and research cooperative system account
- 22 (21902).
- 23 24. New York state thruway authority account (21905).
- 24 25. Mental hygiene program fund account (21907).
- 25 26. Mental hygiene patient income account (21909).
- 26 27. Financial control board account (21911).
- 27 28. Regulation of racing account (21912).
- 28 29. State university dormitory income reimbursable account (21937).
- 29 30. Criminal justice improvement account (21945).
- 30 31. Environmental laboratory reference fee account (21959).
- 31 32. Training, management and evaluation account (21961).
- 32 33. Clinical laboratory reference system assessment account (21962).
- 33 34. Indirect cost recovery account (21978).
- 34 35. Multi-agency training account (21989).
- 35 36. Bell jar collection account (22003).
- 36 37. Industry and utility service account (22004).
- 37 38. Real property disposition account (22006).
- 38 39. Parking account (22007).
- 39 40. Courts special grants (22008).
- 40 41. Asbestos safety training program account (22009).
- 41 42. Batavia school for the blind account (22032).
- 42 43. Investment services account (22034).
- 43 44. Surplus property account (22036).
- 44 45. Financial oversight account (22039).
- 45 46. Regulation of Indian gaming account (22046).
- 46 47. Rome school for the deaf account (22053).
- 47 48. Seized assets account (22054).
- 48 49. Administrative adjudication account (22055).
- 49 50. New York City assessment account (22062).
- 50 51. Cultural education account (22063).
- 51 52. Local services account (22078).
- 52 53. DHCR mortgage servicing account (22085).
- 53 54. Housing indirect cost recovery account (22090).
- 54 55. Voting Machine Examinations account (22099).
- 55 56. DHCR-HCA application fee account (22100).
- 56 57. Low income housing monitoring account (22130).

- 1 58. Restitution account (22134).
- 2 59. Corporation administration account (22135).
- 3 60. New York State Home for Veterans in the Lower-Hudson Valley
- 4 account (22144).
- 5 61. Deferred compensation administration account (22151).
- 6 62. Rent revenue other New York City account (22156).
- 7 63. Rent revenue account (22158).
- 8 64. Transportation aviation account (22165).
- 9 65. Tax revenue arrearage account (22168).
- 10 66. New York State Campaign Finance Fund account (22211).
- 11 67. New York state medical indemnity fund account (22240).
- 12 68. Behavioral health parity compliance fund (22246).
- 13 69. Pharmacy benefit manager regulatory fund (22255).
- 14 70. State university general income offset account (22654).
- 15 71. Lake George park trust fund account (22751).
- 16 72. Highway safety program account (23001).
- 17 73. DOH drinking water program account (23102).
- 18 74. NYCCC operating offset account (23151).
- 19 75. Commercial gaming revenue account (23701).
- 20 76. Commercial gaming regulation account (23702).
- 21 77. Highway use tax administration account (23801).
- 22 78. New York state secure choice administrative account (23806).
- 23 79. New York state cannabis revenue fund (24800).
- 24 80. Fantasy sports administration account (24951).
- 25 81. Mobile sports wagering fund (24955).
- 26 82. Highway and bridge capital account (30051).
- 27 83. State university residence hall rehabilitation fund (30100).
- 28 84. State parks infrastructure account (30351).
- 29 85. Clean water/clean air implementation fund (30500).
- 30 86. Hazardous waste remedial cleanup account (31506).
- 31 87. Youth facilities improvement account (31701).
- 32 88. Housing assistance fund (31800).
- 33 89. Housing program fund (31850).
- 34 90. Highway facility purpose account (31951).
- 35 91. New York racing account (32213).
- 36 92. Capital miscellaneous gifts account (32214).
- 37 93. Information technology capital financing account (32215).
- 38 94. New York environmental protection and spill remediation account
- 39 (32219).
- 40 95. Mental hygiene facilities capital improvement fund (32300).
- 41 96. Correctional facilities capital improvement fund (32350).
- 42 97. New York State Storm Recovery Capital Fund (33000).
- 43 98. OGS convention center account (50318).
- 44 99. Empire Plaza Gift Shop (50327).
- 45 100. Unemployment Insurance Benefit Fund, Interest Assessment Account
- 46 (50651).
- 47 101. Centralized services fund (55000).
- 48 102. Archives records management account (55052).
- 49 103. Federal single audit account (55053).
- 50 104. Civil service administration account (55055).
- 51 105. Civil service EHS occupational health program account (55056).
- 52 106. Banking services account (55057).
- 53 107. Cultural resources survey account (55058).
- 54 108. Neighborhood work project account (55059).
- 55 109. Automation & printing chargeback account (55060).
- 56 110. OFT NYT account (55061).

1 111. Data center account (55062).
2 112. Intrusion detection account (55066).
3 113. Domestic violence grant account (55067).
4 114. Centralized technology services account (55069).
5 115. Labor contact center account (55071).
6 116. Human services contact center account (55072).
7 117. Tax contact center account (55073).
8 118. Department of law civil recoveries account (55074).
9 119. Executive direction internal audit account (55251).
10 120. CIO Information technology centralized services account (55252).
11 121. Health insurance internal service account (55300).
12 122. Civil service employee benefits division administrative account
13 (55301).
14 123. Correctional industries revolving fund (55350).
15 124. Employees health insurance account (60201).
16 125. Medicaid management information system escrow fund (60900).
17 126. Virtual currency assessments account.
18 § 1-a. The state comptroller is hereby authorized and directed to loan
19 money in accordance with the provisions set forth in subdivision 5 of
20 section 4 of the state finance law to any account within the following
21 federal funds, provided the comptroller has made a determination that
22 sufficient federal grant award authority is available to reimburse such
23 loans:
24 1. Federal USDA-food and nutrition services fund (25000).
25 2. Federal health and human services fund (25100).
26 3. Federal education fund (25200).
27 4. Federal block grant fund (25250).
28 5. Federal miscellaneous operating grants fund (25300).
29 6. Federal unemployment insurance administration fund (25900).
30 7. Federal unemployment insurance occupational training fund (25950).
31 8. Federal emergency employment act fund (26000).
32 9. Federal capital projects fund (31350).
33 § 2. Notwithstanding any law to the contrary, and in accordance with
34 section 4 of the state finance law, the comptroller is hereby authorized
35 and directed to transfer, upon request of the director of the budget, on
36 or before March 31, 2024, up to the unencumbered balance or the follow-
37 ing amounts:
38 Economic Development and Public Authorities:
39 1. \$1,175,000 from the miscellaneous special revenue fund, underground
40 facilities safety training account (22172), to the general fund.
41 2. An amount up to the unencumbered balance from the miscellaneous
42 special revenue fund, business and licensing services account (21977),
43 to the general fund.
44 3. \$19,810,000 from the miscellaneous special revenue fund, code
45 enforcement account (21904), to the general fund.
46 4. \$3,000,000 from the general fund to the miscellaneous special
47 revenue fund, tax revenue arrearage account (22168).
48 Education:
49 1. \$2,314,000,000 from the general fund to the state lottery fund,
50 education account (20901), as reimbursement for disbursements made from
51 such fund for supplemental aid to education pursuant to section 92-c of
52 the state finance law that are in excess of the amounts deposited in
53 such fund for such purposes pursuant to section 1612 of the tax law.
54 2. \$1,033,000,000 from the general fund to the state lottery fund, VLT
55 education account (20904), as reimbursement for disbursements made from
56 such fund for supplemental aid to education pursuant to section 92-c of

1 the state finance law that are in excess of the amounts deposited in
2 such fund for such purposes pursuant to section 1612 of the tax law.

3 3. \$131,200,000 from the general fund to the New York state commercial
4 gaming fund, commercial gaming revenue account (23701), as reimbursement
5 for disbursements made from such fund for supplemental aid to education
6 pursuant to section 97-nnnn of the state finance law that are in excess
7 of the amounts deposited in such fund for purposes pursuant to section
8 1352 of the racing, pari-mutuel wagering and breeding law.

9 4. \$895,897,000 from the general fund to the mobile sports wagering
10 fund, education account (24955), as reimbursement for disbursements made
11 from such fund for supplemental aid to education pursuant to section
12 92-c of the state finance law that are in excess of the amounts deposit-
13 ed in such fund for such purposes pursuant to section 1367 of the
14 racing, pari-mutuel wagering and breeding law.

15 5. \$7,000,000 from the interactive fantasy sports fund, fantasy sports
16 education account (24950), to the state lottery fund, education account
17 (20901), as reimbursement for disbursements made from such fund for
18 supplemental aid to education pursuant to section 92-c of the state
19 finance law.

20 6. An amount up to the unencumbered balance in the fund on March 31,
21 2024 from the charitable gifts trust fund, elementary and secondary
22 education account (24901), to the general fund, for payment of general
23 support for public schools pursuant to section 3609-a of the education
24 law.

25 7. Moneys from the state lottery fund (20900) up to an amount deposit-
26 ed in such fund pursuant to section 1612 of the tax law in excess of the
27 current year appropriation for supplemental aid to education pursuant to
28 section 92-c of the state finance law.

29 8. \$300,000 from the New York state local government records manage-
30 ment improvement fund, local government records management account
31 (20501), to the New York state archives partnership trust fund, archives
32 partnership trust maintenance account (20351).

33 9. \$900,000 from the general fund to the miscellaneous special revenue
34 fund, Batavia school for the blind account (22032).

35 10. \$900,000 from the general fund to the miscellaneous special reven-
36 ue fund, Rome school for the deaf account (22053).

37 11. \$343,400,000 from the state university dormitory income fund
38 (40350) to the miscellaneous special revenue fund, state university
39 dormitory income reimbursable account (21937).

40 12. \$8,318,000 from the general fund to the state university income
41 fund, state university income offset account (22654), for the state's
42 share of repayment of the STIP loan.

43 13. \$69,000,000 from the state university income fund, state universi-
44 ty hospitals income reimbursable account (22656) to the general fund for
45 hospital debt service for the period April 1, 2023 through March 31,
46 2024.

47 14. \$5,160,000 from the miscellaneous special revenue fund, office of
48 the professions account (22051), to the miscellaneous capital projects
49 fund, office of the professions electronic licensing account (32222).

50 15. \$24,000,000 from any of the state education department's special
51 revenue and internal service funds to the miscellaneous special revenue
52 fund, indirect cost recovery account (21978).

53 16. \$4,200,000 from any of the state education department's special
54 revenue or internal service funds to the capital projects fund (30000).

55 17. \$30,013,000 from the general fund to the miscellaneous special
56 revenue fund, HESC-insurance premium payments account (21960).

