S T A T E O F N E W Y O R K

S. 6355--D A. 8555--D

S E N A T E - A S S E M B L Y

January 21, 2014

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT intentionally omitted (Part A); to amend the vehicle and traffic law, in relation to the suspension and revocation of certain driver's licenses for violations relating to the use of mobile telephones and portable electronic devices while driving and increased fines for such violations (Part B); to amend chapter 503 of the laws of 2009, relating to the disposition of monies recovered by county district attorneys before the filing of an accusatory instrument, in relation to the effectiveness thereof (Part C); to amend the tax law, in relation to suspending the transfer of monies into the emergency services revolving loan fund from the public safety communications account (Part D); intentionally omitted (Part E); to amend the state technology law, the general municipal law and the public officers law, in relation to supporting the consolidation of state information technology resources (Part F); to amend chapter 410 of the laws of 2009, amending the state finance law relating to authorizing the aggregate purchases of energy for state agencies, institutions, local governments, public authorities and public benefit corporations and chapter 97 of the laws of

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

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2011, amending the state finance law and other laws relating to providing certain centralized service to political subdivisions and extending the authority of the commissioner of general services to aggregate purchases of energy for state agencies and political subdivisions, in relation to extending the expiration dates for the provision of certain centralized services and purchasing authorizations; and to amend the public authorities law, in relation to authorizing local authorities to use federal general service administration supply schedules and other governmental agencies for purchasing contracts; and to amend chapter 308 of the laws of 2012 amending the general municipal law relating to providing local governments greater contract flexibility and cost savings by permitting certain shared purchasing among political subdivisions, in relation to the effectiveness thereof; and providing for the repeal of certain provisions upon expiration thereof (Part G); to amend the criminal procedure law, in relation to the prosecution of misconduct by public servants, and in relation to including corrupting the government within the definition of a designated offense; to amend the penal law, in relation to attempting to commit the crime of bribery, in relation to establishing the crime of corrupting the government, in relation to the crime of bribery, and expands the crime of bribe receiving; to amend the legislative law, in relation to lobbying; to amend the state finance law, in relation to cancellation and disqualification of certain contracts; to amend the public officers law, in relation to persons deemed incapable of holding a civil office; to amend the tax law, in relation to certain tax credit limitations; to amend the public officers law, in relation to financial disclosure; and to repeal section 17-158 of the election law relating to corrupt use of position or authority (Subpart A); to amend the election law, in relation to the state board of elections chief enforcement counsel; and to amend the criminal procedure law, in relation to the chief enforcement counsel of the state board of elections (Subpart B); to amend the election law, in relation to campaign finance reform and in relation to campaign contribution limits and penalties for violations (Subpart C); and to amend the election law, in relation to matching financing; and to amend the state finance law, in relation to the New York state campaign finance fund and the abandoned property fund; and providing for the repeal of such provisions upon expiration thereof (Subpart D) (Part H); to provide for the administration of certain funds and accounts related to the 2014-15 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to school tax relief fund; to amend the state finance law, in relation to payments, transfers and deposits; to amend the state finance law, in relation to the period for which appropriations can be made; to transfer certain employees of the division of military and naval affairs to the office of general services; to amend the state finance law, in relation to the issuance of bonds and notes; to amend the state finance law, in relation to the general fund; to amend the New York state urban development corporation act, in relation to funding project costs for certain capital projects; to amend 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 bonds; to amend the private housing finance law, in relation to housing program bonds and 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 bonds; to amend the public authorities law, in relation to the dormitory authority; to amend chapter 61 of the laws of 2005, providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to issuance of bonds by the urban development corporation; to amend the state finance law, in relation to the creation of a fund for settlement proceeds received by the New York state attorney general from J.P. Morgan Securities LLC and related entities, and to provide for the transfer of money between such fund and the general fund; to amend the New York state urban development corporation act, in relation to the Clarkson-trudeau partnership, the New York genome center, the Cornell University college of veterinary medicine, the Olympic regional development authority, a project at nano Utica, Onondaga county revitalization projects; to amend the public authorities law, in relation to the state environmental infrastructure projects; to amend the state finance law, in relation to the New York state storm recovery capital fund; to amend the New York state urban development corporation act, in relation to authorizing the urban development corporation to issue bonds to fund project costs for the implementation of a NY-CUNY challenge grant program; to amend chapter 81 of the laws of 2002, providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to increasing the aggregate amount of bonds to be issued by the New York state urban development corporation; to amend the public authorities law, in relation to financing of peace bridge and transportation capital projects; to amend the public authorities law, in relation to dormitories at certain educational institutions other than state operated institutions and statutory or contract colleges under the jurisdiction of the state university of New York; to amend the public authorities law, in relation to authorization for the issuance of bonds for the capital restructuring bond finance program; to amend chapter 389 of the laws of 1997, providing for the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of bonds; to amend the public authorities law, in relation to environmental remediation; to amend the New York state medical care facilities finance agency act, in relation to bonds and mental health facilities improvement notes; to amend chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, in relation to the aggregate amount of and issuance of certain bonds; and to amend 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; and providing for the repeal of certain provisions upon expiration thereof (Part I); intentionally omitted (Part J); to amend the legislative law, in relation to extending the expiration of payments to members of the assembly serving in a special capacity; and to amend chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, in relation to extending such provisions (Part K); to amend the executive law, in relation to qualifications for an annual annuity for parents of veterans (Part L); to amend the correction law, in relation to the housing of prisoners and other persons in custody (Part M); to amend the executive law, in relation to reporting on the function and effectiveness of the gun involved violence elimination program (Part N); to grant an exemption from certain provisions of the administra-

tive code of the city of New York relating to benefits pursuant to section 421-a of the real property tax law (Part O); providing for the construction of a memorial to employees of the department of corrections and community supervision who have died in the line of duty and making available funds therefore (Part P); to amend the tax law and the state finance law, in relation to the "statewide public safety communications account" (Part Q); to amend the racing, pari-mutuel wagering and breeding law, in relation to the investigation of applicants for a gaming facility license (Part R); relating to staffing and closure of correctional facilities (Part S); to enact the "Mohawk Valley and Niagara county assessment relief act"; and to amend the local finance law, in relation to real property tax refunds and credits in such regions (Part T); to amend the real property tax law, in relation to the tax abatement and exemption for rent regulated and rent controlled property occupied by senior citizens; and providing for the repeal of certain provisions upon expiration thereof (Part U); to authorize the city of Yonkers to issue bonds; and providing for the repeal of such provisions upon expiration thereof (Subpart A); and to authorize assistance to the city of Yonkers to support public schools in the city (Subpart B)(Part V); in relation to providing municipal relief to the city of Rochester (Part W); to amend the state finance law, in relation to increasing state assistance to eligible municipalities with video lottery gaming facilities (Part X); to amend chapter 401 of the laws of 2002, amending the real property tax law and the Nassau county administrative code relating to assessment and review of assessments in the county of Nassau, in relation to extending certain provisions thereof (Part Y); to amend the urban development corporation act, in relation to a beginning farmers NY fund (Part Z); to amend the New York state urban development corporation act, in relation to the minority- and women-owned business development and lending program (Part AA); to amend the economic development law, in relation to certain correctional facilities designated as tax-free NY areas (Part BB); to amend the executive law, in relation to establishing a faculty development and technology transfer advisory council (Part CC); to amend the economic development law, in relation to including veterans within provisions of law relating to entrepreneurial assistance (Part DD); to amend the environmental conservation law and the penal law, in relation to authorizing the use of crossbows for hunting; to amend the environmental conservation law, in relation to hunting, trapping, and fishing licenses; and to amend the vehicle and traffic law, in relation to distinctive "I love New York" license plates (Part EE); to amend chapter 350 of the laws of 2012 relating to the conveyance of land formerly used as an armory to the town of Brookhaven, county of Suffolk, in relation to authorizing such transfer to be made to the North Patchogue Fire District (Part FF); authorizing the commissioner of general services to convey real property at the St. Lawrence psychiatric center to the city of Ogdensburg (Part GG); and to amend the state finance law, in relation to payments, transfers and deposits, monies recovered through the New York false claims act; to amend the executive law, in relation to general duties of the department of law; and to amend the general business law, in relation to monies recovered from monopolies, deceptive acts and practices unlawful, and actions by the attorney general with respect to fraudulent practices (Part HH)

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2014-2015 state fiscal year. Each component is wholly contained within a Part identified as Parts A through HH. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Intentionally Omitted

PART B

Section 1. Subparagraphs (x) and (xi) of paragraph a of subdivision 2 of section 510 of the vehicle and traffic law, as added by chapter 571 of the laws of 2006, are amended and two new subparagraphs (xii) and (xiii) are added to read as follows:

(x) of a traffic infraction for a subsequent violation of article twenty-six of this chapter and the commission of such violation caused serious physical injury to another person and such subsequent violation occurred within eighteen months of a prior violation of any provision of article twenty-six of this chapter where the commission of such prior violation caused the serious physical injury or death of another person; [or]

(xi) of a traffic infraction for a subsequent violation of article twenty-six of this chapter and the commission of such violation caused the death of another person and such subsequent violation occurred within eighteen months of a prior violation of any provision of article twenty-six of this chapter where the commission of such prior violation caused the serious physical injury or death of another person[.];

(XII) OF A SECOND OR SUBSEQUENT CONVICTION OF A VIOLATION OF SECTION TWELVE HUNDRED TWENTY-FIVE-C OR SECTION TWELVE HUNDRED TWENTY-FIVE-D OF THIS CHAPTER COMMITTED WHERE SUCH PERSON IS THE HOLDER OF A PROBATIONARY LICENSE, AS DEFINED IN SUBDIVISION FOUR OF SECTION FIVE HUNDRED ONE OF THIS TITLE, AT THE TIME OF THE COMMISSION OF SUCH VIOLATION AND SUCH SECOND OR SUBSEQUENT VIOLATION WAS COMMITTED WITHIN SIX MONTHS FOLLOWING THE RESTORATION OR ISSUANCE OF SUCH PROBATIONARY LICENSE; OR

(XIII) OF A SECOND OR SUBSEQUENT CONVICTION OF A VIOLATION OF SECTION TWELVE HUNDRED TWENTY-FIVE-C OR SECTION TWELVE HUNDRED TWENTY-FIVE-D OF THIS CHAPTER COMMITTED WHERE SUCH PERSON IS THE HOLDER OF A CLASS DJ OR MJ LEARNER'S PERMIT OR A CLASS DJ OR MJ LICENSE AT THE TIME OF THE COMMISSION OF SUCH VIOLATION AND SUCH SECOND OR SUBSEQUENT VIOLATION WAS COMMITTED WITHIN SIX MONTHS FOLLOWING THE RESTORATION OF SUCH PERMIT OR LICENSE.

S 2. Paragraph b of subdivision 2 of section 510 of the vehicle and traffic law is amended by adding two new subparagraphs (xvi) and (xvii) to read as follows:

(XVI) FOR A PERIOD OF ONE HUNDRED TWENTY DAYS WHERE THE HOLDER IS CONVICTED OF A VIOLATION OF SECTION TWELVE HUNDRED TWENTY-FIVE-C OR SECTION TWELVE HUNDRED TWENTY-FIVE-D OF THIS CHAPTER WHEN SUCH VIOLATION WAS COMMITTED WHILE SUCH HOLDER HAD A PROBATIONARY LICENSE, AS DEFINED IN SUBDIVISION FOUR OF SECTION FIVE HUNDRED ONE OF THIS TITLE.

(XVII) FOR A PERIOD OF ONE HUNDRED TWENTY DAYS WHERE THE HOLDER IS CONVICTED OF A VIOLATION OF SECTION TWELVE HUNDRED TWENTY-FIVE-C OR SECTION TWELVE HUNDRED TWENTY-FIVE-D OF THIS CHAPTER WHEN SUCH VIOLATION WAS COMMITTED WHILE SUCH HOLDER HAD A CLASS DJ OR MJ LEARNER'S PERMIT OR A CLASS DJ OR MJ LICENSE.

S 3. Subdivision 6 of section 510 of the vehicle and traffic law is amended by adding a new paragraph n to read as follows:

N. NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH A OF THIS SUBDIVISION, SUBDIVISION TWO OF SECTION FIVE HUNDRED TEN-B OF THIS ARTICLE OR PARAGRAPH (B) OF SUBDIVISION ONE OF SECTION FIVE HUNDRED TEN-C OF THIS ARTICLE, WHERE REVOCATION IS MANDATORY PURSUANT TO SUBPARAGRAPH (XII) OR SUBPARAGRAPH (XIII) OF PARAGRAPH A OF SUBDIVISION TWO OF THIS SECTION, NO NEW LICENSE SHALL BE ISSUED FOR AT LEAST ONE YEAR, NOR THEREAFTER EXCEPT IN THE DISCRETION OF THE COMMISSIONER.

S 4. Subdivisions 1, 2 and 3 of section 510-b of the vehicle and traffic law, subdivision 1 as amended by chapter 91 of the laws of 2013, subdivisions 2 and 3 as amended by chapter 403 of the laws of 2009, are amended to read as follows:

1. A license, other than a class DJ or class MJ license, shall be suspended, for a period of sixty days, (i) upon the first conviction of the licensee of a violation, committed during the probationary period provided for in subdivision four of section five hundred one of this title, of any provision of section eleven hundred twenty-nine of this chapter, section eleven hundred eighty of this chapter or any ordinance or regulation limiting the speed of motor vehicles and motorcycles, section eleven hundred eighty-two of this chapter, subdivision one of section eleven hundred ninety-two of this chapter[,] OR section twelve hundred twelve of this chapter[, section twelve hundred twenty-five-c of this chapter or section twelve hundred twenty-five-d of this chapter]; or (ii) upon the second conviction of the licensee of a violation, committed during the aforesaid probationary period, of any other provision of this chapter or of any other law, ordinance, order, rule or regulation relating to traffic.

2. A license, other than a class DJ or class MJ license, considered probationary pursuant to subdivision three of this section shall be revoked upon the conviction of the licensee of a violation or violations committed within six months following the restoration or issuance of such license, which conviction or convictions would result in the suspension of a probationary license pursuant to subdivision one of this section OR SUBPARAGRAPH (XVI) OF PARAGRAPH B OF SUBDIVISION TWO OF SECTION FIVE HUNDRED TEN OF THIS ARTICLE.

3. Any license, other than a class DJ or class MJ license, which is restored or issued to a person who has had his last valid license suspended or revoked pursuant to the provisions of this section OR THE PROVISIONS OF SUBPARAGRAPH (XII) OF PARAGRAPH A OR SUBPARAGRAPH (XVI) OF PARAGRAPH B OF SUBDIVISION TWO OF SECTION FIVE HUNDRED TEN OF THIS ARTICLE shall be considered probationary until the expiration of six months following the date of restoration or issuance thereof.

S 5. Subdivision 2 of section 510-c of the vehicle and traffic law, as amended by chapter 91 of the laws of 2013, is amended and a new subdivision 3 is added to read as follows:

2. For purposes of this section, the term "serious traffic violation" shall mean operating a motor vehicle in violation of any of the following provisions of this chapter: articles twenty-five and twenty-six; subdivision one of section six hundred; section six hundred one; sections eleven hundred eleven, eleven hundred seventy, eleven hundred seventy-two and eleven hundred seventy-four; subdivisions (a), (b), (c), (d) and (f) of section eleven hundred eighty, provided that the violation involved ten or more miles per hour over the established limit; section eleven hundred eighty-two; subdivision three-a of section twelve hundred twenty-nine-c for violations involving use of safety belts or seats by a child under the age of sixteen; and [sections] SECTION twelve hundred twelve[, twelve hundred twenty-five-c and twelve hundred twenty-five-d] of this chapter.

3. ANY SUSPENSION OR REVOCATION REQUIRED FOR A VIOLATION OF SECTION TWELVE HUNDRED TWENTY-FIVE-C OR SECTION TWELVE HUNDRED TWENTY-FIVE-D OF THIS CHAPTER SHALL BE SUBJECT TO THE PROVISIONS OF SUBDIVISIONS TWO AND SIX OF SECTION FIVE HUNDRED TEN OF THIS ARTICLE.

S 6. Subdivision 4 of section 1225-c of the vehicle and traffic law, as amended by section 1 of part C of chapter 55 of the laws of 2013, is amended to read as follows:

4. A violation of subdivision two of this section shall be a traffic infraction and shall be punishable by a fine of not less than fifty dollars nor more than [one hundred fifty] TWO HUNDRED dollars upon conviction of a first violation; upon conviction of a second violation, both of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than fifty dollars nor more than two hundred FIFTY dollars; upon conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than fifty dollars nor more than four hundred FIFTY dollars.

S 7. Subdivision 6 of section 1225-d of the vehicle and traffic law, as amended by section 2 of part C of chapter 55 of the laws of 2013, is amended to read as follows:

6. A violation of this section shall be a traffic infraction and shall be punishable by a fine of not less than fifty dollars nor more than [one hundred fifty] TWO HUNDRED dollars upon conviction of a first violation; upon conviction of a second violation, both of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than fifty dollars nor more than two hundred FIFTY dollars; upon conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than fifty dollars nor more than four hundred FIFTY dollars.

S 8. This act shall take effect on the first of November next succeeding the date on which it shall have become a law and shall apply to violations committed on and after such date.

PART C

Section 1. Section 2 of part H of chapter 503 of the laws of 2009 relating to the disposition of monies recovered by county district attorneys before the filing of an accusatory instrument, as amended by section 1 of part F of chapter 55 of the laws of 2013, is amended to read as follows:

S 2. This act shall take effect immediately and shall remain in full force and effect until March 31, [2014] 2015, when it shall expire and be deemed repealed.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2014.

PART D

Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax law, as amended by section 1 of part D of chapter 57 of the laws of 2011, is amended to read as follows:

(b) The sum of one million five hundred thousand dollars must be deposited into the New York state emergency services revolving loan fund annually; provided, however, that such sums shall not be deposited for state fiscal years two thousand eleven--two thousand twelve [and], two thousand twelve--two thousand thirteen, TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN AND TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN;

S 2. This act shall take effect immediately.

PART E

Intentionally Omitted

PART F

Section 1. Subdivision 21 of section 103 of the state technology law, as added by section 4 of part N of chapter 55 of the laws of 2013, is amended and a new subdivision 7-a is added to read as follows:

7-A. TO PROVIDE TECHNOLOGY SERVICES VIA AGREEMENTS WITH:

(A) MUNICIPAL CORPORATIONS, PUBLIC BENEFIT CORPORATIONS AND DISTRICT CORPORATIONS AS DEFINED IN SECTION SIXTY-SIX OF THE GENERAL CONSTRUCTION LAW;

(B) POLITICAL SUBDIVISIONS AS DEFINED IN SECTION ONE HUNDRED OF THE GENERAL MUNICIPAL LAW;

(C) PUBLIC AUTHORITIES;

(D) SOIL AND WATER CONSERVATION DISTRICTS;

(E) ANY UNIT OF THE STATE UNIVERSITY AND CITY UNIVERSITY OF NEW YORK PURSUANT TO AND CONSISTENT WITH SECTIONS THREE HUNDRED FIFTY-FIVE AND SIXTY-TWO HUNDRED EIGHTEEN OF THE EDUCATION LAW;

21. Notwithstanding the provisions of section one hundred sixty-three of the state finance law, section one hundred three of the general municipal law, article four-C of the economic development law, or any other provision of law relating to the award of public contracts, any officer, body, or agency of New York state, public corporation, or other public entity subject to such provisions of law shall be authorized to enter individually or collectively into contracts with the not-for-profit corporation that operates the multi-state information sharing and analysis center for the provision of services through September thirtieth, two thousand [fourteen] FIFTEEN related to cyber security including, but not limited to, monitoring, detecting, and responding to cyber incidents, and such contracts may be awarded without compliance with the procedures relating to the procurement of services set forth in such provisions of law. Such contracts shall, however, be subject to the comptroller's existing authority to approve contracts where such approval is required by section one hundred twelve of the state finance

law or otherwise. Such officers, bodies, or agencies may pay the fees or other amounts specified in such contracts in consideration of the cyber security services to be rendered pursuant to such contracts.

S 2. Section 99-r of the general municipal law, as amended by section 1 of subpart B of part C of chapter 97 of the laws of 2011, is amended to read as follows:

S 99-r. Contracts for services. Notwithstanding any other provisions of law to the contrary, the governing board of any municipal corporation may enter into agreements and/or contracts with any state agency including any department, board, bureau, commission, division, office, council, committee, or officer of the state, whether permanent or temporary, or a public benefit corporation or public authority, or a soil and water conservation district, and any unit of the state university of New York, pursuant to and consistent with sections three hundred fifty-five and sixty-three hundred one of the education law within or without such municipal corporation to provide or receive fuel, equipment, maintenance and repair, supplies, water supply, street sweeping or maintenance, sidewalk maintenance, right-of-way maintenance, storm water and other drainage, sewage disposal, landscaping, mowing, TECHNOLOGY SERVICES, or any other services of government. Such state agency, soil and water conservation district, or unit of the state university of New York, within the limits of any specific statutory appropriation authorized and made available therefor by the legislature or by the governing body responsible for the operation of such state agency, soil and water conservation district, or unit of the state university of New York may contract with any municipal corporation for such services as herein provided and may provide, in agreements and/or contracts entered into pursuant to this section, for the reciprocal provision of services or other consideration of approximately equivalent value, including, but not limited to, routine and/or emergency services, monies, equipment, buildings and facilities, materials or a commitment to provide future routine and/or emergency services, monies, equipment, buildings and facilities or materials. Any such contract may be entered into by direct negotiations and shall not be subject to the provisions of section one hundred three of this chapter.

S 3. (a) Notwithstanding any provision of law to the contrary, any person employed in the exempt class positions of employee program associate, employee program assistant, confidential stenographer, or confidential assistant by the governor's office of employee relations, and any person employed in the exempt class positions of employee program associate or employee program assistant by the labor management committee, and any person employed in the exempt class positions of manager of information services or information technology specialist by the joint commission on public ethics immediately prior to being transferred to the office of information technology services pursuant to subdivision 2 of section 70 of the civil service law, and who, immediately prior thereto was performing information technology functions, shall be entitled to permanent appointment in similar or corresponding titles in the appropriate jurisdictional classification as determined by the department of civil service, and shall be given conforming class rights and status. For those titles determined to be in the competitive class, such employees shall hold such positions in the office of information technology services without further examination. No such employee transferred to the office of information technology services shall be subject to a new probationary term, provided, however, that any employee in probationary status at the time of the transfer shall be required to

complete that probationary term at the office of information technology services under the same terms and conditions as were applicable to him or her while employed at the governor's office of employee relations, the labor management committee or the joint commission on public ethics.

(b) No employee whose position is re-classified pursuant to this section or section four or five of this act shall suffer a reduction in basic salary as a result of such re-classification and shall continue to receive, at a minimum, the salary that such employee received while employed by the governor's office of employee relations, the labor management committee or the joint commission on public ethics.

(c) Any employees whose positions are reclassified pursuant to this section or section four or five of this act shall have seniority rights on the basis of initial appointment to state service.

S 4. Notwithstanding any provision of law to the contrary, the civil service department may re-classify any person employed in a permanent, classified, competitive position immediately prior to being transferred to the office of information technology services pursuant to subdivision 2 of section 70 of the civil service law to align with the duties and responsibilities of their positions upon transfer. Permanent employees whose positions are subsequently reclassified to align with the duties and responsibilities of their positions upon being transferred to the office of information technology services pursuant to subdivision 2 of section 70 of the civil service law shall hold such positions without further examination or qualification. Notwithstanding any other provision of this act, the names of those competitive permanent employees on promotion eligible lists in their former agency or department shall be added and interfiled on a promotion eligible list in the new department, as the state civil service department deems appropriate.

S 5. Notwithstanding any provision of law to the contrary, the civil service department may re-classify any person employed in the exempt class positions of employee program associate, employee program assistant, confidential stenographer, or confidential assistant by the governor's office of employee relations, and any person employed in the exempt class positions of employee program associate or employee program assistant by the labor management committee, and any person employed in the exempt class positions of manager of information services or information technology specialist by the joint commission on public ethics, immediately prior to being transferred to the office of information technology services pursuant to subdivision 2 of section 70 of the civil service law to align with the duties and responsibilities of their positions upon transfer. Permanent employees whose positions are subsequently re-classified to align with the duties and responsibilities of their positions upon being transferred to the office of information technology services pursuant to subdivision 2 of section 70 of the civil service law shall hold such positions without further examination or qualification.

S 6. This act shall take effect immediately.

PART G

Section 1. Section 3 of chapter 410 of the laws of 2009, amending the state finance law relating to authorizing the aggregate purchases of energy for state agencies, institutions, local governments, public authorities and public benefit corporations, as amended by chapter 68 of the laws of 2011, is amended to read as follows:

S 3. This act shall take effect immediately and shall expire and be deemed repealed July 31, [2015] 2019.

S 2. Section 9 of subpart A of part C of chapter 97 of the laws of 2011, amending the state finance law and other laws relating to providing certain centralized service to political subdivisions and extending the authority of the commissioner of general services to aggregate purchases of energy for state agencies and political subdivisions, is amended to read as follows:

S 9. This act shall take effect immediately, provided, however that:

1. sections one, four, five, six and seven of this act shall expire and be deemed repealed [3 years after they shall have become a law] JULY 31, 2019;

2. the amendments to subdivision 4 of section 97-g of the state finance law made by section two of this act shall [not affect] SURVIVE the expiration and reversion of such subdivision as provided in section 3 of chapter 410 of the laws of 2009[, and shall expire and be deemed repealed therewith], AS AMENDED;

3. sections four, five, six and seven of this act shall apply to any contract let or awarded on or after such effective date.

S 3. The public authorities law is amended by adding a new section 2881 to read as follows:

S 2881. PURCHASES FROM FEDERAL GENERAL SERVICE ADMINISTRATION SUPPLY SCHEDULES AND OTHER GOVERNMENTAL AGENCIES. 1. NOTWITHSTANDING ANY PROVISION OF LAW IN THIS CHAPTER TO THE CONTRARY, ANY OFFICER, BOARD OR AGENCY OF A LOCAL AUTHORITY AUTHORIZED TO MAKE PURCHASES OF APPARATUS, MATERIALS, EQUIPMENT OR SUPPLIES, OR TO CONTRACT FOR SERVICES RELATED TO THE INSTALLATION, MAINTENANCE OR REPAIR OF APPARATUS, MATERIALS, EQUIPMENT, AND SUPPLIES, MAY MAKE SUCH PURCHASES, OR MAY CONTRACT FOR SUCH SERVICES RELATED TO THE INSTALLATION, MAINTENANCE OR REPAIR OF APPARATUS, MATERIALS, EQUIPMENT, AND SUPPLIES, AS MAY BE REQUIRED BY SUCH LOCAL AUTHORITY, THROUGH THE USE OF A CONTRACT LET BY THE UNITED STATES OF AMERICA OR ANY AGENCY THEREOF, ANY STATE OR ANY OTHER POLITICAL SUBDIVISION OR DISTRICT THEREIN IF SUCH CONTRACT WAS LET TO THE LOWEST RESPONSIBLE BIDDER OR OTHERWISE IN A MANNER CONSISTENT WITH THIS CHAPTER AND MADE AVAILABLE FOR USE BY OTHER GOVERNMENTAL ENTITIES.

2. THE AUTHORITY PROVIDED TO A LOCAL AUTHORITY PURSUANT TO THIS SECTION SHALL NOT RELIEVE ANY OBLIGATION OF SUCH LOCAL AUTHORITY TO COMPLY WITH ANY APPLICABLE MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE PROGRAM MANDATES AND THE PREFERRED SOURCE REQUIREMENTS OF SECTION ONE HUNDRED SIXTY-TWO OF THE STATE FINANCE LAW.

3. PURCHASES FROM FEDERAL GENERAL SERVICE ADMINISTRATION SUPPLY SCHEDULES. ANY OFFICER, BOARD OR AGENCY OF A LOCAL AUTHORITY MAY MAKE PURCHASES FROM FEDERAL GENERAL SERVICE ADMINISTRATION SUPPLY SCHEDULES PURSUANT TO SECTION 211 OF THE FEDERAL E-GOVERNMENT ACT OF 2002, P.L. 107-347 AND THE LOCAL PREPAREDNESS ACQUISITION ACT, P.L. 110-248, AND PURSUANT TO SECTION 1122 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994, P.L. 103-160 AND SECTION 833 OF THE JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007, P.L. 109-364, AND THE FEDERAL SUPPLY SCHEDULE USAGE ACT OF 2010, P.L. 111-263, OR ANY SUCCESSOR SCHEDULES, IN ACCORDANCE WITH PROCEDURES ESTABLISHED IN CONNECTION THEREWITH. PRIOR TO MAKING SUCH PURCHASES THE OFFICER, BOARD OR AGENCY SHALL CONSIDER WHETHER SUCH PURCHASES WILL RESULT IN COST SAVINGS AFTER ALL FACTORS, INCLUDING CHARGES FOR SERVICE, MATERIAL, AND DELIVERY, HAVE BEEN CONSIDERED.

4. AS USED IN THIS SECTION, "LOCAL AUTHORITY" SHALL INCLUDE A LOCAL AUTHORITY ESTABLISHED PURSUANT TO THIS CHAPTER BUT SHALL NOT INCLUDE A

LOCAL INDUSTRIAL DEVELOPMENT AUTHORITY ESTABLISHED PURSUANT TO THIS CHAPTER.

S 4. The office of general services shall submit to the governor, the temporary president of the senate, and the speaker of the assembly a report on the aggregate electric procurement program by January 1, 2019. The report shall include, but not be limited to, agencies participating in the electric procurement program, the addresses of the facilities receiving electricity from such program and each facility's electric usage, and cost savings for each month of participation in such program as compared to the electricity cost if purchased from the facility's local utility.

S 5. Section 2 of chapter 308 of the laws of 2012 amending the general municipal law relating to providing local governments greater contract flexibility and cost savings by permitting certain shared purchasing among political subdivisions, is amended to read as follows:

S 2. This act shall take effect immediately, and shall expire and be deemed repealed [five years after such date] JULY 31, 2019.

S 6. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2014 provided, however, that section three of this act shall expire and be deemed repealed July 31, 2019.

PART H

Section 1. This act enacts into law components of legislation which are necessary to implement the provisions relating to the prosecution of misconduct by public officials. Each component is wholly contained within a Subpart identified as Subparts A through D. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. This act shall be known and may be cited as the "Public Trust Act".

S 2. Paragraph (b) of subdivision 3 of section 30.10 of the criminal procedure law is amended to read as follows:

(b) A prosecution for any offense involving misconduct in public office by a public servant INCLUDING, WITHOUT LIMITATION, AN OFFENSE DEFINED IN ARTICLE FOUR HUNDRED NINETY-SIX OF THE PENAL LAW, may be commenced AGAINST A PUBLIC SERVANT, OR ANY OTHER PERSON ACTING IN CONCERT WITH SUCH PUBLIC SERVANT at any time during [the defendant's] SUCH PUBLIC SERVANT'S service in such office or within five years after the termination of such service; provided however, that in no event shall the period of limitation be extended by more than five years beyond the period otherwise applicable under subdivision two OF THIS SECTION.

S 3. Intentionally omitted.

S 4. Intentionally omitted.

S 5. Intentionally omitted.

S 6. Intentionally omitted.
S 7. Intentionally omitted.
S 7-a. Intentionally omitted.
S 8. Section 110.05 of the penal law, as amended by chapter 276 of the laws of 1973, subdivision 1 as amended by chapter 93 of the laws of 2006, subdivisions 3, 4, 5, 6, 7 and 8 as renumbered by chapter 410 of the laws of 1979, is amended to read as follows:
S 110.05 Attempt to commit a crime; punishment.
An attempt to commit a crime is a:
1. Class A-I felony when the crime attempted is the A-I felony of murder in the first degree, aggravated murder as defined in subdivision one of section 125.26 of this chapter, criminal possession of a controlled substance in the first degree, criminal sale of a controlled substance in the first degree, criminal possession of a chemical or biological weapon in the first degree or criminal use of a chemical or biological weapon in the first degree;
2. Class A-II felony when the crime attempted is a class A-II felony;
3. Class B felony when the crime attempted is a class A-I felony except as provided in subdivision one hereof;
4. Class C felony when the crime attempted is a class B felony;
5. Class D felony when the crime attempted is a class C felony;
6. Class E felony when the crime attempted is a class D felony;
7. Class A misdemeanor when the crime attempted is a class E felony;
8. Class B misdemeanor when the crime attempted is a misdemeanor;
9. CLASS D FELONY WHEN THE CRIME ATTEMPTED IS BRIBERY IN THE THIRD DEGREE AS DEFINED IN SECTION 200.00 OF THIS CHAPTER, A CLASS C FELONY WHEN THE CRIME ATTEMPTED IS BRIBERY IN THE SECOND DEGREE AS DEFINED IN SECTION 200.03 OF THIS CHAPTER AND A CLASS B FELONY WHEN THE CRIME ATTEMPTED IS BRIBERY IN THE FIRST DEGREE AS DEFINED IN SUBDIVISION TWO OF SECTION 200.04 OF THIS CHAPTER.
S 9. Subdivision 8 of section 700.05 of the criminal procedure law is amended by adding a new paragraph (u) to read as follows:
(U) ANY FELONY DEFINED IN ARTICLE FOUR HUNDRED NINETY-SIX OF THE PENAL LAW.
S 10. Paragraph (f) of subdivision 8 of section 700.05 of the criminal procedure law, as amended by chapter 154 of the laws of 1990, is amended to read as follows:
(f) Bribery in the third degree, bribery in the second degree, bribery in the first degree, bribe receiving in the third degree, bribe receiving in the second degree, bribe receiving in the first degree, bribe giving for public office [and], bribe receiving for public office AND CORRUPT USE OF POSITION OR AUTHORITY, as defined in article two hundred of the penal law;
S 10-a. Intentionally omitted.
S 11. Intentionally omitted.
S 12. Intentionally omitted.
S 13. Intentionally omitted.
S 14. Part 4 of the penal law is amended by adding a new title Y-2 to read as follows:

TITLE Y-2
CORRUPTING THE GOVERNMENT

ARTICLE 496
CORRUPTING THE GOVERNMENT

SECTION 496.01 DEFINITIONS.