1 Environmental Affairs:

- 2 1. \$16,000,000 from any of the department of environmental conserva-
3 tion's special revenue federal funds, and/or federal capital funds, to
4 the environmental conservation special revenue fund, federal indirect
5 recovery account (21065).
6 2. \$5,000,000 from any of the department of environmental conserva-
7 tion's special revenue federal funds, and/or federal capital funds, to
8 the conservation fund (21150) or Marine Resources Account (21151) as
9 necessary to avoid diversion of conservation funds.
10 3. \$3,000,000 from any of the office of parks, recreation and historic
11 preservation capital projects federal funds and special revenue federal
12 funds to the miscellaneous special revenue fund, federal grant indirect
13 cost recovery account (22188).
14 4. \$1,000,000 from any of the office of parks, recreation and historic
15 preservation special revenue federal funds to the miscellaneous capital
16 projects fund, I love NY water account (32212).
17 5. \$100,000,000 from the general fund to the environmental protection
18 fund, environmental protection fund transfer account (30451).
19 6. \$6,000,000 from the general fund to the hazardous waste remedial
20 fund, hazardous waste oversight and assistance account (31505).
21 7. An amount up to or equal to the cash balance within the special
22 revenue-other waste management & cleanup account (21053) to the capital
23 projects fund (30000) for services and capital expenses related to the
24 management and cleanup program as put forth in section 27-1915 of the
25 environmental conservation law.
26 8. \$1,800,000 from the miscellaneous special revenue fund, public
27 service account (22011) to the miscellaneous special revenue fund, util-
28 ity environmental regulatory account (21064).
29 9. \$7,000,000 from the general fund to the enterprise fund, state fair
30 account (50051).
31 10. \$4,000,000 from the waste management & cleanup account (21053) to
32 the general fund.
33 11. \$3,000,000 from the waste management & cleanup account (21053) to
34 the environmental protection fund transfer account (30451).
35 12. Up to \$10,000,000 from the general fund to the miscellaneous
36 special revenue fund, patron services account (22163).
37 Family Assistance:
38 1. \$7,000,000 from any of the office of children and family services,
39 office of temporary and disability assistance, or department of health
40 special revenue federal funds and the general fund, in accordance with
41 agreements with social services districts, to the miscellaneous special
42 revenue fund, office of human resources development state match account
43 (21967).
44 2. \$4,000,000 from any of the office of children and family services
45 or office of temporary and disability assistance special revenue federal
46 funds to the miscellaneous special revenue fund, family preservation and
47 support services and family violence services account (22082).
48 3. \$18,670,000 from any of the office of children and family services,
49 office of temporary and disability assistance, or department of health
50 special revenue federal funds and any other miscellaneous revenues
51 generated from the operation of office of children and family services
52 programs to the general fund.
53 4. \$175,000,000 from any of the office of temporary and disability
54 assistance or department of health special revenue funds to the general
55 fund.

- 1 5. \$2,500,000 from any of the office of temporary and disability
2 assistance special revenue funds to the miscellaneous special revenue
3 fund, office of temporary and disability assistance program account
4 (21980).
- 5 6. \$35,000,000 from any of the office of children and family services,
6 office of temporary and disability assistance, department of labor, and
7 department of health special revenue federal funds to the office of
8 children and family services miscellaneous special revenue fund, multi-
9 agency training contract account (21989).
- 10 7. \$205,000,000 from the miscellaneous special revenue fund, youth
11 facility per diem account (22186), to the general fund.
- 12 8. \$621,850 from the general fund to the combined gifts, grants, and
13 bequests fund, WB Hoyt Memorial account (20128).
- 14 9. \$5,000,000 from the miscellaneous special revenue fund, state
15 central registry (22028), to the general fund.
- 16 10. \$900,000 from the general fund to the Veterans' Remembrance and
17 Cemetery Maintenance and Operation account (20201).
- 18 11. \$905,000,000 from the general fund to the housing program fund
19 (31850).
- 20 12. Up to \$10,000,000 from any of the office of children and family
21 services special revenue federal funds to the office of the court admin-
22 istration special revenue other federal iv-e funds account.
- 23 General Government:
- 24 1. \$12,000,000 from the general fund to the health insurance revolving
25 fund (55300).
- 26 2. \$292,400,000 from the health insurance reserve receipts fund
27 (60550) to the general fund.
- 28 3. \$150,000 from the general fund to the not-for-profit revolving loan
29 fund (20650).
- 30 4. \$150,000 from the not-for-profit revolving loan fund (20650) to the
31 general fund.
- 32 5. \$3,000,000 from the miscellaneous special revenue fund, surplus
33 property account (22036), to the general fund.
- 34 6. \$19,000,000 from the miscellaneous special revenue fund, revenue
35 arrearage account (22024), to the general fund.
- 36 7. \$1,826,000 from the miscellaneous special revenue fund, revenue
37 arrearage account (22024), to the miscellaneous special revenue fund,
38 authority budget office account (22138).
- 39 8. \$1,000,000 from the miscellaneous special revenue fund, parking
40 account (22007), to the general fund, for the purpose of reimbursing the
41 costs of debt service related to state parking facilities.
- 42 9. \$11,460,000 from the general fund to the agencies internal service
43 fund, central technology services account (55069), for the purpose of
44 enterprise technology projects.
- 45 10. \$10,000,000 from the general fund to the agencies internal service
46 fund, state data center account (55062).
- 47 11. \$12,000,000 from the miscellaneous special revenue fund, parking
48 account (22007), to the centralized services, building support services
49 account (55018).
- 50 12. \$30,000,000 from the general fund to the internal service fund,
51 business services center account (55022).
- 52 13. \$8,000,000 from the general fund to the internal service fund,
53 building support services account (55018).
- 54 14. \$1,500,000 from the combined expendable trust fund, plaza special
55 events account (20120), to the general fund.

1 15. \$50,000,000 from the New York State cannabis revenue fund (24800)
2 to the general fund.

3 16. A transfer from the general fund to the miscellaneous special
4 revenue fund, New York State Campaign Finance Fund Account (22211), up
5 to an amount equal to total reimbursements due to qualified candidates.

6 17. \$6,000,000 from the miscellaneous special revenue fund, standards
7 and purchasing account (22019), to the general fund.

8 Health:

9 1. A transfer from the general fund to the combined gifts, grants and
10 bequests fund, breast cancer research and education account (20155), up
11 to an amount equal to the monies collected and deposited into that
12 account in the previous fiscal year.

13 2. A transfer from the general fund to the combined gifts, grants and
14 bequests fund, prostate cancer research, detection, and education
15 account (20183), up to an amount equal to the moneys collected and
16 deposited into that account in the previous fiscal year.

17 3. A transfer from the general fund to the combined gifts, grants and
18 bequests fund, Alzheimer's disease research and assistance account
19 (20143), up to an amount equal to the moneys collected and deposited
20 into that account in the previous fiscal year.

21 4. \$8,940,000 from the HCRA resources fund (20800) to the miscella-
22 neous special revenue fund, empire state stem cell trust fund account
23 (22161).

24 5. \$3,600,000 from the miscellaneous special revenue fund, certificate
25 of need account (21920), to the miscellaneous capital projects fund,
26 healthcare IT capital subfund (32216).

27 6. \$4,000,000 from the miscellaneous special revenue fund, vital
28 health records account (22103), to the miscellaneous capital projects
29 fund, healthcare IT capital subfund (32216).

30 7. \$6,000,000 from the miscellaneous special revenue fund, profes-
31 sional medical conduct account (22088), to the miscellaneous capital
32 projects fund, healthcare IT capital subfund (32216).

33 8. \$114,500,000 from the HCRA resources fund (20800) to the capital
34 projects fund (30000).

35 9. \$6,550,000 from the general fund to the medical cannabis trust
36 fund, health operation and oversight account (23755).

37 10. An amount up to the unencumbered balance from the charitable gifts
38 trust fund, health charitable account (24900), to the general fund, for
39 payment of general support for primary, preventive, and inpatient health
40 care, dental and vision care, hunger prevention and nutritional assist-
41 ance, and other services for New York state residents with the overall
42 goal of ensuring that New York state residents have access to quality
43 health care and other related services.

44 11. \$500,000 from the miscellaneous special revenue fund, New York
45 State cannabis revenue fund, to the miscellaneous special revenue fund,
46 environmental laboratory fee account (21959).

47 12. An amount up to the unencumbered balance from the public health
48 emergency charitable gifts trust fund to the general fund, for payment
49 of goods and services necessary to respond to a public health disaster
50 emergency or to assist or aid in responding to such a disaster.

51 13. \$1,000,000,000 from the general fund to the health care transfor-
52 mation fund (24850).

53 14. \$2,590,000 from the miscellaneous special revenue fund, patient
54 safety center account (22140), to the general fund.

55 15. \$1,000,000 from the miscellaneous special revenue fund, nursing
56 home receivership account (21925), to the general fund.

1 16. \$130,000 from the miscellaneous special revenue fund, quality of
2 care account (21915), to the general fund.

3 17. \$2,200,000 from the miscellaneous special revenue fund, adult home
4 quality enhancement account (22091), to the general fund.

5 18. \$7,429,000 from the general fund, to the miscellaneous special
6 revenue fund, helen hayes hospital account (22140).

7 19. \$1,117,000 from the general fund, to the miscellaneous special
8 revenue fund, New York city veterans' home account (22141).

9 20. \$813,000 from the general fund, to the miscellaneous special
10 revenue fund, New York state home for veterans' and their dependents at
11 oxford account (22142).

12 21. \$313,000 from the general fund, to the miscellaneous special
13 revenue fund, western New York veterans' home account (22143).

14 22. \$1,473,000 from the general fund, to the miscellaneous special
15 revenue fund, New York state for veterans in the lower-hudson valley
16 account (22144).

17 Labor:

18 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
19 penalty account (21923), to the child performer's protection fund, child
20 performer protection account (20401).

21 2. \$11,700,000 from the unemployment insurance interest and penalty
22 fund, unemployment insurance special interest and penalty account
23 (23601), to the general fund.

24 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
25 ment insurance special interest and penalty account (23601), and public
26 work enforcement account (21998), to the general fund.

27 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator
28 safety program fund (22252) to the miscellaneous special revenue fund,
29 DOL fee and penalty account (21923).

30 Mental Hygiene:

31 1. \$3,800,000 from the general fund, to the agencies internal service
32 fund, civil service EHS occupational health program account (55056).

33 2. \$2,000,000 from the general fund, to the mental hygiene facilities
34 capital improvement fund (32300).

35 3. \$20,000,000 from the opioid settlement fund (23817) to the miscel-
36 laneous capital projects fund, opioid settlement capital account.

37 4. \$20,000,000 from the miscellaneous capital projects fund, opioid
38 settlement capital account to the opioid settlement fund (23817).

39 Public Protection:

40 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
41 management account (21944), to the general fund.

42 2. \$2,587,000 from the general fund to the miscellaneous special
43 revenue fund, recruitment incentive account (22171).

44 3. \$23,773,000 from the general fund to the correctional industries
45 revolving fund, correctional industries internal service account
46 (55350).

47 4. \$2,000,000,000 from any of the division of homeland security and
48 emergency services special revenue federal funds to the general fund.

49 5. \$115,420,000 from the state police motor vehicle law enforcement
50 and motor vehicle theft and insurance fraud prevention fund, state
51 police motor vehicle enforcement account (22802), to the general fund
52 for state operation expenses of the division of state police.

53 6. \$138,272,000 from the general fund to the correctional facilities
54 capital improvement fund (32350).

55 7. \$5,000,000 from the general fund to the dedicated highway and
56 bridge trust fund (30050) for the purpose of work zone safety activities

1 provided by the division of state police for the department of transpor-
2 tation.

3 8. \$10,000,000 from the miscellaneous special revenue fund, statewide
4 public safety communications account (22123), to the capital projects
5 fund (30000).

6 9. \$9,830,000 from the miscellaneous special revenue fund, legal
7 services assistance account (22096), to the general fund.

8 10. \$1,000,000 from the general fund to the agencies internal service
9 fund, neighborhood work project account (55059).

10 11. \$7,980,000 from the miscellaneous special revenue fund, finger-
11 print identification & technology account (21950), to the general fund.

12 12. \$1,100,000 from the state police motor vehicle law enforcement and
13 motor vehicle theft and insurance fraud prevention fund, motor vehicle
14 theft and insurance fraud account (22801), to the general fund.

15 13. \$14,400,000 from the general fund to the miscellaneous special
16 revenue fund, criminal justice improvement account (21945).

17 14. \$2,000,000 from the general fund to the miscellaneous special
18 revenue fund, hazard mitigation revolving loan account.