496.02 CORRUPTING THE GOVERNMENT IN THE FOURTH DEGREE.
496.03 CORRUPTING THE GOVERNMENT IN THE THIRD DEGREE.
496.04 CORRUPTING THE GOVERNMENT IN THE SECOND DEGREE.
496.05 CORRUPTING THE GOVERNMENT IN THE FIRST DEGREE.
496.06 PUBLIC CORRUPTION.
496.07 SENTENCING.

S 496.01 DEFINITIONS.

FOR THE PURPOSES OF THIS ARTICLE, "SCHEME" MEANS ANY PLAN, PATTERN, DEVICE, CONTRIVANCE, OR COURSE OF ACTION.

S 496.02 CORRUPTING THE GOVERNMENT IN THE FOURTH DEGREE.

A PERSON IS GUILTY OF CORRUPTING THE GOVERNMENT IN THE FOURTH DEGREE WHEN, BEING A PUBLIC SERVANT, OR ACTING IN CONCERT WITH A PUBLIC SERVANT, HE OR SHE ENGAGES IN A SCHEME CONSTITUTING A SYSTEMATIC ONGOING COURSE OF CONDUCT WITH INTENT TO DEFRAUD THE STATE OR ONE OR MORE POLITICAL SUBDIVISIONS OF THE STATE OR ONE OR MORE GOVERNMENTAL INSTRUMENTALITIES WITHIN THE STATE TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES, OR OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES FROM THE STATE, OR ANY POLITICAL SUBDIVISION OR GOVERNMENTAL INSTRUMENTALITY OF THE STATE BY FALSE OR FRAUDULENT PRETENSES, REPRESENTATIONS OR PROMISES, AND THEREBY WRONGFULLY OBTAINS SUCH PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES.

CORRUPTING THE GOVERNMENT IN THE FOURTH DEGREE IS A CLASS E FELONY.

S 496.03 CORRUPTING THE GOVERNMENT IN THE THIRD DEGREE.

A PERSON IS GUILTY OF CORRUPTING THE GOVERNMENT IN THE THIRD DEGREE WHEN, BEING A PUBLIC SERVANT, OR ACTING IN CONCERT WITH A PUBLIC SERVANT, HE OR SHE ENGAGES IN A SCHEME CONSTITUTING A SYSTEMATIC ONGOING COURSE OF CONDUCT WITH INTENT TO DEFRAUD THE STATE OR ONE OR MORE POLITICAL SUBDIVISIONS OF THE STATE OR ONE OR MORE GOVERNMENTAL INSTRUMENTALITIES WITHIN THE STATE TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES, OR OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES FROM THE STATE, OR ANY POLITICAL SUBDIVISION OR GOVERNMENTAL INSTRUMENTALITY OF THE STATE BY FALSE OR FRAUDULENT PRETENSES, REPRESENTATIONS OR PROMISES, AND THEREBY WRONGFULLY OBTAINS SUCH PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES WITH A VALUE IN EXCESS OF ONE THOUSAND DOLLARS.

CORRUPTING THE GOVERNMENT IN THE THIRD DEGREE IS A CLASS D FELONY.

S 496.04 CORRUPTING THE GOVERNMENT IN THE SECOND DEGREE.

A PERSON IS GUILTY OF CORRUPTING THE GOVERNMENT IN THE SECOND DEGREE WHEN, BEING A PUBLIC SERVANT, OR ACTING IN CONCERT WITH A PUBLIC SERVANT, HE OR SHE ENGAGES IN A SCHEME CONSTITUTING A SYSTEMATIC ONGOING COURSE OF CONDUCT WITH INTENT TO DEFRAUD THE STATE OR ONE OR MORE POLITICAL SUBDIVISIONS OF THE STATE OR ONE OR MORE GOVERNMENTAL INSTRUMENTALITIES WITHIN THE STATE TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES, OR OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES FROM THE STATE, OR ANY POLITICAL SUBDIVISION OR GOVERNMENTAL INSTRUMENTALITY OF THE STATE BY FALSE OR FRAUDULENT PRETENSES, REPRESENTATIONS OR PROMISES, AND THEREBY WRONGFULLY OBTAINS SUCH PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES WITH A VALUE IN EXCESS OF TWENTY THOUSAND DOLLARS.

CORRUPTING THE GOVERNMENT IN THE SECOND DEGREE IS A CLASS C FELONY.

S 496.05 CORRUPTING THE GOVERNMENT IN THE FIRST DEGREE.

A PERSON IS GUILTY OF CORRUPTING THE GOVERNMENT IN THE FIRST DEGREE WHEN, BEING A PUBLIC SERVANT, OR ACTING IN CONCERT WITH A PUBLIC SERVANT, HE OR SHE ENGAGES IN A SCHEME CONSTITUTING A SYSTEMATIC ONGOING COURSE OF CONDUCT WITH INTENT TO DEFRAUD THE STATE OR ONE OR MORE POLITICAL SUBDIVISIONS OF THE STATE OR ONE OR MORE GOVERNMENTAL INSTRUMENTALITIES WITHIN THE STATE TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES, OR TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES

FROM THE STATE, OR ANY POLITICAL SUBDIVISION OR GOVERNMENTAL INSTRUMENTALITY OF THE STATE BY FALSE OR FRAUDULENT PRETENSES, REPRESENTATIONS OR PROMISES, AND THEREBY WRONGFULLY OBTAINS SUCH PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES WITH A VALUE IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS.

CORRUPTING THE GOVERNMENT IN THE FIRST DEGREE IS A CLASS B FELONY.

S 496.06 PUBLIC CORRUPTION.

1. A PERSON COMMITS THE CRIME OF PUBLIC CORRUPTION WHEN: (A) (I) BEING A PUBLIC SERVANT HE OR SHE COMMITS A SPECIFIED OFFENSE THROUGH THE USE OF HIS OR HER PUBLIC OFFICE, OR (II) BEING A PERSON ACTING IN CONCERT WITH SUCH PUBLIC SERVANT HE OR SHE COMMITS A SPECIFIED OFFENSE, AND (B) THE STATE OR ANY POLITICAL SUBDIVISION THEREOF OR ANY GOVERNMENTAL INSTRUMENTALITY WITHIN THE STATE IS THE OWNER OF THE PROPERTY.

2. A "SPECIFIED OFFENSE" IS AN OFFENSE DEFINED BY ANY OF THE FOLLOWING PROVISIONS OF THIS CHAPTER: SECTION 155.25 (PETIT LARCENY); SECTION 155.30 (GRAND LARCENY IN THE FOURTH DEGREE); SECTION 155.35 (GRAND LARCENY IN THE THIRD DEGREE); SECTION 155.40 (GRAND LARCENY IN THE SECOND DEGREE); SECTION 155.42 (GRAND LARCENY IN THE FIRST DEGREE); SECTION 190.60 (SCHEME TO DEFRAUD IN THE SECOND DEGREE); OR SECTION 190.65 (SCHEME TO DEFRAUD IN THE FIRST DEGREE).

S 496.07 SENTENCING.

WHEN A PERSON IS CONVICTED OF THE CRIME OF PUBLIC CORRUPTION PURSUANT TO SECTION 496.06 OF THIS ARTICLE AND THE SPECIFIED OFFENSE IS A CLASS C, D OR E FELONY, THE CRIME SHALL BE DEEMED TO BE ONE CATEGORY HIGHER THAN THE SPECIFIED OFFENSE THE DEFENDANT COMMITTED, OR ONE CATEGORY HIGHER THAN THE OFFENSE LEVEL APPLICABLE TO THE DEFENDANT'S CONVICTION FOR AN ATTEMPT OR CONSPIRACY TO COMMIT A SPECIFIED OFFENSE, WHICHEVER IS APPLICABLE.

S 15. Subdivision 4 of section 200.50 of the criminal procedure law, as amended by chapter 7 of the laws of 2007, is amended to read as follows:

4. A statement in each count that the grand jury, or, where the accusatory instrument is a superior court information, the district attorney, accuses the defendant or defendants of a designated offense, provided that in any prosecution under article four hundred eighty-five of the penal law, the designated offense shall be the specified offense, as defined in subdivision three of section 485.05 of the penal law, followed by the phrase "as a hate crime", and provided further that in any prosecution under section 490.25 of the penal law, the designated offense shall be the specified offense, as defined in subdivision three of section 490.05 of the penal law, followed by the phrase "as a crime of terrorism"; and provided further that in any prosecution under section 130.91 of the penal law, the designated offense shall be the specified offense, as defined in subdivision two of section 130.91 of the penal law, followed by the phrase "as a sexually motivated felony"; AND PROVIDED FURTHER THAT IN ANY PROSECUTION UNDER SECTION 496.06 OF THE PENAL LAW, THE DESIGNATED OFFENSE SHALL BE THE SPECIFIED OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SUCH SECTION, FOLLOWED BY THE PHRASE "AS A PUBLIC CORRUPTION CRIME"; and

S 16. Paragraph (a) of subdivision 1 of section 460.10 of the penal law, as amended by chapter 405 of the laws of 2010, is amended to read as follows:

(a) Any of the felonies set forth in this chapter: sections 120.05, 120.10 and 120.11 relating to assault; sections 121.12 and 121.13 relating to strangulation; sections 125.10 to 125.27 relating to homicide; sections 130.25, 130.30 and 130.35 relating to rape; sections 135.20 and

135.25 relating to kidnapping; section 135.35 relating to labor trafficking; section 135.65 relating to coercion; sections 140.20, 140.25 and 140.30 relating to burglary; sections 145.05, 145.10 and 145.12 relating to criminal mischief; article one hundred fifty relating to arson; sections 155.30, 155.35, 155.40 and 155.42 relating to grand larceny; sections 177.10, 177.15, 177.20 and 177.25 relating to health care fraud; article one hundred sixty relating to robbery; sections 165.45, 165.50, 165.52 and 165.54 relating to criminal possession of stolen property; sections 165.72 and 165.73 relating to trademark counterfeiting; sections 170.10, 170.15, 170.25, 170.30, 170.40, 170.65 and 170.70 relating to forgery; sections 175.10, 175.25, 175.35, 175.40 and 210.40 relating to false statements; sections 176.15, 176.20, 176.25 and 176.30 relating to insurance fraud; sections 178.20 and 178.25 relating to criminal diversion of prescription medications and prescriptions; sections 180.03, 180.08, 180.15, 180.25, 180.40, 180.45, 200.00, 200.03, 200.04, 200.10, 200.11, 200.12, 200.20, 200.22, 200.25, 200.27, 200.56, 215.00, 215.05 and 215.19 [relating to bribery]; sections 187.10, 187.15, 187.20 and 187.25 relating to residential mortgage fraud, sections 190.40 and 190.42 relating to criminal usury; section 190.65 relating to schemes to defraud; ANY FELONY DEFINED IN ARTICLE FOUR HUNDRED NINETY-SIX; sections 205.60 and 205.65 relating to hindering prosecution; sections 210.10, 210.15, and 215.51 relating to perjury and contempt; section 215.40 relating to tampering with physical evidence; sections 220.06, 220.09, 220.16, 220.18, 220.21, 220.31, 220.34, 220.39, 220.41, 220.43, 220.46, 220.55, 220.60 and 220.77 relating to controlled substances; sections 225.10 and 225.20 relating to gambling; sections 230.25, 230.30, and 230.32 relating to promoting prostitution; section 230.34 relating to sex trafficking; sections 235.06, 235.07, 235.21 and 235.22 relating to obscenity; sections 263.10 and 263.15 relating to promoting a sexual performance by a child; sections 265.02, 265.03, 265.04, 265.11, 265.12, 265.13 and the provisions of section 265.10 which constitute a felony relating to firearms and other dangerous weapons; [and] sections 265.14 and 265.16 relating to criminal sale of a firearm; [and] section 275.10, 275.20, 275.30, or 275.40 relating to unauthorized recordings; and sections 470.05, 470.10, 470.15 and 470.20 relating to money laundering; or

S 17. Intentionally omitted.

S 18. Section 200.03 of the penal law, as amended by chapter 833 of the laws of 1986, is amended to read as follows:

S 200.03 Bribery in the second degree.

A person is guilty of bribery in the second degree when he confers, or offers or agrees to confer, any benefit valued in excess of [ten] FIVE thousand dollars upon a public servant upon an agreement or understanding that such public servant's vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced.

Bribery in the second degree is a class C felony.

S 19. Section 200.04 of the penal law, as added by chapter 276 of the laws of 1973, is amended to read as follows:

S 200.04 Bribery in the first degree.

A person is guilty of bribery in the first degree when [he] THE PERSON confers, or offers or agrees to confer[,]: (1) any benefit upon a public servant upon an agreement or understanding that such public servant's vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced in the investigation, arrest, detention, prosecution or incarceration of any person for the commission

or alleged commission of a class A felony defined in article two hundred twenty of [the penal law] THIS PART or an attempt to commit any such class A felony; OR (2) ANY BENEFIT VALUED IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS UPON A PUBLIC SERVANT UPON AN AGREEMENT OR UNDERSTANDING THAT SUCH PUBLIC SERVANT'S VOTE, OPINION, JUDGMENT, ACTION, DECISION OR EXERCISE OF DISCRETION AS A PUBLIC SERVANT WILL THEREBY BE INFLUENCED.

Bribery in the first degree is a class B felony.

S 20. Intentionally omitted.

S 21. Section 200.10 of the penal law, as amended by chapter 833 of the laws of 1986, is amended to read as follows:

S 200.10 Bribe receiving in the third degree.

A public servant is guilty of bribe receiving in the third degree when he OR SHE solicits, accepts or agrees to accept any benefit from another person upon an agreement or understanding that his OR HER vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced.

Bribe receiving in the third degree is a class D felony.

S 22. Section 200.11 of the penal law, as added by chapter 833 of the laws of 1986, is amended to read as follows:

S 200.11 Bribe receiving in the second degree.

A public servant is guilty of bribe receiving in the second degree when he OR SHE solicits, accepts or agrees to accept any benefit valued in excess of [ten] FIVE thousand dollars from another person upon an agreement or understanding that his OR HER vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced.

Bribe receiving in the second degree is a class C felony.

S 23. Section 200.12 of the penal law, as added by chapter 276 of the laws of 1973, is amended to read as follows:

S 200.12 Bribe receiving in the first degree.

A public servant is guilty of bribe receiving in the first degree when he OR SHE solicits, accepts or agrees to accept: (A) any benefit from another person upon an agreement or understanding that his OR HER vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced in the investigation, arrest, detention, prosecution or incarceration of any person for the commission or alleged commission of a class A felony defined in article two hundred twenty of [the penal law] THIS PART or an attempt to commit any such class A felony; OR (B) ANY BENEFIT VALUED IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS FROM ANOTHER PERSON UPON AN AGREEMENT OR UNDERSTANDING THAT SUCH PUBLIC SERVANT'S VOTE, OPINION, JUDGMENT, ACTION, DECISION OR EXERCISE OF DISCRETION AS A PUBLIC SERVANT WILL THEREBY BE INFLUENCED.

Bribe receiving in the first degree is a class B felony.

S 24. Intentionally omitted.

S 25. Intentionally omitted.

S 25-a. Section 17-158 of the election law is REPEALED.

S 26. The penal law is amended by adding a new section 200.56 to read as follows:

S 200.56 CORRUPT USE OF POSITION OR AUTHORITY.

A PERSON IS GUILTY OF CORRUPT USE OF POSITION OR AUTHORITY IF SUCH PERSON:

1. WHILE HOLDING PUBLIC OFFICE, OR BEING NOMINATED OR SEEKING A NOMINATION THEREFOR, CORRUPTLY USES OR PROMISES TO USE, DIRECTLY, OR INDIRECTLY, ANY OFFICIAL AUTHORITY OR INFLUENCE POSSESSED OR ANTICIPATED, IN THE WAY OF CONFERRING UPON ANY PERSON, OR IN ORDER TO SECURE, OR AID ANY PERSON IN SECURING, ANY OFFICE OR PUBLIC EMPLOYMENT, OR ANY NOMINATION,

CONFIRMATION, PROMOTION OR INCREASE OF SALARY, UPON CONSIDERATION THAT THE VOTE OR POLITICAL INFLUENCE OR ACTION OF THE PERSON SO TO BE BENEFITED OR OF ANY OTHER PERSON, SHALL BE GIVEN OR USED IN BEHALF OF ANY CANDIDATE, OFFICER OR PARTY OR UPON ANY OTHER CORRUPT CONDITION OR CONSIDERATION; OR

2. BEING A PUBLIC OFFICER OR EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION HAVING, OR CLAIMING TO HAVE, ANY AUTHORITY OR INFLUENCE AFFECTING THE NOMINATION, PUBLIC EMPLOYMENT, CONFIRMATION, PROMOTION, REMOVAL OR INCREASE OR DECREASE OF SALARY OF ANY PUBLIC OFFICER OR EMPLOYEE, CORRUPTLY PROMISES OR THREATENS TO USE ANY SUCH AUTHORITY OR INFLUENCE, DIRECTLY OR INDIRECTLY TO AFFECT THE VOTE OR POLITICAL ACTION OF ANY SUCH PUBLIC OFFICER OR EMPLOYEE, OR ON ACCOUNT OF THE VOTE OR POLITICAL ACTION OF SUCH OFFICER OR EMPLOYEE; OR

3. CORRUPTLY MAKES, TENDERS OR OFFERS TO PROCURE, OR CAUSE ANY NOMINATION OR APPOINTMENT FOR ANY PUBLIC OFFICE OR PLACE, OR ACCEPTS OR REQUESTS ANY SUCH NOMINATION OR APPOINTMENT, UPON THE PAYMENT OR CONTRIBUTION OF ANY VALUABLE CONSIDERATION, OR UPON AN UNDERSTANDING OR PROMISE THEREOF; OR

4. CORRUPTLY MAKES ANY GIFT, PROMISE OR CONTRIBUTION TO ANY PERSON, UPON THE CONDITION OR CONSIDERATION OF RECEIVING AN APPOINTMENT OR ELECTION TO A PUBLIC OFFICE OR A POSITION OF PUBLIC EMPLOYMENT, OR FOR RECEIVING OR RETAINING ANY SUCH OFFICE OR POSITION, OR PROMOTION, PRIVILEGE, INCREASE OF SALARY OR COMPENSATION THEREIN, OR EXEMPTION FROM REMOVAL OR DISCHARGE THEREFROM.

CORRUPT USE OF POSITION OR AUTHORITY IS A CLASS E FELONY.

S 27. Subdivision 1 of section 80.00 of the penal law, as amended by chapter 338 of the laws of 1989, is amended to read as follows:

1. A sentence to pay a fine for a felony shall be a sentence to pay an amount, fixed by the court, not exceeding the higher of

a. five thousand dollars; or

b. double the amount of the defendant's gain from the commission of the crime OR, IF THE DEFENDANT IS CONVICTED OF A CRIME DEFINED IN ARTICLE FOUR HUNDRED NINETY-SIX OF THIS CHAPTER, ANY HIGHER AMOUNT NOT EXCEEDING THREE TIMES THE AMOUNT OF THE DEFENDANT'S GAIN FROM THE COMMISSION OF SUCH OFFENSE; or

c. if the conviction is for any felony defined in article two hundred twenty or two hundred twenty-one of this chapter, according to the following schedule:

(i) for A-I felonies, one hundred thousand dollars;

(ii) for A-II felonies, fifty thousand dollars;

(iii) for B felonies, thirty thousand dollars;

(iv) for C felonies, fifteen thousand dollars.

When imposing a fine pursuant to the provisions of this paragraph, the court shall consider the profit gained by defendant's conduct, whether the amount of the fine is disproportionate to the conduct in which defendant engaged, its impact on any victims, and defendant's economic circumstances, including the defendant's ability to pay, the effect of the fine upon his or her immediate family or any other persons to whom the defendant owes an obligation of support.

S 28. Subdivision 1 of section 80.10 of the penal law is amended to read as follows:

1. In general. A sentence to pay a fine, when imposed on a corporation for an offense defined in this chapter or for an offense defined outside this chapter for which no special corporate fine is specified, shall be a sentence to pay an amount, fixed by the court, not exceeding:

(a) Ten thousand dollars, when the conviction is of a felony;

(b) Five thousand dollars, when the conviction is of a class A misdemeanor or of an unclassified misdemeanor for which a term of imprisonment in excess of three months is authorized;

(c) Two thousand dollars, when the conviction is of a class B misdemeanor or of an unclassified misdemeanor for which the authorized term of imprisonment is not in excess of three months;

(d) Five hundred dollars, when the conviction is of a violation;

(e) Any higher amount not exceeding double the amount of the corporation's gain from the commission of the offense OR, IF THE CORPORATION IS CONVICTED OF A CRIME DEFINED IN ARTICLE FOUR HUNDRED NINETY-SIX OF THIS CHAPTER, ANY HIGHER AMOUNT NOT EXCEEDING THREE TIMES THE AMOUNT OF THE CORPORATION'S GAIN FROM THE COMMISSION OF SUCH OFFENSE.

S 29. Subdivision (a) of section 1-c of the legislative law, as added by chapter 2 of the laws of 1999, is amended to read as follows:

(a) The term "lobbyist" shall mean every person or organization retained, employed or designated by any client to engage in lobbying. The term "lobbyist" shall not include any officer, director, trustee, employee, counsel or agent of the state, or any municipality or subdivision thereof of New York when discharging their official duties; except those officers, directors, trustees, employees, counsels, or agents of colleges, as defined by section two of the education law.

(I) ANY INDIVIDUAL WHO STANDS CONVICTED OF A FELONY DEFINED IN ARTICLE TWO HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW MAY NOT BE RETAINED, EMPLOYED OR DESIGNATED BY ANY CLIENT TO ENGAGE IN LOBBYING FOR COMPENSATION.

(II) ANY INDIVIDUAL WHO STANDS CONVICTED OF A MISDEMEANOR DEFINED IN ARTICLE TWO HUNDRED, ARTICLE FOUR HUNDRED NINETY-SIX, SECTION 195.00 OR AN ATTEMPT TO COMMIT A VIOLATION OF SECTION 195.20 OF THE PENAL LAW MAY NOT BE RETAINED, EMPLOYED OR DESIGNATED BY ANY CLIENT TO ENGAGE IN LOBBYING FOR COMPENSATION FOR A PERIOD OF FIVE YEARS FROM THE DATE OF CONVICTION, PROVIDED THAT IN THE EVENT SUCH CONVICTION IS THE RESULT OF A PLEA AGREEMENT RESULTING IN A PLEA TO SUCH CHARGE IN LIEU OF A PLEA OR CONVICTION OF A FELONY DEFINED IN SECTION 195.20, ARTICLE TWO HUNDRED OR ARTICLE FOUR HUNDRED NINETY-SIX OF THE PENAL LAW, ALL PARTIES TO SUCH AGREEMENT MAY AGREE THAT THE PERIOD OF SUCH BAR MAY BE FOR A PERIOD OF UP TO TEN YEARS FROM THE DATE OF CONVICTION.

S 30. Section 139-a of the state finance law, as amended by chapter 268 of the laws of 1971, is amended to read as follows:

S 139-a. Ground for cancellation of contract by state. A clause shall be inserted in all specifications or contracts hereafter made or awarded by the state or any public department, agency or official thereof, for work or services performed or to be performed, or goods sold or to be sold, to provide that: (A) upon the refusal by a person, when called before a grand jury, head of a state department, temporary state commission or other state agency, or the organized crime task force in the department of law, which is empowered to compel the attendance of witnesses and examine them under oath, to testify in an investigation, concerning any transaction or contract had with the state, any political subdivision thereof, a public authority or with any public department, agency or official of the state or of any political subdivision thereof or of a public authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract; OR (B) UPON THE CONVICTION OF ANY PERSON OF A CRIME DEFINED IN ARTICLE TWO HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW,

[(a)] (I) such person, and any firm, partnership or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with the state or any public department, agency or official thereof, for goods, work or services, for a period of five years after such refusal, A PERIOD OF FIVE YEARS UPON A CONVICTION OF A MISDEMEANOR DEFINED IN ARTICLE TWO HUNDRED OR ARTICLE FOUR HUNDRED NINETY-SIX OR AN ATTEMPT TO COMMIT A VIOLATION OF SECTION 195.20 OF THE PENAL LAW, PROVIDED THAT IN THE EVENT SUCH CONVICTION IS THE RESULT OF A PLEA AGREEMENT RESULTING IN A PLEA TO SUCH CHARGE IN LIEU OF A PLEA OR CONVICTION OF A FELONY DEFINED IN SECTION 195.20, ARTICLE TWO HUNDRED OR ARTICLE FOUR HUNDRED NINETY-SIX OF THE PENAL LAW, ALL PARTIES TO SUCH AGREEMENT MAY AGREE THAT THE PERIOD OF SUCH BAR MAY BE FOR A PERIOD OF UP TO TEN YEARS FROM THE DATE OF CONVICTION, OR UPON CONVICTION OF A FELONY DEFINED IN ARTICLE TWO HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW, FOR LIFE, ANY CONVICTED FIRM, PARTNERSHIP OR CORPORATION IS DISQUALIFIED FOR ITS EXISTENCE and to provide also that

[(b)] (II) any and all contracts made with the state or any public department, agency or official thereof, since the effective date of this law, by such person, and by any firm, partnership or corporation of which he is a member, partner, director or officer may be cancelled or terminated by the state without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the state for goods delivered or work done prior to the cancellation or termination shall be paid.

S 31. Section 139-b of the state finance law, as amended by chapter 268 of the laws of 1971, is amended to read as follows:

S 139-b. Disqualification to contract with state. 1. Any person who, when called before a grand jury, head of a state department, temporary state commission or other state agency, or the organized crime task force in the department of law, which is empowered to compel the attendance of witnesses and examine them under oath, to testify in an investigation, concerning any transaction or contract had with the state, any political subdivision thereof, a public authority or with a public department, agency or official of the state or of any political subdivision thereof or of a public authority, refuses to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract, and any firm, partnership or corporation of which [he] ANY SUCH PERSON is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with the state or any public department, agency or official thereof, for goods, work or services, for a period of five years after such refusal or until a disqualification shall be removed pursuant to the provisions of section one hundred thirty-nine-c of this article.

It shall be the duty of the officer conducting the investigation before the grand jury, the head of a state department, the [chairman] CHAIR of the temporary state commission or other state agency, or the organized crime task force in the department of law before which the refusal occurs to send notice of such refusal, together with the names of any firm, partnership or corporation of which the person so refusing is known to be a member, partner, officer or director, to the state commissioner of transportation, except in the event the investigation concerns a public building transaction or contract said notice shall be sent to the state commissioner of general services, and the appropriate

departments, agencies and officials of the state, political subdivisions thereof or public authorities with whom the person so refusing and any firm, partnership or corporation of which he is a member, partner, director or officer, is known to have a contract. However, when such refusal occurs before a body other than a grand jury, notice of refusal shall not be sent for a period of ten days after such refusal occurs. Prior to the expiration of this ten day period, any person, firm, partnership or corporation which has become liable to the cancellation or termination of a contract or disqualification to contract on account of such refusal may commence a special proceeding at a special term of the supreme court, held within the judicial district in which the refusal occurred, for an order determining whether the questions in response to which the refusal occurred were relevant and material to the inquiry. Upon the commencement of such proceeding, the sending of such notice of refusal to answer shall be subject to order of the court in which the proceeding was brought in a manner and on such terms as the court may deem just. If a proceeding is not brought within ten days, notice of refusal shall thereupon be sent as provided herein.

2. ANY PERSON WHO STANDS CONVICTED OF A FELONY DEFINED IN ARTICLE TWO HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW, AND ANY FIRM, PARTNERSHIP OR CORPORATION THAT STANDS CONVICTED OF SUCH CRIME SHALL BE DISQUALIFIED FROM THEREAFTER SELLING TO OR SUBMITTING BIDS TO OR RECEIVING AWARDS FROM OR ENTERING INTO ANY CONTRACTS WITH THE STATE OR ANY PUBLIC DEPARTMENT, AGENCY OR OFFICIAL THEREOF, FOR GOODS, WORK OR SERVICES. IN THE EVENT A PERSON OR FIRM, PARTNERSHIP OR CORPORATION IS SO CONVICTED, THE OFFICE RESPONSIBLE FOR PROSECUTING SUCH OFFENSE SHALL SEND NOTICE OF SUCH CONVICTION TO THE STATE COMMISSIONER OF GENERAL SERVICES, AND TO THE OFFICE OF THE STATE COMPTROLLER AND SUCH APPROPRIATE DEPARTMENTS, AGENCIES AND OFFICIALS OF THE STATE, POLITICAL SUBDIVISIONS THEREOF OR PUBLIC AUTHORITIES WITH WHOM THE PERSON OR THE FIRM, PARTNERSHIP OR CORPORATION IS KNOWN TO HAVE A CONTRACT.

S 31-a. Section 139-c of the state finance law is amended by adding a new subdivision 1-a to read as follows:

1-A. ANY FIRM, PARTNERSHIP, OR CORPORATION WHICH HAS BECOME SUBJECT TO THE CANCELLATION OR TERMINATION OF A CONTRACT OR DISQUALIFICATION TO CONTRACT ON ACCOUNT OF CONVICTION OF A CRIME DEFINED IN ARTICLE TWO HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW, AS PROVIDED IN SECTIONS ONE HUNDRED THIRTY-NINE-A AND ONE HUNDRED THIRTY-NINE-B OF THIS ARTICLE, MAY, UPON THIRTY DAYS' NOTICE TO THE DISTRICT ATTORNEY WHO CONDUCTED THE ACTION THAT LED TO THE CONVICTION, AND THE OFFICE OF THE STATE COMPTROLLER COMMENCE A SPECIAL PROCEEDING AT A SPECIAL TERM OF THE SUPREME COURT HELD WITHIN THE JUDICIAL DISTRICT IN WHICH THE CONVICTION WAS OBTAINED FOR AN ORDER DISCONTINUING SUCH DISQUALIFICATION. THE PETITION SHALL SET FORTH THE GROUNDS, INCLUDING THAT THE FIRM, PARTNERSHIP, OR CORPORATION HAS TAKEN SUFFICIENT ACTIONS TO REMOVE FROM RESPONSIBILITY OFFICERS AND EMPLOYEES WHO ENGAGED IN THE ACTIONS THAT FORMED THE BASIS OF THE CONVICTION, THAT THE FIRM, PARTNERSHIP, OR CORPORATION HAS TAKEN APPROPRIATE AND SUFFICIENT ACTIONS TO ENSURE THAT THE ACTIONS THAT FORMED THE BASIS OF THE CONVICTION ARE UNLIKELY TO RECUR, AND THAT IT WILL NOT BE IN THE PUBLIC INTEREST TO CANCEL OR TERMINATE PETITIONER'S CONTRACTS OR TO CONTINUE THE DISQUALIFICATION, AS PROVIDED IN SECTIONS ONE HUNDRED THIRTY-NINE-A AND ONE HUNDRED THIRTY-NINE-B OF THIS ARTICLE; PROVIDED FURTHER, AT ANY TIME AFTER SUCH CANCELLATION OR DISQUALIFICATION ANY SUCH FIRM, PARTNERSHIP OR CORPORATION MAY APPLY TO THE SUPREME COURT, UPON NOTICE AS PROVIDED

HEREIN FOR AN IMMEDIATE TERMINATION OF DISQUALIFICATION UPON A REVERSAL OF THE CONVICTION UPON WHICH THE DEBARMENT WAS IMPOSED.

S 31-b. Section 3 of the public officers law is amended by adding a new subdivision 1-a to read as follows:

1-A. (I) NO PERSON SHALL BE CAPABLE OF HOLDING A CIVIL OFFICE WHO SHALL STAND CONVICTED OF A FELONY DEFINED IN ARTICLE TWO HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW.

(II) ANY INDIVIDUAL WHO STANDS CONVICTED OF A MISDEMEANOR DEFINED IN ARTICLE TWO HUNDRED, ARTICLE FOUR HUNDRED NINETY-SIX OR SECTION 195.00 OF THE PENAL LAW MAY NOT HOLD CIVIL OFFICE FOR A PERIOD OF FIVE YEARS FROM THE DATE OF CONVICTION, PROVIDED THAT IN THE EVENT SUCH CONVICTION IS THE RESULT OF A PLEA AGREEMENT RESULTING IN A PLEA TO SUCH CHARGE IN LIEU OF A PLEA OR CONVICTION OF A FELONY DEFINED IN SECTION 195.20, ARTICLE TWO HUNDRED OR ARTICLE FOUR HUNDRED NINETY-SIX OF THE PENAL LAW, ALL PARTIES TO SUCH AGREEMENT MAY AGREE THAT THE PERIOD OF SUCH BAR MAY BE FOR A PERIOD OF UP TO TEN YEARS FROM THE DATE OF CONVICTION.