19 Transportation:

20 1. \$20,000,000 from the general fund to the mass transportation oper-
21 ating assistance fund, public transportation systems operating assist-
22 ance account (21401), of which \$12,000,000 constitutes the base need for
23 operations.

24 2. \$727,500,000 from the general fund to the dedicated highway and
25 bridge trust fund (30050).

26 3. \$244,250,000 from the general fund to the MTA financial assistance
27 fund, mobility tax trust account (23651).

28 4. \$5,000,000 from the miscellaneous special revenue fund, transporta-
29 tion regulation account (22067) to the dedicated highway and bridge
30 trust fund (30050), for disbursements made from such fund for motor
31 carrier safety that are in excess of the amounts deposited in the dedi-
32 cated highway and bridge trust fund (30050) for such purpose pursuant to
33 section 94 of the transportation law.

34 5. \$477,000 from the miscellaneous special revenue fund, traffic adju-
35 dication account (22055), to the general fund.

36 6. \$5,000,000 from the miscellaneous special revenue fund, transporta-
37 tion regulation account (22067) to the general fund, for disbursements
38 made from such fund for motor carrier safety that are in excess of the
39 amounts deposited in the general fund for such purpose pursuant to
40 section 94 of the transportation law.

41 Miscellaneous:

42 1. \$250,000,000 from the general fund to any funds or accounts for the
43 purpose of reimbursing certain outstanding accounts receivable balances.

44 2. \$500,000,000 from the general fund to the debt reduction reserve
45 fund (40000).

46 3. \$450,000,000 from the New York state storm recovery capital fund
47 (33000) to the revenue bond tax fund (40152).

48 4. \$15,500,000 from the general fund, community projects account GG
49 (10256), to the general fund, state purposes account (10050).

50 5. \$100,000,000 from any special revenue federal fund to the general
51 fund, state purposes account (10050).

52 6. \$8,250,000,000 from the special revenue federal fund, ARPA-Fiscal
53 Recovery Fund (25546) to the general fund, state purposes account
54 (10050) to cover eligible costs incurred by the state.

§ 3. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, on or before March 31, 2024:

1. Upon request of the commissioner of environmental conservation, up to \$12,745,400 from revenues credited to any of the department of environmental conservation special revenue funds, including \$4,000,000 from the environmental protection and oil spill compensation fund (21200), and \$1,834,600 from the conservation fund (21150), to the environmental conservation special revenue fund, indirect charges account (21060).

2. Upon request of the commissioner of agriculture and markets, up to \$3,000,000 from any special revenue fund or enterprise fund within the department of agriculture and markets to the general fund, to pay appropriate administrative expenses.

3. Upon request of the commissioner of the division of housing and community renewal, up to \$6,221,000 from revenues credited to any division of housing and community renewal federal or miscellaneous special revenue fund to the miscellaneous special revenue fund, housing indirect cost recovery account (22090).

4. Upon request of the commissioner of the division of housing and community renewal, up to \$5,500,000 may be transferred from any miscellaneous special revenue fund account, to any miscellaneous special revenue fund.

5. Upon request of the commissioner of health up to \$13,694,000 from revenues credited to any of the department of health's special revenue funds, to the miscellaneous special revenue fund, administration account (21982).

6. Upon the request of the attorney general, up to \$4,000,000 from revenues credited to the federal health and human services fund, federal health and human services account (25117) or the miscellaneous special revenue fund, recoveries and revenue account (22041), to the miscellaneous special revenue fund, litigation settlement and civil recovery account (22117).

§ 4. On or before March 31, 2024, the comptroller is hereby authorized and directed to deposit earnings that would otherwise accrue to the general fund that are attributable to the operation of section 98-a of the state finance law, to the agencies internal service fund, banking services account (55057), for the purpose of meeting direct payments from such account.

§ 5. Notwithstanding any law to the contrary, upon the direction of the director of the budget and upon requisition by the state university of New York, the dormitory authority of the state of New York is directed to transfer, up to \$22,000,000 in revenues generated from the sale of notes or bonds, the state university income fund general revenue account (22653) for reimbursement of bondable equipment for further transfer to the state's general fund.

§ 6. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2024, up to \$16,000,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Buffalo.

§ 7. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized

1 and directed to transfer, upon request of the director of the budget and
2 upon consultation with the state university chancellor or his or her
3 designee, on or before March 31, 2024, up to \$6,500,000 from the state
4 university income fund general revenue account (22653) to the state
5 general fund for debt service costs related to campus supported capital
6 project costs for the NY-SUNY 2020 challenge grant program at the
7 University at Albany.

8 § 8. Notwithstanding any law to the contrary, the state university
9 chancellor or his or her designee is authorized and directed to transfer
10 estimated tuition revenue balances from the state university collection
11 fund (61000) to the state university income fund, state university
12 general revenue offset account (22655) on or before March 31, 2024.

13 § 9. Notwithstanding any law to the contrary, and in accordance with
14 section 4 of the state finance law, the comptroller is hereby authorized
15 and directed to transfer, upon request of the director of the budget, up
16 to \$1,226,598,500 from the general fund to the state university income
17 fund, state university general revenue offset account (22655) during the
18 period of July 1, 2023 through June 30, 2024 to support operations at
19 the state university.

20 § 10. Notwithstanding any law to the contrary, and in accordance with
21 section 4 of the state finance law, the comptroller is hereby authorized
22 and directed to transfer, upon request of the director of the budget, up
23 to \$62,340,000 from the general fund to the state university income
24 fund, state university general revenue offset account (22655) during the
25 period of July 1, 2023 to June 30, 2024 for general fund operating
26 support pursuant to subparagraph (4-b) of paragraph h of subdivision 2
27 of section three hundred fifty-five of the education law.

28 § 11. Notwithstanding any law to the contrary, and in accordance with
29 section 4 of the state finance law, the comptroller is hereby authorized
30 and directed to transfer, upon request of the director of the budget, up
31 to \$20,000,000 from the general fund to the state university income
32 fund, state university general revenue offset account (22655) during the
33 period of July 1, 2023 to June 30, 2024 to fully fund the tuition credit
34 pursuant to subdivision two of section six hundred sixty-nine-h of the
35 education law.

36 § 12. Notwithstanding any law to the contrary, and in accordance with
37 section 4 of the state finance law, the comptroller is hereby authorized
38 and directed to transfer, upon request of the state university chancel-
39 lor or his or her designee, up to \$55,000,000 from the state university
40 income fund, state university hospitals income reimbursable account
41 (22656), for services and expenses of hospital operations and capital
42 expenditures at the state university hospitals; and the state university
43 income fund, Long Island veterans' home account (22652) to the state
44 university capital projects fund (32400) on or before June 30, 2024.

45 § 13. Notwithstanding any law to the contrary, and in accordance with
46 section 4 of the state finance law, the comptroller, after consultation
47 with the state university chancellor or his or her designee, is hereby
48 authorized and directed to transfer moneys, in the first instance, from
49 the state university collection fund, Stony Brook hospital collection
50 account (61006), Brooklyn hospital collection account (61007), and Syra-
51 cuse hospital collection account (61008) to the state university income
52 fund, state university hospitals income reimbursable account (22656) in
53 the event insufficient funds are available in the state university
54 income fund, state university hospitals income reimbursable account
55 (22656) to permit the full transfer of moneys authorized for transfer,
56 to the general fund for payment of debt service related to the SUNY

1 hospitals. Notwithstanding any law to the contrary, the comptroller is
2 also hereby authorized and directed, after consultation with the state
3 university chancellor or his or her designee, to transfer moneys from
4 the state university income fund to the state university income fund,
5 state university hospitals income reimbursable account (22656) in the
6 event insufficient funds are available in the state university income
7 fund, state university hospitals income reimbursable account (22656) to
8 pay hospital operating costs or to permit the full transfer of moneys
9 authorized for transfer, to the general fund for payment of debt service
10 related to the SUNY hospitals on or before March 31, 2024.

11 § 14. Notwithstanding any law to the contrary, upon the direction of
12 the director of the budget and the chancellor of the state university of
13 New York or his or her designee, and in accordance with section 4 of the
14 state finance law, the comptroller is hereby authorized and directed to
15 transfer monies from the state university dormitory income fund (40350)
16 to the state university residence hall rehabilitation fund (30100), and
17 from the state university residence hall rehabilitation fund (30100) to
18 the state university dormitory income fund (40350), in an amount not to
19 exceed \$100 million from each fund.

20 § 15. Notwithstanding any law to the contrary, and in accordance with
21 section 4 of the state finance law, the comptroller is hereby authorized
22 and directed to transfer, at the request of the director of the budget,
23 up to \$700 million from the unencumbered balance of any special revenue
24 fund or account, agency fund or account, internal service fund or
25 account, enterprise fund or account, or any combination of such funds
26 and accounts, to the general fund. The amounts transferred pursuant to
27 this authorization shall be in addition to any other transfers expressly
28 authorized in the 2023-24 budget. Transfers from federal funds, debt
29 service funds, capital projects funds, the community projects fund, or
30 funds that would result in the loss of eligibility for federal benefits
31 or federal funds pursuant to federal law, rule, or regulation as assent-
32 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
33 1951 are not permitted pursuant to this authorization.

34 § 16. Notwithstanding any law to the contrary, and in accordance with
35 section 4 of the state finance law, the comptroller is hereby authorized
36 and directed to transfer, at the request of the director of the budget,
37 up to \$100 million from any non-general fund or account, or combination
38 of funds and accounts, to the miscellaneous special revenue fund, tech-
39 nology financing account (22207), the miscellaneous capital projects
40 fund, the federal capital projects account (31350), information technol-
41 ogy capital financing account (32215), or the centralized technology
42 services account (55069), for the purpose of consolidating technology
43 procurement and services. The amounts transferred to the miscellaneous
44 special revenue fund, technology financing account (22207) pursuant to
45 this authorization shall be equal to or less than the amount of such
46 monies intended to support information technology costs which are
47 attributable, according to a plan, to such account made in pursuance to
48 an appropriation by law. Transfers to the technology financing account
49 shall be completed from amounts collected by non-general funds or
50 accounts pursuant to a fund deposit schedule or permanent statute, and
51 shall be transferred to the technology financing account pursuant to a
52 schedule agreed upon by the affected agency commissioner. Transfers from
53 funds that would result in the loss of eligibility for federal benefits
54 or federal funds pursuant to federal law, rule, or regulation as assent-
55 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
56 1951 are not permitted pursuant to this authorization.

§ 17. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to \$400 million from any non-general fund or account, or combination of funds and accounts, to the general fund for the purpose of consolidating technology procurement and services. The amounts transferred pursuant to this authorization shall be equal to or less than the amount of such monies intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the general fund shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule. Transfers from funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 18. Notwithstanding any provision of law to the contrary, as deemed feasible and advisable by its trustees, the power authority of the state of New York is authorized and directed to transfer to the state treasury to the credit of the general fund up to \$20,000,000 for the state fiscal year commencing April 1, 2023, the proceeds of which will be utilized to support energy-related state activities.

§ 19. Notwithstanding any provision of law, rule or regulation to the contrary, the New York state energy research and development authority is authorized and directed to contribute \$913,000 to the state treasury to the credit of the general fund on or before March 31, 2024.

§ 20. Notwithstanding any provision of law, rule or regulation to the contrary, the New York state energy research and development authority is authorized and directed to transfer five million dollars to the credit of the Environmental Protection Fund on or before March 31, 2024 from proceeds collected by the authority from the auction or sale of carbon dioxide emission allowances allocated by the department of environmental conservation.