S 32. Intentionally omitted.

S 33. Intentionally omitted.

S 34. Intentionally omitted.

S 35. Intentionally omitted.

S 36. The tax law is amended by adding a new section 41 to read as follows:

S 41. LIMITATIONS ON TAX CREDIT ELIGIBILITY. ANY TAXPAYER WHO STANDS CONVICTED, OR WHO IS A SHAREHOLDER OF AN S CORPORATION OR PARTNER IN A PARTNERSHIP WHICH IS CONVICTED, OF AN OFFENSE DEFINED IN ARTICLE TWO HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW SHALL NOT BE ELIGIBLE FOR ANY TAX CREDIT ALLOWED UNDER ARTICLE NINE, NINE-A, THIRTY-TWO OR THIRTY-THREE OF THIS CHAPTER OR ANY BUSINESS TAX CREDIT ALLOWED UNDER ARTICLE TWENTY-TWO OF THIS CHAPTER. FOR PURPOSES OF THIS SECTION, A BUSINESS TAX CREDIT ALLOWED UNDER ARTICLE TWENTY-TWO OF THIS CHAPTER IS A TAX CREDIT ALLOWED TO TAXPAYERS UNDER ARTICLE TWENTY-TWO WHICH IS SUBSTANTIALLY SIMILAR TO A TAX CREDIT ALLOWED TO TAXPAYERS UNDER ARTICLE NINE-A OF THIS CHAPTER. IN THE EVENT A PERSON OR FIRM, PARTNERSHIP OR CORPORATION IS CONVICTED OF AN OFFENSE DEFINED IN ARTICLE TWO HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.00 OF THE PENAL LAW, THE OFFICE RESPONSIBLE FOR PROSECUTING SUCH OFFENSE SHALL SEND NOTICE OF SUCH CONVICTION, TOGETHER WITH THE NAMES OF ANY FIRM, PARTNERSHIP OR CORPORATION OF WHICH THE PERSON IS KNOWN TO BE A MEMBER, PARTNER, OFFICER OR DIRECTOR, TO THE COMMISSIONER.

S 37. Paragraph 8 of subdivision 3 of section 73-a of the public officers law, as amended by section 5 of part A of chapter 399 of the laws of 2011, is amended to read as follows:

8. (a) If the reporting individual practices law, is licensed by the department of state as a real estate broker or agent or practices a profession licensed by the department of education, or works as a member or employee of a firm required to register pursuant to section one-e of the legislative law as a lobbyist, give a general description of the principal subject areas of matters undertaken by such individual. Additionally, if such an individual practices with a firm or corporation and is a partner or shareholder of the firm or corporation, give a general description of principal subject areas of matters undertaken by such firm or corporation.

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(b) APPLICABLE ONLY TO NEW CLIENTS OR CUSTOMERS FOR WHOM SERVICES ARE PROVIDED ON OR AFTER JULY FIRST, TWO THOUSAND TWELVE, OR FOR NEW MATTERS FOR EXISTING CLIENTS OR CUSTOMERS WITH RESPECT TO THOSE SERVICES THAT ARE PROVIDED ON OR AFTER JULY FIRST, TWO THOUSAND TWELVE:

If the reporting individual personally provides services to any person or entity, or works as a member or employee of a partnership or corporation that provides such services (referred to hereinafter as a "firm"), then identify each client or customer to whom the reporting individual personally provided services, or who was referred to the firm by the reporting individual, and from whom the reporting individual or his or her firm earned fees in excess of $10,000 during the reporting period for such services rendered in direct connection with:

(i) A proposed bill or resolution in the senate or assembly during the reporting period;

(ii) A contract in an amount totaling $50,000 or more from the state or any state agency for services, materials, or property;

(iii) A grant of $25,000 or more from the state or any state agency during the reporting period;

(iv) A grant obtained through a legislative initiative during the reporting period; or

(v) A case, proceeding, application or other matter that is not a ministerial matter before a state agency during the reporting period.

For purposes of this question, "referred to the firm" shall mean: having intentionally and knowingly taken a specific act or series of acts to intentionally procure for the reporting individual's firm or knowingly solicit or direct to the reporting individual's firm in whole or substantial part, a person or entity that becomes a client of that firm for the purposes of representation for a matter as defined in subparagraphs (i) through (v) of this paragraph, as the result of such procurement, solicitation or direction of the reporting individual. A reporting individual need not disclose activities performed while lawfully acting pursuant to paragraphs (c), (d), (e) and (f) of subdivision seven of section seventy-three of this article.

The disclosure requirement in this question shall not require disclosure of clients or customers receiving medical or dental services, mental health services, residential real estate brokering services, or insurance brokering services from the reporting individual or his or her firm. The reporting individual need not identify any client to whom he or she or his or her firm provided legal representation with respect to investigation or prosecution by law enforcement authorities, bankruptcy, or domestic relations matters. With respect to clients represented in other matters, where disclosure of a client's identity is likely to cause harm, the reporting individual shall request an exemption from the joint commission pursuant to paragraph (i) of subdivision nine of section ninety-four of the executive law. Only a reporting individual who first enters public office after July first, two thousand twelve, need not report clients or customers with respect to matters for which the reporting individual or his or her firm was retained prior to entering public office.

Client Nature of Services Provided

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(c) APPLICABLE ONLY TO NEW CLIENTS OR CUSTOMERS FOR WHOM SERVICES ARE PROVIDED ON OR AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN, OR FOR NEW MATTERS FOR EXISTING CLIENTS OR CUSTOMERS WITH RESPECT TO THOSE SERVICES THAT ARE PROVIDED ON OR AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN:

IF THE REPORTING INDIVIDUAL RECEIVES INCOME OF FIFTY THOUSAND DOLLARS OR GREATER FROM ANY EMPLOYMENT OR ACTIVITY REPORTABLE UNDER QUESTION 8(A), IDENTIFY EACH REGISTERED LOBBYIST WHO HAS DIRECTLY REFERRED TO SUCH INDIVIDUAL A CLIENT WHO WAS SUCCESSFULLY REFERRED TO THE REPORTING INDIVIDUAL'S BUSINESS AND FROM WHOM THE REPORTING INDIVIDUAL OR FIRM RECEIVED A FEE FOR SERVICES IN EXCESS OF TEN THOUSAND DOLLARS. REPORT ONLY THESE REFERRALS THAT WERE MADE TO A REPORTING INDIVIDUAL BY DIRECT COMMUNICATION FROM A PERSON KNOWN TO SUCH REPORTING INDIVIDUAL TO BE A REGISTERED LOBBYIST AT THE TIME THE REFERRAL IS MADE. WITH RESPECT TO EACH SUCH REFERRAL, THE REPORTING INDIVIDUAL SHALL IDENTIFY THE REGISTERED LOBBYIST WHO HAS MADE THE REFERRAL, THE CATEGORY OF VALUE OF THE COMPENSATION RECEIVED AND A GENERAL DESCRIPTION OF THE TYPE OF MATTER SO REFERRED. A REPORTING INDIVIDUAL NEED NOT DISCLOSE ACTIVITIES PERFORMED WHILE LAWFULLY ACTING PURSUANT TO PARAGRAPHS (C), (D), (E) AND (F) OF SUBDIVISION SEVEN OF SECTION SEVENTY-THREE OF THIS ARTICLE. THE DISCLOSURE REQUIREMENTS IN THIS QUESTION SHALL NOT REQUIRE DISCLOSURE OF CLIENTS OR CUSTOMERS RECEIVING MEDICAL OR DENTAL SERVICES, MENTAL HEALTH SERVICES, RESIDENTIAL REAL ESTATE BROKERING SERVICES, OR INSURANCE BROKERING SERVICES FROM THE REPORTING INDIVIDUAL OR HIS OR HER FIRM. THE REPORTING INDIVIDUAL NEED NOT IDENTIFY ANY CLIENT TO WHOM HE OR SHE OR HIS OR HER FIRM PROVIDED LEGAL REPRESENTATION WITH RESPECT TO INVESTIGATION OR PROSECUTION BY LAW ENFORCEMENT AUTHORITIES, BANKRUPTCY, OR DOMESTIC RELATIONS MATTERS. WITH RESPECT TO CLIENTS REPRESENTED IN OTHER MATTERS, THE REPORTING INDIVIDUAL SHALL REQUEST AN EXEMPTION FROM THE JOINT COMMISSION, WHICH SHALL BE GRANTED FOR GOOD CAUSE SHOWN. FOR THE PURPOSES OF THIS QUESTION, GOOD CAUSE MAY BE SHOWN BY CIRCUMSTANCES INCLUDING, BUT NOT LIMITED TO, WHERE DISCLOSURE OF A CLIENT'S IDENTITY WOULD REVEAL TRADE SECRETS OR HAVE A NEGATIVE IMPACT ON THE CLIENT'S BUSINESS INTERESTS, WOULD CAUSE EMBARRASSMENT FOR THE CLIENT, COULD REASONABLY RESULT IN RETALIATION AGAINST THE CLIENT, OR WOULD TEND TO REVEAL NON-PUBLIC MATTERS REGARDING A CRIMINAL INVESTIGATION. ONLY A REPORTING INDIVIDUAL WHO FIRST ENTERS PUBLIC OFFICE AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN, NEED NOT REPORT CLIENTS OR CUSTOMERS WITH RESPECT TO MATTERS FOR WHICH THE REPORTING INDIVIDUAL OR HIS OR HER FIRM WAS RETAINED PRIOR TO ENTERING PUBLIC OFFICE.

CLIENT NAME OF LOBBYIST CATEGORY OF AMOUNT (IN TABLE 1)

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_____
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_____

(D) List the name, principal address and general description or the nature of the business activity of any entity in which the reporting individual or such individual's spouse had an investment in excess of $1,000 excluding investments in securities and interests in real property.

S 38. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

S 39. This act shall take effect on the thirtieth day after it shall have become a law and shall only apply to acts committed on or after such date.

SUBPART B

Section 1. Subdivision 1 of section 14-126 of the election law, as amended by section 3 of part E of chapter 399 of the laws of 2011, is amended to read as follows:

1. Any person who fails to file a statement required to be filed by this article shall be subject to a civil penalty, not in excess of one thousand dollars, to be recoverable in a special proceeding or civil action to be brought by the state board of elections [or other board of elections] CHIEF ENFORCEMENT COUNSEL PURSUANT TO SECTION 16-114 OF THIS CHAPTER. Any person who, three or more times within a given election cycle for such term of office, fails to file a statement or statements required to be filed by this article, shall be subject to a civil penalty, not in excess of ten thousand dollars, to be recoverable as provided for in this subdivision.

S 2. Subdivision 3 of section 3-100 of the election law, as amended by chapter 220 of the laws of 2005, is amended to read as follows:

3. The commissioners of the state board of elections shall have no other public employment. The commissioners shall receive an annual salary of twenty-five thousand dollars, within the amounts made available therefor by appropriation. The board shall, for the purposes of sections seventy-three and seventy-four of the public officers law, be a "state agency", and such commissioners shall be "officers" of the state board of elections for the purposes of such sections. Within the amounts made available by appropriation therefor, the state board of elections shall appoint two co-executive directors, and such other staff members as are necessary in the exercise of its functions, and may fix their compensation. [Anytime after the effective date of the chapter of the laws of two thousand five which amended this subdivision, the] THE commissioners or, in the case of a vacancy on the board, the commissioner of each of the major political parties shall appoint one co-executive director. Each co-executive director shall serve a term of four years. ANY VACANCY IN THE OFFICE OF CO-EXECUTIVE DIRECTOR shall be filled by the commissioners or, in the case of a vacancy on the board, the commissioner of the same major political party as the vacating incumbent for the remaining period of the term of such vacating incumbent.

S 2-a. Section 3-100 of the election law is amended by adding a new subdivision 3-a to read as follows:

3-A. THERE IS ESTABLISHED WITHIN THE STATE BOARD OF ELECTIONS THE OFFICE OF CHIEF ENFORCEMENT COUNSEL TO HEAD THE DIVISION OF ELECTION LAW ENFORCEMENT. SUCH COUNSEL SHALL SERVE IN SAID OFFICE FOR A FIXED TERM OF FIVE YEARS COMMENCING SEPTEMBER FIRST, TWO THOUSAND FOURTEEN, AND MAY ONLY BE REMOVED BY THE GOVERNOR FOR SUBSTANTIAL NEGLECT OF DUTY, GROSS MISCONDUCT IN OFFICE, OR THE INABILITY TO DISCHARGE THE POWERS OR DUTIES OF OFFICE, UPON NOTICE WITH AN OPPORTUNITY TO BE HEARD. THE CHIEF ENFORCEMENT COUNSEL SHALL HAVE SOLE AUTHORITY OVER PERSONNEL DECISIONS WITHIN THE ENFORCEMENT DIVISION. ALL HIRING DECISIONS MADE BY THE CHIEF ENFORCEMENT COUNSEL SHALL BE MADE WITHOUT REGARD TO POLITICAL AFFILIATION. THE CHIEF ENFORCEMENT COUNSEL SHALL NOT HOLD ANY OTHER PUBLIC OFFICE, BE A PARTY OFFICER DURING HIS OR HER TERM OF OFFICE, OR OTHERWISE ENGAGE IN OUTSIDE EMPLOYMENT. HE OR SHE SHALL BE CHOSEN BY THE GOVERNOR WHICH CHOICE SHALL BE CONFIRMED BY EACH HOUSE OF THE LEGISLATURE SEPARATELY BY A MAJORITY VOTE OF THE MEMBERS ELECTED TO EACH HOUSE OF THE LEGISLATURE.

S 3. Subdivision 3 and paragraph (c) of subdivision 9-A of section 3-102 of the election law, subdivision 3 as amended by chapter 9 of the laws of 1978 and paragraph (c) of subdivision 9-A as added by chapter 430 of the laws of 1997, are amended to read as follows:

3. conduct any investigation necessary to carry out the provisions of this chapter, PROVIDED, HOWEVER, THAT THE STATE BOARD OF ELECTIONS CHIEF ENFORCEMENT COUNSEL, ESTABLISHED PURSUANT TO SECTION 3-100 OF THIS ARTICLE, SHALL CONDUCT ALL INVESTIGATIONS NECESSARY TO ENFORCE THE PROVISIONS OF THIS CHAPTER;

(c) establish [a] AN EDUCATIONAL AND training program on ALL REPORTING REQUIREMENTS INCLUDING BUT NOT LIMITED TO the electronic reporting process and make it EASILY AND READILY available to any such candidate or committee;

S 4. Section 3-104 of the election law, subdivisions 1, 3, 4 and 5 as redesignated and subdivision 2 as amended by chapter 9 of the laws of 1978, is amended to read as follows:

S 3-104. State board of elections; enforcement powers.

1. (A) THERE SHALL BE A UNIT KNOWN AS THE DIVISION OF ELECTION LAW ENFORCEMENT ESTABLISHED WITHIN THE STATE BOARD OF ELECTIONS. THE HEAD OF SUCH UNIT SHALL BE THE CHIEF ENFORCEMENT COUNSEL.

(B) The state board of elections shall have jurisdiction of, and be responsible for, the execution and enforcement of the provisions of article fourteen of this chapter and other statutes governing campaigns, elections and related procedures; PROVIDED HOWEVER THAT THE CHIEF ENFORCEMENT COUNSEL SHALL HAVE SOLE AUTHORITY WITHIN THE STATE BOARD OF ELECTIONS TO INVESTIGATE ON HIS OR HER OWN INITIATIVE OR UPON COMPLAINT ALLEGED VIOLATIONS OF SUCH STATUTES AND ALL COMPLAINTS ALLEGING VIOLATIONS SHALL BE FORWARDED TO THE DIVISION OF ELECTION LAW ENFORCEMENT.

2. (A) Whenever [the state board of elections or other] A LOCAL board of elections shall determine, on its own initiative or upon complaint, or otherwise, that there is substantial reason to believe a violation of this chapter or any code or regulation promulgated thereunder has [occurred] BEEN COMMITTED BY A CANDIDATE OR POLITICAL COMMITTEE OR OTHER PERSON OR ENTITY THAT FILES STATEMENTS REQUIRED BY ARTICLE FOURTEEN OF THIS CHAPTER SOLELY WITH SUCH LOCAL BOARD, it shall expeditiously make an investigation which shall also include investigation of reports and statements made or failed to be made by the complainant and any political committee supporting his candidacy if the complainant is a candidate or, if the complaint was made by an officer or member of a poli-

tical committee, of reports and statements made or failed to be made by such political committee and any candidates supported by it. [The state board of elections, in lieu of making such an investigation, may direct the appropriate board of elections to make an investigation.] THE LOCAL BOARD SHALL REPORT THE RESULTS OF ITS INVESTIGATION TO THE DIVISION OF ELECTION LAW ENFORCEMENT CHIEF ENFORCEMENT COUNSEL WITHIN NINETY DAYS OF THE START OF SUCH INVESTIGATION. THE CHIEF ENFORCEMENT COUNSEL MAY DIRECT THE LOCAL BOARD OF ELECTIONS AT ANY TIME TO SUSPEND ITS INVESTIGATION SO THAT THE DIVISION OF ELECTION LAW ENFORCEMENT CAN INVESTIGATE THE MATTER.

(B) The [state board of elections] CHIEF ENFORCEMENT COUNSEL may request, and shall receive, the assistance of the state police in any investigation it shall conduct.

3. [If, after an investigation, the state or other board of elections finds reasonable cause to believe that a violation warranting criminal prosecution has taken place, it shall forthwith refer the matter to the district attorney of the appropriate county and shall make available to such district attorney all relevant papers, documents, testimony and findings relevant to its investigation.

4. The state or other board of elections may, where appropriate, commence a judicial proceeding with respect to the filing or failure to file any statement of receipts, expenditures, or contributions, under the provisions of this chapter, and the state board of elections may direct the appropriate other board of elections to commence such proceeding.

5.] UPON RECEIPT OF A COMPLAINT AND SUPPORTING INFORMATION ALLEGING ANY VIOLATION OF THIS CHAPTER, OR UPON HIS OR HER OWN INITIATIVE, THE CHIEF ENFORCEMENT COUNSEL SHALL DETERMINE IF AN INVESTIGATION SHOULD BE UNDERTAKEN. THE CHIEF ENFORCEMENT COUNSEL SHALL, IF NECESSARY, OBTAIN ADDITIONAL INFORMATION FROM THE COMPLAINANT OR FROM OTHER SOURCES TO ASSIST SUCH COUNSEL IN MAKING THIS DETERMINATION. SUCH ANALYSIS SHALL INCLUDE THE FOLLOWING: FIRST, WHETHER THE ALLEGATIONS, IF TRUE, WOULD CONSTITUTE A VIOLATION OF THIS CHAPTER AND, SECOND, WHETHER THE ALLEGATIONS ARE SUPPORTED BY CREDIBLE EVIDENCE. THE CHIEF ENFORCEMENT COUNSEL MAY AT ANY TIME ASK THAT THE BOARD AUTHORIZE HIM OR HER TO EXERCISE THE POWERS WHICH THE BOARD IS OTHERWISE AUTHORIZED TO EXERCISE PURSUANT TO SUBDIVISIONS FIVE AND SIX OF SECTION 3-102 OF THIS TITLE. THE BOARD SHALL VOTE ON WHETHER TO GRANT OR REFUSE TO GRANT SUCH AUTHORITY NO LATER THAN TWENTY DAYS AFTER THE CHIEF ENFORCEMENT COUNSEL MAKES SUCH REQUEST. FOR PURPOSES OF CONSIDERING AND VOTING ON SUCH REQUEST, THE CHIEF ENFORCEMENT COUNSEL SHALL BE ENTITLED TO PARTICIPATE IN ALL MATTERS RELATED THERETO AND SHALL VOTE ON THE BOARD'S GRANTING OR REFUSAL TO GRANT SUCH REQUEST ONLY WHEN THERE IS A TIE. SHOULD THE BOARD NOT VOTE ON SUCH REQUEST WITHIN TWENTY DAYS OF ITS SUBMISSION, OR GRANT THE CHIEF ENFORCEMENT COUNSEL'S REQUEST, THE CHIEF ENFORCEMENT COUNSEL SHALL BE SO EMPOWERED TO ACT PURSUANT TO SUBDIVISIONS FIVE AND SIX OF SECTION 3-102 OF THIS TITLE.

4. IF THE CHIEF ENFORCEMENT COUNSEL DETERMINES THAT THE ALLEGATIONS, IF TRUE, WOULD NOT CONSTITUTE A VIOLATION OF THIS CHAPTER OR THAT THE ALLEGATIONS ARE NOT SUPPORTED BY CREDIBLE EVIDENCE, HE OR SHE SHALL ISSUE A LETTER FORTHWITH TO THE COMPLAINANT DISMISSING THE COMPLAINT AND NOTICE TO THE BOARD.

5. (A) IF, AN INDIVIDUAL HAS FAILED TO CURE PURSUANT TO SECTION 3-104-A OF THIS TITLE, OR THE CHIEF ENFORCEMENT COUNSEL DETERMINES THAT SUBSTANTIAL REASON EXISTS TO BELIEVE THAT A PERSON, ACTING AS OR ON BEHALF OF A CANDIDATE OR POLITICAL COMMITTEE UNDER CIRCUMSTANCES EVINC-

ING AN INTENT TO VIOLATE SUCH LAW THAT DOES NOT OTHERWISE WARRANT CRIMINAL PROSECUTION, OR HAS UNLAWFULLY VIOLATED ANY PROVISION OF THIS CHAPTER, THE BOARD SHALL ASSIGN A HEARING OFFICER, RANDOMLY FROM A LIST OF PROSPECTIVE HEARING OFFICERS EACH OF WHOM SHALL HAVE BEEN APPROVED BY A MAJORITY VOTE OF THE BOARD. THE CHIEF ENFORCEMENT COUNSEL SHALL PROVIDE A WRITTEN REPORT TO SUCH HEARING OFFICER AS TO: (1) WHETHER SUBSTANTIAL REASON EXISTS TO BELIEVE A VIOLATION OF THIS CHAPTER HAS OCCURRED AND, IF SO, THE NATURE OF THE VIOLATION AND ANY APPLICABLE PENALTY, BASED ON THE NATURE OF THE VIOLATION; (2) WHETHER THE MATTER SHOULD BE RESOLVED EXTRA-JUDICIALLY; AND (3) WHETHER A SPECIAL PROCEEDING SHOULD BE COMMENCED IN THE SUPREME COURT TO RECOVER A CIVIL PENALTY. THE HEARING OFFICER SHALL MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED ON A PREPONDERANCE OF THE EVIDENCE AS TO WHETHER A VIOLATION HAS BEEN ESTABLISHED AND, IF SO, WHO IS GUILTY OF SUCH VIOLATION ON NOTICE TO AND WITH AN OPPORTUNITY FOR THE INDIVIDUAL OR ENTITY ACCUSED OF ANY VIOLATIONS TO BE HEARD. HOWEVER, IF THE HEARING OFFICER FINDS THAT ON BALANCE, THE EQUITIES FAVOR A DISMISSAL OF THE COMPLAINT, THE HEARING OFFICER SHALL DISMISS THE CHARGES. IN DETERMINING WHETHER THE EQUITIES FAVOR A DISMISSAL, THE HEARING OFFICER SHALL CONSIDER THE FOLLOWING FACTORS: (1) WHETHER THE COMPLAINT ALLEGES A DE MINIMIS VIOLATION OF ARTICLE FOURTEEN OF THIS CHAPTER; (2) WHETHER THE SUBJECT OF THE COMPLAINT HAS MADE A GOOD FAITH EFFORT TO CORRECT THE VIOLATION; AND (3) WHETHER THE SUBJECT OF THE COMPLAINT HAS A HISTORY OF SIMILAR VIOLATIONS. FOR PURPOSES OF MAKING ANY SUCH FINDINGS UNDER THIS SUBDIVISION, PROCEEDINGS BEFORE THE HEARING OFFICER SHALL BE GOVERNED BY ARTICLE THREE OF THE STATE ADMINISTRATIVE PROCEDURE ACT. THE CHIEF ENFORCEMENT COUNSEL SHALL ADOPT THE REPORT OF THE HEARING OFFICER AND MAY, IN HIS OR HER DISCRETION, COMMENCE A SPECIAL PROCEEDING IN THE SUPREME COURT PURSUANT TO SECTIONS 16-100, 16-114 AND 16-116 OF THIS CHAPTER SHOULD THE FINDINGS OF FACT AND CONCLUSIONS OF LAW SUPPORT THE COMMENCEMENT OF SUCH PROCEEDING OR ENTER INTO AN AGREEMENT TO SETTLE SUCH MATTER WITH THE SUBJECT OF THE COMPLAINT. IN THE EVENT THE CHIEF ENFORCEMENT COUNSEL COMMENCES A SPECIAL PROCEEDING, THE COURT SHALL AFFORD THE SUBJECT OF THE COMPLIANT AN OPPORTUNITY TO BE HEARD AND SHALL BE EMPOWERED TO ACCEPT, REJECT OR MODIFY THE FINDINGS OF FACT AND CONCLUSIONS OF LAW MADE BY THE HEARING OFFICER. IF THE BOARD FAILS TO PRODUCE A LIST OF ELIGIBLE HEARING OFFICERS, THE CHIEF ENFORCEMENT COUNSEL MAY COMMENCE A SPECIAL PROCEEDING AS PROVIDED HEREIN IN ACCORDANCE WITH RECOMMENDATIONS MADE IN HIS OR HER REPORT.

(B) IF THE CHIEF ENFORCEMENT COUNSEL DETERMINES THAT REASONABLE CAUSE EXISTS TO BELIEVE A VIOLATION WARRANTING CRIMINAL PROSECUTION HAS TAKEN PLACE, THE CHIEF ENFORCEMENT COUNSEL SHALL PRESENT SUCH FINDINGS TO THE BOARD. WITHIN THIRTY DAYS OF SUCH SUBMISSION, THE BOARD SHALL VOTE ON WHETHER TO ACCEPT OR REJECT SUCH FINDINGS. FOR PURPOSES OF VOTING ON ACCEPTANCE OR REJECTION OF FINDINGS BY THE CHIEF ENFORCEMENT COUNSEL, THE CHIEF ENFORCEMENT COUNSEL SHALL BE ENTITLED TO PARTICIPATE IN ALL MATTERS RELATED TO THE REVIEW OF HIS OR HER REPORT AND SHALL VOTE ON ITS ACCEPTANCE OR REJECTION ONLY WHEN THERE IS A TIE. SHOULD THE BOARD FAIL TO VOTE TO EITHER ACCEPT OR REJECT THE FINDINGS WITHIN THIRTY DAYS OF SUBMISSION OF SUCH FINDINGS, OR SHOULD THE BOARD ACCEPT THE FINDINGS BY THE CHIEF ENFORCEMENT COUNSEL THAT THERE IS REASONABLE CAUSE TO BELIEVE THAT A VIOLATION WARRANTING CRIMINAL PROSECUTION HAS TAKEN PLACE, THE CHIEF ENFORCEMENT COUNSEL SHALL, FORTHWITH, AND IN ANY EVENT NO LATER THAN SEVEN CALENDAR DAYS OF SUCH FAILURE TO ACCEPT OR REJECT THE FINDINGS BY THE BOARD, REFER SUCH MATTER TO THE ATTORNEY GENERAL OR DISTRICT

ATTORNEY WITH JURISDICTION OVER SUCH MATTER TO COMMENCE A CRIMINAL ACTION AS SUCH TERM IS DEFINED IN THE CRIMINAL PROCEDURE LAW.

6. UPON NOTIFICATION THAT A SPECIAL PROCEEDING HAS BEEN COMMENCED BY A PARTY OTHER THAN THE STATE BOARD OF ELECTIONS, PURSUANT TO SECTION 16-114 OF THIS CHAPTER, THE CHIEF ENFORCEMENT COUNSEL SHALL INVESTIGATE THE ALLEGED VIOLATIONS UNLESS OTHERWISE DIRECTED BY THE COURT.

7. THE CHIEF ENFORCEMENT COUNSEL SHALL PREPARE A REPORT TO BE INCLUDED IN THE ANNUAL REPORT OF THE BOARD TO THE GOVERNOR, THE STATE BOARD OF ELECTIONS AND LEGISLATURE, SUMMARIZING THE ACTIVITIES OF THE UNIT DURING THE PREVIOUS YEAR.

8. The state board of elections may promulgate rules and regulations consistent with law to effectuate the provisions of this section.

S 5. The election law is amended by adding a new section 3-104-a to read as follows:

S 3-104-A. COMPLIANCE UNIT; COMPLIANCE PROCEDURES. 1. THERE SHALL BE A COMPLIANCE UNIT WITHIN THE BOARD OF ELECTIONS. THE COMPLIANCE UNIT SHALL EXAMINE CAMPAIGN FINANCE STATEMENTS REQUIRED TO BE FILED PURSUANT TO ARTICLE FOURTEEN OF THIS CHAPTER. IF SUCH STATEMENTS ARE FOUND TO BE DEFICIENT, THE COMPLIANCE UNIT SHALL NOTIFY THE PERSON REQUIRED TO FILE SUCH STATEMENT OF SUCH DEFICIENCY. SUCH NOTICE SHALL BE IN WRITING AND MAILED TO THE LAST KNOWN RESIDENCE OR BUSINESS ADDRESS OF SUCH PERSON BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED. IF THE PERSON REQUIRED TO FILE SUCH STATEMENT IS A TREASURER WHO HAS STATED THAT THE COMMITTEE HAS BEEN AUTHORIZED BY ONE OR MORE CANDIDATES, A COPY OF SUCH NOTICE SHALL BE SENT TO EACH CANDIDATE BY FIRST CLASS MAIL.

2. UPON A FAILURE TO REMEDY THE DEFICIENCIES IDENTIFIED BY THE COMPLIANCE UNIT WITHIN THIRTY DAYS OF THE RECEIPT OF SUCH NOTICE THE CHIEF ENFORCEMENT COUNSEL MAY PROCEED PURSUANT TO SUBDIVISION FIVE OF SECTION 3-104 OF THIS TITLE. IF SUCH NOTICE IS RECEIVED WITHIN THIRTY DAYS OF AN ELECTION, FAILURE TO REMEDY THE DEFICIENCIES IDENTIFIED WITHIN SEVEN DAYS OF THE RECEIPT OF SUCH NOTICE THE CHIEF ENFORCEMENT COUNSEL MAY PROCEED PURSUANT TO SUBDIVISION FIVE OF SECTION 3-104 OF THIS TITLE.

S 6. This act shall take effect on the ninetieth day after it shall have become a law.

SUBPART C

Section 1. Section 14-100 of the election law is amended by adding three new subdivisions 12, 13 and 14 to read as follows:

12. "CLEARLY IDENTIFIED CANDIDATE" MEANS THAT:

(A) THE NAME OF THE CANDIDATE INVOLVED APPEARS;

(B) A PHOTOGRAPH OR DRAWING OF THE CANDIDATE APPEARS; OR

(C) THE IDENTITY OF THE CANDIDATE IS APPARENT BY UNAMBIGUOUS REFERENCE.

13. "GENERAL PUBLIC AUDIENCE" MEANS AN AUDIENCE COMPOSED OF MEMBERS OF THE PUBLIC, INCLUDING A TARGETED SUBGROUP OF MEMBERS OF THE PUBLIC; PROVIDED, HOWEVER, IT DOES NOT MEAN AN AUDIENCE SOLELY COMPRISED OF MEMBERS, RETIREES AND STAFF OF A LABOR ORGANIZATION OR MEMBERS OF THEIR HOUSEHOLDS OR AN AUDIENCE SOLELY COMPRISED OF EMPLOYEES OF A CORPORATION, UNINCORPORATED BUSINESS ENTITY OR MEMBERS OF A BUSINESS, TRADE OR PROFESSIONAL ASSOCIATION OR ORGANIZATION.

14. "LABOR ORGANIZATION" MEANS ANY ORGANIZATION OF ANY KIND WHICH EXISTS FOR THE PURPOSE, IN WHOLE OR IN PART, OF REPRESENTING EMPLOYEES EMPLOYED WITHIN THE STATE OF NEW YORK IN DEALING WITH EMPLOYERS OR EMPLOYER ORGANIZATIONS OR WITH A STATE GOVERNMENT, OR ANY POLITICAL OR CIVIL SUBDIVISION OR OTHER AGENCY THEREOF, CONCERNING TERMS AND CONDI-

TIONS OF EMPLOYMENT, GRIEVANCES, LABOR DISPUTES, OR OTHER MATTERS INCIDENTAL TO THE EMPLOYMENT RELATIONSHIP. FOR THE PURPOSES OF THIS ARTICLE, EACH LOCAL, PARENT NATIONAL OR PARENT INTERNATIONAL ORGANIZATION OF A STATEWIDE LABOR ORGANIZATION, AND EACH STATEWIDE FEDERATION RECEIVING DUES FROM SUBSIDIARY LABOR ORGANIZATIONS, SHALL BE CONSIDERED A SEPARATE LABOR ORGANIZATION.

S 2. Intentionally omitted.