§ 21. Subdivision 5 of section 97-rrr of the state finance law, as amended by section 21 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

5. Notwithstanding the provisions of section one hundred seventy-one-a of the tax law, as separately amended by chapters four hundred eighty-one and four hundred eighty-four of the laws of nineteen hundred eighty-one, and notwithstanding the provisions of chapter ninety-four of the laws of two thousand eleven, or any other provisions of law to the contrary, during the fiscal year beginning April first, two thousand ~~[twenty-two]~~ twenty-three, the state comptroller is hereby authorized and directed to deposit to the fund created pursuant to this section from amounts collected pursuant to article twenty-two of the tax law and pursuant to a schedule submitted by the director of the budget, up to ~~[\$1,830,985,000,]~~ \$1,716,913,000 as may be certified in such schedule as necessary to meet the purposes of such fund for the fiscal year beginning April first, two thousand ~~[twenty-two]~~ twenty-three.

§ 22. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2024, the following amounts from the following special revenue accounts to the capital projects fund (30000), for the purposes of reimbursement to such fund for expenses related to the maintenance and preservation of state assets:

1 1. \$43,000 from the miscellaneous special revenue fund, administrative
2 program account (21982).

3 2. \$1,478,000 from the miscellaneous special revenue fund, helen hayes
4 hospital account (22140).

5 3. \$456,000 from the miscellaneous special revenue fund, New York city
6 veterans' home account (22141).

7 4. \$570,000 from the miscellaneous special revenue fund, New York
8 state home for veterans' and their dependents at oxford account (22142).

9 5. \$170,000 from the miscellaneous special revenue fund, western New
10 York veterans' home account (22143).

11 6. \$323,000 from the miscellaneous special revenue fund, New York
12 state for veterans in the lower-hudson valley account (22144).

13 7. \$2,550,000 from the miscellaneous special revenue fund, patron
14 services account (22163).

15 8. \$9,016,000 from the miscellaneous special revenue fund, state
16 university general income reimbursable account (22653).

17 9. \$142,782,000 from the miscellaneous special revenue fund, state
18 university revenue offset account (22655).

19 10. \$51,897,000 from the state university dormitory income fund, state
20 university dormitory income fund (40350).

21 11. \$1,000,000 from the miscellaneous special revenue fund, litigation
22 settlement and civil recovery account (22117).

23 § 23. Section 60 of part FFF of chapter 56 of the laws of 2022
24 providing for the administration of certain funds and accounts related
25 to the 2022-2023 budget, is amended to read as follows:

26 § 60. This act shall take effect immediately and shall be deemed to
27 have been in full force and effect on and after April 1, 2022; provided,
28 however, that the provisions of sections one, one-a, two, three, four,
29 five, six, seven, eight, thirteen, fourteen, fifteen, sixteen, seven-
30 teen, eighteen, nineteen, twenty[, and twenty-two[, ~~and twenty-three~~]
31 of this act shall expire March 31, 2023 when upon such [date] dates the
32 provisions of such sections shall be deemed repealed; provided, further,
33 that the amendments to section 89-h of the state finance law made by
34 section twenty-eight of this act shall not affect the repeal of such
35 section and shall be deemed repealed therewith; and provided, further,
36 that section twenty-eight-a of this act shall expire March 31, 2027.

37 § 24. Subdivision 5 of section 183 of the military law, as amended by
38 section 2 of part 0 of chapter 55 of the laws of 2018, is amended to
39 read as follows:

40 5. All moneys paid as rent as provided in this section, together with
41 all sums paid to cover expenses of heating and lighting, shall be trans-
42 mitted by the officer in charge and control of the armory through the
43 adjutant general to the state treasury for deposit to the [~~agencies~~
44 ~~enterprise fund~~] miscellaneous special revenue fund - 339 armory rental
45 account.

46 § 25. Subdivision 2 of section 92-cc of the state finance law, as
47 amended by section 26 of part FFF of chapter 56 of the laws of 2022, is
48 amended to read as follows:

49 2. Such fund shall have a maximum balance not to exceed [~~fifteen~~]
50 twenty per centum of the aggregate amount projected to be disbursed from
51 the [~~general fund~~] state operating funds during [~~the fiscal year imme-~~
52 ~~diately following~~] the then-current fiscal year as estimated in the
53 enacted budget financial plan. At the request of the director of the
54 budget, the state comptroller shall transfer monies to the rainy day
55 reserve fund up to and including an amount equivalent to [~~three~~] ten per
56 centum of the aggregate amount projected to be disbursed from the

1 ~~[general fund]~~ state operating funds during the then-current fiscal year
2 as estimated in the enacted budget financial plan, unless such transfer
3 would increase the rainy day reserve fund to an amount in excess of
4 ~~[fifteen]~~ twenty per centum of the aggregate amount projected to be
5 disbursed from the ~~[general fund]~~ state operating funds during the
6 ~~[fiscal year immediately following the]~~ then-current fiscal year as
7 estimated in the enacted budget financial plan, in which event such
8 transfer shall be limited to such amount as will increase the rainy day
9 reserve fund to such ~~[fifteen]~~ twenty per centum limitation.

10 § 26. Notwithstanding any other law, rule, or regulation to the
11 contrary, the state comptroller is hereby authorized and directed to use
12 any balance remaining in the mental health services fund debt service
13 appropriation, after payment by the state comptroller of all obligations
14 required pursuant to any lease, sublease, or other financing arrangement
15 between the dormitory authority of the state of New York as successor to
16 the New York state medical care facilities finance agency, and the
17 facilities development corporation pursuant to chapter 83 of the laws of
18 1995 and the department of mental hygiene for the purpose of making
19 payments to the dormitory authority of the state of New York for the
20 amount of the earnings for the investment of monies deposited in the
21 mental health services fund that such agency determines will or may have
22 to be rebated to the federal government pursuant to the provisions of
23 the internal revenue code of 1986, as amended, in order to enable such
24 agency to maintain the exemption from federal income taxation on the
25 interest paid to the holders of such agency's mental services facilities
26 improvement revenue bonds. Annually on or before each June 30th, such
27 agency shall certify to the state comptroller its determination of the
28 amounts received in the mental health services fund as a result of the
29 investment of monies deposited therein that will or may have to be
30 rebated to the federal government pursuant to the provisions of the
31 internal revenue code of 1986, as amended.

32 § 27. Subdivision 1 of section 16 of part D of chapter 389 of the laws
33 of 1997, relating to the financing of the correctional facilities
34 improvement fund and the youth facility improvement fund, as amended by
35 section 30 of part FFF of chapter 56 of the laws of 2022, is amended to
36 read as follows:

37 1. Subject to the provisions of chapter 59 of the laws of 2000, but
38 notwithstanding the provisions of section 18 of section 1 of chapter 174
39 of the laws of 1968, the New York state urban development corporation is
40 hereby authorized to issue bonds, notes and other obligations in an
41 aggregate principal amount not to exceed ~~[nine billion five hundred two~~
42 ~~million seven hundred thirty nine thousand dollars \$9,502,739,000]~~ nine
43 billion eight hundred sixty-five million eight hundred fifty-nine thou-
44 sand dollars \$9,865,859,000, and shall include all bonds, notes and
45 other obligations issued pursuant to chapter 56 of the laws of 1983, as
46 amended or supplemented. The proceeds of such bonds, notes or other
47 obligations shall be paid to the state, for deposit in the correctional
48 facilities capital improvement fund to pay for all or any portion of the
49 amount or amounts paid by the state from appropriations or reappropri-
50 ations made to the department of corrections and community supervision
51 from the correctional facilities capital improvement fund for capital
52 projects. The aggregate amount of bonds, notes or other obligations
53 authorized to be issued pursuant to this section shall exclude bonds,
54 notes or other obligations issued to refund or otherwise repay bonds,
55 notes or other obligations theretofore issued, the proceeds of which
56 were paid to the state for all or a portion of the amounts expended by

1 the state from appropriations or reappropriations made to the department
2 of corrections and community supervision; provided, however, that upon
3 any such refunding or repayment the total aggregate principal amount of
4 outstanding bonds, notes or other obligations may be greater than [~~nine~~
5 ~~billion five hundred two million seven hundred thirty-nine thousand~~
6 ~~dollars \$9,502,739,000~~] nine billion eight hundred sixty-five million
7 eight hundred fifty-nine thousand dollars \$9,865,859,000, only if the
8 present value of the aggregate debt service of the refunding or repay-
9 ment bonds, notes or other obligations to be issued shall not exceed the
10 present value of the aggregate debt service of the bonds, notes or other
11 obligations so to be refunded or repaid. For the purposes hereof, the
12 present value of the aggregate debt service of the refunding or repay-
13 ment bonds, notes or other obligations and of the aggregate debt service
14 of the bonds, notes or other obligations so refunded or repaid, shall be
15 calculated by utilizing the effective interest rate of the refunding or
16 repayment bonds, notes or other obligations, which shall be that rate
17 arrived at by doubling the semi-annual interest rate (compounded semi-
18 annually) necessary to discount the debt service payments on the refund-
19 ing or repayment bonds, notes or other obligations from the payment
20 dates thereof to the date of issue of the refunding or repayment bonds,
21 notes or other obligations and to the price bid including estimated
22 accrued interest or proceeds received by the corporation including esti-
23 mated accrued interest from the sale thereof.

24 § 28. Subdivision (a) of section 27 of part Y of chapter 61 of the
25 laws of 2005, relating to providing for the administration of certain
26 funds and accounts related to the 2005-2006 budget, as amended by
27 section 31 of part FFF of chapter 56 of the laws of 2022, is amended to
28 read as follows:

29 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
30 notwithstanding any provisions of law to the contrary, the urban devel-
31 opment corporation is hereby authorized to issue bonds or notes in one
32 or more series in an aggregate principal amount not to exceed [~~four~~
33 ~~hundred twenty-six million one hundred thousand dollars \$426,100,000~~]
34 five hundred thirty-eight million one hundred thousand dollars
35 \$538,100,000, excluding bonds issued to finance one or more debt service
36 reserve funds, to pay costs of issuance of such bonds, and bonds or
37 notes issued to refund or otherwise repay such bonds or notes previously
38 issued, for the purpose of financing capital projects including IT
39 initiatives for the division of state police, debt service and leases;
40 and to reimburse the state general fund for disbursements made therefor.
41 Such bonds and notes of such authorized issuer shall not be a debt of
42 the state, and the state shall not be liable thereon, nor shall they be
43 payable out of any funds other than those appropriated by the state to
44 such authorized issuer for debt service and related expenses pursuant to
45 any service contract executed pursuant to subdivision (b) of this
46 section and such bonds and notes shall contain on the face thereof a
47 statement to such effect. Except for purposes of complying with the
48 internal revenue code, any interest income earned on bond proceeds shall
49 only be used to pay debt service on such bonds.

50 § 29. Subdivision 3 of section 1285-p of the public authorities law,
51 as amended by section 32 of part FFF of chapter 56 of the laws of 2022,
52 is amended to read as follows:

53 3. The maximum amount of bonds that may be issued for the purpose of
54 financing environmental infrastructure projects authorized by this
55 section shall be [~~eight billion one hundred seventy-one million one~~
56 ~~hundred ten thousand dollars \$8,171,110,000~~] nine billion three hundred

1 eight million two hundred ten thousand dollars \$9,308,210,000, exclusive
2 of bonds issued to fund any debt service reserve funds, pay costs of
3 issuance of such bonds, and bonds or notes issued to refund or otherwise
4 repay bonds or notes previously issued. Such bonds and notes of the
5 corporation shall not be a debt of the state, and the state shall not be
6 liable thereon, nor shall they be payable out of any funds other than
7 those appropriated by the state to the corporation for debt service and
8 related expenses pursuant to any service contracts executed pursuant to
9 subdivision one of this section, and such bonds and notes shall contain
10 on the face thereof a statement to such effect.