S 3. Section 14-106 of the election law, as amended by section 2 of part E of chapter 399 of the laws of 2011, is amended to read as follows:

S 14-106. Political communication. The statements required to be filed under the provisions of this article next succeeding a primary, general or special election shall be accompanied by a copy of all broadcast, cable or satellite schedules and scripts, internet, print and other types of advertisements, pamphlets, circulars, flyers, brochures, letterheads and other printed matter purchased or produced, AND REPRODUCTIONS OF STATEMENTS OR INFORMATION PUBLISHED TO FIVE HUNDRED OR MORE MEMBERS OF A GENERAL PUBLIC AUDIENCE BY COMPUTER OR OTHER ELECTRONIC DEVICE INCLUDING BUT NOT LIMITED TO ELECTRONIC MAIL OR TEXT MESSAGE, purchased in connection with such election by or under the authority of the person filing the statement or the committee or the person on whose behalf it is filed, as the case may be. Such copies, schedules and scripts shall be preserved by the officer with whom or the board with which it is required to be filed for a period of one year from the date of filing thereof.

S 4. The election law is amended by adding a new section 14-107 to read as follows:

S 14-107. INDEPENDENT EXPENDITURE REPORTING. 1. FOR PURPOSES OF THIS ARTICLE:

(A) "INDEPENDENT EXPENDITURE" MEANS AN EXPENDITURE MADE BY A PERSON CONVEYED TO FIVE HUNDRED OR MORE MEMBERS OF A GENERAL PUBLIC AUDIENCE IN THE FORM OF (I) AN AUDIO OR VIDEO COMMUNICATION VIA BROADCAST, CABLE OR SATELLITE, (II) A WRITTEN COMMUNICATION VIA ADVERTISEMENTS, PAMPHLETS, CIRCULARS, FLYERS, BROCHURES, LETTERHEADS OR (III) OTHER PUBLISHED STATEMENTS WHICH: (I) IRRESPECTIVE OF WHEN SUCH COMMUNICATION IS MADE, CONTAINS WORDS SUCH AS "VOTE," "OPPOSE," "SUPPORT," "ELECT," "DEFEAT," OR "REJECT," WHICH CALL FOR THE ELECTION OR DEFEAT OF THE CLEARLY IDENTIFIED CANDIDATE, OR (II) REFERS TO AND ADVOCATES FOR OR AGAINST A CLEARLY IDENTIFIED CANDIDATE OR BALLOT PROPOSAL ON OR AFTER JANUARY FIRST OF THE YEAR OF THE ELECTION IN WHICH SUCH CANDIDATE IS SEEKING OFFICE OR SUCH PROPOSAL SHALL APPEAR ON THE BALLOT. AN INDEPENDENT EXPENDITURE SHALL NOT INCLUDE COMMUNICATIONS WHERE SUCH CANDIDATE, THE CANDIDATE'S POLITICAL COMMITTEE OR ITS AGENTS, OR A POLITICAL COMMITTEE FORMED TO PROMOTE THE SUCCESS OR DEFEAT OF A BALLOT PROPOSAL OR ITS AGENTS, DID AUTHORIZE, REQUEST, SUGGEST, FOSTER OR COOPERATE IN SUCH COMMUNICATION.

(B) INDEPENDENT EXPENDITURES DO NOT INCLUDE EXPENDITURES IN CONNECTION WITH:

(I) A WRITTEN NEWS STORY, COMMENTARY, OR EDITORIAL OR A NEWS STORY, COMMENTARY, OR EDITORIAL DISTRIBUTED THROUGH THE FACILITIES OF ANY BROADCASTING STATION, CABLE OR SATELLITE UNLESS SUCH PUBLICATION OR FACILITIES ARE OWNED OR CONTROLLED BY ANY POLITICAL PARTY, POLITICAL COMMITTEE OR CANDIDATE; OR

(II) A COMMUNICATION THAT CONSTITUTES A CANDIDATE DEBATE OR FORUM; OR

(III) INTERNAL COMMUNICATION BY MEMBERS TO OTHER MEMBERS OF A MEMBERSHIP ORGANIZATION OF NOT MORE THAN FIVE HUNDRED MEMBERS, FOR THE PURPOSE

OF SUPPORTING OR OPPOSING A CANDIDATE OR CANDIDATES FOR ELECTIVE OFFICE, PROVIDED SUCH EXPENDITURES ARE NOT USED FOR THE COSTS OF CAMPAIGN MATERIAL OR COMMUNICATIONS USED IN CONNECTION WITH BROADCASTING, TELECASTING, NEWSPAPERS, MAGAZINES, OR OTHER PERIODICAL PUBLICATION, BILLBOARDS, OR SIMILAR TYPES OF GENERAL PUBLIC COMMUNICATIONS; OR

(IV) A COMMUNICATION PUBLISHED ON THE INTERNET, UNLESS THE COMMUNICATION IS A PAID ADVERTISEMENT.

(C) FOR PURPOSES OF THIS SECTION, THE TERM "PERSON" SHALL MEAN PERSON, GROUP OF PERSONS, CORPORATION, UNINCORPORATED BUSINESS ENTITY, LABOR ORGANIZATION OR BUSINESS, TRADE OR PROFESSIONAL ASSOCIATION OR ORGANIZATION, OR POLITICAL COMMITTEE.

2. WHENEVER ANY PERSON MAKES AN INDEPENDENT EXPENDITURE THAT COSTS MORE THAN ONE THOUSAND DOLLARS IN THE AGGREGATE, SUCH COMMUNICATION SHALL CLEARLY STATE THE NAME OF THE PERSON WHO PAID FOR, OR OTHERWISE PUBLISHED OR DISTRIBUTED THE COMMUNICATION AND STATE, WITH RESPECT TO COMMUNICATIONS REGARDING CANDIDATES, THAT THE COMMUNICATION WAS NOT EXPRESSLY AUTHORIZED OR REQUESTED BY ANY CANDIDATE, OR BY ANY CANDIDATE'S POLITICAL COMMITTEE OR ANY OF ITS AGENTS.

3. (A) ANY PERSON PRIOR TO MAKING ANY INDEPENDENT EXPENDITURE SHALL FIRST REGISTER WITH THE STATE BOARD OF ELECTIONS AS A POLITICAL COMMITTEE IN CONFORMANCE WITH THIS ARTICLE. SUCH PERSON SHALL COMPLY WITH ALL DISCLOSURE OBLIGATIONS REQUIRED FOR POLITICAL COMMITTEES BY LAW.

(B) ANY PERSON WHO HAS REGISTERED WITH THE STATE BOARD OF ELECTIONS PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION SHALL DISCLOSE TO THE STATE BOARD OF ELECTIONS ELECTRONICALLY, ONCE A WEEK ON FRIDAY ANY CONTRIBUTION TO SUCH PERSON OVER ONE THOUSAND DOLLARS OR EXPENDITURES BY SUCH PERSON OVER FIVE THOUSAND DOLLARS MADE PRIOR TO THIRTY DAYS BEFORE ANY PRIMARY, GENERAL, OR SPECIAL ELECTION.

(C) ANY PERSON WHO HAS REGISTERED WITH THE STATE BOARD OF ELECTIONS PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION SHALL DISCLOSE TO THE STATE BOARD OF ELECTIONS ELECTRONICALLY, WITHIN TWENTY-FOUR HOURS OF RECEIPT, ANY CONTRIBUTION TO SUCH PERSON OVER ONE THOUSAND DOLLARS OR EXPENDITURE BY SUCH PERSON OVER FIVE THOUSAND DOLLARS MADE WITHIN THIRTY DAYS BEFORE ANY PRIMARY, GENERAL, OR SPECIAL ELECTION.

(D) A KNOWING AND WILLFUL VIOLATION OF THE PROVISIONS OF THIS SUBDIVISION SHALL SUBJECT THE PERSON TO A CIVIL PENALTY EQUAL TO FIVE THOUSAND DOLLARS OR THE COST OF THE COMMUNICATION, WHICHEVER IS GREATER, IN A SPECIAL PROCEEDING OR CIVIL ACTION BROUGHT BY THE BOARD OR IMPOSED DIRECTLY BY THE BOARD OF ELECTIONS.

4. THE DISCLOSURES REQUIRED BY SUBDIVISION THREE OF THIS SECTION SHALL INCLUDE, IN ADDITION TO ANY OTHER INFORMATION REQUIRED BY LAW:

(A) THE NAME, ADDRESS, OCCUPATION AND EMPLOYER OF THE PERSON MAKING THE STATEMENT;

(B) THE NAME, ADDRESS, OCCUPATION AND EMPLOYER OF THE PERSON MAKING THE INDEPENDENT EXPENDITURE;

(C) THE NAME, ADDRESS, OCCUPATION AND EMPLOYER OF ANY PERSON PROVIDING A CONTRIBUTION, GIFT, LOAN, ADVANCE OR DEPOSIT OF ONE THOUSAND DOLLARS OR MORE FOR THE INDEPENDENT EXPENDITURE, OR THE PROVISION OF SERVICES FOR THE SAME, AND THE DATE IT WAS GIVEN;

(D) THE DOLLAR AMOUNT PAID FOR EACH INDEPENDENT EXPENDITURE, THE NAME AND ADDRESS OF THE PERSON OR ENTITY RECEIVING THE PAYMENT, THE DATE THE PAYMENT WAS MADE AND A DESCRIPTION OF THE INDEPENDENT EXPENDITURE; AND

(E) THE ELECTION TO WHICH THE INDEPENDENT EXPENDITURE PERTAINS AND THE NAME OF THE CLEARLY IDENTIFIED CANDIDATE OR THE BALLOT PROPOSAL REFERENCED.

5. A COPY OF ALL POLITICAL COMMUNICATIONS PAID FOR BY THE INDEPENDENT EXPENDITURE, INCLUDING BUT NOT LIMITED TO BROADCAST, CABLE OR SATELLITE SCHEDULES AND SCRIPTS, ADVERTISEMENTS, PAMPHLETS, CIRCULARS, FLYERS, BROCHURES, LETTERHEADS AND OTHER PRINTED MATTER AND STATEMENTS OR INFORMATION CONVEYED TO ONE THOUSAND OR MORE MEMBERS OF A GENERAL PUBLIC AUDIENCE BY COMPUTER OR OTHER ELECTRONIC DEVICES SHALL BE FILED WITH THE STATE BOARD OF ELECTIONS WITH THE STATEMENTS REQUIRED BY THIS SECTION.

6. EVERY STATEMENT REQUIRED TO BE FILED PURSUANT TO THIS SECTION SHALL BE FILED ELECTRONICALLY WITH THE STATE BOARD OF ELECTIONS.

7. THE STATE BOARD OF ELECTIONS SHALL PROMULGATE REGULATIONS WITH RESPECT TO THE STATEMENTS REQUIRED TO BE FILED BY THIS SECTION AND SHALL PROVIDE FORMS SUITABLE FOR SUCH STATEMENTS.

S 5. Intentionally omitted.

S 6. Section 14-126 of the election law, as amended by section 3 of part E of chapter 399 of the laws of 2011, is amended to read as follows:

S 14-126. Violations; penalties. 1. (A) Any person who fails to file a statement required to be filed by this article shall be subject to a civil penalty, not in excess of one thousand dollars, to be recoverable in a special proceeding or civil action to be brought by the [state board of elections or other board of elections] CHIEF ENFORCEMENT COUNSEL. Any person who, three or more times within a given election cycle for such term of office, fails to file a statement or statements required to be filed by this article, shall be subject to a civil penalty, not in excess of ten thousand dollars, to be recoverable as provided for in this subdivision.

(B) ALL PAYMENTS RECEIVED BY THE STATE BOARD OF ELECTIONS PURSUANT TO THIS SECTION SHALL BE RETAINED IN THE APPROPRIATE ACCOUNTS AS DESIGNATED BY THE DIVISION OF THE BUDGET FOR ENFORCEMENT ACTIVITIES BY THE BOARD OF ELECTIONS.

2. Any person who, acting as or on behalf of a candidate or political committee, under circumstances evincing an intent to violate such law, unlawfully accepts a contribution in excess of a contribution limitation established in this article, shall be required to refund such excess amount and shall be subject to a civil penalty equal to the excess amount plus a fine of up to ten thousand dollars, to be recoverable in a special proceeding or civil action to be brought by the state board of elections CHIEF ENFORCEMENT COUNSEL.

3. ANY PERSON WHO FALSELY IDENTIFIES OR KNOWINGLY FAILS TO IDENTIFY ANY INDEPENDENT EXPENDITURE AS REQUIRED BY SUBDIVISION TWO OF SECTION 14-107 OF THIS ARTICLE SHALL BE SUBJECT TO A CIVIL PENALTY UP TO ONE THOUSAND DOLLARS OR UP TO THE COST OF THE COMMUNICATION, WHICHEVER IS GREATER, IN A SPECIAL PROCEEDING OR CIVIL ACTION BROUGHT BY THE STATE BOARD OF ELECTIONS CHIEF ENFORCEMENT COUNSEL OR IMPOSED DIRECTLY BY THE STATE BOARD OF ELECTIONS. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "PERSON" SHALL MEAN A PERSON, GROUP OF PERSONS, CORPORATION, UNINCORPORATED BUSINESS ENTITY, LABOR ORGANIZATION OR BUSINESS, TRADE OR PROFESSIONAL ASSOCIATION OR ORGANIZATION OR POLITICAL COMMITTEE.

[3.] 4. Any person who knowingly and willfully fails to file a statement required to be filed by this article within ten days after the date provided for filing such statement or any person who knowingly and willfully violates any other provision of this article shall be guilty of a misdemeanor.

[4.] 5. Any person who knowingly and willfully contributes, accepts or aids or participates in the acceptance of a contribution in an amount

exceeding an applicable maximum specified in this article shall be guilty of a CLASS A misdemeanor.

[5.] 6. Any person who shall, acting on behalf of a candidate or political committee, knowingly and willfully solicit, organize or coordinate the formation of activities of one or more unauthorized committees, make expenditures in connection with the nomination for election or election of any candidate, or solicit any person to make any such expenditures, for the purpose of evading the contribution limitations of this article, shall be guilty of a class E felony.

S 7. This act shall take effect June 1, 2014 provided that the board of elections may promulgate such regulations as may be necessary to effectuate this act immediately.

SUBPART D

Section 1. The article heading of article 14 of the election law is amended to read as follows:

[Campaign Receipts and Expenditures] CAMPAIGN RECEIPTS AND EXPENDITURES; MATCHING FINANCING

S 2. Sections 14-100 through 14-130 of article 14 of the election law are designated title I and a new title heading is added to read as follows:

CAMPAIGN RECEIPTS AND EXPENDITURES

S 3. Article 14 of the election law is amended by adding a new title II to read as follows:

TITLE II

MATCHING FINANCING

SECTION 14-200. DEFINITIONS.
14-201. REPORTING REQUIREMENTS.
14-202. CONTRIBUTION LIMITS.
14-203. PROOF OF COMPLIANCE.
14-204. ELIGIBILITY.
14-205. LIMITS ON MATCHING FINANCING.
14-206. PAYMENT OF MATCHING FUNDS.
14-207. USE OF MATCHING FUNDS; QUALIFIED CAMPAIGN EXPENDITURES.
14-208. POWERS AND DUTIES OF BOARD.
14-209. AUDITS AND REPAYMENTS.
14-210. ENFORCEMENT AND PENALTIES FOR VIOLATIONS AND OTHER PROCEEDINGS.
14-211. REPORTS.
14-212. DEBATES FOR CANDIDATES FOR COMPTROLLER.
14-213. SEVERABILITY.

S 14-200. DEFINITIONS. FOR THE PURPOSES OF THIS TITLE, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

1. THE TERM "AUTHORIZED COMMITTEE" SHALL MEAN THE SINGLE COMMITTEE DESIGNATED BY A CANDIDATE PURSUANT TO SECTION 14-201 OF THIS TITLE TO RECEIVE CONTRIBUTIONS AND MAKE EXPENDITURES IN SUPPORT OF THE CANDIDATE'S CAMPAIGN.

2. THE TERM "BOARD" SHALL MEAN THE STATE BOARD OF ELECTIONS.

3. THE TERM "CONTRIBUTION" SHALL HAVE THE SAME MEANING AS APPEARS IN SUBDIVISION NINE OF SECTION 14-100 OF THIS ARTICLE.

4. THE TERM "CONTRIBUTOR" SHALL MEAN ANY PERSON OR ENTITY THAT MAKES A CONTRIBUTION.

5. THE TERM "COVERED ELECTION" SHALL MEAN ANY PRIMARY OR GENERAL ELECTION FOR NOMINATION FOR ELECTION, OR ELECTION, TO THE OFFICE OF STATE COMPTROLLER.

6. THE TERM "ELECTION CYCLE" SHALL MEAN THE FOUR YEAR PERIOD STARTING AFTER THE DAY AFTER THE LAST GENERAL ELECTION FOR CANDIDATES FOR STATEWIDE OFFICE.

7. THE TERM "EXPENDITURE" SHALL MEAN ANY GIFT, SUBSCRIPTION, ADVANCE, PAYMENT, OR DEPOSIT OF MONEY OR ANYTHING OF VALUE, OR A CONTRACT TO MAKE ANY GIFT, SUBSCRIPTION, PAYMENT, OR DEPOSIT OF MONEY OR ANYTHING OF VALUE, MADE IN CONNECTION WITH THE NOMINATION FOR ELECTION, OR ELECTION, OF ANY CANDIDATE. EXPENDITURES MADE BY CONTRACT ARE DEEMED MADE WHEN SUCH FUNDS ARE OBLIGATED.

8. THE TERM "FUND" SHALL MEAN THE NEW YORK STATE CAMPAIGN FINANCE FUND.

9. THE TERM "IMMEDIATE FAMILY" SHALL MEAN A SPOUSE, DOMESTIC PARTNER, CHILD, SIBLING OR PARENT.

10. THE TERM "INTERMEDIARY" SHALL MEAN AN INDIVIDUAL, CORPORATION, PARTNERSHIP, POLITICAL COMMITTEE, EMPLOYEE ORGANIZATION OR OTHER ENTITY WHICH BUNDLES, CAUSES TO BE DELIVERED OR OTHERWISE DELIVERS ANY CONTRIBUTION FROM ANOTHER PERSON OR ENTITY TO A CANDIDATE OR AUTHORIZED COMMITTEE, OTHER THAN IN THE REGULAR COURSE OF BUSINESS AS A POSTAL, DELIVERY OR MESSENGER SERVICE. PROVIDED, HOWEVER, THAT AN "INTERMEDIARY" SHALL NOT INCLUDE SPOUSES, DOMESTIC PARTNERS, PARENTS, CHILDREN OR SIBLINGS OF THE PERSON MAKING SUCH CONTRIBUTION OR A STAFF MEMBER OR VOLUNTEER OF THE CAMPAIGN IDENTIFIED IN WRITING TO THE STATE BOARD OF ELECTIONS. HERE "CAUSES TO BE DELIVERED" SHALL INCLUDE PROVIDING POSTAGE, ENVELOPES OR OTHER SHIPPING MATERIALS FOR THE USE OF DELIVERING THE CONTRIBUTION TO THE ULTIMATE RECIPIENT.

11. THE TERM "ITEM WITH SIGNIFICANT INTRINSIC AND ENDURING VALUE" SHALL MEAN ANY ITEM, INCLUDING TICKETS TO AN EVENT, THAT ARE VALUED AT TWENTY-FIVE DOLLARS OR MORE.

12. (A) THE TERM "MATCHABLE CONTRIBUTION" SHALL MEAN A CONTRIBUTION, CONTRIBUTIONS OR A PORTION OF A CONTRIBUTION OR CONTRIBUTIONS FOR ANY COVERED ELECTIONS HELD IN THE SAME ELECTION CYCLE, MADE BY A NATURAL PERSON WHO IS A RESIDENT IN THE STATE OF NEW YORK TO A PARTICIPATING CANDIDATE, THAT HAS BEEN REPORTED IN FULL TO THE BOARD IN ACCORDANCE WITH SECTIONS 14-102 AND 14-104 OF THIS ARTICLE BY THE CANDIDATE'S AUTHORIZED COMMITTEE AND HAS BEEN CONTRIBUTED ON OR BEFORE THE DAY OF THE APPLICABLE ELECTION. ANY CONTRIBUTION, CONTRIBUTIONS, OR A PORTION OF A CONTRIBUTION DETERMINED TO BE INVALID FOR MATCHING FUNDS BY THE BOARD MAY NOT BE TREATED AS A MATCHABLE CONTRIBUTION FOR ANY PURPOSE.

(B) THE FOLLOWING CONTRIBUTIONS ARE NOT MATCHABLE:

(I) LOANS;

(II) IN-KIND CONTRIBUTIONS OF PROPERTY, GOODS, OR SERVICES;

(III) CONTRIBUTIONS IN THE FORM OF THE PURCHASE PRICE PAID FOR AN ITEM WITH SIGNIFICANT INTRINSIC AND ENDURING VALUE;

(IV) TRANSFERS FROM A PARTY OR CONSTITUTED COMMITTEE;

(V) ANONYMOUS CONTRIBUTIONS OR CONTRIBUTIONS WHOSE SOURCE IS NOT ITEMIZED AS REQUIRED BY SECTION 14-201 OF THIS TITLE;

(VI) CONTRIBUTIONS GATHERED DURING A PREVIOUS ELECTION CYCLE;

(VII) ILLEGAL CONTRIBUTIONS;

(VIII) CONTRIBUTIONS FROM PERSONS UNDER EIGHTEEN;

(IX) CONTRIBUTIONS FROM VENDORS FOR CAMPAIGNS; AND

(X) CONTRIBUTIONS FROM LOBBYISTS REGISTERED PURSUANT TO SUBDIVISION (A) OF SECTION ONE-C OF THE LEGISLATIVE LAW.

13. THE TERM "NONPARTICIPATING CANDIDATE" SHALL MEAN A CANDIDATE FOR A COVERED ELECTION WHO FAILS TO FILE A WRITTEN CERTIFICATION IN THE FORM OF AN AFFIDAVIT UNDER SECTION 14-204 OF THIS TITLE BY THE APPLICABLE DEADLINE.

14. THE TERM "PARTICIPATING CANDIDATE" SHALL MEAN ANY CANDIDATE FOR NOMINATION FOR ELECTION, OR ELECTION, TO THE OFFICE OF STATE COMPTROLLER WHO FILES A WRITTEN CERTIFICATION IN THE FORM OF AN AFFIDAVIT PURSUANT TO SECTION 14-204 OF THIS TITLE.

15. THE TERM "POST-ELECTION PERIOD" SHALL MEAN THE SIX MONTHS FOLLOWING THE TWO THOUSAND FOURTEEN COMPTROLLER ELECTION WHEN A CANDIDATE IS SUBJECT TO AN AUDIT.

16. THE TERM "QUALIFIED CAMPAIGN EXPENDITURE" SHALL MEAN AN EXPENDITURE FOR WHICH PUBLIC MATCHING FUNDS MAY BE USED.

17. THE TERM "THRESHOLD FOR ELIGIBILITY" SHALL MEAN THE AMOUNT OF MATCHABLE CONTRIBUTIONS THAT A CANDIDATE'S AUTHORIZED COMMITTEE MUST RECEIVE IN TOTAL IN ORDER FOR SUCH CANDIDATE TO QUALIFY FOR VOLUNTARY PUBLIC FINANCING UNDER THIS TITLE.

18. THE TERM "TRANSFER" SHALL MEAN ANY EXCHANGE OF FUNDS BETWEEN A PARTY OR CONSTITUTED COMMITTEE AND A CANDIDATE OR ANY OF HIS OR HER AUTHORIZED COMMITTEES.

S 14-201. REPORTING REQUIREMENTS. 1. ONLY ONE AUTHORIZED COMMITTEE PER PARTICIPATING CANDIDATE FOR COMPTROLLER. BEFORE RECEIVING ANY CONTRIBUTION OR MAKING ANY EXPENDITURE FOR A COVERED ELECTION, EACH CANDIDATE SHALL NOTIFY THE BOARD AS TO THE EXISTENCE OF HIS OR HER AUTHORIZED COMMITTEE THAT HAS BEEN APPROVED BY SUCH CANDIDATE. EACH CANDIDATE SHALL HAVE ONE AND ONLY ONE AUTHORIZED COMMITTEE PER ELECTIVE OFFICE SOUGHT. EACH AUTHORIZED COMMITTEE SHALL HAVE A TREASURER AND IS SUBJECT TO THE RESTRICTIONS FOUND IN SECTION 14-112 OF THIS ARTICLE.

2. DISCLOSURE REPORTS. (A) DETAILED REPORTING. EACH AUTHORIZED AND POLITICAL COMMITTEE SHALL REPORT TO THE BOARD EVERY CONTRIBUTION AND LOAN RECEIVED AND EVERY EXPENDITURE MADE IN THE TIME AND MANNER PRESCRIBED BY SECTIONS 14-102, 14-104 AND 14-108 OF THIS ARTICLE, CONTRIBUTORS WHO MAKE CONTRIBUTIONS OF FIVE HUNDRED DOLLARS OR MORE, EACH AUTHORIZED AND POLITICAL COMMITTEE SHALL REPORT TO THE BOARD THE OCCUPATION, AND BUSINESS ADDRESS OF EACH CONTRIBUTOR, LENDER, AND INTERMEDIARY. THE RECEIPT OF ANY CONTRIBUTION OR LOAN IN EXCESS OF ONE THOUSAND DOLLARS SHALL BE DISCLOSED WITHIN FORTY-EIGHT HOURS OF RECEIPT, AND SHALL BE REPORTED IN THE SAME MANNER AS ANY OTHER CONTRIBUTION OR LOAN ON THE NEXT APPLICABLE STATEMENT. THE BOARD SHALL REVISE, PREPARE AND POST FORMS ON ITS WEBPAGE THAT FACILITATE COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

(B) BOARD REVIEW. THE BOARD SHALL REVIEW EACH DISCLOSURE REPORT FILED AND SHALL INFORM AUTHORIZED AND POLITICAL COMMITTEES OF RELEVANT QUESTIONS IT HAS CONCERNING: (I) COMPLIANCE WITH REQUIREMENTS OF THIS TITLE AND OF THE RULES ISSUED BY THE BOARD; AND (II) QUALIFICATION FOR RECEIVING PUBLIC MATCHING FUNDS PURSUANT TO THIS TITLE. IN THE COURSE OF THIS REVIEW, THE BOARD SHALL GIVE AUTHORIZED AND POLITICAL COMMITTEES AN OPPORTUNITY TO RESPOND TO AND CORRECT POTENTIAL VIOLATIONS AND GIVE CANDIDATES AN OPPORTUNITY TO ADDRESS QUESTIONS THE UNIT HAS CONCERNING THEIR MATCHABLE CONTRIBUTION CLAIMS OR OTHER ISSUES CONCERNING ELIGIBILITY FOR RECEIVING PUBLIC MATCHING FUNDS PURSUANT TO THIS TITLE. NOTHING IN THIS PARAGRAPH SHALL PRECLUDE THE BOARD FROM SUBSEQUENTLY REVIEWING SUCH DISCLOSURE REPORTS AND TAKING ANY ACTION OTHERWISE AUTHORIZED UNDER THIS TITLE.

(C) ITEMIZATION. CONTRIBUTIONS THAT ARE NOT ITEMIZED IN REPORTS FILED WITH THE BOARD SHALL NOT BE MATCHABLE.

(D) OPTION TO FILE MORE FREQUENTLY. PARTICIPATING CANDIDATES MAY FILE REPORTS OF CONTRIBUTIONS AS FREQUENTLY AS ONCE A WEEK ON FRIDAY SO THAT THEIR MATCHING FUNDS MAY BE PAID AT THE EARLIEST ALLOWABLE DATE.

S 14-202. CONTRIBUTION LIMITS. RECIPIENTS OF FUNDS PURSUANT TO THIS TITLE SHALL BE SUBJECT TO THE FOLLOWING CONTRIBUTION LIMITS:

1. IN THE TWO THOUSAND FOURTEEN ELECTION FOR COMPTROLLER, OR FOR NOMINATION TO SUCH OFFICE, NO CONTRIBUTOR MAY MAKE A CONTRIBUTION TO ANY CANDIDATE OR POLITICAL COMMITTEE PARTICIPATING IN THE STATE'S PUBLIC CAMPAIGN FINANCING SYSTEM AS DEFINED IN TITLE TWO OF THIS ARTICLE, AND NO SUCH CANDIDATE OR POLITICAL COMMITTEE MAY ACCEPT ANY CONTRIBUTION FROM ANY CONTRIBUTOR, WHICH IS IN THE AGGREGATE AMOUNT GREATER THAN: (A) IN THE CASE OF ANY NOMINATION TO PUBLIC OFFICE, THE PRODUCT OF THE TOTAL NUMBER OF ENROLLED VOTERS IN THE CANDIDATE'S PARTY IN THE STATE, EXCLUDING VOTERS IN INACTIVE STATUS, MULTIPLIED BY $.005, BUT SUCH AMOUNT SHALL BE NOT MORE THAN SIX THOUSAND DOLLARS AND (B) IN THE CASE OF ANY ELECTION TO SUCH PUBLIC OFFICE, SIX THOUSAND DOLLARS; PROVIDED HOWEVER, THAT THE MAXIMUM AMOUNT WHICH MAY BE SO CONTRIBUTED OR ACCEPTED, IN THE AGGREGATE, FROM ANY CANDIDATE'S CHILD, PARENT, GRANDPARENT, BROTHER AND SISTER, AND THE SPOUSE OF ANY SUCH PERSONS, SHALL NOT EXCEED IN THE CASE OF ANY NOMINATION TO PUBLIC OFFICE AN AMOUNT EQUIVALENT TO THE PRODUCT OF THE NUMBER OF ENROLLED VOTERS IN THE CANDIDATE'S PARTY IN THE STATE, EXCLUDING VOTERS IN INACTIVE STATUS, MULTIPLIED BY $.025, AND IN THE CASE OF ANY ELECTION FOR A PUBLIC OFFICE, AN AMOUNT EQUIVALENT TO THE PRODUCT OF THE NUMBER OF REGISTERED VOTERS IN THE STATE EXCLUDING VOTERS IN INACTIVE STATUS, MULTIPLIED BY $.025.

2. IN THE EVENT THAT A CANDIDATE FOR THE TWO THOUSAND FOURTEEN ELECTION FOR COMPTROLLER HAS RECEIVED A CONTRIBUTION WHICH EXCEEDS THE LIMITATIONS OF THIS SUBDIVISION PRIOR TO BECOMING A PARTICIPATING CANDIDATE IN THE STATE'S MATCHING CAMPAIGN FINANCING SYSTEM, THE CANDIDATE SHALL EITHER (A) DEPOSIT ANY AMOUNT IN EXCESS OF THE CONTRIBUTION LIMIT SET FORTH IN THIS SUBDIVISION, INTO A SEGREGATED ACCOUNT WHERE IT SHALL NOT BE WITHDRAWN FOR CAMPAIGN EXPENDITURES FOR ANY COMPTROLLER ELECTION IN THE YEAR TWO THOUSAND FOURTEEN; OR (B) RETURN ANY AMOUNT IN EXCESS OF THE CONTRIBUTION LIMIT SET FORTH IN THIS SECTION, BY BANK CHECK OR CERTIFIED CHECK MADE OUT TO THE CONTRIBUTOR.

S 14-203. PROOF OF COMPLIANCE. AUTHORIZED AND POLITICAL COMMITTEES SHALL MAINTAIN SUCH RECORDS OF RECEIPTS AND EXPENDITURES FOR A COVERED ELECTION AS REQUIRED BY THE BOARD. AUTHORIZED AND POLITICAL COMMITTEES SHALL OBTAIN AND FURNISH TO THE BOARD ANY INFORMATION IT MAY REQUEST RELATING TO FINANCIAL TRANSACTIONS OR CONTRIBUTIONS AND FURNISH SUCH DOCUMENTATION AND OTHER PROOF OF COMPLIANCE WITH THIS TITLE AS MAY BE REQUESTED. IN COMPLIANCE WITH SECTION 14-108 OF THIS ARTICLE, AUTHORIZED AND POLITICAL COMMITTEES SHALL MAINTAIN COPIES OF SUCH RECORDS FOR A PERIOD OF FIVE YEARS.

S 14-204. ELIGIBILITY. 1. TERMS AND CONDITIONS. TO BE ELIGIBLE FOR VOLUNTARY PUBLIC FINANCING UNDER THIS TITLE, A CANDIDATE MUST:

(A) BE A CANDIDATE IN A COVERED ELECTION;

(B) MEET ALL THE REQUIREMENTS OF LAW TO HAVE HIS OR HER NAME ON THE BALLOT;

(C) IN THE CASE OF A COVERED GENERAL ELECTION, BE OPPOSED BY ANOTHER CANDIDATE ON THE BALLOT WHO IS NOT A WRITE-IN CANDIDATE;

(D) SUBMIT A CERTIFICATION IN THE FORM OF AN AFFIDAVIT, IN SUCH FORM AS MAY BE PRESCRIBED BY THE BOARD, THAT SETS FORTH HIS OR HER ACCEPTANCE OF AND AGREEMENT TO COMPLY WITH THE TERMS AND CONDITIONS FOR THE PROVISION OF SUCH FUNDS IN EACH COVERED ELECTION AND SUCH CERTIFICATION SHALL BE SUBMITTED BEFORE THE ELECTION PURSUANT TO A SCHEDULE PROMULGATED BY THE BOARD;

(E) BE CERTIFIED AS A PARTICIPATING CANDIDATE BY THE BOARD;

(F) NOT MAKE EXPENDITURES FROM OR USE HIS OR HER PERSONAL FUNDS OR PROPERTY OR THE PERSONAL FUNDS OR PROPERTY JOINTLY HELD WITH HIS OR HER SPOUSE, OR UNEMANCIPATED CHILDREN IN CONNECTION WITH HIS OR HER NOMINATION ELECTION OR ELECTION TO A COVERED OFFICE EXCEPT AS A CONTRIBUTION TO HIS OR HER AUTHORIZED COMMITTEE IN AN AMOUNT THAT EXCEEDS THREE TIMES THE APPLICABLE CONTRIBUTION LIMIT FROM AN INDIVIDUAL CONTRIBUTOR TO CANDIDATES FOR THE OFFICE THAT HE OR SHE IS SEEKING;

(G) MEET THE THRESHOLD FOR ELIGIBILITY SET FORTH IN SUBDIVISION TWO OF THIS SECTION; AND

(H) CONTINUE TO ABIDE BY ALL REQUIREMENTS DURING THE POST-ELECTION PERIOD.

2. THRESHOLD FOR ELIGIBILITY. (A) THE THRESHOLD FOR ELIGIBILITY FOR MATCHING FUNDING FOR PARTICIPATING CANDIDATES FOR COMPTROLLER SHALL BE NOT LESS THAN TWO HUNDRED THOUSAND DOLLARS IN MATCHABLE CONTRIBUTIONS INCLUDING AT LEAST TWO THOUSAND MATCHABLE CONTRIBUTIONS COMPRISED OF SUMS BETWEEN TEN AND ONE HUNDRED SEVENTY-FIVE DOLLARS PER CONTRIBUTOR, FROM RESIDENTS OF NEW YORK STATE.

(B) ANY PARTICIPATING CANDIDATE MEETING THE THRESHOLD FOR ELIGIBILITY IN A PRIMARY ELECTION FOR THE FOREGOING OFFICE SHALL BE DEEMED TO HAVE MET THE THRESHOLD FOR ELIGIBILITY FOR SUCH OFFICE IN THE GENERAL ELECTION HELD IN THE SAME CALENDAR YEAR.

S 14-205. LIMITS ON MATCHING FINANCING. THE FOLLOWING LIMITATIONS APPLY TO THE TOTAL AMOUNTS OF MATCHING FUNDS THAT MAY BE PROVIDED TO A PARTICIPATING CANDIDATE'S AUTHORIZED COMMITTEE FOR AN ELECTION CYCLE:

1. IN ANY PRIMARY ELECTION, RECEIPT OF MATCHING FUNDS BY PARTICIPATING CANDIDATES FOR COMPTROLLER AND BY EACH PARTICIPATING COMMITTEES SHALL NOT EXCEED THE SUM OF FOUR MILLION DOLLARS.

2. IN ANY GENERAL ELECTION, RECEIPT OF MATCHING FUNDS BY A PARTICIPATING CANDIDATE'S AUTHORIZED COMMITTEE SHALL NOT EXCEED FOUR MILLION DOLLARS.

3. NO PARTICIPATING CANDIDATE FOR NOMINATION FOR AN OFFICE WHO IS NOT OPPOSED BY A CANDIDATE ON THE BALLOT IN A PRIMARY ELECTION SHALL BE ENTITLED TO PAYMENT OF MATCHING FUNDS, EXCEPT THAT, WHERE THERE IS A CONTEST IN SUCH PRIMARY ELECTION FOR THE NOMINATION OF AT LEAST ONE OF THE TWO POLITICAL PARTIES WITH THE HIGHEST AND SECOND HIGHEST NUMBER OF ENROLLED MEMBERS FOR SUCH OFFICE, A PARTICIPATING CANDIDATE WHO IS UNOPPOSED IN THE PRIMARY ELECTION MAY RECEIVE MATCHING FUNDS BEFORE THE PRIMARY ELECTION, FOR EXPENSES INCURRED ON OR BEFORE THE DATE OF SUCH PRIMARY ELECTION, IN AN AMOUNT EQUAL TO UP TO HALF THE SUM SET FORTH IN SUBDIVISION ONE OF THIS SECTION.

S 14-206. PAYMENT OF MATCHING FUNDS. 1. DETERMINATION OF ELIGIBILITY. NO MATCHING FUNDS SHALL BE PAID TO AN AUTHORIZED COMMITTEE UNLESS THE BOARD DETERMINES THAT THE PARTICIPATING CANDIDATE HAS MET THE ELIGIBILITY REQUIREMENTS OF THIS TITLE. PAYMENT SHALL NOT EXCEED THE AMOUNTS SPECIFIED IN SUBDIVISION TWO OF THIS SECTION, AND SHALL BE MADE ONLY IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE. SUCH PAYMENT MAY BE MADE ONLY TO THE PARTICIPATING CANDIDATE'S AUTHORIZED COMMITTEE. NO MATCHING FUNDS SHALL BE USED EXCEPT AS REIMBURSEMENT OR PAYMENT FOR QUALIFIED CAMPAIGN EXPENDITURES ACTUALLY AND LAWFULLY INCURRED OR TO REPAY LOANS USED TO PAY QUALIFIED CAMPAIGN EXPENDITURES.

2. CALCULATION OF PAYMENT. IF THE THRESHOLD FOR ELIGIBILITY IS MET, THE PARTICIPATING CANDIDATE'S AUTHORIZED COMMITTEE SHALL RECEIVE PAYMENT FOR QUALIFIED CAMPAIGN EXPENDITURES OF SIX DOLLARS OF MATCHING FUNDS FOR EACH ONE DOLLAR OF MATCHABLE CONTRIBUTIONS, FOR THE FIRST ONE HUNDRED SEVENTY-FIVE DOLLARS OF ELIGIBLE PRIVATE FUNDS PER CONTRIBUTOR, OBTAINED AND REPORTED TO THE BOARD IN ACCORDANCE WITH THE PROVISIONS OF THIS

TITLE. THE MAXIMUM PAYMENT OF MATCHING FUNDS SHALL BE LIMITED TO THE AMOUNTS SET FORTH IN SECTION 14-205 OF THIS TITLE FOR THE COVERED ELECTION.

3. TIMING OF PAYMENT. THE BOARD SHALL MAKE ANY PAYMENT OF MATCHING FUNDS TO PARTICIPATING CANDIDATES AS SOON AS IS PRACTICABLE. BUT IN ALL CASES, THE BOARD SHALL VERIFY ELIGIBILITY FOR MATCHING FUNDS WITHIN FOUR DAYS OF RECEIVING A CAMPAIGN CONTRIBUTION REPORT FILED IN COMPLIANCE WITH SECTION 14-104 OF THIS ARTICLE. WITHIN TWO DAYS OF DETERMINING THAT A CANDIDATE FOR A COVERED OFFICE IS ELIGIBLE FOR MATCHING FUNDS, THE BOARD SHALL PAY THE APPLICABLE MATCHING FUNDS OWED TO THE CANDIDATE. HOWEVER, THE BOARD SHALL NOT MAKE ANY PAYMENTS OF PUBLIC MONEY EARLIER THAN THE EARLIEST DATES FOR MAKING SUCH PAYMENTS AS PROVIDED BY THIS TITLE. IF ANY OF SUCH PAYMENTS WOULD REQUIRE PAYMENT ON A WEEKEND OR FEDERAL HOLIDAY, PAYMENT SHALL BE MADE ON THE NEXT BUSINESS DAY.

4. ELECTRONIC FUNDS TRANSFER. THE BOARD SHALL PROMULGATE RULES TO FACILITATE ELECTRONIC FUNDS TRANSFERS DIRECTLY FROM THE FUND INTO AN AUTHORIZED COMMITTEE'S BANK ACCOUNT.

S 14-207. USE OF MATCHING FUNDS; QUALIFIED CAMPAIGN EXPENDITURES. 1. MATCHING FUNDS PROVIDED UNDER THE PROVISIONS OF THIS TITLE MAY BE USED ONLY BY AN AUTHORIZED COMMITTEE FOR EXPENDITURES TO FURTHER THE PARTICIPATING CANDIDATE'S NOMINATION FOR ELECTION OR ELECTION, INCLUDING PAYING FOR DEBTS INCURRED WITHIN ONE YEAR PRIOR TO AN ELECTION TO FURTHER THE PARTICIPATING CANDIDATE'S NOMINATION FOR ELECTION OR ELECTION.

2. SUCH MATCHING FUNDS MAY NOT BE USED FOR:

(A) AN EXPENDITURE IN VIOLATION OF ANY LAW;

(B) AN EXPENDITURE IN EXCESS OF THE FAIR MARKET VALUE OF SERVICES, MATERIALS, FACILITIES OR OTHER THINGS OF VALUE RECEIVED IN EXCHANGE;

(C) AN EXPENSE INCURRED AFTER THE CANDIDATE HAS BEEN FINALLY DISQUALIFIED FROM THE BALLOT;

(D) AN EXPENSE INCURRED AFTER THE ONLY REMAINING OPPONENT OF THE CANDIDATE HAS BEEN FINALLY DISQUALIFIED FROM THE GENERAL OR SPECIAL ELECTION BALLOT;

(E) AN EXPENDITURE MADE BY CASH PAYMENT;

(F) A CONTRIBUTION OR LOAN OR TRANSFER MADE TO OR EXPENDITURE TO SUPPORT ANOTHER CANDIDATE OR POLITICAL COMMITTEE OR PARTY, COMMITTEE OR CONSTITUTED COMMITTEE;

(G) AN EXPENDITURE TO EXCLUSIVELY SUPPORT OR OPPOSE A CANDIDATE FOR AN OFFICE OTHER THAN THAT WHICH THE PARTICIPATING CANDIDATE SEEKS;

(H) GIFTS, EXCEPT BROCHURES, BUTTONS, SIGNS AND OTHER PRINTED CAMPAIGN MATERIAL;

(I) LEGAL FEES TO DEFEND AGAINST A FORMAL CRIMINAL CHARGE;

(J) PAYMENTS TO IMMEDIATE FAMILY MEMBERS OF THE PARTICIPATING CANDIDATE; OR

(K) ANY EXPENDITURE MADE TO CHALLENGE THE VALIDITY OF ANY PETITION OF DESIGNATION OR NOMINATION OR ANY CERTIFICATE OF NOMINATION, ACCEPTANCE, AUTHORIZATION, DECLINATION OR SUBSTITUTION.

S 14-208. POWERS AND DUTIES OF BOARD. 1. ADVISORY OPINIONS. THE BOARD SHALL RENDER ADVISORY OPINIONS WITH RESPECT TO QUESTIONS ARISING UNDER THIS TITLE UPON THE WRITTEN REQUEST OF A CANDIDATE, AN OFFICER OF A POLITICAL COMMITTEE OR MEMBER OF THE PUBLIC, OR UPON ITS OWN INITIATIVE. THE BOARD SHALL PROMULGATE RULES REGARDING REASONABLE TIMES TO RESPOND TO SUCH REQUESTS. THE BOARD SHALL MAKE PUBLIC THE QUESTIONS OF INTERPRETATION FOR WHICH ADVISORY OPINIONS WILL BE CONSIDERED BY THE BOARD AND ITS ADVISORY OPINIONS, INCLUDING BY PUBLICATION ON ITS WEBPAGE WITH

IDENTIFYING INFORMATION REDACTED AS THE BOARD DETERMINES TO BE APPROPRIATE.

2. PUBLIC INFORMATION AND CANDIDATE EDUCATION. THE BOARD SHALL DEVELOP A PROGRAM FOR INFORMING CANDIDATES AND THE PUBLIC AS TO THE PURPOSE AND EFFECT OF THE PROVISIONS OF THIS TITLE, INCLUDING BY MEANS OF A WEBPAGE. THE BOARD SHALL PREPARE IN PLAIN LANGUAGE AND MAKE AVAILABLE EDUCATIONAL MATERIALS, INCLUDING COMPLIANCE MANUALS AND SUMMARIES AND EXPLANATIONS OF THE PURPOSES AND PROVISIONS OF THIS TITLE. THE BOARD SHALL PREPARE OR HAVE PREPARED AND MAKE AVAILABLE MATERIALS, INCLUDING, TO THE EXTENT FEASIBLE, COMPUTER SOFTWARE, TO FACILITATE THE TASK OF COMPLIANCE WITH THE DISCLOSURE AND RECORD-KEEPING REQUIREMENTS OF THIS TITLE.

3. RULES AND REGULATIONS. THE BOARD SHALL HAVE THE AUTHORITY TO PROMULGATE SUCH RULES AND REGULATIONS AND PROVIDE SUCH FORMS AS IT DEEMS NECESSARY FOR THE ADMINISTRATION OF THIS TITLE.

4. THE BOARD SHALL WORK WITH THE ENFORCEMENT UNIT TO ENFORCE THIS SECTION.

S 14-209. AUDITS AND REPAYMENTS. 1. AUDITS. THE BOARD SHALL AUDIT AND EXAMINE ALL MATTERS RELATING TO THE PROPER ADMINISTRATION OF THIS TITLE AND SHALL COMPLETE SUCH AUDIT NO LATER THAN SIX MONTHS AFTER THE ELECTION IN QUESTION. EVERY CANDIDATE WHO RECEIVES MATCHING FUNDS UNDER THIS TITLE SHALL BE AUDITED BY THE BOARD. THE COST OF COMPLYING WITH A POST-ELECTION AUDIT SHALL BE BORNE BY THE CANDIDATE'S AUTHORIZED COMMITTEE USING MATCHING FUNDS, PRIVATE FUNDS OR ANY COMBINATION OF SUCH FUNDS. CANDIDATES WHO RUN IN BOTH A PRIMARY AND GENERAL ELECTION MUST MAINTAIN A RESERVE OF THREE PERCENT OF THE MATCHING FUNDS RECEIVED TO COMPLY WITH THE POST-ELECTION AUDIT. THE BOARD SHALL ISSUE TO EACH CAMPAIGN AUDITED A FINAL AUDIT REPORT THAT DETAILS ITS FINDINGS.

2. REPAYMENTS. (A) IF THE BOARD DETERMINES THAT ANY PORTION OF THE PAYMENT MADE TO A CANDIDATE'S AUTHORIZED COMMITTEE FROM THE FUND WAS IN EXCESS OF THE AGGREGATE AMOUNT OF PAYMENTS THAT SUCH CANDIDATE WAS ELIGIBLE TO RECEIVE PURSUANT TO THIS TITLE, IT SHALL NOTIFY SUCH COMMITTEE AND SUCH COMMITTEE SHALL PAY TO THE BOARD AN AMOUNT EQUAL TO THE AMOUNT OF EXCESS PAYMENTS. PROVIDED, HOWEVER, THAT IF THE ERRONEOUS PAYMENT WAS THE RESULT OF AN ERROR BY THE BOARD, THEN THE ERRONEOUS PAYMENT WILL BE DEDUCTED FROM ANY FUTURE PAYMENT, IF ANY, AND IF NO PAYMENT IS TO BE MADE THEN NEITHER THE CANDIDATE NOR THE COMMITTEE SHALL BE LIABLE TO REPAY THE EXCESS AMOUNT TO THE BOARD. THE CANDIDATE, THE TREASURER AND THE CANDIDATE'S AUTHORIZED COMMITTEE ARE JOINTLY AND SEVERABLY LIABLE FOR ANY REPAYMENTS TO THE BOARD.

(B) IF THE BOARD DETERMINES THAT ANY PORTION OF THE PAYMENT MADE TO A CANDIDATE'S AUTHORIZED COMMITTEE FROM THE FUND WAS USED FOR PURPOSES OTHER THAN QUALIFIED CAMPAIGN EXPENDITURES, IT SHALL NOTIFY SUCH COMMITTEE OF THE AMOUNT SO DISQUALIFIED AND SUCH COMMITTEE SHALL PAY TO THE BOARD AN AMOUNT EQUAL TO SUCH DISQUALIFIED AMOUNT. THE CANDIDATE, THE TREASURER AND THE CANDIDATE'S AUTHORIZED COMMITTEE ARE JOINTLY AND SEVERABLY LIABLE FOR ANY REPAYMENTS TO THE BOARD.

(C) IF THE TOTAL OF PAYMENTS FROM THE FUND RECEIVED BY A PARTICIPATING CANDIDATE AND HIS OR HER AUTHORIZED COMMITTEE EXCEED THE TOTAL CAMPAIGN EXPENDITURES OF SUCH CANDIDATE AND AUTHORIZED COMMITTEE FOR THE TWO THOUSAND FOURTEEN COMPTROLLER ELECTION, SUCH CANDIDATE AND COMMITTEE SHALL USE SUCH EXCESS FUNDS TO REIMBURSE THE FUND FOR PAYMENTS RECEIVED BY SUCH AUTHORIZED COMMITTEE FROM THE FUND DURING SUCH CALENDAR. PARTICIPATING CANDIDATES SHALL PAY TO THE BOARD UNSPENT PUBLIC CAMPAIGN FUNDS FROM AN ELECTION NOT LATER THAN TWENTY-SEVEN DAYS AFTER ALL LIABILITIES FOR THE ELECTION HAVE BEEN PAID AND IN ANY EVENT, NOT LATER THAN THE DAY ON WHICH THE BOARD ISSUES ITS FINAL AUDIT REPORT FOR THE PARTICIPATING

CANDIDATE'S AUTHORIZED COMMITTEE; PROVIDED, HOWEVER, THAT ALL UNSPENT PUBLIC CAMPAIGN FUNDS FOR A PARTICIPATING CANDIDATE SHALL BE IMMEDIATELY DUE AND PAYABLE TO THE BOARD UPON A DETERMINATION BY THE BOARD THAT THE PARTICIPANT HAS KNOWINGLY DELAYED THE POST-ELECTION AUDIT. A PARTICIPATING CANDIDATE MAY MAKE POST-ELECTION EXPENDITURES WITH PUBLIC FUNDS ONLY FOR ROUTINE ACTIVITIES INVOLVING NOMINAL COST ASSOCIATED WITH WINDING UP A CAMPAIGN AND RESPONDING TO THE POST-ELECTION AUDIT EXCEPT FOR LIABILITIES INCURRED BEFORE THE ELECTION. NOTHING IN THIS TITLE SHALL BE CONSTRUED TO PREVENT A CANDIDATE OR HIS OR HER AUTHORIZED COMMITTEE FROM USING CAMPAIGN CONTRIBUTIONS RECEIVED FROM PRIVATE CONTRIBUTORS FOR OTHERWISE LAWFUL EXPENDITURES.

3. THE BOARD SHALL PROMULGATE REGULATIONS FOR THE CERTIFICATION OF THE AMOUNT OF FUNDS PAYABLE BY THE COMPTROLLER, FROM THE FUND ESTABLISHED PURSUANT TO SECTION NINETY-TWO-T OF THE STATE FINANCE LAW, TO A PARTICIPATING CANDIDATE THAT HAS QUALIFIED TO RECEIVE SUCH PAYMENT. THESE REGULATIONS SHALL INCLUDE THE PROMULGATION AND DISTRIBUTION OF FORMS ON WHICH CONTRIBUTIONS AND EXPENDITURES ARE TO BE REPORTED, THE PERIODS DURING WHICH SUCH REPORTS MUST BE FILED AND THE VERIFICATION REQUIRED. THE BOARD SHALL INSTITUTE PROCEDURES WHICH WILL MAKE POSSIBLE PAYMENT BY THE FUND WITHIN FOUR BUSINESS DAYS AFTER RECEIPT OF THE REQUIRED FORMS AND VERIFICATIONS.

S 14-210. ENFORCEMENT AND PENALTIES FOR VIOLATIONS AND OTHER PROCEEDINGS. 1. CIVIL PENALTIES. KNOWING VIOLATIONS OF ANY PROVISION OF THIS TITLE OR RULE PROMULGATED PURSUANT TO THIS TITLE SHALL BE SUBJECT TO A CIVIL PENALTY IN AN AMOUNT NOT IN EXCESS OF TEN THOUSAND DOLLARS.

2. NOTICE OF VIOLATION AND OPPORTUNITY TO BE HEARD. THE BOARD SHALL:

(A) DETERMINE WHETHER A VIOLATION OF ANY PROVISION OF THIS TITLE OR RULE PROMULGATED HEREUNDER HAS BEEN COMMITTED;

(B) GIVE WRITTEN NOTICE AND THE OPPORTUNITY TO BE HEARD IN ACCORDANCE WITH THE STATE ADMINISTRATIVE PROCEDURE ACT BEFORE AN INDEPENDENT HEARING OFFICER TO EACH PERSON OR ENTITY IT HAS REASON TO BELIEVE HAS COMMITTED A VIOLATION; AND

(C) IF APPROPRIATE, ASSESS PENALTIES FOR VIOLATIONS, FOLLOWING SUCH NOTICE AND OPPORTUNITY TO CONTEST.

3. CRIMINAL CONDUCT. ANY PERSON WHO KNOWINGLY AND WILLFULLY FURNISHES OR SUBMITS FALSE STATEMENTS OR INFORMATION TO THE BOARD IN CONNECTION WITH ITS ADMINISTRATION OF THIS TITLE, SHALL BE GUILTY OF A MISDEMEANOR IN ADDITION TO ANY OTHER PENALTY AS MAY BE IMPOSED UNDER THIS CHAPTER OR PURSUANT TO ANY OTHER LAW. THE BOARD SHALL SEEK TO RECOVER ANY MATCHING FUNDS OBTAINED AS A RESULT OF SUCH CRIMINAL CONDUCT.

4. PROCEEDINGS AS TO MATCHING FINANCING. (A) THE DETERMINATION OF ELIGIBILITY PURSUANT TO THIS TITLE AND ANY QUESTION OR ISSUE RELATING TO PAYMENTS FOR CAMPAIGN EXPENDITURES PURSUANT TO THIS TITLE MAY BE CONTESTED IN A PROCEEDING INSTITUTED IN THE SUPREME COURT, ALBANY COUNTY, BY ANY AGGRIEVED CANDIDATE.

(B) A PROCEEDING WITH RESPECT TO SUCH A DETERMINATION OF ELIGIBILITY OR PAYMENT FOR QUALIFIED CAMPAIGN EXPENDITURES PURSUANT TO THIS CHAPTER SHALL BE INSTITUTED WITHIN FOURTEEN DAYS AFTER SUCH DETERMINATION WAS MADE. THE BOARD SHALL BE MADE A PARTY TO ANY SUCH PROCEEDING.

(C) UPON THE BOARD'S FAILURE TO RECEIVE THE AMOUNT DUE FROM A PARTICIPATING CANDIDATE OR SUCH CANDIDATE'S AUTHORIZED COMMITTEE AFTER THE ISSUANCE OF WRITTEN NOTICE OF SUCH AMOUNT DUE, AS REQUIRED BY THIS TITLE, THE BOARD IS AUTHORIZED TO INSTITUTE A SPECIAL PROCEEDING OR CIVIL ACTION IN SUPREME COURT, ALBANY COUNTY, TO OBTAIN A JUDGMENT FOR ANY AMOUNTS DETERMINED TO BE PAYABLE TO THE BOARD AS A RESULT OF AN EXAMINATION AND AUDIT MADE PURSUANT TO THIS TITLE OR TO OBTAIN SUCH

AMOUNTS DIRECTLY FROM THE CANDIDATE OR AUTHORIZED COMMITTEE AFTER A HEARING AT THE STATE BOARD OF ELECTIONS.

(D) THE BOARD IS AUTHORIZED TO INSTITUTE A SPECIAL PROCEEDING OR CIVIL ACTION IN SUPREME COURT, ALBANY COUNTY, TO OBTAIN A JUDGMENT FOR CIVIL PENALTIES DETERMINED TO BE PAYABLE TO THE BOARD PURSUANT TO THIS TITLE OR TO IMPOSE SUCH PENALTY DIRECTLY AFTER A HEARING AT THE STATE BOARD OF ELECTIONS.

S 14-211. REPORTS. THE BOARD SHALL SUBMIT A REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE ASSEMBLY. SUCH REPORT SHALL INCLUDE:

1. A LIST OF THE PARTICIPATING AND NONPARTICIPATING CANDIDATES IN COVERED ELECTIONS AND THE VOTES RECEIVED BY EACH CANDIDATE IN THOSE ELECTIONS;

2. THE AMOUNT OF CONTRIBUTIONS AND LOANS RECEIVED, AND EXPENDITURES MADE, ON BEHALF OF THESE CANDIDATES;

3. THE AMOUNT OF PUBLIC MATCHING FUNDS EACH PARTICIPATING CANDIDATE RECEIVED, SPENT, AND REPAID PURSUANT TO THIS TITLE;

4. ANALYSIS OF THE EFFECT OF THIS TITLE ON POLITICAL CAMPAIGNS, INCLUDING ITS EFFECT ON THE SOURCES AND AMOUNTS OF PRIVATE FINANCING, THE LEVEL OF CAMPAIGN EXPENDITURES, VOTER PARTICIPATION, THE NUMBER OF CANDIDATES, THE CANDIDATES' ABILITY TO CAMPAIGN EFFECTIVELY FOR PUBLIC OFFICE, AND THE DIVERSITY OF CANDIDATES SEEKING AND ELECTED TO OFFICE; AND

5. RECOMMENDATIONS FOR AMENDMENTS TO THIS TITLE, INCLUDING CHANGES IN CONTRIBUTION LIMITS, THRESHOLDS FOR ELIGIBILITY, AND ANY OTHER FEATURES OF THE SYSTEM.

S 14-212. DEBATES FOR CANDIDATES FOR COMPTROLLER. THE BOARD SHALL PROMULGATE REGULATIONS TO FACILITATE DEBATES AMONG PARTICIPATING CANDIDATES WHO SEEK ELECTION FOR THE OFFICE OF COMPTROLLER. PARTICIPATING CANDIDATES ARE REQUIRED TO PARTICIPATE IN ONE DEBATE BEFORE EACH ELECTION FOR WHICH THE CANDIDATE RECEIVES MATCHING FUNDS, UNLESS THE PARTICIPATING CANDIDATE IS RUNNING UNOPPOSED. NONPARTICIPATING CANDIDATES MAY PARTICIPATE IN SUCH DEBATES.

S 14-213. SEVERABILITY. IF ANY CLAUSE, SENTENCE, SUBDIVISION, PARAGRAPH, SECTION OR PART OF THIS TITLE BE ADJUDGED BY ANY COURT OF COMPETENT JURISDICTION TO BE INVALID, SUCH JUDGMENT SHALL NOT AFFECT, IMPAIR OR INVALIDATE THE REMAINDER THEREOF, BUT SHALL BE CONFINED IN ITS OPERATION TO THE CLAUSE, SENTENCE, SUBDIVISION, PARAGRAPH, SECTION OR PART THEREOF DIRECTLY INVOLVED IN THE CONTROVERSY IN WHICH SUCH JUDGMENT SHALL HAVE BEEN RENDERED.

S 4. The state finance law is amended by adding a new section 92-t to read as follows:

S 92-T. NEW YORK STATE CAMPAIGN FINANCE FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXATION AND FINANCE A FUND TO BE KNOWN AS THE NEW YORK STATE CAMPAIGN FINANCE FUND.

2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED FROM THE ABANDONED PROPERTY FUND PURSUANT TO SECTION NINETY-FIVE OF THIS ARTICLE.

3. MONEYS OF THE FUND, FOLLOWING APPROPRIATION BY THE LEGISLATURE, MAY BE EXPENDED FOR THE PURPOSES OF MAKING PAYMENTS TO CANDIDATES PURSUANT TO TITLE II OF ARTICLE FOURTEEN OF THE ELECTION LAW. MONEYS SHALL BE PAID OUT OF THE FUND UPON AUDIT AND WARRANT BY THE STATE COMPTROLLER ON VOUCHERS CERTIFIED OR APPROVED BY THE STATE BOARD OF ELECTIONS, OR ITS DULY DESIGNATED REPRESENTATIVE, IN THE MANNER PRESCRIBED BY LAW, NOT MORE THAN FOUR WORKING DAYS AFTER SUCH VOUCHER IS AUDITED AND APPROVED BY THE STATE COMPTROLLER.

4. NO MATCHING FUNDS SHALL BE PAID TO ANY PARTICIPATING CANDIDATES IN A PRIMARY ELECTION ANY EARLIER THAN THIRTY DAYS AFTER DESIGNATING PETITIONS, INDEPENDENT NOMINATING PETITIONS, OR CERTIFICATES OF NOMINATION HAVE BEEN FILED AND NOT LESS THAN FORTY-FIVE DAYS BEFORE SUCH ELECTION.

5. NO MATCHING FUNDS SHALL BE PAID TO ANY PARTICIPATING CANDIDATES IN A GENERAL ELECTION ANY EARLIER THAN THE DAY AFTER THE DAY OF THE PRIMARY ELECTION HELD TO NOMINATE CANDIDATES FOR SUCH ELECTION.

6. NO MATCHING FUNDS SHALL BE PAID TO ANY PARTICIPATING CANDIDATE WHO HAS BEEN DISQUALIFIED OR WHOSE DESIGNATING PETITIONS HAVE BEEN DECLARED INVALID BY THE APPROPRIATE BOARD OF ELECTIONS OR A COURT OF COMPETENT JURISDICTION UNTIL AND UNLESS SUCH FINDING IS REVERSED BY A HIGHER COURT IN A FINAL JUDGMENT. NO PAYMENT FROM THE FUND IN THE POSSESSION OF SUCH A CANDIDATE OR SUCH CANDIDATE'S PARTICIPATING COMMITTEE ON THE DATE OF SUCH DISQUALIFICATION OR INVALIDATION MAY THEREAFTER BE EXPENDED FOR ANY PURPOSE EXCEPT THE PAYMENT OF LIABILITIES INCURRED BEFORE SUCH DATE. ALL SUCH MONEYS SHALL BE REPAID TO THE FUND.

S 5. Section 95 of the state finance law is amended by adding a new subdivision 5 to read as follows:

5. (A) AS OFTEN AS NECESSARY, THE CO-CHAIRS OF THE STATE BOARD OF ELECTIONS SHALL CERTIFY THE AMOUNT SUCH CO-CHAIRS HAVE DETERMINED NECESSARY TO FUND ESTIMATED PAYMENTS FROM THE FUND ESTABLISHED BY SECTION NINETY-TWO-T OF THIS ARTICLE FOR THE PRIMARY OR GENERAL ELECTION.

(B) NOTWITHSTANDING ANY PROVISION OF THIS SECTION AUTHORIZING THE TRANSFER OF ANY MONEYS IN THE ABANDONED PROPERTY FUND TO THE GENERAL FUND, THE COMPTROLLER, AFTER RESERVING AMOUNTS SUFFICIENT TO PAY CLAIMS AGAINST THE ABANDONED PROPERTY FUND, SHALL, BASED UPON A CERTIFICATION OF THE BOARD OF ELECTIONS PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION, AND AT THE DIRECTION OF THE DIRECTOR OF THE BUDGET, TRANSFER THE REQUESTED AMOUNT FROM REMAINING AVAILABLE MONIES IN THE ABANDONED PROPERTY FUND TO THE CAMPAIGN FINANCE FUND ESTABLISHED BY SECTION NINETY-TWO-T OF THIS ARTICLE.

S 6. Severability. If any clause, sentence, subdivision, paragraph, section or part of title II of article 14 of the election law, as added by section three of this act be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

S 7. This act shall take effect immediately and shall expire and be deemed repealed December 31, 2014; provided that the powers of the board of elections to conduct audits and make determinations with respect to enforcement and penalties pursuant to sections 14-209 and 14-210 of the election law, as added by section three of this act, shall continue in such board notwithstanding the repeal of such sections until such time as the board of elections shall determine.

S 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

S 3. This act shall take effect immediately provided, however, that the applicable effective date of Subparts A through D of this act shall be as specifically set forth in the last section of such Subparts.

PART I

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. Tuition reimbursement account (20451).
2. Proprietary vocational school supervision account (20452).
3. Local government records management account (20501).
4. Child health plus program account (20810).
5. Hospital based grants program account (20812).
6. EPIC premium account (20818).
7. Education - New (20901).
8. VLT - Sound basic education fund (20904).
9. Sewage treatment program management and administration fund (21000).
10. Hazardous bulk storage account (21061).
11. Federal grants indirect cost recovery account (21065).
12. Low level radioactive waste account (21066).
13. Recreation account (21067).
14. Public safety recovery account (21077).
15. Conservationist magazine account (21080).
16. Environmental regulatory account (21081).
17. Natural resource account (21082).
18. Mined land reclamation program account (21084).
19. Great lakes restoration initiative account (21087).
20. Environmental protection and oil spill compensation fund (21200).
21. Public transportation systems account (21401).
22. Metropolitan mass transportation (21402).
23. Operating permit program account (21451).
24. Mobile source account (21452).
25. Statewide planning and research cooperative system account (21902).
26. OPWDD provider of service account (21903).
27. Mental hygiene program fund account (21907).
28. Mental hygiene patient income account (21909).
29. Financial control board account (21911).
30. Regulation of racing account (21912).
31. New York Metropolitan Transportation Council account (21913).
32. Cyber upgrade account (21919).
33. State university dormitory income reimbursable account (21937).
34. Energy research account (21943).
35. Criminal justice improvement account (21945).
36. Fingerprint identification and technology account (21950).
37. Environmental laboratory reference fee account (21959).
38. Clinical laboratory reference system assessment account (21962).
39. Public employment relations board account (21964).
40. Indirect cost recovery account (21978).
41. High school equivalency program account (21979).
42. Multi-agency training account (21989).
43. Bell jar collection account (22003).
44. Industry and utility service account (22004).