11 § 30. Subdivision (a) of section 48 of part K of chapter 81 of the
12 laws of 2002, relating to providing for the administration of certain
13 funds and accounts related to the 2002-2003 budget, as amended by
14 section 33 of part FFF of chapter 56 of the laws of 2022, is amended to
15 read as follows:

16 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
17 notwithstanding the provisions of section 18 of the urban development
18 corporation act, the corporation is hereby authorized to issue bonds or
19 notes in one or more series in an aggregate principal amount not to
20 exceed [~~three hundred eighty-three million five hundred thousand dollars~~
21 ~~\$383,500,000~~] four hundred seventy-six million five hundred thousand
22 dollars \$476,500,000, excluding bonds issued to fund one or more debt
23 service reserve funds, to pay costs of issuance of such bonds, and bonds
24 or notes issued to refund or otherwise repay such bonds or notes previ-
25 ously issued, for the purpose of financing capital costs related to
26 homeland security and training facilities for the division of state
27 police, the division of military and naval affairs, and any other state
28 agency, including the reimbursement of any disbursements made from the
29 state capital projects fund, and is hereby authorized to issue bonds or
30 notes in one or more series in an aggregate principal amount not to
31 exceed [~~one billion six hundred four million nine hundred eighty-six~~
32 ~~thousand dollars \$1,604,086,000~~] one billion seven hundred ten million
33 eighty-six thousand dollars \$1,710,086,000, excluding bonds issued to
34 fund one or more debt service reserve funds, to pay costs of issuance of
35 such bonds, and bonds or notes issued to refund or otherwise repay such
36 bonds or notes previously issued, for the purpose of financing improve-
37 ments to State office buildings and other facilities located statewide,
38 including the reimbursement of any disbursements made from the state
39 capital projects fund. Such bonds and notes of the corporation shall not
40 be a debt of the state, and the state shall not be liable thereon, nor
41 shall they be payable out of any funds other than those appropriated by
42 the state to the corporation for debt service and related expenses
43 pursuant to any service contracts executed pursuant to subdivision (b)
44 of this section, and such bonds and notes shall contain on the face
45 thereof a statement to such effect.

46 § 31. Paragraph (c) of subdivision 19 of section 1680 of the public
47 authorities law, as amended by section 34 of part FFF of chapter 56 of
48 the laws of 2022, is amended to read as follows:

49 (c) Subject to the provisions of chapter fifty-nine of the laws of two
50 thousand, the dormitory authority shall not issue any bonds for state
51 university educational facilities purposes if the principal amount of
52 bonds to be issued when added to the aggregate principal amount of bonds
53 issued by the dormitory authority on and after July first, nineteen
54 hundred eighty-eight for state university educational facilities will
55 exceed [~~sixteen billion six hundred eleven million five hundred sixty-~~
56 ~~four thousand dollars \$16,611,564,000~~] seventeen billion nine hundred

thirty-seven million five hundred sixty-four thousand dollars \$17,937,564,000; provided, however, that bonds issued or to be issued shall be excluded from such limitation if: (1) such bonds are issued to refund state university construction bonds and state university construction notes previously issued by the housing finance agency; or (2) such bonds are issued to refund bonds of the authority or other obligations issued for state university educational facilities purposes and the present value of the aggregate debt service on the refunding bonds does not exceed the present value of the aggregate debt service on the bonds refunded thereby; provided, further that upon certification by the director of the budget that the issuance of refunding bonds or other obligations issued between April first, nineteen hundred ninety-two and March thirty-first, nineteen hundred ninety-three will generate long term economic benefits to the state, as assessed on a present value basis, such issuance will be deemed to have met the present value test noted above. For purposes of this subdivision, the present value of the aggregate debt service of the refunding bonds and the aggregate debt service of the bonds refunded, shall be calculated by utilizing the true interest cost of the refunding bonds, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding bonds from the payment dates thereof to the date of issue of the refunding bonds to the purchase price of the refunding bonds, including interest accrued thereon prior to the issuance thereof. The maturity of such bonds, other than bonds issued to refund outstanding bonds, shall not exceed the weighted average economic life, as certified by the state university construction fund, of the facilities in connection with which the bonds are issued, and in any case not later than the earlier of thirty years or the expiration of the term of any lease, sublease or other agreement relating thereto; provided that no note, including renewals thereof, shall mature later than five years after the date of issuance of such note. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the state university of New York, and the state university construction fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

§ 32. Paragraph (c) of subdivision 14 of section 1680 of the public authorities law, as amended by section 35 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, (i) the dormitory authority shall not deliver a series of bonds for city university community college facilities, except to refund or to be substituted for or in lieu of other bonds in relation to city university community college facilities pursuant to a resolution of the dormitory authority adopted before July first, nineteen hundred eighty-five or any resolution supplemental thereto, if the principal amount of bonds so to be issued when added to all principal amounts of bonds previously issued by the dormitory authority for city university community college facilities, except to refund or to be substituted in lieu of other bonds in relation to city university community college facilities will exceed the sum of four hundred twenty-five million dollars and (ii) the dormitory authority shall not deliver a series of bonds issued for city university facilities, including community college facilities, pursuant to a resolution of the dormitory authority adopted on or after July first, nineteen hundred eighty-five, except to refund or to be

1 substituted for or in lieu of other bonds in relation to city university
2 facilities and except for bonds issued pursuant to a resolution supple-
3 mental to a resolution of the dormitory authority adopted prior to July
4 first, nineteen hundred eighty-five, if the principal amount of bonds so
5 to be issued when added to the principal amount of bonds previously
6 issued pursuant to any such resolution, except bonds issued to refund or
7 to be substituted for or in lieu of other bonds in relation to city
8 university facilities, will exceed [~~ten billion two hundred fifty-four~~
9 ~~million six hundred eighty-six thousand dollars \$10,254,686,000~~] ten
10 billion eight hundred seventy million six hundred fifty-two thousand
11 dollars \$10,870,652,000. The legislature reserves the right to amend or
12 repeal such limit, and the state of New York, the dormitory authority,
13 the city university, and the fund are prohibited from covenanting or
14 making any other agreements with or for the benefit of bondholders which
15 might in any way affect such right.

16 § 33. Subdivision 10-a of section 1680 of the public authorities law,
17 as amended by section 36 of part FFF of chapter 56 of the laws of 2022,
18 is amended to read as follows:

19 10-a. Subject to the provisions of chapter fifty-nine of the laws of
20 two thousand, but notwithstanding any other provision of the law to the
21 contrary, the maximum amount of bonds and notes to be issued after March
22 thirty-first, two thousand two, on behalf of the state, in relation to
23 any locally sponsored community college, shall be [~~one billion one~~
24 ~~hundred twenty-three million one hundred forty thousand dollars~~
25 ~~\$1,123,140,000~~] one billion two hundred twenty-seven million ninety-
26 five thousand dollars \$1,227,095,000. Such amount shall be exclusive of
27 bonds and notes issued to fund any reserve fund or funds, costs of issu-
28 ance and to refund any outstanding bonds and notes, issued on behalf of
29 the state, relating to a locally sponsored community college.

30 § 34. Subdivision 1 of section 17 of part D of chapter 389 of the laws
31 of 1997, relating to the financing of the correctional facilities
32 improvement fund and the youth facility improvement fund, as amended by
33 section 37 of part FFF of chapter 56 of the laws of 2022, is amended to
34 read as follows:

35 1. Subject to the provisions of chapter 59 of the laws of 2000, but
36 notwithstanding the provisions of section 18 of section 1 of chapter 174
37 of the laws of 1968, the New York state urban development corporation is
38 hereby authorized to issue bonds, notes and other obligations in an
39 aggregate principal amount not to exceed [~~nine hundred sixty-two million~~
40 ~~seven hundred fifteen thousand dollars \$962,715,000~~] one billion four-
41 teen million seven hundred thirty-five thousand dollars \$1,014,735,000,
42 which authorization increases the aggregate principal amount of bonds,
43 notes and other obligations authorized by section 40 of chapter 309 of
44 the laws of 1996, and shall include all bonds, notes and other obli-
45 gations issued pursuant to chapter 211 of the laws of 1990, as amended
46 or supplemented. The proceeds of such bonds, notes or other obligations
47 shall be paid to the state, for deposit in the youth facilities improve-
48 ment fund or the capital projects fund, to pay for all or any portion of
49 the amount or amounts paid by the state from appropriations or reappro-
50 priations made to the office of children and family services from the
51 youth facilities improvement fund for capital projects. The aggregate
52 amount of bonds, notes and other obligations authorized to be issued
53 pursuant to this section shall exclude bonds, notes or other obligations
54 issued to refund or otherwise repay bonds, notes or other obligations
55 theretofore issued, the proceeds of which were paid to the state for all
56 or a portion of the amounts expended by the state from appropriations or

1 reappropriations made to the office of children and family services;
2 provided, however, that upon any such refunding or repayment the total
3 aggregate principal amount of outstanding bonds, notes or other obli-
4 gations may be greater than [~~nine hundred sixty-two million seven~~
5 ~~hundred fifteen thousand dollars \$962,715,000~~] one billion fourteen
6 million seven hundred thirty-five thousand dollars \$1,014,735,000, only
7 if the present value of the aggregate debt service of the refunding or
8 repayment bonds, notes or other obligations to be issued shall not
9 exceed the present value of the aggregate debt service of the bonds,
10 notes or other obligations so to be refunded or repaid. For the purposes
11 hereof, the present value of the aggregate debt service of the refunding
12 or repayment bonds, notes or other obligations and of the aggregate debt
13 service of the bonds, notes or other obligations so refunded or repaid,
14 shall be calculated by utilizing the effective interest rate of the
15 refunding or repayment bonds, notes or other obligations, which shall be
16 that rate arrived at by doubling the semi-annual interest rate
17 (compounded semi-annually) necessary to discount the debt service
18 payments on the refunding or repayment bonds, notes or other obligations
19 from the payment dates thereof to the date of issue of the refunding or
20 repayment bonds, notes or other obligations and to the price bid includ-
21 ing estimated accrued interest or proceeds received by the corporation
22 including estimated accrued interest from the sale thereof.