45. Real property disposition account (22006).
46. Parking account (22007).
47. Asbestos safety training program account (22009).
48. Batavia school for the blind account (22032).
49. Investment services account (22034).
50. Surplus property account (22036).
51. Financial oversight account (22039).
52. Regulation of indian gaming account (22046).
53. Rome school for the deaf account (22053).
54. Seized assets account (22054).
55. Administrative adjudication account (22055).
56. Federal salary sharing account (22056).
57. New York City assessment account (22062).
58. Cultural education account (22063).
59. Local services account (22078).
60. DHCR mortgage servicing account (22085).
61. Department of motor vehicles compulsory insurance account (22087).
62. Housing indirect cost recovery account (22090).
63. Accident prevention course program account (22094).
64. DHCR-HCA application fee account (22100).
65. Low income housing monitoring account (22130).
66. Corporation administration account (22135).
67. Montrose veteran's home account (22144).
68. Deferred compensation administration account (22151).
69. Rent revenue other New York City account (22156).
70. Rent revenue account (22158).
71. Tax revenue arrearage account (22168).
72. State university general income offset account (22654).
73. State police motor vehicle law enforcement account (22802).
74. Highway safety program account (23001).
75. EFC drinking water program account (23101).
76. DOH drinking water program account (23102).
77. NYCCC operating offset account (23151).
78. Commercial gaming revenue account (23701).
79. Commercial gaming regulation account (23702).
80. Highway and bridge capital account (30051).
81. State university residence hall rehabilitation fund (30100).
82. State parks infrastructure account (30351).
83. Clean water/clean air implementation fund (30500).
84. Hazardous waste remedial cleanup account (31506).
85. Youth facilities improvement account (31701).
86. Housing assistance fund (31800).
87. Housing program fund (31850).
88. Highway facility purpose account (31951).
89. Miscellaneous capital projects fund, information technology capital financing account.
90. New York racing account (32213).
91. Mental hygiene facilities capital improvement fund (32300).
92. Correctional facilities capital improvement fund (32350).
93. New York State Storm Recovery Capital Fund (33000).
94. OGS convention center account (50318).
95. Centralized services fund (55000).
96. Archives records management account (55052).
97. Federal single audit account (55053).
98. Civil service law section II administrative account (55055).
99. Civil service EHS occupational health program account (55056).

100. Banking services account (55057).
101. Cultural resources survey account (55058).
102. Neighborhood work project (55059).
103. Automation & printing chargeback account (55060).
104. OFT NYT account (55061).
105. Data center account (55062).
106. Human service telecom account (55063).
107. Intrusion detection account (55066).
108. Domestic violence grant account (55067).
109. Centralized technology services account (55069).
110. Labor contact center account (55071).
111. Human services contact center account (55072).
112. Tax contact center account (55073).
113. Joint labor/management administration fund (55201).
114. Executive direction internal audit account (55251).
115. CIO Information technology centralized services account (55252).
116. Health insurance internal service account (55300).
117. Civil service employee benefits division administrative account (55301).
118. Correctional industries revolving fund (55350).
119. Employees health insurance account (60201).
120. Medicaid management information system escrow fund (60900).

S 1-a. 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 any account within the following federal funds, provided the comptroller has made a determination that sufficient federal grant award authority is available to reimburse such loans:

1. Federal USDA-food and nutrition services fund. (25000).
2. Federal health and human services fund (25100).
3. Federal education fund (25200).
4. Federal block grant fund (25250).
5. Federal miscellaneous operating grants fund. (25300)
6. Federal unemployment insurance administration fund (25900).
7. Federal unemployment insurance occupational training fund (25950).
8. Federal emergency employment act fund (26000).
9. Federal capital projects fund (31350).

S 2. 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, on or before March 31, 2015, up to the unencumbered balance or the following amounts:

Economic Development and Public Authorities:

1. $175,000 from the miscellaneous special revenue fund, underground facilities safety training account (22172), to the general fund.
2. An amount up to the unencumbered balance from the miscellaneous special revenue fund, business and licensing services account (21977), to the general fund.
3. $14,810,000 from the miscellaneous special revenue fund, code enforcement account (21904), to the general fund.
4. $3,000,000 from the general fund to the miscellaneous special revenue fund, tax revenue arrearage account (22168).
5. $350,000 from the state exposition special fund, state fair receipts account (50051), to the general fund.

Education:

1. $2,265,000,000 from the general fund to the state lottery fund, education account (20901), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.

2. $950,604,000 from the general fund to the state lottery fund, VLT education account (20904), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.

3. Moneys from the state lottery fund up to an amount deposited in such fund pursuant to section 1612 of the tax law in excess of the current year appropriation for supplemental aid to education pursuant to section 92-c of the state finance law.

4. $300,000 from the local government records management improvement fund (20500) to the archives partnership trust fund (20350).

5. $900,000 from the general fund to the miscellaneous special revenue fund, Batavia school for the blind account (22032).

6. $900,000 from the general fund to the miscellaneous special revenue fund, Rome school for the deaf account (22053).

7. $343,400,000 from the state university dormitory income fund (40350) to the miscellaneous special revenue fund, state university dormitory income reimbursable account (21937).

8. $24,000,000 from any of the state education department special revenue and internal service funds to the miscellaneous special revenue fund, indirect cost recovery account (21978).

9. $8,318,000 from the general fund to the state university income fund, state university income offset account (22654), for the state's share of repayment of the STIP loan.

10. $64,000,000 from the state university income fund, state university hospitals income reimbursable account (22656) to the general fund for hospital debt service for the period April 1, 2014 through March 31, 2015.

Environmental Affairs:

1. $16,000,000 from any of the department of environmental conservation's special revenue federal funds to the environmental conservation special revenue fund, federal indirect recovery account (21065).

2. $2,000,000 from any of the department of environmental conservation's special revenue federal funds to the conservation fund as necessary to avoid diversion of conservation funds.

3. $3,000,000 from any of the office of parks, recreation and historic preservation capital projects federal funds and special revenue federal funds to the miscellaneous special revenue fund, federal grant indirect cost recovery account (22188).

4. $1,000,000 from any of the office of parks, recreation and historic preservation special revenue federal funds to the miscellaneous special revenue fund, I love NY water account (21930).

5. $5,000,000 from the general fund to the environmental protection fund, environmental protection fund transfer account (30451).

Family Assistance:

1. $10,000,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and the general fund, in accordance with agreements with social services districts, to the miscellaneous special revenue fund, office of human resources development state match account (21967).

2. $3,000,000 from any of the office of children and family services or office of temporary and disability assistance special revenue federal funds to the miscellaneous special revenue fund, family preservation and support services and family violence services account (22082).

3. $18,670,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and any other miscellaneous revenues generated from the operation of office of children and family services programs to the general fund.

4. $205,000,000 from any of the office of temporary and disability assistance or department of health special revenue funds to the general fund.

5. $2,500,000 from any of the office of temporary and disability assistance or office of children and family services special revenue federal funds to the miscellaneous special revenue fund, office of temporary and disability assistance program account (21980).

6. $35,000,000 from any of the office of children and family services, office of temporary and disability assistance, department of labor, and department of health special revenue federal funds to the office of children and family services miscellaneous special revenue fund, multi-agency training contract account (21989).

7. $122,000,000 from the miscellaneous special revenue fund, youth facility per Diem account (22186), to the general fund.

8. $621,850 from the general fund to the combined gifts, grants, and bequests fund, WB Hoyt Memorial account (20128).

9. $2,500,000 from the miscellaneous special revenue fund, state central registry (22028) to the general fund.

General Government:

1. $1,566,000 from the miscellaneous special revenue fund, examination and miscellaneous revenue account (22065) to the general fund.

2. $12,500,000 from the general fund to the health insurance revolving fund (55300).

3. $192,400,000 from the health insurance reserve receipts fund (60550) to the general fund.

4. $150,000 from the general fund to the not-for-profit revolving loan fund (20650).

5. $150,000 from the not-for-profit revolving loan fund (20650) to the general fund.

6. $30,000,000 from the miscellaneous special revenue fund, real property disposition account (22006), to the general fund.

7. $3,000,000 from the miscellaneous special revenue fund, surplus property account (22036), to the general fund.

8. $19,900,000 from the general fund to the miscellaneous special revenue fund, alcoholic beverage control account (22033).

9. $23,000,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the general fund.

10. $1,826,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the miscellaneous special revenue fund, authority budget office account (22138).

11. $1,000,000 from the miscellaneous special revenue fund, parking services account (22007), to the general fund, for the purpose of reimbursing the costs of debt service related to state parking facilities.

12. $21,800,000 from the general fund to the internal service fund, COPS account (55013).

13. $14,000,000 from the general fund to the agencies internal service fund, central technology services account (55069), for the purpose of enterprise technology projects.

Health:

1. $64,600,000 from the miscellaneous special revenue fund, quality of care account (21915) to the general fund.

2. $1,000,000 from the general fund to the combined gifts, grants and bequests fund, breast cancer research and education account (20155), an amount equal to the monies collected and deposited into that account in the previous fiscal year.

3. $1,464,000 from any of the department of health accounts within the federal health and human services fund to the department of health miscellaneous special revenue fund, statewide planning and research cooperation system (SPARCS) program account (21902).

4. $250,000 from the general fund to the combined gifts, grants and bequests fund, prostate cancer research, detection, and education account (20183), an amount equal to the moneys collected and deposited into that account in the previous fiscal year.

5. $500,000 from the general fund to the combined gifts, grants and bequests fund, Alzheimer's disease research and assistance account (20143), an amount equal to the moneys collected and deposited into that account in the previous fiscal year.

6. $26,527,000 from the HCRA resources fund (20800), to the miscellaneous special revenue fund, empire state stem cell trust fund account (22161).

7. $11,373,000 from the general fund to the miscellaneous special revenue fund, empire state stem cell trust fund (22161).

8. $64,600,000 from any of the department of health accounts within the federal health and human services fund to the miscellaneous special revenue fund, quality of care account (21915).

9. $4,000,000 from the miscellaneous special revenue fund, certificate of need account (21920), to the miscellaneous capital projects fund, healthcare IT capital subfund.

10. $3,000,000 from the miscellaneous special revenue fund, administration program account (21982), to the miscellaneous capital projects fund, healthcare IT capital subfund.

11. $3,000,000 from the miscellaneous special revenue fund, vital records account (22103), to the miscellaneous capital projects fund, healthcare IT capital subfund.

12. $65,000,000 from the HCRA resources fund (20800) to the capital projects fund (30000).

13. $3,700,000 from the miscellaneous New York state agency fund, Medicaid recoveries account (60615), to the general fund.

Labor:

1. $400,000 from the miscellaneous special revenue fund, DOL fee and penalty account (21923), to the child performer's protection fund, child performer protection account (20401).

2. $8,400,000 from the miscellaneous special revenue fund, DOL fee and penalty account (21923), to the general fund.

3. $3,300,000 from the unemployment insurance interest and penalty fund, unemployment insurance special interest and penalty account (23601), to the general fund.

Mental Hygiene:

1. $10,000,000 from the miscellaneous special revenue fund, mental hygiene patient income account (21909), to the miscellaneous special revenue fund, federal salary sharing account (22056).

2. $100,000,000 from the miscellaneous special revenue fund, mental hygiene patient income account (21909), to the miscellaneous special revenue fund, provider of service accounts (21903).

3. $100,000,000 from the miscellaneous special revenue fund, mental hygiene program fund account (21907), to the miscellaneous special revenue fund, provider of service account (21903).

4. $1,250,000,000 from the general fund to the miscellaneous special revenue fund, mental hygiene patient income account (21909).

5. $1,600,000,000 from the general fund to the miscellaneous special revenue fund, mental hygiene program fund account (21907).

6. $100,000,000 from the miscellaneous special revenue fund, mental hygiene program fund account (21907), to the general fund.

7. $100,000,000 from the miscellaneous special revenue fund, mental hygiene patient income account (21909), to the general fund.

Public Protection:

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

2. $3,300,000 from the general fund to the miscellaneous special revenue fund, recruitment incentive account (22171).

3. $13,000,000 from the general fund to the correctional industries revolving fund, correctional industries internal service account (55350).

4. $12,000,000 from the federal miscellaneous operating grants fund, DMNA damage account (25324), to the general fund.

5. $14,300,000 from the general fund to the miscellaneous special revenue fund, crimes against revenue program account (22015).

6. $9,100,000 from the miscellaneous special revenue fund, criminal justice improvement account (21945), to the general fund.

7. $50,000,000 from the miscellaneous special revenue fund, statewide public safety communications account (22123), to the general fund.

8. $106,000,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, state police motor vehicle enforcement account (22802), to the general fund for state operation expenses of the division of state police.

9. $21,500,000 from the general fund to the correctional facilities capital improvement fund (32350).

10. $5,000,000 from the general fund to the dedicated highway and bridge trust fund (30050) for the purpose of work zone safety activities provided by the division of state police for the department of transportation.

11. $5,000,000 from the miscellaneous special revenue fund, statewide public safety communications account (22123), to the capital projects fund (30000).

12. $2,000,000 from the miscellaneous special revenue fund, legal services assistance account (22096), to the general fund.

Transportation:

1. $17,672,000 from the federal miscellaneous operating grants fund to the miscellaneous special revenue fund, New York Metropolitan Transportation Council account (21913).

2. $20,147,000 from the federal capital projects fund to the miscellaneous special revenue fund, New York Metropolitan Transportation Council account (21913).

3. $15,700,000 from the miscellaneous special revenue fund, compulsory insurance account (22087), to the general fund.

4. $12,000,000 from the general fund to the mass transportation operating assistance fund, public transportation systems operating assistance account (21401).

5. $662,483,000 from the general fund to the dedicated highway and bridge trust fund (30050).

6. $606,000 from the miscellaneous special revenue fund, accident prevention course program account (22094), to the general fund.

7. $6,000 from the miscellaneous special revenue fund, motorcycle safety account (21976), to the general fund.

8. $309,250,000 from the general fund to the MTA financial assistance fund, mobility tax trust account (23651).

9. $30,000,000 from the mass transportation operating assistance fund, metropolitan mass transportation operating assistance account (21402), to the general debt service fund (40150), for reimbursement of the state's expenses in connection with payments of debt service and related expenses for the metropolitan transportation authority's state service contract bonds.

10. $2,500,000 from the miscellaneous special revenue fund, rail safety inspection account (21983) to the dedicated highway and bridge trust fund (30050).

11. $5,000,000 from the miscellaneous special revenue fund, transportation regulation account (22067) to the dedicated highway and bridge trust fund (30050), for disbursements made from such fund for motor carrier safety that are in excess of the amounts deposited in the dedicated highway and bridge trust fund (30050) for such purpose pursuant to section 94 of the transportation law.

12. $2,808,096 from the general fund to the mass transportation operating assistance fund, public transportation systems operating assistance account (20401).

Miscellaneous:

1. $150,000,000 from the general fund to any funds or accounts for the purpose of reimbursing certain outstanding accounts receivable balances.

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

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

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

S 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, 2015:

1. Upon request of the commissioner of environmental conservation, up to $11,283,800 from revenues credited to any of the department of environmental conservation special revenue funds, including $3,275,400 from the environmental protection and oil spill compensation fund (21200), and $1,773,600 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 agriculture and markets, up to $2,000,000 from the state exposition special fund, state fair receipts account (50051) to the miscellaneous capital projects fund, state fair capital improvement account (32208).

4. 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).

5. 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.

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

S 3-a. Employees of the division of military and naval affairs in the unclassified service of the state, who are substantially engaged in the performance of duties to support business and financial services, administrative services, payroll administration, time and attendance, benefit administration and other transactional human resources functions, may be transferred to the office of general services in accordance with the provisions of section 45 of the civil service law as if the state had taken over a private entity. No employee who is transferred pursuant to this act shall suffer a reduction in basic annual salary as a result of the transfer.

S 4. Notwithstanding section 2815 of the public health law or any other contrary provision of law, upon the direction of the director of the budget and the commissioner of health, the dormitory authority of the state of New York is directed to transfer $7,000,000 annually from funds available and uncommitted in the New York state health care restructuring pool to the health care reform act (HCRA) resources fund - HCRA resources account.

S 5. On or before March 31, 2015, 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.

S 6. 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, to the state university of New York for reimbursement of bondable equipment for further transfer to the state's general fund.

S 7. 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, 2015, 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.

S 8. 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, 2015, up to $6,500,000 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 Albany.

S 9. Notwithstanding any law to the contrary, the state university chancellor or his or her designee is authorized and directed to transfer estimated tuition revenue balances from the state university collection fund (61000) to the state university income fund, state university general revenue offset account (22655) on or before March 31, 2015.

S 10. 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, up to $87,764,000 from the general fund to the state university income fund, state university hospitals income reimbursable account (22656) during the period July 1, 2014 through June 30, 2015 to reflect ongoing state subsidy of SUNY hospitals and to pay costs attributable to the SUNY hospitals' state agency status.

S 11. 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, up to $976,161,900 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2014 through June 30, 2015 to support operations at the state university.

S 12. 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 state university chancellor or his or her designee, up to $50,000,000 from the state university income fund, state university hospitals income reimbursable account (22656), for services and expenses of hospital operations and capital expenditures at the state university hospitals; and the state university income fund, Long Island veterans' home account (22652) to the state university capital projects fund (32400) on or before June 30, 2015.

S 13. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller, after consultation with the state university chancellor or his or her designee, is hereby authorized and directed to transfer moneys, in the first instance, from the state university collection fund, Stony Brook hospital collection account (61006), Brooklyn hospital collection account (61007), and Syracuse hospital collection account (61008) to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals. Notwithstanding any law to the contrary, the comptroller is also hereby authorized and directed, after consultation with the state university chancellor or his or her designee, to transfer moneys from the state university income fund to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to pay hospital operating costs or to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals on or before March 31, 2015.

S 14. Notwithstanding any law to the contrary, upon the direction of the director of the budget and the chancellor of the state university of New York or his or her designee, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer monies from the state university dormitory income fund (40350) to the state university residence hall rehabilitation fund (30100), and from the state university residence hall rehabilitation fund (30100) to the state university dormitory income fund (40350), in an amount not to exceed in the aggregate $80 million.

S 15. 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 monies, upon request of the director of the budget, on or before March 31, 2015, from and to any of the following accounts: the miscellaneous special revenue fund, patient income account (21909), the miscellaneous special revenue fund, mental hygiene program fund account (21907), the miscellaneous special revenue fund, federal salary sharing account (22056) or the general fund in any combination, the aggregate of which shall not exceed $350 million.

S 16. 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 $500 million from the unencumbered balance of any special revenue fund or account, or combination of funds and accounts, to the general fund. The amounts transferred pursuant to this authorization shall be in addition to any other transfers expressly authorized in the 2014-15 budget. Transfers from federal funds, debt service funds, capital projects funds, the community projects fund, or 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.

S 16-a. 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 twenty-eight million dollars ($28,000,000) from the unencumbered balance of any special revenue fund or account, or combination of funds and accounts, to the community projects fund. The amounts transferred pursuant to this authorization shall be in addition to any other transfers expressly authorized in the 2014-15 budget. Transfers from federal funds, debt services funds, capital projects funds, or 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. The director of the budget shall (a) have received a request in writing from one or both houses of the legislature, and (b) notify both houses of the legislature in writing prior to initiating transfers pursuant to this authorization. The comptroller shall provide the director of the budget, the chair of the senate finance committee, and the chair of the assembly ways and means committee with an accurate accounting and report of any transfers that occur pursuant to this section on or before the fifteenth day of the following month in which such transfers occur.

S 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 $100 million from any non-general fund or account, or combination

of funds and accounts, to the miscellaneous special revenue fund, technology financing account (22207) or the miscellaneous capital projects fund, information technology capital financing account, for the purpose of consolidating technology procurement and services. The amounts transferred to the miscellaneous special revenue fund, technology financing account (22207) 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 technology financing account shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule or permanent statute, and shall be transferred to the technology financing account pursuant to a schedule agreed upon by the affected agency commissioner. 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.

S 18. 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 $300 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.

S 19. 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 (i) make a contribution to the state treasury to the credit of the general fund, or as otherwise directed in writing by the director of the budget, in an amount of up to $90,000,000 for the state fiscal year commencing April 1, 2014, the proceeds of which will be utilized to support energy-related initiatives of the state, or for economic development purposes, and (ii) transfer up to $25,000,000 of any such contribution by June 30, 2014 and the remainder of any such contribution by March 31, 2015. Such economic development purposes may include, but shall not be limited to, efforts to attract and expand business investment and job creation in New York state through the Open for Business program, provided that in the event any contributed funds are used by a state agency or public authority for the purpose of advertising and promoting the benefits of the START-UP NY program, no less than sixty percent of the contributed funds used for such purpose shall be used for advertising and promotion outside the state of New York.

S 20. Subdivision 5 of section 97-rrr of the state finance law, as amended by section 20 of part HH of chapter 57 of the laws of 2013, 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 [thirteen] FOURTEEN, 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 [$3,419,375,000] $3,429,375,000, 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 [thirteen] FOURTEEN.

S 21. The comptroller is authorized and directed to deposit to the general fund-state purposes account reimbursements from moneys appropriated or reappropriated to the correctional facilities capital improvement fund by a chapter of the laws of 2014. Reimbursements shall be available for spending from appropriations made to the department of corrections and community supervision in the general fund-state purposes accounts by a chapter of the laws of 2014 for costs associated with the administration and security of capital projects and for other costs which are attributable, according to a plan, to such capital projects.

S 22. Subdivision 6 of section 4 of the state finance law, as amended by section 18 of part U of chapter 59 of the laws of 2012, is amended to read as follows:

6. Notwithstanding any law to the contrary, at the beginning of the state fiscal year, the state comptroller is hereby authorized and directed to receive for deposit to the credit of a fund and/or an account such monies as are identified by the director of the budget as having been intended for such deposit to support disbursements from such fund and/or account made in pursuance of an appropriation by law. As soon as practicable upon enactment of the budget, the director of the budget shall, but not less than three days following preliminary submission to the chairs of the senate finance committee and the assembly ways and means committee, file with the state comptroller an identification of specific monies to be so deposited. Any subsequent change regarding the monies to be so deposited shall be filed by the director of the budget, as soon as practicable, but not less than three days following preliminary submission to the chairs of the senate finance committee and the assembly ways and means committee.

All monies identified by the director of the budget to be deposited to the credit of a fund and/or account shall be consistent with the intent of the budget for the then current state fiscal year as enacted by the legislature.

The provisions of this subdivision shall expire on March thirty-first, two thousand [fourteen] SIXTEEN.

S 23. Subdivision 4 of section 40 of the state finance law, as amended by section 19 of part U of chapter 59 of the laws of 2012, is amended to read as follows:

4. Every appropriation made from a fund or account to a department or agency shall be available for the payment of prior years' liabilities in such fund or account for fringe benefits, indirect costs, and telecommunications expenses and expenses for other centralized services fund programs without limit. Every appropriation shall also be available for the payment of prior years' liabilities other than those indicated

above, but only to the extent of one-half of one percent of the total amount appropriated to a department or agency in such fund or account.

The provisions of this subdivision shall expire March thirty-first, two thousand [fourteen] SIXTEEN.

S 23-a. The state finance law is amended by adding a new section 99-v to read as follows:

S 99-V. MORTGAGE SETTLEMENT PROCEEDS TRUST FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXATION AND FINANCE A TRUST AND AGENCY FUND KNOWN AS THE "MORTGAGE SETTLEMENT PROCEEDS TRUST FUND".

2. SUCH FUND SHALL CONSIST OF MONIES PAID PURSUANT TO THE SETTLEMENT AGREEMENT DATED NOVEMBER NINETEENTH, TWO THOUSAND THIRTEEN BETWEEN J.P. MORGAN SECURITIES LLC (F/K/A "BEAR, STEARNS & CO. INC."), JPMORGAN CHASE BANK, N.A., EMC MORTGAGE LLC (F/K/A "EMC MORTGAGE CORPORATION") AND THE PEOPLE OF THE STATE OF NEW YORK AND THAT WERE TRANSFERRED THERETO PURSUANT TO LAW FROM THE DEPARTMENT OF LAW RESTITUTION FUND AND THE GENERAL FUND.

3. UP TO $439,549,965 OF THE MONIES OF THE FUND SHALL BE DISTRIBUTED IN ACCORDANCE WITH A PLAN APPROVED IN A MEMORANDUM OF UNDERSTANDING EXECUTED BY THE DIRECTOR OF THE BUDGET, THE SPEAKER OF THE ASSEMBLY, AND THE TEMPORARY PRESIDENT OF THE SENATE, OR THEIR DESIGNEE, IN CONSULTATION WITH THE COMMISSIONER OF THE DIVISION OF HOUSING AND COMMUNITY RENEWAL, TO PROVIDE COMPENSATION TO THE STATE OF NEW YORK AND ITS COMMUNITIES FOR HARMS PURPORTEDLY CAUSED BY THE ALLEGEDLY UNLAWFUL CONDUCT OF J.P. MORGAN SECURITIES LLC (F/K/A "BEAR, STERNS & CO. INC."), JPMORGAN CHASE BANK, N.A., EMC MORTGAGE LLC (F/K/A "EMC MORTGAGE CORPORATION") FOR PURPOSES INTENDED TO AVOID PREVENTABLE FORECLOSURES, TO AMELIORATE THE EFFECTS OF THE FORECLOSURE CRISIS, TO ENHANCE LAW ENFORCEMENT EFFORTS TO PREVENT AND PROSECUTE FINANCIAL FRAUD OR UNFAIR OR DECEPTIVE ACTS OR PRACTICES, AND TO OTHERWISE PROMOTE THE INTERESTS OF THE INVESTING PUBLIC. SUCH PERMISSIBLE PURPOSES FOR ALLOCATION OF THE FUNDS INCLUDE, BUT ARE NOT LIMITED TO, PROVIDING FUNDING FOR HOUSING COUNSELORS, STATE AND LOCAL FORECLOSURE ASSISTANCE HOTLINES, STATE AND LOCAL FORECLOSURE MEDIATION PROGRAMS, LEGAL ASSISTANCE, HOUSING REMEDIATION AND ANTI-BLIGHT PROJECTS, AND FOR THE TRAINING AND STAFFING OF, AND CAPITAL EXPENDITURES REQUIRED BY, FINANCIAL FRAUD AND CONSUMER PROTECTION EFFORTS, AND FOR ANY OTHER PURPOSE CONSISTENT WITH THE TERMS OF THE SETTLEMENT AGREEMENT DATED NOVEMBER NINETEENTH, TWO THOUSAND THIRTEEN BETWEEN J.P. MORGAN SECURITIES LLC (F/K/A "BEAR, STEARNS & CO. INC."), JPMORGAN CHASE BANK, N.A., EMC MORTGAGE LLC (F/K/A "EMC MORTGAGE CORPORATION") AND THE PEOPLE OF THE STATE OF NEW YORK.

4. UP TO $81,500,234 OF THE MONIES OF THE FUND SHALL BE DISTRIBUTED IN ACCORDANCE WITH A PLAN DEVELOPED BY THE ATTORNEY GENERAL TO PROVIDE COMPENSATION TO THE STATE OF NEW YORK AND ITS COMMUNITIES FOR HARMS PURPORTEDLY CAUSED BY THE ALLEGEDLY UNLAWFUL CONDUCT OF J.P. MORGAN SECURITIES LLC (F/K/A "BEAR, STEARNS & CO. INC."), JPMORGAN CHASE BANK, N.A., EMC MORTGAGE LLC (F/K/A "EMC MORTGAGE CORPORATION"), FOR PURPOSES INTENDED TO AVOID PREVENTABLE FORECLOSURES, TO AMELIORATE THE EFFECTS OF THE FORECLOSURE CRISIS, TO ENHANCE LAW ENFORCEMENT EFFORTS TO PREVENT AND PROSECUTE FINANCIAL FRAUD OR UNFAIR OR DECEPTIVE ACTS OR PRACTICES, AND TO OTHERWISE PROMOTE THE INTERESTS OF THE INVESTING PUBLIC. SUCH PERMISSIBLE PURPOSES FOR ALLOCATION OF THE FUNDS INCLUDE, BUT ARE NOT LIMITED TO, PROVIDING FUNDING FOR HOUSING COUNSELORS, STATE AND LOCAL FORECLOSURE ASSISTANCE HOTLINES, STATE AND LOCAL FORECLOSURE MEDIATION PROGRAMS, LEGAL ASSISTANCE, HOUSING REMEDIATION AND ANTI-BLIGHT PROJECTS, AND FOR THE TRAINING AND STAFFING OF, AND CAPITAL EXPENDITURES

REQUIRED BY, FINANCIAL FRAUD AND CONSUMER PROTECTION EFFORTS, AND FOR ANY OTHER PURPOSE CONSISTENT WITH THE TERMS OF THE SETTLEMENT AGREEMENT DATED NOVEMBER 19, 2013 BETWEEN J.P. MORGAN SECURITIES LLC (F/K/A "BEAR, STEARNS & CO. INC.") JPMORGAN CHASE BANK, N.A., EMC MORTGAGE LLC (F/K/A "EMC MORTGAGE CORPORATION") AND THE PEOPLE OF THE STATE OF NEW YORK.

S 23-b 1. Notwithstanding any law to the contrary, and in accordance with article VII, section 7 of the New York constitution, and subdivision 1 of section 4 and section 121 of the state finance law, the attorney general is hereby authorized and directed to transfer, upon the request of the director of the budget, on or before April 15, 2014, the following amounts paid pursuant to the settlement agreement dated November 19, 2013 between J.P. Morgan Securities LLC (f/k/a "Bear, Stearns & Co. Inc.") JPMorgan Chase Bank, N.A., EMC Mortgage LLC (f/k/a "EMC Mortgage Corporation") and the People of the State of New York ("Settlement Agreement"): $531,500,234 from the department of law restitution fund to the mortgage settlement proceeds trust fund.

2. Notwithstanding any law to the contrary, and in accordance with article VII, section 7 of the New York constitution, and subdivision 1 of section 4 and section 121 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon the request of the director of the budget, on or before April 15, 2014, the following amounts paid pursuant to the Settlement Agreement: $58,000,000 from the general fund to the mortgage settlement proceeds trust fund.

3. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon the request of the director of the budget, as soon as practicable after November 1, 2014, $22,816,678 from the mortgage settlement proceeds trust fund to the general fund.

4. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon the request of the director of the budget, as soon as practicable after November 1, 2015, $22,816,678 from the mortgage settlement proceeds trust fund to the general fund.

5. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon the request of the director of the budget, as soon as practicable after November 1, 2016, $22,816,678 from the mortgage settlement proceeds trust fund to the general fund.

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

rebated to the federal government pursuant to the provisions of the internal revenue code of 1986, as amended.

S 25. Section 68-b of the state finance law is amended by adding a new subdivision 12 to read as follows:

12. THE COMPTROLLER IS HEREBY AUTHORIZED TO RECEIVE FROM THE AUTHORIZED ISSUERS ANY PORTION OF BOND PROCEEDS PAID TO PROVIDE FUNDS FOR OR REIMBURSE THE STATE FOR ITS COSTS ASSOCIATED WITH SUCH AUTHORIZED PURPOSES AND TO CREDIT SUCH AMOUNTS TO THE CAPITAL PROJECTS FUND OR ANY OTHER APPROPRIATE FUND.

S 26. Section 69-n of the state finance law is amended by adding a new subdivision 12 to read as follows:

12. THE COMPTROLLER IS HEREBY AUTHORIZED TO RECEIVE FROM THE AUTHORIZED ISSUERS ANY PORTION OF BOND PROCEEDS PAID TO PROVIDE FUNDS FOR OR REIMBURSE THE STATE FOR ITS COSTS ASSOCIATED WITH SUCH AUTHORIZED PURPOSES AND TO CREDIT SUCH AMOUNTS TO THE CAPITAL PROJECTS FUND OR ANY OTHER APPROPRIATE FUND.

S 27. Paragraph (b) of subdivision 4 of section 72 of the state finance law, as amended by section 37 of part U of chapter 59 of the laws of 2012, 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 [fourteen] SEVENTEEN.

S 28. Section 47 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as added by section 47 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

S 47. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the office of information technology services, DEPARTMENT OF LAW, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [eighty-seven] ONE HUNDRED EIGHTY-TWO million [seven] FOUR hundred forty thousand dollars, 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 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 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.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the corporation in undertaking the financing for project costs for the office of information technology services, DEPARTMENT OF LAW, and other state costs associated with such capital projects, the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the 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 corporation agree, so as to annually provide to the dormitory authority and the 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 corporation as security for its bonds and notes, as authorized by this section.

S 29. Subdivision 1 of section 16 of 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, as amended by section 49 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed seven billion one hundred [thirty-three] FORTY-EIGHT million sixty-nine thousand dollars [$7,133,069,000] $7,148,069,000, and shall include all bonds, notes and other obligations issued pursuant to chapter 56 of the laws of 1983, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the correctional facilities capital improvement fund to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the department of corrections and community supervision from the correctional facilities capital improvement fund for capital projects. The aggregate amount of bonds, notes or other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the department of corrections and community supervision; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than seven billion one hundred [thirty-three] FORTY-EIGHT million sixty-nine thousand dollars [$7,133,069,000] $7,148,069,000, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of

the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, 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 or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

S 30. Paragraph (a) of subdivision 2 of section 47-e of the private housing finance law, as amended by section 50 of part HH of chapter 57 of the laws of 2013, 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 two billion [eight hundred forty-four] NINE HUNDRED NINETY-NINE million [eight hundred] ninety-nine thousand dollars, 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.

S 31. 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 51 of part HH of chapter 57 of the laws of 2013, 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 [$7,591,875,000] $8,120,728,000 cumulatively by the end of fiscal year [2013-14] 2014-15.

S 32. Subdivision 1 of section 1689-i of the public authorities law, as amended by section 52 of part HH of chapter 57 of the laws of 2013, 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 [one hundred twelve] ONE HUNDRED TWENTY-SIX million dollars.

S 33. Subdivision (a) of section 27 of part Y of chapter 61 of the laws of 2005, providing for the administration of certain funds and accounts related to the 2005-2006 budget, as amended by section 53 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any provisions of law to the contrary, the urban development corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [$133,600,000] $149,600,000, excluding bonds issued to finance 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, for the purpose of financing capital projects INCLUDING IT INITIATIVES for the division of state police, debt service and leases; and to reimburse the state general fund for disbursements made therefor. Such bonds and notes of such authorized issuer 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 such authorized issuer for debt service and related expenses pursuant to any service contract executed pursuant to subdivision (b) of this section 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.

S 34. Section 44 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 54 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

S 44. Issuance of certain bonds or notes. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic [devlopment] DEVELOPMENT fund, THE CLARKSON-TRUDEAU PARTNERSHIP, THE NEW YORK GENOME CENTER, THE CORNELL UNIVERSITY COLLEGE OF VETERINARY MEDICINE, THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY, A PROJECT AT NANO UTICA, ONONDAGA COUNTY REVITALIZATION PROJECTS, and other state costs associated with such projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [one] TWO billion TWO HUNDRED three million [six] TWO hundred

[seven] FIFTY-SEVEN thousand dollars, 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 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 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.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the corporation in undertaking the financing for project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, THE CLARKSON-TRUDEAU PARTNERSHIP, THE NEW YORK GENOME CENTER, THE CORNELL UNIVERSITY COLLEGE OF VETERINARY MEDICINE, THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY, A PROJECT AT NANO UTICA, ONONDAGA COUNTY REVITALIZATION PROJECTS, and other state costs associated with such projects, the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the 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 corporation agree, so as to annually provide to the dormitory authority and the 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 corporation as security for its bonds and notes, as authorized by this section.

S 35. Subdivision 3 of section 1285-p of the public authorities law, as amended by section 55 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

3. The maximum amount of bonds that may be issued for the purpose of financing environmental infrastructure projects authorized by this section shall be one billion [two] THREE hundred [sixty-five] NINETY-EIGHT million [seven] TWO hundred sixty thousand dollars, exclusive of bonds issued to fund any debt service reserve funds, pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay bonds or notes previously issued. Such bonds and notes of the 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 corporation for debt service and related expenses pursuant to any service contracts executed pursuant to

subdivision one of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

S 36. Section 93-a of the state finance law, as added by section 64 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

S 93-a. New York state storm recovery capital fund. 1. (a) There is hereby established in the joint custody of the comptroller and the commissioner of taxation and finance a special fund to be known as the "New York state storm recovery capital fund".

(b) The sources of funds shall consist of all moneys collected therefor, or moneys credited, appropriated or transferred thereto from any other fund or source pursuant to law, or any other moneys made available for the purposes of the fund. [Any interest received by the comptroller on moneys on deposit shall be retained in and become a part of the fund, unless otherwise directed by law.]

2. Following appropriation by the legislature, moneys in the storm recovery capital fund shall be available [to finance] FOR the repair, rehabilitation, or replacement of capital works or purposes damaged by Hurricane Sandy or any future natural disaster expected to be eligible for reimbursement by the Federal Emergency Management Agency (FEMA), the Federal Transit Administration (FTA), the Federal Highway Administration (FHWA) [and] AND/OR any other Federal reimbursement source. No money in this account may be expended for any project [until] UNLESS the director of the budget OR HIS OR HER DESIGNEE has determined that there is a substantial likelihood that the costs of such project shall be [reimbursed] ELIGIBLE FOR REIMBURSEMENT by Federal sources. [The director shall issue formal rules that set forth the process by which he or she will determine whether there is a substantial likelihood of reimbursement by Federal sources.]

S 37. Subdivision 1 of section 45 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 65 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the urban development corporation of the state of New York is hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the implementation of a NY-SUNY and NY-CUNY 2020 challenge grant program subject to the approval of a NY-SUNY and NY-CUNY 2020 plan or plans by the governor and either the chancellor of the state university of New York or the chancellor of the city university of New York, as applicable. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [$220,000,000] $330,000,000, 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 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 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.

S 38. Subdivision (a) of section 48 of part K of chapter 81 of the laws of 2002, providing for the administration of certain funds and

accounts related to the 2002-2003 budget, as amended by section 68 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000 but notwithstanding the provisions of section 18 of the urban development corporation act, the corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [$67,000,000] $197,000,000 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, for the purpose of financing capital costs related to homeland security and training facilities for the division of state police, the division of military and naval affairs, and any other state agency, including the reimbursement of any disbursements made from the state capital projects fund, and is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [$220,800,000] $317,800,000, 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, for the purpose of financing improvements to State office buildings and other facilities located statewide, including the reimbursement of any disbursements made from the state capital projects fund. Such bonds and notes of the 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 corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision (b) of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

S 39. Subdivision 1 of section 386-b of the public authorities law, as amended by section 69 of part HH of chapter 57 of the laws of 2013, 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 financing peace bridge projects and capital costs of state and local highways, parkways, bridges, the New York state thruway, Indian reservation roads, and facilities, and transportation infrastructure projects including aviation projects, non-MTA mass transit projects, and rail service preservation projects, including work appurtenant and ancillary thereto. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [two] FOUR hundred [forty] SIXTY-FIVE million dollars [($240,000,000)] ($465,000,000), 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.

S 40. Paragraph (c) of subdivision 19 of section 1680 of the public authorities law, as amended by section 69-a of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, the dormitory authority shall not issue any bonds for state university educational facilities purposes if the principal amount of bonds to be issued when added to the aggregate principal amount of bonds issued by the dormitory authority on and after July first, nineteen hundred eighty-eight for state university educational facilities will exceed ten billion [four] NINE hundred [twenty-two] EIGHTY-FOUR million dollars; 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.

S 41. Paragraph (c) of subdivision 14 of section 1680 of the public authorities law, as amended by section 67 of part HH of chapter 57 of the laws of 2013, 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 substituted for or in lieu of other bonds in relation to city university facilities and except for bonds issued pursuant to a resolution supplemental to a resolution of the dormitory authority adopted prior to July first, nineteen hundred eighty-five, if the principal amount of bonds so to be issued when added to the principal amount of bonds previously issued pursuant to any such resolution, except bonds issued to refund or to be substituted for or in lieu of other bonds in relation to city university facilities, will exceed [six] SEVEN billion [eight] TWO hundred [fifty-three] SEVENTY-THREE million [two] THREE hundred THIRTY-ONE thousand dollars. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the city university, and the 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.

S 42. Subdivision 10-a of section 1680 of the public authorities law, as amended by section 66 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

10-a. Subject to the provisions of chapter fifty-nine of the laws of two thousand, but notwithstanding any other provision of the law to the contrary, the maximum amount of bonds and notes to be issued after March thirty-first, two thousand two, on behalf of the state, in relation to any locally sponsored community college, shall be [six] SEVEN hundred [sixty-three] SEVENTY-SIX million THREE HUNDRED FIVE THOUSAND dollars. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance and to refund any outstanding bonds and notes, issued on behalf of the state, relating to a locally sponsored community college.

S 43. The public authorities law is amended by adding a new section 1680-r to read as follows:

S 1680-R. AUTHORIZATION FOR THE ISSUANCE OF BONDS FOR THE CAPITAL RESTRUCTURING FINANCING PROGRAM. 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 AGGREGATE PRINCIPAL AMOUNT OF BONDS AUTHORIZED TO BE ISSUED PURSUANT TO THIS SECTION SHALL NOT EXCEED ONE BILLION TWO HUNDRED MILLION DOLLARS, 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 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.

2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, IN ORDER TO ASSIST THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT CORPORATION IN UNDERTAKING THE FINANCING FOR 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 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.

S 44. Subdivision 1 of section 17 of part D of chapter 389 of the laws of 1997, providing for the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by section 43 of part BB of chapter 58 of the laws of 2011, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed four hundred [twenty-nine] SIXTY-FIVE million [five] THREE hundred [fifteen] SIXTY-FIVE thousand dollars [($429,515,000)] ($465,365,000), which authorization increases the aggregate principal amount of bonds, notes and other obligations authorized by section 40 of chapter 309 of the laws of 1996, and shall include all bonds, notes and other obligations issued pursuant to chapter 211 of the laws of 1990, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the youth facilities improvement fund, to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the office of children and family services from the youth facilities improvement fund for capital projects. The aggregate amount of bonds, notes and other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the office of children and family services; provided, however, that upon any such refunding or

repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than four hundred [twenty-nine] SIXTY-FIVE million [five] THREE hundred [fifteen] SIXTY-FIVE thousand dollars [$429,515,000] ($465,365,000), only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, 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 or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

S 45. Intentionally omitted.

S 46. Paragraph b of subdivision 2 of section 9-a of section 1 of chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, as amended by section 49-c of part PP of chapter 56 of the laws of 2009, is amended to read as follows:

b. The agency shall have power and is hereby authorized from time to time to issue negotiable bonds and notes in conformity with applicable provisions of the uniform commercial code in such principal amount as, in the opinion of the agency, shall be necessary, after taking into account other moneys which may be available for the purpose, to provide sufficient funds to the facilities development corporation, or any successor agency, for the financing or refinancing of or for the design, construction, acquisition, reconstruction, rehabilitation or improvement of mental health services facilities pursuant to paragraph a of this subdivision, the payment of interest on mental health services improvement bonds and mental health services improvement notes issued for such purposes, the establishment of reserves to secure such bonds and notes, the cost or premium of bond insurance or the costs of any financial mechanisms which may be used to reduce the debt service that would be payable by the agency on its mental health services facilities improvement bonds and notes and all other expenditures of the agency incident to and necessary or convenient to providing the facilities development corporation, or any successor agency, with funds for the financing or refinancing of or for any such design, construction, acquisition, reconstruction, rehabilitation or improvement and for the refunding of mental hygiene improvement bonds issued pursuant to section 47-b of the private housing finance law; provided, however, that the agency shall not issue mental health services facilities improvement bonds and mental health services facilities improvement notes in an aggregate principal amount exceeding seven billion [three] FOUR hundred [sixty-six] THIRTY-FIVE million [six] EIGHT hundred FIFTEEN thousand dollars, excluding mental health services facilities improvement bonds and mental health services facilities improvement notes issued to refund outstanding mental health services facilities improvement bonds and mental health services facilities improvement notes; provided, however, that upon any such refunding or repayment of mental health services facilities improvement bonds

and/or mental health services facilities improvement notes the total aggregate principal amount of outstanding mental health services facilities improvement bonds and mental health facilities improvement notes may be greater than seven billion [three] FOUR hundred [sixty-six] THIRTY-FIVE million [six] EIGHT hundred FIFTEEN thousand dollars only if, except as hereinafter provided with respect to mental health services facilities bonds and mental health services facilities notes issued to refund mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law, the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, 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 or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the authority including estimated accrued interest from the sale thereof. Such bonds, other than bonds issued to refund outstanding bonds, shall be scheduled to mature over a term not to exceed the average useful life, as certified by the facilities development corporation, of the projects for which the bonds are issued, and in any case shall not exceed thirty years and the maximum maturity of notes or any renewals thereof shall not exceed five years from the date of the original issue of such notes. Notwithstanding the provisions of this section, the agency shall have the power and is hereby authorized to issue mental health services facilities improvement bonds and/or mental health services facilities improvement notes to refund outstanding mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law and the amount of bonds issued or outstanding for such purposes shall not be included for purposes of determining the amount of bonds issued pursuant to this section. The director of the budget shall allocate the aggregate principal authorized to be issued by the agency among the office of mental health, office [of mental retardation and] FOR PEOPLE WITH developmental disabilities, and the office of alcoholism and substance abuse services, in consultation with their respective commissioners to finance bondable appropriations previously approved by the legislature.

S 46-a. Subdivision 1 of section 49 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as added by section 69-c of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the state and municipal facilities program and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [three] SEVEN hundred [eighty-five] SEVENTY million dollars, 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 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 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.

S 46-b. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new section 50 to read as follows:

S 50. 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 SPECIAL ACT SCHOOL DISTRICTS, STATE-SUPPORTED SCHOOLS FOR THE BLIND AND DEAF AND APPROVED PRIVATE SPECIAL EDUCATION SCHOOLS, AND OTHER STATE COSTS ASSOCIATED WITH SUCH CAPITAL PROJECTS. THE AGGREGATE PRINCIPAL AMOUNT OF BONDS AUTHORIZED TO BE ISSUED PURSUANT TO THIS SECTION SHALL NOT EXCEED FIVE MILLION DOLLARS, 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 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.

2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, IN ORDER TO ASSIST THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT CORPORATION IN UNDERTAKING THE FINANCING FOR PROJECT COSTS UNDERTAKEN BY OR ON BEHALF OF SPECIAL ACT SCHOOL DISTRICTS, STATE-SUPPORTED SCHOOLS FOR THE BLIND AND DEAF AND APPROVED PRIVATE SPECIAL EDUCATION SCHOOLS, AND OTHER STATE COSTS ASSOCIATED WITH SUCH CAPITAL 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.

3. SUBDIVISIONS 1 AND 2 OF THIS SECTION SHALL TAKE EFFECT ONLY IN THE EVENT THAT A CHAPTER OF THE LAWS OF 2014, ENACTING THE "SMART SCHOOLS BOND ACT OF 2014", IS SUBMITTED TO THE PEOPLE AT THE GENERAL ELECTION TO BE HELD IN NOVEMBER 2014 AND IS APPROVED BY A MAJORITY OF ALL VOTES CAST FOR AND AGAINST IT AT SUCH ELECTION. UPON SUCH APPROVAL, SUBDIVISIONS 1 AND 2 OF THIS SECTION SHALL TAKE EFFECT IMMEDIATELY. IF SUCH APPROVAL IS NOT OBTAINED, SUBDIVISIONS 1 AND 2 OF THIS SECTION SHALL EXPIRE AND BE DEEMED REPEALED.

S 46-c. Paragraph (b) of subdivision 3 of section 1 and clause (B) of subparagraph (iii) of paragraph (j) of subdivision 4 of section 1 of 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, is amended to read as follows:

(b) Within amounts appropriated therefor, the board is hereby authorized and directed to award matching capital grants totaling [150] 180 million dollars. Each college shall be eligible for a grant award amount as determined by the calculations pursuant to subdivision five of this section. In addition, such colleges shall be eligible to compete for additional funds pursuant to paragraph (h) of subdivision four of this section.

(B) The dormitory authority shall not issue any bonds or notes in an amount in excess of [150] 180 million dollars for the purposes of this section; excluding bonds or notes 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. Except for purposes of complying with the internal revenue code, any interest on bond proceeds shall only be used to pay debt service on such bonds.

S 46-d. Paragraph (a) of subdivision 1 and subdivision 4 of section 3234 of the public authorities law, paragraph (a) of subdivision 1 as amended by chapter 766 of the laws of 2005 and subdivision 4 as added by chapter 220 of the laws of 1990, are amended to read as follows:

(a) The corporation shall be administered by seven directors, one of whom shall be the comptroller, one of whom shall be the director of the budget and five of whom shall be appointed by the governor. THE COMPTROLLER AND THE DIRECTOR OF THE BUDGET SHALL BE ENTITLED TO DESIGNATE A REPRESENTATIVE OR REPRESENTATIVES TO ATTEND MEETINGS OF THE BOARD IN THEIR PLACE, AND TO VOTE OR OTHERWISE ACT ON THEIR BEHALF IN THEIR ABSENCE. NOTICE OF SUCH DESIGNATION SHALL BE FURNISHED IN WRITING TO THE BOARD BY THE DESIGNATING DIRECTOR. A REPRESENTATIVE SHALL SERVE AT THE PLEASURE OF THE DESIGNATING DIRECTOR DURING THE DIRECTOR'S TERM OF OFFICE. A REPRESENTATIVE SHALL NOT BE AUTHORIZED TO DELEGATE ANY OF HIS OR HER DUTIES OR FUNCTIONS TO ANY OTHER PERSON. A director who is not a state official shall serve for a term expiring at the end of the term actually served by the officer making the appointment and may be removed for cause by such officer after hearing on ten days notice.

4. Notwithstanding any inconsistent provisions of law, general, special or local, no officer or employee of the state of New York, any city, county, town or village, any other political or civil division of the state, any municipality, any governmental entity operating any public school or college, any school district or any other public agency or instrumentality or unit of government which exercises governmental powers under the laws of the state, shall forfeit office or employment

by reason of acceptance of appointment as a director, REPRESENTATIVE, officer or agent of the corporation nor shall service as such director, REPRESENTATIVE, officer or agent of the corporation be deemed incompatible or in conflict with such office or employment.

S 47. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2014; provided that sections one through nine, and sections thirteen through nineteen of this act shall expire March 31, 2015, when upon such date, the provisions of such sections shall be deemed repealed.

PART J

Intentionally Omitted

PART K

Section 1. The opening paragraph of subdivision 3 of section 5-a of the legislative law, as amended by section 1 of part S of chapter 55 of the laws of 2012, is amended to read as follows:

Any member of the assembly serving in a special capacity in a position set forth in the following schedule shall be paid the allowance set forth in such schedule only for the legislative term commencing January first, two thousand [thirteen] FIFTEEN and terminating December thirty-first, two thousand [fourteen] SIXTEEN:

S 2. Section 13 of chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, as amended by section 1 of part X of chapter 55 of the laws of 2013, is amended to read as follows:

S 13. This act shall take effect immediately and shall be deemed to have been in full force and effect as of April 1, 1994, provided that, the provisions of section 5-a of the legislative law as amended by sections two and two-a of this act shall take effect on January 1, 1995, and provided further that, the provisions of article 5-A of the legislative law as added by section eight of this act shall expire June 30, [2014] 2015 when upon such date the provisions of such article shall be deemed repealed; and provided further that section twelve of this act shall be deemed to have been in full force and effect on and after April 10, 1994.

S 3. This act shall take effect immediately, provided, however, if section two of this act shall take effect on or after June 30, 2014 section two of this act shall be deemed to have been in full force and effect on and after June 30, 2014.

PART L

Section 1. Paragraph (b) of subdivision 1 and paragraph (a) of subdivision 2 of section 367 of the executive law, as added by chapter 399 of the laws of 2007, are amended to read as follows:

(b) The entitlement of any parent to receive the annuity provided by paragraph (a) of this subdivision shall terminate upon his or her death or upon his or her ceasing to continue to be a resident OF and domiciled in the state of New York, but such entitlement may be reinstated upon application to the state director, if such parent shall thereafter resume his or her residence and domicile in the state.

(a) Any gold star parent, who is the parent of a deceased veteran, AND who is a resident of AND DOMICILED IN the state of New York [and has an income at or below two hundred percent of the federal poverty level], shall make application to the division.

S 2. This act shall take effect immediately.

PART M

Section 1. Subdivision 4 of section 500-b of the correction law, as added by chapter 907 of the laws of 1984, is amended to read as follows:

4. No person under [nineteen] EIGHTEEN years of age shall be placed or kept or allowed to be at any time with any prisoner or prisoners [nineteen] EIGHTEEN years of age or older, in any room, dormitory, cell or tier of the buildings of such institution unless separately grouped to prevent access to persons under [nineteen] EIGHTEEN years of age by prisoners [nineteen] EIGHTEEN years of age or older.

S 2. Subparagraph 3 of paragraph (c) of subdivision 8 of section 500-b of the correction law, as added by chapter 907 of the laws of 1984, is amended to read as follows:

(3) persons under [nineteen] EIGHTEEN years of age with persons [nineteen] EIGHTEEN years of age or older; or

S 3. Subdivision 13 of section 500-b of the correction law, as amended by chapter 574 of the laws of 1985, is amended to read as follows:

13. Where in the opinion of the chief administrative officer an emergency overcrowding condition exists in a local correctional facility caused in part by the prohibition against the commingling of persons under [nineteen] EIGHTEEN years of age with persons [nineteen] EIGHTEEN years of age or older or the commingling of persons [nineteen] EIGHTEEN years of age or older with persons under [nineteen] EIGHTEEN years of age, the chief administrative officer may apply to the commission for permission to commingle the aforementioned categories of inmates for a period not to exceed thirty days as provided herein. The commission shall acknowledge to the chief administrative officer the receipt of such application upon its receipt. The chief administrative officer shall be permitted to commingle such inmates upon acknowledgment of receipt of the application by the commission. The commission shall assess the application within seven days of receipt. The commission shall deny any such application and shall prohibit the continued commingling of such inmates where it has found that the local correctional facility does not meet the criteria set forth in this subdivision and further is in substantial noncompliance with minimum staffing requirements as provided in commission rules and regulations. In addition, the commission shall determine whether the commingling of such inmates presents a danger to the health, safety or welfare of any such inmate. If no such danger exists the chief administrative officer may continue the commingling until the expiration of the aforementioned thirty day period or until such time as he determines that the overcrowding which necessitated the commingling no longer exists, whichever occurs first. In the event the commission determines that such danger exists, it shall immediately notify the chief administrative officer, and the commingling of such inmates shall cease. Such notification shall include specific measures which should be undertaken by the chief administrative officer, to correct such dangers. The chief administrative officer may correct such dangers and reapply to the commission for permission to commingle; however, no commingling may take place until such time as the commission certifies that the facility is now in compliance with the measures set

forth in the notification under this subdivision. When such certification has been received by the chief administrative officer, the commingling may continue for thirty days, less any time during which the chief administrative officer commingled such inmates following his application to the commission, or until such time as he determines that the overcrowding which necessitated the commingling no longer exists, whichever occurs first. The chief administrative officer may apply for permission to commingle such inmates for up to two additional thirty day periods, in conformity with the provisions and the requirements of this subdivision, in a given calendar year. For the period ending December thirtieth, nineteen hundred eighty-four, a locality may not apply for more than one thirty day commingling period.

S 4. This act shall take effect immediately, provided, however, that the amendments to section 500-b of the correction law made by sections one, two and three of this act shall not affect the repeal of such section and shall be deemed to be repealed therewith.

PART N

Section 1. Subdivision 8 of section 837-a of the executive law, as amended by section 108 of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

8. Present to the governor, temporary president of the senate, minority leader of the senate, speaker of the assembly and the minority leader of the assembly an annual report about the function and effectiveness of the [Operation IMPACT] GUN INVOLVED VIOLENCE ELIMINATION (GIVE) program. Such report shall include, but not be limited to, crime data obtained, analyzed and used by each [Operation IMPACT] GUN INVOLVED VIOLENCE ELIMINATION (GIVE) partnership in participating counties and affected municipalities including the number of arrests made by law enforcement as a direct result of the [Operation IMPACT] GUN INVOLVED VIOLENCE ELIMINATION (GIVE) program including any available demographic information about the persons arrested and prosecuted and the disposition of such matters, and any other information related to the program's effectiveness in reducing crime. Such report shall also include information about crime reduction strategies developed by [Operation IMPACT] GUN INVOLVED VIOLENCE ELIMINATION (GIVE) partnerships, the number of state police and department of corrections and community supervision personnel participating in [Operation IMPACT] GUN INVOLVED VIOLENCE ELIMINATION (GIVE) activities, and a description of training supplied to local [Operation IMPACT] GUN INVOLVED VIOLENCE ELIMINATION (GIVE) participants. The initial report required by this paragraph shall be presented by December thirty-first, two thousand six. Thereafter, an annual report shall be presented no later than December thirty-first of each year.

S 2. This act shall take effect immediately.

PART O

Section 1. The provisions of subdivision (c) of section 11-245.1-b of the administrative code of the city of New York shall not be applicable to any multiple dwelling containing fewer than 4 dwelling units, as set forth in the certificate of occupancy, that is located on lots numbered 1667 through 1708 and lots numbered 1801 through 1964 of Bronx block numbered 3432, as such lots are indicated on the tax map of the city of New York, provided that the construction of any such multiple dwellings on those lots commences on or before January 1, 2009, and provided,

further, that any application for a preliminary or a final certificate of eligibility for such lots is submitted to the local housing agency no later than 180 days after the effective date of this act.

S 2. This act shall take effect immediately.

PART P

Section 1. The commissioner of general services is hereby authorized to construct or cause to be constructed, at a suitable and appropriate outdoor location on the Empire State Plaza in the city of Albany a monument, tablet or memorial of a design honoring and properly reflecting the duty, dignity and devotion of the uniformed personnel in institutions under the jurisdiction of the department of corrections and community supervision of New York state who have died in the line of duty. The commissioner of general services shall confer with the commissioner of the department of corrections and community supervision, the commissioner of the division of criminal justice services, and the employee labor organization representing the security services collective bargaining unit with respect to such memorial. Until completion of such memorial the commissioner of general services shall report to the legislature on or before the first day of November on the progress of this effort on an annual basis.

S 2. (a) There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance, a special fund to be known as the correctional employees' memorial fund.

(b) Moneys of such fund shall be made available for the sole purpose of funding the construction of the memorial provided for in section one of this act.

(c) Such fund shall consist of an appropriation of the sum of three hundred thousand dollars ($300,000), or so much thereof as may be necessary for the cost of such memorial and expenses thereto incurred by the commissioner of general services as authorized by section one of this act.

(d) The moneys of such fund shall be paid on the audit and warrant of the comptroller on vouchers certified or approved by the commissioner of general services.

(e) Upon completion of such memorial and after payment of all associated expenses incurred in connection therewith all moneys then remaining in such fund shall be transferred and deposited into the state purposes account of the general fund.

S 3. This act shall take effect immediately.

PART Q

Section 1. Paragraph (b) of subdivision 5 of section 186-f of the tax law, as added by section 3 of part B of chapter 56 of the laws of 2009, is amended to read as follows:

(b) after deducting the amount paid under paragraph (a) of this subdivision and the amount retained by wireless communications suppliers pursuant to paragraph (d) of subdivision two of this section, the balance of the revenues collected under this section into the [New York state wireless telephone emergency service] STATEWIDE PUBLIC SAFETY COMMUNICATIONS account of the miscellaneous special revenue fund, created pursuant to section ninety-seven-qq of the state finance law.

S 2. Subdivision 6 of section 186-f of the tax law is amended by adding a new paragraph (g) to read as follows:

(G) THE SUM OF TEN MILLION DOLLARS ANNUALLY SHALL BE USED FOR THE PROVISION OF GRANTS TO COUNTIES FOR COSTS RELATED TO THE OPERATIONS OF PUBLIC SAFETY DISPATCH CENTERS, TO BE DISTRIBUTED PURSUANT TO A PLAN DEVELOPED BY THE COMMISSIONER OF HOMELAND SECURITY AND EMERGENCY SERVICES AND APPROVED BY THE DIRECTOR OF THE BUDGET. SUCH PLAN MAY CONSIDER SUCH FACTORS AS POPULATION DENSITY AND EMERGENCY CALL VOLUME.

S 3. Section 97-qq of the state finance law, as added by section 37 of part E of chapter 58 of the laws of 1998, subdivision 1 as amended by chapter 524 of the laws of 2008, is amended to read as follows:

S 97-qq. [New York state wireless telephone emergency service] STATEWIDE PUBLIC SAFETY COMMUNICATIONS account. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a fund to be known as the ["New York state wireless telephone emergency service account"] "STATEWIDE PUBLIC SAFETY COMMUNICATIONS ACCOUNT".

2. The [New York state wireless telephone emergency service account] STATEWIDE PUBLIC SAFETY COMMUNICATIONS ACCOUNT shall consist of all monies deposited in this account pursuant to a subsequent chapter of the laws of nineteen hundred ninety-eight, all monies appropriated for its purpose, all monies transferred to such account pursuant to law, and all monies deposited pursuant to any other law to be paid into or credited to the account, including all monies received by the account or donated to it.

S 4. This act shall take effect immediately.

PART R

Section 1. Subdivision 1 of section 1317 of the racing, pari-mutuel wagering and breeding law, as added by chapter 174 of the laws of 2013, is amended to read as follows:

1. Upon receipt of an application for a gaming facility license, the commission shall cause to be commenced an investigation BY THE DIVISION OF STATE POLICE into the suitability of the applicant. In evaluating the suitability of the applicant, the commission shall consider the overall reputation of the applicant including, without limitation:

(a) the integrity, honesty, good character and reputation of the applicant;

(b) the financial stability, integrity and background of the applicant;

(c) the business practices and the business ability of the applicant to establish and maintain a successful gaming facility;

(d) whether the applicant has a history of compliance with gaming licensing requirements in other jurisdictions;

(e) whether the applicant, at the time of application, is a defendant in litigation involving its business practices;

(f) the suitability of all parties in interest to the gaming facility license, including affiliates and close associates and the financial resources of the applicant; and

(g) whether the applicant is disqualified from receiving a license under this article; provided, however, that in considering the rehabilitation of an applicant for a gaming facility license, the commission shall not automatically disqualify an applicant if the applicant affirmatively demonstrates, by clear and convincing evidence, that the applicant has financial responsibility, character, reputation, integrity and general fitness as such to warrant belief by the commission that the

applicant will act honestly, fairly, soundly and efficiently as a gaming licensee.

S 2. This act shall take effect immediately.

PART S

Section 1. Subsequent to the closure of four facilities on or after July 26, 2014, the number of correctional facilities operated by the department of corrections and community supervision shall remain unchanged until July 26, 2016, unless there are material or unanticipated changes in the state's fiscal circumstances, financial plan or revenue. Nothing shall restrict the governor or the commissioner of the department of corrections and community supervision from making announcements in accordance with the one-year notification requirements of section 79-a of the correction law in relation to a closure on or after July 26, 2016.

S 2. The commissioner of corrections and community supervision shall conduct a review of security staffing at each facility, and develop a three-year plan to enhance safety in correctional facilities, which may include increases in security staffing. In preparing the plan, the commissioner shall solicit feedback from the public employee unions representing security staff. As part of such plan, during the fiscal year beginning April 1, 2014, the department shall deploy the first 275 of these additional security staff.

S 3. By no later than September 30, 2014, the department of corrections and community supervision shall develop clear and detailed definitions of at least four graduated categories of degrees of injuries that may result from assaults occurring within correctional facilities. Beginning on January 10, 2015, and within ten days of the start of each quarter thereafter, the department of corrections and community supervision shall make public the number of assaults occurring within the prior quarter by inmates on staff, and by inmates on other inmates, which shall list the degrees of injuries that resulted from the assaults within the detailed categories defined by such department.

S 4. This act shall take effect immediately.

PART T

Section 1. Short title. This act shall be known and may be cited as the "Mohawk Valley and Niagara county assessment relief act".

S 2. Definitions. For the purposes of this act, the following terms shall have the following meanings:

1. "Eligible county" shall mean the counties of Oneida, Herkimer, Madison, Montgomery, Tompkins, Cortland, Chemung, Schuyler, Steuben and Niagara.

2. "Eligible municipality" shall mean a municipal corporation, as defined by subdivision 10 of section 102 of the real property tax law, which is either: (a) an eligible county; or (b) a city, town, village, special district, or school district that is wholly or partly contained within an eligible county.

3. "Impacted tax roll" shall mean the final assessment roll which satisfies both of the following conditions: (a) the roll is based upon a taxable status date occurring prior to June 20, 2013; and (b) taxes levied upon that roll by or on behalf of a participating municipality are payable without interest on or after June 20, 2013.

4. "Participating municipality" shall mean an eligible municipality that has passed a local law, ordinance, or resolution pursuant to section three of this act to provide assessment relief to property owners within such eligible municipality pursuant to the provisions of this act.

5. "Severe weather" shall mean the storms, rains, winds, or floods which occurred within an eligible county during the period beginning on June 20, 2013 and ending August 9, 2013.

6. "Total assessed value" shall mean the total assessed value on the parcel prior to any and all exemption adjustments.

7. "Improved value" shall mean the market value of the real property improvements excluding the land.

8. "Property" shall mean "real property", "property" or "land" as defined under paragraphs (a) through (g) of subdivision 12 of section 102 of the real property tax law.

S 3. Local option. An eligible municipality may exercise the provisions of this act if its governing body shall, by the forty-fifth day following the date upon which this act is approved by the governor, pass a local law or in the case of a school district a resolution adopting the provisions of this act. An eligible municipality may provide assessment relief for real property impacted by severe weather located within such municipality as provided in paragraphs (i), (ii), (iii) and/or (iv) of subdivision (a) of section four of this act only if its governing body specifically elects to do so as part of such local law or resolution.

S 4. Assessment relief for severe weather victims in an eligible county. (a) Notwithstanding any provision of law to the contrary, where real property impacted by severe weather is located within a participating municipality, assessment relief shall be granted as follows:

(i) If a participating municipality has elected to provide assessment relief for real property that lost at least ten percent but less than twenty percent of its improved value due to severe weather, the assessed value attributable to the improvements shall be reduced by fifteen percent for purposes of the participating municipality on the impacted tax roll.