23 § 35. Paragraph b of subdivision 2 of section 9-a of section 1 of
24 chapter 392 of the laws of 1973, constituting the New York state medical
25 care facilities finance agency act, as amended by section 38 of part FFF
26 of chapter 56 of the laws of 2022, is amended to read as follows:

27 b. The agency shall have power and is hereby authorized from time to
28 time to issue negotiable bonds and notes in conformity with applicable
29 provisions of the uniform commercial code in such principal amount as,
30 in the opinion of the agency, shall be necessary, after taking into
31 account other moneys which may be available for the purpose, to provide
32 sufficient funds to the facilities development corporation, or any
33 successor agency, for the financing or refinancing of or for the design,
34 construction, acquisition, reconstruction, rehabilitation or improvement
35 of mental health services facilities pursuant to paragraph a of this
36 subdivision, the payment of interest on mental health services improve-
37 ment bonds and mental health services improvement notes issued for such
38 purposes, the establishment of reserves to secure such bonds and notes,
39 the cost or premium of bond insurance or the costs of any financial
40 mechanisms which may be used to reduce the debt service that would be
41 payable by the agency on its mental health services facilities improve-
42 ment bonds and notes and all other expenditures of the agency incident
43 to and necessary or convenient to providing the facilities development
44 corporation, or any successor agency, with funds for the financing or
45 refinancing of or for any such design, construction, acquisition, recon-
46 struction, rehabilitation or improvement and for the refunding of mental
47 hygiene improvement bonds issued pursuant to section 47-b of the private
48 housing finance law; provided, however, that the agency shall not issue
49 mental health services facilities improvement bonds and mental health
50 services facilities improvement notes in an aggregate principal amount
51 exceeding [~~ten billion nine hundred forty-two million eight hundred~~
52 ~~thirty-three thousand dollars \$10,942,833,000~~] twelve billion four
53 hundred nine million one hundred fifty-seven thousand dollars
54 \$12,409,157,000, excluding mental health services facilities improvement
55 bonds and mental health services facilities improvement notes issued to
56 refund outstanding mental health services facilities improvement bonds

1 and mental health services facilities improvement notes; provided,
2 however, that upon any such refunding or repayment of mental health
3 services facilities improvement bonds and/or mental health services
4 facilities improvement notes the total aggregate principal amount of
5 outstanding mental health services facilities improvement bonds and
6 mental health facilities improvement notes may be greater than [~~ten~~
7 ~~billion nine hundred forty-two million eight hundred thirty-three thou-~~
8 ~~sand dollars \$10,942,833,000]~~ twelve million four hundred nine million
9 one hundred fifty-seven thousand dollars \$12,409,157,000, only if,
10 except as hereinafter provided with respect to mental health services
11 facilities bonds and mental health services facilities notes issued to
12 refund mental hygiene improvement bonds authorized to be issued pursuant
13 to the provisions of section 47-b of the private housing finance law,
14 the present value of the aggregate debt service of the refunding or
15 repayment bonds to be issued shall not exceed the present value of the
16 aggregate debt service of the bonds to be refunded or repaid. For
17 purposes hereof, the present values of the aggregate debt service of the
18 refunding or repayment bonds, notes or other obligations and of the
19 aggregate debt service of the bonds, notes or other obligations so
20 refunded or repaid, shall be calculated by utilizing the effective
21 interest rate of the refunding or repayment bonds, notes or other obli-
22 gations, which shall be that rate arrived at by doubling the semi-annual
23 interest rate (compounded semi-annually) necessary to discount the debt
24 service payments on the refunding or repayment bonds, notes or other
25 obligations from the payment dates thereof to the date of issue of the
26 refunding or repayment bonds, notes or other obligations and to the
27 price bid including estimated accrued interest or proceeds received by
28 the authority including estimated accrued interest from the sale there-
29 of. Such bonds, other than bonds issued to refund outstanding bonds,
30 shall be scheduled to mature over a term not to exceed the average
31 useful life, as certified by the facilities development corporation, of
32 the projects for which the bonds are issued, and in any case shall not
33 exceed thirty years and the maximum maturity of notes or any renewals
34 thereof shall not exceed five years from the date of the original issue
35 of such notes. Notwithstanding the provisions of this section, the agen-
36 cy shall have the power and is hereby authorized to issue mental health
37 services facilities improvement bonds and/or mental health services
38 facilities improvement notes to refund outstanding mental hygiene
39 improvement bonds authorized to be issued pursuant to the provisions of
40 section 47-b of the private housing finance law and the amount of bonds
41 issued or outstanding for such purposes shall not be included for
42 purposes of determining the amount of bonds issued pursuant to this
43 section. The director of the budget shall allocate the aggregate princi-
44 pal authorized to be issued by the agency among the office of mental
45 health, office for people with developmental disabilities, and the
46 office of addiction services and supports, in consultation with their
47 respective commissioners to finance bondable appropriations previously
48 approved by the legislature.

49 § 36. Subdivision (a) of section 28 of part Y of chapter 61 of the
50 laws of 2005, relating to providing for the administration of certain
51 funds and accounts related to the 2005-2006 budget, as amended by
52 section 39 of part FFF of chapter 56 of the laws of 2022, is amended to
53 read as follows:

54 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
55 notwithstanding any provisions of law to the contrary, one or more
56 authorized issuers as defined by section 68-a of the state finance law

1 are hereby authorized to issue bonds or notes in one or more series in
2 an aggregate principal amount not to exceed [~~one hundred ninety seven~~
3 ~~million dollars \$197,000,000~~] two hundred forty-seven million dollars
4 \$247,000,000, excluding bonds issued to finance one or more debt service
5 reserve funds, to pay costs of issuance of such bonds, and bonds or
6 notes issued to refund or otherwise repay such bonds or notes previously
7 issued, for the purpose of financing capital projects for public
8 protection facilities in the Division of Military and Naval Affairs,
9 debt service and leases; and to reimburse the state general fund for
10 disbursements made therefor. Such bonds and notes of such authorized
11 issuer shall not be a debt of the state, and the state shall not be
12 liable thereon, nor shall they be payable out of any funds other than
13 those appropriated by the state to such authorized issuer for debt
14 service and related expenses pursuant to any service contract executed
15 pursuant to subdivision (b) of this section and such bonds and notes
16 shall contain on the face thereof a statement to such effect. Except for
17 purposes of complying with the internal revenue code, any interest
18 income earned on bond proceeds shall only be used to pay debt service on
19 such bonds.

20 § 37. Section 53 of section 1 of chapter 174 of the laws of 1968,
21 constituting the New York state urban development corporation act, as
22 amended by section 40 of part FFF of chapter 56 of the laws of 2022, is
23 amended to read as follows:

24 § 53. 1. Notwithstanding the provisions of any other law to the
25 contrary, the dormitory authority and the urban development corporation
26 are hereby authorized to issue bonds or notes in one or more series for
27 the purpose of funding project costs for the acquisition of equipment,
28 including but not limited to the creation or modernization of informa-
29 tion technology systems and related research and development equipment,
30 health and safety equipment, heavy equipment and machinery, the creation
31 or improvement of security systems, and laboratory equipment and other
32 state costs associated with such capital projects. The aggregate princi-
33 pal amount of bonds authorized to be issued pursuant to this section
34 shall not exceed [~~three hundred ninety-three million dollars~~
35 ~~\$393,000,000~~] four hundred ninety-three million dollars \$493,000,000,
36 excluding bonds issued to fund one or more debt service reserve funds,
37 to pay costs of issuance of such bonds, and bonds or notes issued to
38 refund or otherwise repay such bonds or notes previously issued. Such
39 bonds and notes of the dormitory authority and the urban development
40 corporation shall not be a debt of the state, and the state shall not be
41 liable thereon, nor shall they be payable out of any funds other than
42 those appropriated by the state to the dormitory authority and the urban
43 development corporation for principal, interest, and related expenses
44 pursuant to a service contract and such bonds and notes shall contain on
45 the face thereof a statement to such effect. Except for purposes of
46 complying with the internal revenue code, any interest income earned on
47 bond proceeds shall only be used to pay debt service on such bonds.

48 2. Notwithstanding any other provision of law to the contrary, in
49 order to assist the dormitory authority and the urban development corpo-
50 ration in undertaking the financing for project costs for the acquisi-
51 tion of equipment, including but not limited to the creation or modern-
52 ization of information technology systems and related research and
53 development equipment, health and safety equipment, heavy equipment and
54 machinery, the creation or improvement of security systems, and labora-
55 tory equipment and other state costs associated with such capital
56 projects, the director of the budget is hereby authorized to enter into

one or more service contracts with the dormitory authority and the urban development corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the urban development corporation agree, so as to annually provide to the dormitory authority and the urban development corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or any payments made or to be made thereunder may be assigned and pledged by the dormitory authority and the urban development corporation as security for its bonds and notes, as authorized by this section.

§ 38. Subdivision (b) of section 11 of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, as amended by section 41 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

(b) Any service contract or contracts for projects authorized pursuant to sections 10-c, 10-f, 10-g and 80-b of the highway law and section 14-k of the transportation law, and entered into pursuant to subdivision (a) of this section, shall provide for state commitments to provide annually to the thruway authority a sum or sums, upon such terms and conditions as shall be deemed appropriate by the director of the budget, to fund, or fund the debt service requirements of any bonds or any obligations of the thruway authority issued to fund or to reimburse the state for funding such projects having a cost not in excess of [~~thirteen billion fifty-three million eight hundred eighty-one thousand dollars \$13,053,881,000~~] thirteen billion eight hundred forty-seven million two hundred thirty-four thousand dollars \$13,847,234,000 cumulatively by the end of fiscal year [~~2022-23~~] 2023-24. For purposes of this subdivision, such projects shall be deemed to include capital grants to cities, towns and villages for the reimbursement of eligible capital costs of local highway and bridge projects within such municipality, where allocations to cities, towns and villages are based on the total number of New York or United States or interstate signed touring route miles for which such municipality has capital maintenance responsibility, and where such eligible capital costs include the costs of construction and repair of highways, bridges, highway-railroad crossings, and other transportation facilities for projects with a service life of ten years or more.

§ 39. Subdivision 1 of section 1689-i of the public authorities law, as amended by section 42 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

1. The dormitory authority is authorized to issue bonds, at the request of the commissioner of education, to finance eligible library construction projects pursuant to section two hundred seventy-three-a of the education law, in amounts certified by such commissioner not to exceed a total principal amount of [~~three hundred thirty-three million dollars \$333,000,000~~] three hundred forty-seven million dollars \$347,000,000.

§ 40. Section 44 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as

1 amended by section 43 of part FFF of chapter 56 of the laws of 2022, is
2 amended to read as follows:

3 § 44. Issuance of certain bonds or notes. 1. Notwithstanding the
4 provisions of any other law to the contrary, the dormitory authority and
5 the corporation are hereby authorized to issue bonds or notes in one or
6 more series for the purpose of funding project costs for the regional
7 economic development council initiative, the economic transformation
8 program, state university of New York college for nanoscale and science
9 engineering, projects within the city of Buffalo or surrounding envi-
10 rons, the New York works economic development fund, projects for the
11 retention of professional football in western New York, the empire state
12 economic development fund, the clarkson-trudeau partnership, the New
13 York genome center, the cornell university college of veterinary medi-
14 cine, the olympic regional development authority, projects at nano
15 Utica, onondaga county revitalization projects, Binghamton university
16 school of pharmacy, New York power electronics manufacturing consortium,
17 regional infrastructure projects, high tech innovation and economic
18 development infrastructure program, high technology manufacturing
19 projects in Chautauqua and Erie county, an industrial scale research and
20 development facility in Clinton county, upstate revitalization initi-
21 ative projects, downstate revitalization initiative, market New York
22 projects, fairground buildings, equipment or facilities used to house
23 and promote agriculture, the state fair, the empire state trail, the
24 moynihan station development project, the Kingsbridge armory project,
25 strategic economic development projects, the cultural, arts and public
26 spaces fund, water infrastructure in the city of Auburn and town of
27 Owasco, a life sciences laboratory public health initiative, not-for-
28 profit pounds, shelters and humane societies, arts and cultural facili-
29 ties improvement program, restore New York's communities initiative,
30 heavy equipment, economic development and infrastructure projects,
31 Roosevelt Island operating corporation capital projects, Lake Ontario
32 regional projects, Pennsylvania station and other transit projects,
33 athletic facilities for professional football in Orchard Park, New York
34 and other state costs associated with such projects. The aggregate prin-
35 cipal amount of bonds authorized to be issued pursuant to this section
36 shall not exceed [~~fourteen billion nine hundred sixty-eight million four~~
37 ~~hundred two thousand dollars \$14,968,402,000~~] sixteen billion nine
38 hundred seventy-two million six hundred two thousand dollars
39 \$16,972,602,000, excluding bonds issued to fund one or more debt service
40 reserve funds, to pay costs of issuance of such bonds, and bonds or
41 notes issued to refund or otherwise repay such bonds or notes previously
42 issued. Such bonds and notes of the dormitory authority and the corpo-
43 ration shall not be a debt of the state, and the state shall not be
44 liable thereon, nor shall they be payable out of any funds other than
45 those appropriated by the state to the dormitory authority and the
46 corporation for principal, interest, and related expenses pursuant to a
47 service contract and such bonds and notes shall contain on the face
48 thereof a statement to such effect. Except for purposes of complying
49 with the internal revenue code, any interest income earned on bond
50 proceeds shall only be used to pay debt service on such bonds.

51 2. Notwithstanding any other provision of law to the contrary, in
52 order to assist the dormitory authority and the corporation in undertak-
53 ing the financing for project costs for the regional economic develop-
54 ment council initiative, the economic transformation program, state
55 university of New York college for nanoscale and science engineering,
56 projects within the city of Buffalo or surrounding environs, the New

1 York works economic development fund, projects for the retention of
2 professional football in western New York, the empire state economic
3 development fund, the clarkson-trudeau partnership, the New York genome
4 center, the cornell university college of veterinary medicine, the olym-
5 pic regional development authority, projects at nano Utica, onondaga
6 county revitalization projects, Binghamton university school of pharma-
7 cy, New York power electronics manufacturing consortium, regional
8 infrastructure projects, New York State Capital Assistance Program for
9 Transportation, infrastructure, and economic development, high tech
10 innovation and economic development infrastructure program, high tech-
11 nology manufacturing projects in Chautauqua and Erie county, an indus-
12 trial scale research and development facility in Clinton county, upstate
13 revitalization initiative projects, downstate revitalization initiative,
14 market New York projects, fairground buildings, equipment or facilities
15 used to house and promote agriculture, the state fair, the empire state
16 trail, the moynihan station development project, the Kingsbridge armory
17 project, strategic economic development projects, the cultural, arts and
18 public spaces fund, water infrastructure in the city of Auburn and town
19 of Owasco, a life sciences laboratory public health initiative, not-for-
20 profit pounds, shelters and humane societies, arts and cultural facili-
21 ties improvement program, restore New York's communities initiative,
22 heavy equipment, economic development and infrastructure projects,
23 Roosevelt Island operating corporation capital projects, Lake Ontario
24 regional projects, Pennsylvania station and other transit projects,
25 athletic facilities for professional football in Orchard Park, New York
26 and other state costs associated with such projects the director of the
27 budget is hereby authorized to enter into one or more service contracts
28 with the dormitory authority and the corporation, none of which shall
29 exceed thirty years in duration, upon such terms and conditions as the
30 director of the budget and the dormitory authority and the corporation
31 agree, so as to annually provide to the dormitory authority and the
32 corporation, in the aggregate, a sum not to exceed the principal, inter-
33 est, and related expenses required for such bonds and notes. Any service
34 contract entered into pursuant to this section shall provide that the
35 obligation of the state to pay the amount therein provided shall not
36 constitute a debt of the state within the meaning of any constitutional
37 or statutory provision and shall be deemed executory only to the extent
38 of monies available and that no liability shall be incurred by the state
39 beyond the monies available for such purpose, subject to annual appro-
40 priation by the legislature. Any such contract or any payments made or
41 to be made thereunder may be assigned and pledged by the dormitory
42 authority and the corporation as security for its bonds and notes, as
43 authorized by this section.

44 § 41. Subdivision 1 of section 386-b of the public authorities law, as
45 amended by section 44 of part FFF of chapter 56 of the laws of 2022, is
46 amended to read as follows:

47 1. Notwithstanding any other provision of law to the contrary, the
48 authority, the dormitory authority and the urban development corporation
49 are hereby authorized to issue bonds or notes in one or more series for
50 the purpose of financing peace bridge projects and capital costs of
51 state and local highways, parkways, bridges, the New York state thruway,
52 Indian reservation roads, and facilities, and transportation infrastruc-
53 ture projects including aviation projects, non-MTA mass transit
54 projects, and rail service preservation projects, including work appur-
55 tenant and ancillary thereto. The aggregate principal amount of bonds
56 authorized to be issued pursuant to this section shall not exceed ~~ten~~

~~billion one hundred forty seven million eight hundred sixty three thousand dollars \$10,147,863,000~~ twelve billion three hundred eight million three hundred eleven thousand dollars \$12,308,311,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 42. Paragraph (a) of subdivision 2 of section 47-e of the private housing finance law, as amended by section 45 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

(a) Subject to the provisions of chapter fifty-nine of the laws of two thousand, in order to enhance and encourage the promotion of housing programs and thereby achieve the stated purposes and objectives of such housing programs, the agency shall have the power and is hereby authorized from time to time to issue negotiable housing program bonds and notes in such principal amount as shall be necessary to provide sufficient funds for the repayment of amounts disbursed (and not previously reimbursed) pursuant to law or any prior year making capital appropriations or reappropriations for the purposes of the housing program; provided, however, that the agency may issue such bonds and notes in an aggregate principal amount not exceeding ~~[thirteen billion eighty two million eight hundred ninety one thousand dollars \$13,082,891,000]~~ thirteen billion seven hundred million seven hundred five thousand dollars \$13,700,705,000, plus a principal amount of bonds issued to fund the debt service reserve fund in accordance with the debt service reserve fund requirement established by the agency and to fund any other reserves that the agency reasonably deems necessary for the security or marketability of such bonds and to provide for the payment of fees and other charges and expenses, including underwriters' discount, trustee and rating agency fees, bond insurance, credit enhancement and liquidity enhancement related to the issuance of such bonds and notes. No reserve fund securing the housing program bonds shall be entitled or eligible to receive state funds apportioned or appropriated to maintain or restore such reserve fund at or to a particular level, except to the extent of any deficiency resulting directly or indirectly from a failure of the state to appropriate or pay the agreed amount under any of the contracts provided for in subdivision four of this section.

§ 43. Subdivision 1 of section 50 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 46 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs undertaken by or on behalf of the state education department, special act school districts, state-supported schools for the blind and deaf, approved private special education schools, non-public schools, community centers, day care facilities, residential

1 camps, day camps, Native American Indian Nation schools, and other state
2 costs associated with such capital projects. The aggregate principal
3 amount of bonds authorized to be issued pursuant to this section shall
4 not exceed [~~three hundred one million seven hundred thousand dollars~~
5 ~~\$301,700,000~~] three hundred twenty-one million seven hundred ninety-nine
6 thousand dollars \$321,799,000, excluding bonds issued to fund one or
7 more debt service reserve funds, to pay costs of issuance of such bonds,
8 and bonds or notes issued to refund or otherwise repay such bonds or
9 notes previously issued. Such bonds and notes of the dormitory authority
10 and the urban development corporation shall not be a debt of the state,
11 and the state shall not be liable thereon, nor shall they be payable out
12 of any funds other than those appropriated by the state to the dormitory
13 authority and the urban development corporation for principal, interest,
14 and related expenses pursuant to a service contract and such bonds and
15 notes shall contain on the face thereof a statement to such effect.
16 Except for purposes of complying with the internal revenue code, any
17 interest income earned on bond proceeds shall only be used to pay debt
18 service on such bonds.

19 § 44. Subdivision 1 of section 47 of section 1 of chapter 174 of the
20 laws of 1968, constituting the New York state urban development corpo-
21 ration act, as amended by section 47 of part FFF of chapter 56 of the
22 laws of 2022, is amended to read as follows:

23 1. Notwithstanding the provisions of any other law to the contrary,
24 the dormitory authority and the corporation are hereby authorized to
25 issue bonds or notes in one or more series for the purpose of funding
26 project costs for the office of information technology services, depart-
27 ment of law, and other state costs associated with such capital
28 projects. The aggregate principal amount of bonds authorized to be
29 issued pursuant to this section shall not exceed [~~one billion one~~
30 ~~hundred fifty-two million five hundred sixty-six thousand dollars~~
31 ~~\$1,152,566,000~~] one billion two hundred eighty-eight million eight
32 hundred fifty-two thousand dollars \$1,288,852,000, excluding bonds
33 issued to fund one or more debt service reserve funds, to pay costs of
34 issuance of such bonds, and bonds or notes issued to refund or otherwise
35 repay such bonds or notes previously issued. Such bonds and notes of the
36 dormitory authority and the corporation shall not be a debt of the
37 state, and the state shall not be liable thereon, nor shall they be
38 payable out of any funds other than those appropriated by the state to
39 the dormitory authority and the corporation for principal, interest, and
40 related expenses pursuant to a service contract and such bonds and notes
41 shall contain on the face thereof a statement to such effect. Except for
42 purposes of complying with the internal revenue code, any interest
43 income earned on bond proceeds shall only be used to pay debt service on
44 such bonds.

45 § 45. Paragraph (b) of subdivision 1 of section 385 of the public
46 authorities law, as amended by section 48 of part FFF of chapter 56 of
47 the laws of 2022, is amended to read as follows:

48 (b) The authority is hereby authorized, as additional corporate
49 purposes thereof solely upon the request of the director of the budget:
50 (i) to issue special emergency highway and bridge trust fund bonds and
51 notes for a term not to exceed thirty years and to incur obligations
52 secured by the moneys appropriated from the dedicated highway and bridge
53 trust fund established in section eighty-nine-b of the state finance
54 law; (ii) to make available the proceeds in accordance with instructions
55 provided by the director of the budget from the sale of such special
56 emergency highway and bridge trust fund bonds, notes or other obli-

gations, net of all costs to the authority in connection therewith, for the purposes of financing all or a portion of the costs of activities for which moneys in the dedicated highway and bridge trust fund established in section eighty-nine-b of the state finance law are authorized to be utilized or for the financing of disbursements made by the state for the activities authorized pursuant to section eighty-nine-b of the state finance law; and (iii) to enter into agreements with the commissioner of transportation pursuant to section ten-e of the highway law with respect to financing for any activities authorized pursuant to section eighty-nine-b of the state finance law, or agreements with the commissioner of transportation pursuant to sections ten-f and ten-g of the highway law in connection with activities on state highways pursuant to these sections, and (iv) to enter into service contracts, contracts, agreements, deeds and leases with the director of the budget or the commissioner of transportation and project sponsors and others to provide for the financing by the authority of activities authorized pursuant to section eighty-nine-b of the state finance law, and each of the director of the budget and the commissioner of transportation are hereby authorized to enter into service contracts, contracts, agreements, deeds and leases with the authority, project sponsors or others to provide for such financing. The authority shall not issue any bonds or notes in an amount in excess of [~~nineteen billion seven hundred seventy six million nine hundred twenty thousand dollars \$19,776,020,000~~] twenty billion six hundred forty-eight million five hundred seven thousand dollars \$20,648,507,000, plus a principal amount of bonds or notes: (A) to fund capital reserve funds; (B) to provide capitalized interest; and, (C) to fund other costs of issuance. In computing for the purposes of this subdivision, the aggregate amount of indebtedness evidenced by bonds and notes of the authority issued pursuant to this section, as amended by a chapter of the laws of nineteen hundred ninety-six, there shall be excluded the amount of bonds or notes issued that would constitute interest under the United States Internal Revenue Code of 1986, as amended, and the amount of indebtedness issued to refund or otherwise repay bonds or notes.

§ 46. Subdivision 1 of section 1680-r of the public authorities law, as amended by section 50 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the capital restructuring financing program for health care and related facilities licensed pursuant to the public health law or the mental hygiene law and other state costs associated with such capital projects, the health care facility transformation programs, the essential health care provider program, and other health care capital project costs. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~four billion six hundred fifty three million dollars \$4,653,000,000~~] five billion one hundred fifty-three million dollars \$5,153,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban

1 development corporation for principal, interest, and related expenses
2 pursuant to a service contract and such bonds and notes shall contain on
3 the face thereof a statement to such effect. Except for purposes of
4 complying with the internal revenue code, any interest income earned on
5 bond proceeds shall only be used to pay debt service on such bonds.

6 § 47. Subdivision 1 of section 1680-k of the public authorities law,
7 as amended by section 51 of part FFF of chapter 56 of the laws of 2022,
8 is amended to read as follows:

9 1. Subject to the provisions of chapter fifty-nine of the laws of two
10 thousand, but notwithstanding any provisions of law to the contrary, the
11 dormitory authority is hereby authorized to issue bonds or notes in one
12 or more series in an aggregate principal amount not to exceed [~~forty~~
13 ~~million eight hundred thirty thousand dollars (\$40,830,000)] forty
14 million nine hundred forty-five thousand dollars \$40,945,000, excluding
15 bonds issued to finance one or more debt service reserve funds, to pay
16 costs of issuance of such bonds, and bonds or notes issued to refund or
17 otherwise repay such bonds or notes previously issued, for the purpose
18 of financing the construction of the New York state agriculture and
19 markets food laboratory. Eligible project costs may include, but not be
20 limited to the cost of design, financing, site investigations, site
21 acquisition and preparation, demolition, construction, rehabilitation,
22 acquisition of machinery and equipment, and infrastructure improvements.
23 Such bonds and notes of such authorized issuers shall not be a debt of
24 the state, and the state shall not be liable thereon, nor shall they be
25 payable out of any funds other than those appropriated by the state to
26 such authorized issuers for debt service and related expenses pursuant
27 to any service contract executed pursuant to subdivision two of this
28 section and such bonds and notes shall contain on the face thereof a
29 statement to such effect. Except for purposes of complying with the
30 internal revenue code, any interest income earned on bond proceeds shall
31 only be used to pay debt service on such bonds.~~

32 § 48. Paragraph (b) of subdivision 1 of section 54-b of section 1 of
33 chapter 174 of the laws of 1968, constituting the New York state urban
34 development corporation act, as added by section 54 of part FFF of chap-
35 ter 56 of the laws of 2022, is amended to read as follows:

36 (b) Notwithstanding any other provision of law to the contrary,
37 including, specifically, the provisions of chapter 59 of the laws of
38 2000 and section sixty-seven-b of the state finance law, the dormitory
39 authority of the state of New York and the corporation are hereby
40 authorized to issue personal income tax revenue anticipation notes with
41 a maturity no later than March 31, [~~2023~~] 2024, in one or more series in
42 an aggregate principal amount for each fiscal year not to exceed three
43 billion dollars, and to pay costs of issuance of such notes, for the
44 purpose of temporarily financing budgetary needs of the state. Such
45 purpose shall constitute an authorized purpose under subdivision two of
46 section sixty-eight-a of the state finance law for all purposes of arti-
47 cle five-C of the state finance law with respect to the notes authorized
48 by this paragraph. Such notes shall not be renewed, extended or
49 refunded. For so long as any notes authorized by this paragraph shall be
50 outstanding, the restrictions, limitations and requirements contained in
51 article five-B of the state finance law shall not apply.

52 § 49. Paragraph (c) of subdivision 1 of section 55-b of section 1 of
53 chapter 174 of the laws of 1968, constituting the New York state urban
54 development corporation act, as added by section 55 of part FFF of chap-
55 ter 56 of the laws of 2022, is amended to read as follows:

(c) Notwithstanding any other provision of law to the contrary, including, specifically, the provisions of chapter 59 of the laws of 2000 and section 67-b of the state finance law, the dormitory authority of the state of New York and the urban development corporation are authorized until March 31, ~~2023~~ 2024 to: (i) enter into one or more line of credit facilities not in excess of two billion dollars in aggregate principal amount; (ii) draw, at one or more times at the direction of the director of the budget, upon such line of credit facilities and provide to the state the amounts so drawn for the purpose of assisting the state to temporarily finance its budgetary needs; provided, however, that the total principal amounts of such draws for each fiscal year shall not exceed two billion dollars; and (iii) secure repayment of all draws under such line of credit facilities and the payment of related expenses and fees, which repayment and payment obligations shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent moneys are available and that no liability shall be incurred by the state beyond the moneys available for such purpose, and that such payment obligation is subject to annual appropriation by the legislature. Any line of credit facility agreements entered into by the dormitory authority of the state of New York and/or the urban development corporation with financial institutions pursuant to this section may contain such provisions that the dormitory authority of the state of New York and/or the urban development corporation deem necessary or desirable for the establishment of such credit facilities. The maximum term of any line of credit facility shall be one year from the date of incurrence; provided however that no draw on any such line of credit facility shall occur after March 31, ~~2023~~ 2024, and provided further that any such line of credit facility whose term extends beyond March 31, ~~2023~~ 2024 shall be supported by sufficient appropriation authority enacted by the legislature that provides for the repayment of all amounts drawn and remaining unpaid as of March 31, ~~2023~~ 2024, as well as the payment of related expenses and fees incurred and to become due and payable by the dormitory authority of the state of New York and/or the urban development corporation.

§ 50. Subdivision 2 of section 58 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as added by section 56 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

2. Definitions. When used in this section:

(a) "Commission" shall mean the gateway development commission, a bi-state commission and a body corporate and politic established by the state of New Jersey and the state of New York, acting in the public interest and exercising essential governmental functions in accordance with the Gateway development commission act, and any successor thereto.

(b) "Federal transportation loan" shall mean one or more loans made to the commission to finance the Hudson tunnel project under or pursuant to any U.S. Department of Transportation program or act, including but not limited to the Railroad Rehabilitation & Improvement Financing Program or the Transportation Infrastructure Finance and Innovation Act, which loan or loans are related to the state capital commitment.

(c) "Gateway development commission act" shall mean chapter 108 of the laws of New York, 2019, as amended.

(d) "Gateway project" shall mean the Hudson tunnel project.

(e) "Hudson tunnel project" shall mean the project consisting of construction of a tunnel connecting the states of New York and New

1 Jersey and the completion of certain ancillary facilities including
2 construction of concrete casing at Hudson Yards in Manhattan, New York
3 and the rehabilitation of the existing North River Tunnels.

4 (f) "State capital commitment" shall mean an aggregate principal
5 amount not to exceed [~~\$2,350,000,000~~] \$2,850,000,000, plus any interest
6 costs, including capitalized interest, and related expenses and fees
7 payable by the state of New York to the commission under one or more
8 service contracts or other agreements pursuant to this section, as well
9 as any expenses of the state incurred in connection therewith.

10 (g) "Related expenses and fees" shall mean commitment fees and other
11 ancillary costs, expenses and fees incurred, and to become due and paya-
12 ble, by the commission in connection with the Federal transportation
13 loan.

14 § 51. Notwithstanding any law to the contrary, the comptroller is
15 hereby authorized and directed to transfer, upon request of the director
16 of the budget, on or before March 31, 2024 the following amounts from
17 the following special revenue accounts or enterprise funds to the gener-
18 al fund, for the purposes of offsetting principal and interest costs,
19 incurred by the state pursuant to section fifty-three of this act,
20 provided that the annual amount of the transfer shall be no more than
21 the principal and interest that would have otherwise been due to the
22 power authority of the state of New York, from any state agency, in a
23 given state fiscal year. Amounts pertaining to special revenue accounts
24 assigned to the state university of New York shall be considered inter-
25 changeable between the designated special revenue accounts as to meet
26 the requirements of this section and section fifty-three of this act:

27 1. \$15,000,000 from the miscellaneous special revenue fund, state
28 university general income reimbursable account (22653).

29 2. \$5,000,000 from the miscellaneous special revenue fund, state
30 university dormitory income reimbursable account (21937).

31 3. \$5,000,000 from the enterprise fund, city university senior college
32 operating fund (60851).

33 § 52. Section 59 of section 1 of chapter 174 of the laws of 1968,
34 constituting the New York state urban development corporation act, as
35 added by section 59 of part FFF of chapter 56 of the laws of 2022, is
36 amended to read as follows:

37 § 59. The dormitory authority of the state of New York, the New York
38 state urban development corporation, and the New York state thruway
39 authority are hereby authorized to issue bonds in one or more series
40 under either article 5-C or article 5-F of the state finance law for the
41 purpose of refunding obligations of the power authority of the state of
42 New York to fund energy efficiency projects at state agencies including,
43 but not limited to, the state university of New York, city university of
44 New York, the New York state office of general services, New York state
45 office of mental health, state education department, and New York state
46 department of agriculture and markets. The aggregate principal amount
47 of bonds authorized to be issued pursuant to this section shall not
48 exceed [~~two hundred million dollars (\$200,000,000)~~] four hundred seven-
49 ty-five million dollars (\$475,000,000), excluding bonds issued to pay
50 costs of issuance of such bonds and to refund or otherwise repay such
51 bonds. Such bonds issued by the dormitory authority of the state of New
52 York, the New York state urban development corporation, and New York
53 state thruway authority shall not be a debt of the state, and the state
54 shall not be liable thereon, nor shall they be payable out of any funds
55 other than those appropriated by the state under article 5-C or article
56 5-F of the state finance law, as applicable.

§ 53. Subdivision 1 of section 386-a of the public authorities law, as amended by section 49 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities as defined in subdivision seventeen of section twelve hundred sixty-one of this chapter or other capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed twelve billion five hundred fifteen million eight hundred fifty-six thousand dollars \$12,515,856,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds. Notwithstanding any other provision of law to the contrary, including the limitations contained in subdivision four of section sixty-seven-b of the state finance law, (A) any bonds and notes issued prior to April first, two thousand ~~twenty-three~~ twenty-four pursuant to this section may be issued with a maximum maturity of fifty years, and (B) any bonds issued to refund such bonds and notes may be issued with a maximum maturity of fifty years from the respective date of original issuance of such bonds and notes.

§ 54. Paragraph (b) of subdivision 4 of section 72 of the state finance law, as amended by section 46 of part JJ of chapter 56 of the laws of 2020, is amended to read as follows:

(b) On or before the beginning of each quarter, the director of the budget may certify to the state comptroller the estimated amount of monies that shall be reserved in the general debt service fund for the payment of debt service and related expenses payable by such fund during each month of the state fiscal year, excluding payments due from the revenue bond tax fund. Such certificate may be periodically updated, as necessary. Notwithstanding any provision of law to the contrary, the state comptroller shall reserve in the general debt service fund the amount of monies identified on such certificate as necessary for the payment of debt service and related expenses during the current or next succeeding quarter of the state fiscal year. Such monies reserved shall not be available for any other purpose. Such certificate shall be reported to the chairpersons of the Senate Finance Committee and the Assembly Ways and Means Committee. ~~[The provisions of this paragraph shall expire June thirtieth, two thousand twenty-three.]~~

§ 55. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2023; provided, however, that the provisions of sections one, one-a, two, three, four, five, six, seven, eight, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty and twenty-two, of this act shall

1 expire March 31, 2024 when upon such date the provisions of such
2 sections shall be deemed repealed.

3 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
4 sion, section or part of this act shall be adjudged by any court of
5 competent jurisdiction to be invalid, such judgment shall not affect,
6 impair, or invalidate the remainder thereof, but shall be confined in
7 its operation to the clause, sentence, paragraph, subdivision, section
8 or part thereof directly involved in the controversy in which such judg-
9 ment shall have been rendered. It is hereby declared to be the intent of
10 the legislature that this act would have been enacted even if such
11 invalid provisions had not been included herein.

12 § 3. This act shall take effect immediately provided, however, that
13 the applicable effective date of Parts A through CC of this act shall be
14 as specifically set forth in the last section of such Parts.