(ii) If a participating municipality has elected to provide assessment relief for real property that lost at least twenty percent but less than thirty percent of its improved value due to severe weather, the assessed value attributable to the improvements shall be reduced by twenty-five percent for purposes of the participating municipality on the impacted tax roll.

(iii) If a participating municipality has elected to provide assessment relief for real property that lost at least thirty percent but less than forty percent of its improved value due to severe weather, the assessed value attributable to the improvements shall be reduced by thirty-five percent for purposes of the participating municipality on the impacted tax roll.

(iv) If a participating municipality has elected to provide assessment relief for real property that lost at least forty percent but less than fifty percent of its improved value due to severe weather, the assessed value attributable to the improvements shall be reduced by forty-five percent for purposes of the participating municipality on the impacted tax roll.

(v) If the property lost at least fifty but less than sixty percent of its improved value due to severe weather, the assessed value attribut-

able to the improvements shall be reduced by fifty-five percent for purposes of the participating municipality on the impacted tax roll.

(vi) If the property lost at least sixty but less than seventy percent of its improved value due to severe weather, the assessed value attributable to the improvements shall be reduced by sixty-five percent for purposes of the participating municipality on the impacted tax roll.

(vii) If the property lost at least seventy but less than eighty percent of its improved value due to severe weather, the assessed value attributable to the improvements shall be reduced by seventy-five percent for purposes of the participating municipality on the impacted tax roll.

(viii) If the property lost at least eighty but less than ninety percent of its improved value due to severe weather, the assessed value attributable to the improvements shall be reduced by eighty-five percent for purposes of the participating municipality on the impacted tax roll.

(ix) If the property lost at least ninety but less than one hundred percent of its improved value due to severe weather, the assessed value attributable to the improvements shall be reduced by ninety-five percent for purposes of the participating municipality on the impacted tax roll.

(x) If the property lost one hundred percent of its improved value due to severe weather, the assessed value attributable to the improvements shall be reduced by one hundred percent for purposes of the participating municipality on the impacted tax roll.

(xi) The percentage loss in improved value for this purpose shall be determined by the assessor in the manner provided by this act, subject to review by the board of assessment review.

(xii) No reduction in assessed value shall be granted pursuant to this act except as specified above for such counties. No reduction in assessed value shall be granted pursuant to this section for purposes of any county, city, town, village or school district which has not adopted the provisions of this act.

(b) To receive such relief pursuant to this section, the property owner shall submit a written request to the assessor on a form approved by the director of the state office of real property tax services within ninety days following the date upon which this act is approved by the governor. Such request shall describe in reasonable detail the damage caused to the property by severe weather and the condition of the property following the severe weather and shall be accompanied by supporting documentation, if available.

(c) Upon receiving such a request, the assessor shall make a finding, as to whether the property lost at least fifty percent of its improved value or, if a participating municipality has elected to provide assessment relief for real property that lost a lesser percentage of improved value, such lesser percentage of its improved value as a result of severe weather, and thereafter the assessor, shall adopt or classify the percentage loss of improved value within one of the following ranges:

(i) If a participating municipality has elected to provide assessment relief for real property that lost at least ten percent but less than twenty percent of its improvement value due to severe weather, at least ten percent but less than twenty percent,

(ii) If a participating municipality has elected to provide assessment relief for real property that lost at least twenty percent but less than thirty percent of its improved value due to severe weather, at least twenty percent but less than thirty percent,

(iii) If a participating municipality has elected to provide assessment relief for real property that lost at least thirty percent but less

than forty percent of its improved value due to severe weather, at least thirty percent but less than forty percent,

(iv) If a participating municipality has elected to provide assessment relief for real property that lost at least forty percent but less than fifty percent of its improved value due to severe weather, at least forty percent but less than fifty percent,

(v) At least fifty percent but less than sixty percent,

(vi) At least sixty percent but less than seventy percent,

(vii) At least seventy percent but less than eighty percent,

(viii) At least eighty percent but less than ninety percent,

(ix) At least ninety percent but less than one hundred percent, or

(x) one hundred percent.

(d) The assessor shall mail written notice of such finding to the property owner and the participating municipality. Where the assessor finds that the loss in improved value is less than fifty percent or, if a participating municipality has elected to provide assessment relief for real property located within such participating municipality for a lesser percentage, is less than such lesser percentage, or classifies the loss within a lower range than the property owner believes is warranted, the property owner may file a complaint with the board of assessment review. Such board shall reconvene upon ten days written notice to the property owner and assessor to hear the appeal and determine the matter, and shall mail written notice of its determination to the assessor and property owner. The provisions of article 5 of the real property tax law shall govern the review process to the extent practicable. For the purposes of this act only, the applicant may commence within 30 days of service of a written determination, a proceeding under title 1 of article 7 of the real property tax law, or, if applicable, under title 1-A of article 7 of the real property tax law. Sections 727 and 739 of the real property tax law shall not apply.

(e) Where property has lost at least fifty percent of its improved value or, if a participating municipality has elected to provide assessment relief for real property that lost a lesser percentage of improved value, such lesser percentage due to severe weather, the assessed value attributable to the improvements on the property on the impacted assessment roll shall be reduced by the appropriate percentage specified in subdivision (a) of this section, provided that any exemptions which the property may be receiving shall be adjusted as necessary to account for such reduction in the total assessed value. To the extent the total assessed value of the property originally appearing on such roll exceeds the amount to which it should be reduced pursuant to this act, the excess shall be considered an error in essential fact as defined by subdivision 3 of section 550 of the real property tax law. If the error appears on a tax roll, the tax roll shall be corrected in the manner provided by section 554 of the real property tax law or a refund or credit of taxes shall be granted in the manner provided by section 556 or section 556-b of the real property tax law. If the error appears on a final assessment roll but not on a tax roll, such final assessment roll shall be corrected in the manner provided by section 553 of the real property tax law. The errors in essential fact found pursuant to this act on either the tax roll or final assessment roll, upon application to the county director of real property tax services, shall be forwarded by the county director of real property tax services immediately to the levying body for an immediate order setting forth the appropriate correction.

(f) The rights contained in this act shall not otherwise diminish any other legally available right of any property owner or party who may otherwise lawfully challenge the valuation or assessment of any real property or improvements thereon. All remaining rights hereby remain and shall be available to the party to whom such rights would otherwise be available notwithstanding this act.

S 5. The commissioner of taxation and finance is authorized to develop a guidance memorandum for use by assessing units. Such guidance memorandum shall assist with the implementation of this act and shall be deemed to be advisory on all assessing units in counties which implement the provisions of this act. The guidance memorandum shall have no force or effect or serve as authority for any other act of assessing units or of the interpretation or implementation of the laws of the state of New York except as they relate to the specific implementation of this act.

S 6. School districts held harmless. Each school district that is wholly or partially contained within an eligible county shall be held harmless by the state for any reduction in state aid that would have been paid as tax savings pursuant to section 1306-a of the real property tax law incurred due to the provisions of this act.

S 7. Bonds authorized. Serial bonds, and in advance of such, bond anticipation notes, are hereby authorized pursuant to subdivision 33-c of paragraph a of section 11.00 of the local finance law, provided, however, that any federal community development block grant funding received by such participating municipality, in relation to loss of property tax funding, shall first be used to defease, upon maturity, the interest and principal of any such bond or note so outstanding.

S 8. Paragraph a of section 11.00 of the local finance law is amended by adding a new subdivision 33-c to read as follows:

33-C. REAL PROPERTY TAX REFUNDS AND CREDITS. PAYMENTS OF EXEMPTIONS, REFUNDS, OR CREDITS FOR REAL PROPERTY TAX, SEWER AND WATER RENTS, RATES AND CHARGES AND ALL OTHER REAL PROPERTY TAXES TO BE MADE BY A MUNICIPALITY, SCHOOL DISTRICT OR DISTRICT CORPORATION AS A RESULT OF PARTICIPATING IN THE MOHAWK VALLEY AND NIAGARA COUNTY ASSESSMENT RELIEF ACT, TEN YEARS.

S 9. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after June 20, 2013.

PART U

Section 1. Paragraph a of subdivision 3 of section 467-b of the real property tax law, as separately amended by chapters 188 and 205 of the laws of 2005, is amended to read as follows:

a. for a dwelling unit where the head of the household is a person sixty-two years of age or older, no tax abatement shall be granted if the combined income of all members of the household for the income tax year immediately preceding the date of making application exceeds four thousand dollars, or such other sum not more than twenty-five thousand dollars beginning July first, two thousand five, twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, [and] twenty-nine thousand dollars beginning July first, two thousand nine, AND FIFTY THOUSAND DOLLARS BEGINNING JULY FIRST, TWO THOUSAND FOURTEEN, as may be provided by the local law, ordinance or resolution adopted pursuant to this section, provided that when the head of the household retires before the commencement of such income tax year and the date of filing

the application, the income for such year may be adjusted by excluding salary or earnings and projecting his or her retirement income over the entire period of such year.

S 2. Subparagraph 1 of paragraph d of subdivision 1 of section 467-c of the real property tax law, as separately amended by chapters 188 and 205 of the laws of 2005, is amended to read as follows:

(1) a person or his or her spouse who is sixty-two years of age or older and is entitled to the possession or to the use and occupancy of a dwelling unit, provided, however, with respect to a dwelling which was subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the National Housing Act, as amended "eligible head of the household" shall be limited to that person or his or her spouse who was entitled to possession or the use and occupancy of such dwelling unit at the time of termination of such mortgage, and whose income when combined with the income of all other members of the household, does not exceed six thousand five hundred dollars for the taxable period, or such other sum not less than sixty-five hundred dollars nor more than twenty-five thousand dollars beginning July first, two thousand five, twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, [and] twenty-nine thousand dollars beginning July first, two thousand nine, AND FIFTY THOUSAND DOLLARS BEGINNING JULY FIRST, TWO THOUSAND FOURTEEN, as may be provided by local law; or

S 3. The state shall reimburse the city of New York for the difference between the amount of real property tax revenue abated for the period beginning July 1, 2014 and ending June 30, 2016 pursuant to the income threshold established by sections one and two of this act and the amount of real property tax revenue that would have been abated for the period beginning July 1, 2014 and ending June 30, 2016 pursuant to the income thresholds that were in effect immediately prior to the income threshold increases established by sections one and two of this act. Prior to any payment, the city shall provide attestation to the director of the New York state division of the budget and the state comptroller as to the actual amount of real property tax revenue abated pursuant to the income thresholds established by sections one and two of this act for the city fiscal years beginning July 1, 2014 and July 1, 2015 and the actual amount of real property tax revenue that would have been abated pursuant to the income thresholds that were in effect immediately prior to the income threshold increases established by sections one and two of this act for the city fiscal years beginning July 1, 2014 and July 1, 2015. The information contained within such attestation may be subject to the audit and verification by the state comptroller.

S 4. This act shall take effect July 1, 2014, and sections one and two of this act shall expire and be deemed repealed 2 years after the effective date thereof; provided that the amendment to section 467-b of the real property tax law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

PART V

Section 1. This act enacts into law major components of legislation relating to the city of Yonkers. Each component is wholly contained within a Subpart identified as Subparts A and B. The effective date for each particular provision contained within such Subpart is set forth in

the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. Short title. This act shall be known and may be cited as the "Yonkers city school district deficit financing act".

S 2. Definitions. (a) "Budget" shall mean a current operating budget of the city, including the school district, prepared or adopted pursuant to general, special or local law, being the annual budget and estimate of expenditures to be made during a fiscal year for the general support and current expenses of the government of the city, including the school district, to be paid from taxes or assessments or other current revenues of the city for such year.

(b) "City" shall mean the city of Yonkers.

(c) "Commissioner of education" shall mean the New York state commissioner of education.

(d) "Comptroller" shall mean the New York state comptroller.

(e) "School district" shall mean the Yonkers city school district.

(f) "Mayor" shall mean the mayor of the city of Yonkers.

(g) "City council" shall mean the legislative body of the city of Yonkers.

(h) "Fiscal year" shall mean the fiscal year of the city.

(i) "Superintendent" shall mean the superintendent of the Yonkers city school district.

(j) "Board of education" shall mean the Yonkers city school district board of education.

S 3. Bonds. The city is hereby authorized to issue serial bonds, subject to the provisions of section 10.10 of the local finance law, on or before March 31, 2015, in an aggregate principal amount not to exceed $45,000,000 for the specific object or purpose of liquidating current deficits in the school district general fund as of June 30, 2014. In anticipation of the issuance and sale of such serial bonds, bond anticipation notes are hereby authorized to be issued. The city shall use the proceeds of such serial bonds or bond anticipation notes to liquidate any such deficit, in accordance with subparagraph 7 of subdivision a of section 6 of chapter 488 of the laws of 1976.

S 4. Budget review. During the effective period of this act, the mayor, in direct consultation with the superintendent and the board of education, shall submit the proposed budget for the next succeeding fiscal year to the state comptroller and also to the commissioner of education no later than thirty days before the date scheduled for the city council's vote on the adoption of the final budget or the last date on which the budget may be finally adopted, whichever is sooner. The state comptroller and commissioner of education shall examine such proposed budget and make such recommendations as deemed appropriate thereon to the city prior to the adoption of the budget, but no later than ten days before the date scheduled for the city council's vote on the adoption of the final budget or the last date on which the budget must be adopted, whichever is sooner. Such recommendations shall be made after examination into the estimates of revenues and expenditures of the city. The city council, no later than five days prior to the adoption of

the budget, shall review any such recommendations and make adjustments to the proposed budget consistent with any recommendations made by the state comptroller and commissioner of education.

S 5. Notwithstanding any other law to the contrary, payment of debt service on serial bonds or bond anticipation notes issued pursuant to this act shall not be considered when determining the "city amount" required pursuant to subparagraph (ii) of paragraph a of subdivision 5-b of section 2576 of the education law.

S 6. Severability clause. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part involved in the controversy in which such judgment shall have been rendered. The provisions of this act shall be liberally construed to assist the effectuation of the public purposes furthered hereby.

S 7. This act shall take effect immediately; and shall remain in full force and effect until the tenth anniversary of the date of issuance of deficit bonds or of first issuance of deficit notes pursuant to this act, whichever is earlier, when upon such date the provisions of this act shall expire and be deemed repealed; and provided, however, that the state comptroller shall notify the legislative bill drafting commission upon the occurrence of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

SUBPART B

Section 1. Notwithstanding any other provision of law, and in addition to the powers currently authorized to be exercised by the state of New York municipal bond bank agency, the state of New York municipal bond bank agency may provide, for purposes of municipal relief to the city of Yonkers to support public schools in the city, a sum not to exceed $28,000,000 for the city fiscal year ending June 30, 2015, to the city of Yonkers. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the state of New York mortgage agency shall transfer to the state of New York municipal bond bank agency for distribution as municipal relief to the city of Yonkers, a total sum not to exceed $28,000,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2013-2014 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, such transfer to be made as soon as practicable after April 14, 2014 but no later than June 30, 2015, provided however that no such transfer is to be made unless and until the city of Yonkers and the

Yonkers city school district enter into an inter-municipal agreement that the New York state director of the budget determines would meet the requirements of section two of this act. Notwithstanding any provision of law to the contrary, payments made to the city of Yonkers pursuant to this act shall not be considered when determining the "city amount" required pursuant to subparagraph (ii) of paragraph (a) of subdivision 5-b of section 2576 of the education law.

S 2. The inter-municipal agreement required by section one of this act shall include and provide for the following administrative controls and reforms, each of which is hereby authorized by this act, however, but shall not supersede the authorization of the superintendent and the board of education as provided for in the education law, except as specifically provided herein:

1. Assumption of all current Yonkers city school district finance and budget functions in direct consultation with the superintendent and the board of education by the city of Yonkers including, but not limited to: (a) financial management, including the accounts receivable, accounts payable and accounting functions; (b) budgeting; (c) payroll; (d) capital programming, financing and project oversight; (e) grants accounting; (f) procurement, purchasing, and contracting, including consultation on all labor contracts; (g) office of claims auditor; and (h) property acquisition, building, and/or leasing.

2. Authority of the city of Yonkers in direct consultation with the superintendent and the board of education to supervise the non-academic operation of functions of the Yonkers city school district, including: (a) the office of chief administrative officer, including the communications function; (b) legal; (c) information technology, including records management, central printing, and mailing; (d) human resources; (e) public works; (f) facilities and grounds management; (g) engineering; and (h) transportation.

3. The authority of the city of Yonkers shall include the right to create, abolish, maintain and consolidate all positions within the functions outlined in subdivisions one and two of this section, and to supervise the activities of all personnel which operate within or support said functions, provided however that the Yonkers city school district shall retain the authority granted to it pursuant to the education law with regard to the creation, abolition, maintenance or consolidation of positions which have a nexus to the academic activities of the Yonkers city school district, including all tenure decisions, school registration, school choice functions and those Yonkers city school district positions which lie outside the scope of the functions outlined in subdivisions one and two of this section, and the superintendent of schools shall retain the authority granted pursuant to the education law to supervise and direct such personnel of the Yonkers city school district which have a nexus to the academic activities of the Yonkers city school district and those Yonkers city school district positions which lie outside the scope of the functions outlined in subdivisions one and two of this section, subject to approved budgets and financial controls as shall be established by the city of Yonkers.

4. The authority of the city of Yonkers in direct consultation with the superintendent and the board of education shall include the implementation of a schedule of public hearings on the budget of the Yonkers city school district which hearings shall be held not less than quarterly, and which shall include at least two public hearings in the second quarter of each calendar year, one of which is prior and one subsequent

to the submission of the city of Yonkers's budget to the city of Yonkers's city council.

S 3. For all powers and duties assumed by the city of Yonkers pursuant to the inter-municipal agreement required by sections one and two of this act, the city of Yonkers shall be subject to the jurisdiction of the board of regents and the department of education in the same manner and to the same extent as the city school district, for such functions.

S 4. Severability clause. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part involved in the controversy in which such judgment shall have been rendered. The provisions of this act shall be liberally construed to assist the effectuation of the public purposes furthered hereby.

S 5. This act shall take effect immediately.

S 2. Severability clause. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part involved in the controversy in which such judgment shall have been rendered. The provisions of this act shall be liberally construed to assist the effectuation of the public purposes furthered hereby.

S 3. This act shall take effect immediately provided, however, that the applicable effective date of Subparts A and B of this act shall be as specifically set forth in the last section of such Subparts.

PART W

Section 1. Notwithstanding any other provision of law, and in addition to the powers currently authorized to be exercised by the state of New York municipal bond bank agency, the state of New York municipal bond bank agency may provide, for purposes of municipal relief to the city of Rochester, a sum not to exceed $6,000,000 for the city fiscal year ending June 30, 2015, to the city of Rochester. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the state of New York mortgage agency shall transfer to the state of New York municipal bond bank agency for distribution as municipal relief to the city of Rochester, a total sum not to exceed $6,000,000, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2013-2014 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, such transfer to be made as soon as practicable after April 4, 2014 but no later than June 30, 2015.

S 2. This act shall take effect immediately.

PART X

Section 1. Paragraph b of subdivision 2 of section 54-l of the state finance law, as amended by section 1 of part EE of chapter 57 of the laws of 2013, is amended to read as follows:

b. Within the amounts appropriated therefor, eligible municipalities shall receive an amount equal to [fifty-five] SEVENTY percent of the state aid payment received in the state fiscal year commencing April first, two thousand eight from an appropriation for aid to municipalities with video lottery gaming facilities.

S 2. This act shall take effect immediately.

PART Y

Section 1. Subdivision 8 of section 9 of chapter 401 of the laws of 2002, amending the real property tax law and the Nassau county administrative code relating to assessment and review of assessments in the county of Nassau, as amended by section 1 of part Z of chapter 55 of the laws of 2013, is amended to read as follows:

8. Notwithstanding the foregoing provisions of this act, on June 30, [2014] 2016, the amendments of sections 6-2.1 and 6-13.0 of the Nassau county administrative code, made by sections two and four of this act, and section 6-24.1 of such code, as added by section seven of this act, shall be deemed repealed. On such date the addition of the words "the year following" to the first sentence of subdivision 8 of section 523-b of the real property tax law, as amended by section one of this act, shall be deemed repealed.

S 2. This act shall take effect immediately.

PART Z

Section 1. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new section 16-w to read as follows:

S 16-W. BEGINNING FARMERS NY FUND. 1. THE BEGINNING FARMERS NY FUND IS HEREBY CREATED. THE PURPOSE OF THE BEGINNING FARMERS NY FUND IS TO MAKE GRANTS TO ELIGIBLE APPLICANTS, TO SUPPORT BEGINNING FARMERS AND ENCOURAGE THEM TO CONSIDER FARMING AS A CAREER, RESULTING IN THE GROWTH OF AGRIBUSINESS WITHIN THE STATE AND THE CONCOMITANT TAX REVENUES FOR THE STATE.

2. THE CORPORATION SHALL CONSULT WITH THE DEPARTMENT OF AGRICULTURE AND MARKETS IN ORDER TO ESTABLISH SUCH CRITERIA GOVERNING THE AWARD OF GRANTS AS AUTHORIZED HEREIN, AS THE CORPORATION AND SUCH DEPARTMENT DEEM NECESSARY. SUCH CRITERIA SHALL INCLUDE, BUT NOT BE LIMITED TO:

(A) FARMERS WHO HAVE NOT PRODUCED AN "AGRICULTURAL PRODUCT" AS DEFINED IN THE AGRICULTURE AND MARKETS LAW, FOR MORE THAN TEN CONSECUTIVE YEARS, AND WHO WILL MATERIALLY AND SUBSTANTIALLY PARTICIPATE IN THE PRODUCTION OF AN AGRICULTURAL PRODUCT WITHIN A REGION OF THE STATE.

(B) FARMERS WHO DEMONSTRATE INNOVATIVE AGRICULTURAL TECHNIQUES INCLUDING, BUT NOT LIMITED TO, ORGANIC FARMING AND SPECIALTY CROPS.

(C) FARMS OF ONE HUNDRED FIFTY ACRES OR LESS.

3. THE CORPORATION SHALL ESTABLISH A COMPETITIVE PROCESS FOR THE EVALUATION OF APPLICANTS FOR THE BEGINNING FARMERS NY FUND. WHEN AWARDING FUNDS PURSUANT TO THIS SECTION, THE CORPORATION SHALL ENSURE THAT APPLICANTS MEET THE CRITERIA AND REQUIREMENTS DETERMINED BY THE CORPORATION PURSUANT TO THIS SECTION.

4. THE BEGINNING FARMERS NY FUND SHALL NOT INVEST AN AMOUNT IN ANY SINGLE BENEFICIARY THAT EXCEEDS FIFTY THOUSAND DOLLARS, SUBJECT TO ANY EXCEPTIONS TO BE ESTABLISHED BY GUIDELINES OF THE CORPORATION.

5. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE CORPORATION MAY ESTABLISH A PROGRAM FUND FOR PROGRAM USE AND PAY INTO SUCH FUND ANY ELIGIBLE FUNDS AVAILABLE TO THE CORPORATION FROM ANY SOURCE, INCLUDING MONEYS APPROPRIATED BY THE STATE.

6. THE CORPORATION SHALL SUBMIT A REPORT ANNUALLY ON DECEMBER THIRTY-FIRST TO THE DIRECTOR OF THE BUDGET, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE MINORITY LEADER OF THE SENATE AND THE MINORITY LEADER OF THE ASSEMBLY DETAILING (A) THE TOTAL AMOUNT OF FUNDS COMMITTED TO EACH APPLICANT; (B) THE LOCATION OF EACH APPLICANT; AND (C) SUCH OTHER INFORMATION AS THE CORPORATION DEEMS NECESSARY.

7. THE CORPORATION IS HEREBY AUTHORIZED TO ESTABLISH GUIDELINES FOR THE ADMINISTRATION OF THE PROGRAM, INCLUDING APPLICATION PROCEDURES AND DISBURSEMENT TERMS, AND TO PROVIDE FOR THE REPAYMENT OF FUNDS RECEIVED BY THE BENEFICIARY IF THE BENEFICIARY LEAVES NEW YORK STATE OR OTHERWISE CEASES FARMING ACTIVITY WITHIN A PERIOD OF TIME TO BE ESTABLISHED BY THE CORPORATION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that any guidelines necessary for the timely implementation of this act on its effective date, may be promulgated on or before such effective date.

PART AA

Section 1. Subdivision 1 of section 16-c of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as added by chapter 169 of the laws of 1994, is amended to read as follows:

(1) Minority- and women-owned business development and lending program. (a) There is hereby created a minority- and women-owned business development and lending program for the purpose of providing financial and technical assistance to minority and women-entrepreneurs.

(b) For the purposes of this section the following words or terms shall mean as follows:

(i) "minority-owned business enterprise" or "minority-owned business" shall mean the same as "minority business enterprise" as defined in subdivision three of section two hundred ten of the economic development law.

(ii) "women-owned business enterprise" or "women-owned business" shall mean the same as "women-owned business enterprise" as defined in subdivision five of section two hundred ten of the economic development law.

(iii) "incubator" shall mean a facility providing low-cost space, technical assistance and support services, including, but not limited to, central services shared by tenants of the facility, to minority- and women-owned business enterprises.

(c) Assistance shall not be provided under this section for:

(i) the purchase or rehabilitation of real property for speculative purposes;

(ii) payment of any tax or employee benefit arrearage;

(iii) residential construction, renovation or development construction, except for assistance to minority and women contractors under subdivision four of this section;

(iv) educational institutions and proprietary education firms, except licensed child care facilities;

(v) hospitals or residential health care facilities;
(vi) overnight lodging facilities;
(vii) refinancing of debt or equity invested in an enterprise or project.
(d) The corporation is authorized to:
(i) establish programs in conjunction with locally, and community based entities to decentralize lending for small loans and loans to start up minority- and women-owned businesses;
(ii) establish a comprehensive program for minority and women contractors, which may include assistance through loans, bonding assistance and technical assistance;
(iii) establish a program to provide loans to established minority- and women-owned businesses and for minority- and women-owned businesses, including loans to such businesses seeking to acquire or expand a franchise;
(iv) provide loan guarantees to financial institutions and make linked deposits into federally and state chartered credit unions for the purpose of encouraging private financial institutions to make loans to minority- and women-owned businesses;
(v) establish a program to create incubators to assist small and high risk minority- and women-owned businesses to grow and prosper;
(vi) promote equity investment in minority- and women-owned businesses; [and]
(vii) establish a comprehensive technical assistance program in cooperation with the department of economic development to assist minority- and women-owned businesses and potential minority and women-entrepreneurs[.]; AND
(VIII) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ESTABLISH A MINORITY- AND WOMEN-OWNED BUSINESS INVESTMENT FUND TO PROVIDE CRITICAL FINANCIAL SUPPORT TO FOSTER THE DEVELOPMENT OF NEW AND EMERGING IDEAS AND PRODUCTS OF MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES AS WELL AS TO PROMOTE THE LONG-TERM FINANCIAL PERFORMANCE AND SUCCESS OF EARLY STAGE ENTERPRISES THAT ARE MINORITY- AND WOMEN-OWNED START-UPS. THE SELECTION OF AN ELIGIBLE APPLICANT AND BENEFICIARY COMPANIES FOR THE MINORITY- AND WOMEN-OWNED BUSINESS INVESTMENT FUND SHALL BE SELECTED BY THE PROCESS ESTABLISHED PURSUANT TO SUBDIVISIONS TWO THROUGH FOUR OF SECTION SIXTEEN-U OF THIS ACT. MINORITY- OR WOMEN-OWNED BUSINESS ENTERPRISES WHO PARTICIPATE IN SUCH MINORITY- AND WOMEN-OWNED BUSINESS INVESTMENT FUND UNDER THIS SUBDIVISION SHALL NOT BE PRECLUDED FROM QUALIFYING FOR ANY OTHER ASSISTANCE, GRANT OR LOAN MADE AVAILABLE FROM THE STATE.
S 2. This act shall take effect immediately.

PART BB

Section 1. Section 431 of the economic development law is amended by adding a new subdivision 14 to read as follows:
14. "CORRECTIONAL FACILITY" MEANS, BEGINNING JULY TWENTY-SIXTH, TWO THOUSAND FOURTEEN, LAND OR A BUILDING OR GROUP OF BUILDINGS OWNED BY THE STATE OF NEW YORK ON THE PREMISES OF (A) BUTLER CORRECTIONAL FACILITY; (B) CHATEAUGAY CORRECTIONAL FACILITY; (C) MONTEREY SHOCK INCARCERATION CORRECTIONAL FACILITY; AND (D) MOUNT MCGREGOR CORRECTIONAL FACILITY.
S 2. Subdivision 4 of section 435 of the economic development law, as added by section 1 of part A of chapter 68 of the laws of 2013, is amended to read as follows:

4. The START-UP NY approval board, by majority vote, shall designate CORRECTIONAL FACILITIES DESCRIBED IN SUBDIVISION FOURTEEN OF SECTION FOUR HUNDRED THIRTY-ONE OF THIS ARTICLE AND up to twenty strategic state assets as tax-free NY areas. Each shall be affiliated with a state university campus, city university campus, community college, or private college or university and such designation shall require the support of the affiliated campus, college or university. Each strategic state asset, OTHER THAN A CORRECTIONAL FACILITY, may not exceed a maximum of two hundred thousand square feet of vacant land or vacant building space designated as a tax-free NY area. Designation of strategic state assets AND CORRECTIONAL FACILITIES DESCRIBED IN SUBDIVISION FOURTEEN OF SECTION FOUR HUNDRED THIRTY-ONE OF THIS ARTICLE as tax-free NY areas shall not count against any square footage limitations in section four hundred thirty-two of this article.

S 3. This act shall take effect immediately.

PART CC

Section 1. Subdivision 5 of section 209-p of the executive law, as amended by chapter 342 of the laws of 2008, is amended and a new subdivision 3-a is added to read as follows:

3-A. THE FACULTY DEVELOPMENT AND TECHNOLOGY TRANSFER ADVISORY COUNCIL SHALL BE ESTABLISHED BY THE COMMISSIONER OF ECONOMIC DEVELOPMENT TO REVIEW AND RECOMMEND PROPOSALS SUBMITTED FOR CONSIDERATION UNDER SUBDIVISIONS THREE AND FIVE OF THIS SECTION. THE COUNCIL SHALL CONSIST OF ELEVEN MEMBERS THAT SHALL INCLUDE REPRESENTATIVES FROM FOUR DIFFERENT UNIVERSITIES, ONE NATIONAL LAB, TWO NEW YORK STATE INCUBATORS OR NEW YORK STATE INNOVATION HOT SPOTS, TWO COMPANIES AND TWO NON-PROFITS WITH A STATEWIDE ECONOMIC DEVELOPMENT MISSION. EACH REPRESENTATIVE SHALL HAVE TECHNOLOGY TRANSFER EXPERIENCE. IN ADDITION, AT LEAST SIX MEMBERS OF THE COUNCIL SHALL HAVE A DEMONSTRATED BACKGROUND IN BIO-MEDICINE, BIOTECHNOLOGY OR OTHER LIFE SCIENCES.

5. An incentive program is hereby created to provide additional assistance to technology transfer OR COMMERCIALIZATION activities at institutions of higher education and research institutions in the state of New York for the purpose of encouraging technology transfer from institutions of higher education and research institutions to businesses and for commercialization within New York state. Funds appropriated for this program shall be available for personal service expenses to enhance the technology transfer abilities OR COMMERCIALIZATION OF RESEARCH of higher education and research institutions to businesses within New York state including but not limited to patent applications, the creation of business and marketing plans, venture capital conferences and non-capital costs associated with the development of real property owned by such institution of higher education or research institution for research and development purposes. Funds awarded under the incentive program shall not exceed fifty percent of the cost of the purpose for which such funds shall be applied. THE FACULTY DEVELOPMENT AND TECHNOLOGY TRANSFER ADVISORY COUNCIL, AS ESTABLISHED BY SUBDIVISION THREE-A OF THIS SECTION, SHALL REVIEW AND RECOMMEND PROPOSALS SUBMITTED FOR CONSIDERATION PURSUANT TO THIS SUBDIVISION. PREFERENCE SHALL BE GIVEN TO PROPOSALS DEVELOPED IN COORDINATION WITH A PRIVATE OR PUBLIC MEDICAL SCHOOL LOCATED IN THE STATE.

S 2. This act shall take effect immediately.

PART DD

Section 1. Subdivision 1 of section 210 of the economic development law, as amended by chapter 227 of the laws of 1993, is amended to read as follows:

1. "Development centers" shall mean the business enterprise development centers which provide assistance to primarily minority group members, women [and], individuals with a disability, AND VETERANS as established by the department pursuant to section two hundred eleven of this article.

S 2. Section 210 of the economic development law is amended by adding a new subdivision 6 to read as follows:

6. "VETERAN" SHALL MEAN A PERSON WHO SERVED IN AND WHO HAS RECEIVED AN HONORABLE OR GENERAL DISCHARGE FROM, THE UNITED STATES ARMY, NAVY, AIR FORCE, MARINES, COAST GUARD, AND/OR RESERVES THEREOF, AND/OR IN THE ARMY NATIONAL GUARD, AIR NATIONAL GUARD, NEW YORK GUARD AND/OR THE NEW YORK NAVAL MILITIA.

S 3. Subdivision 1 of section 211 of the economic development law, as amended by chapter 227 of the laws of 1993, is amended to read as follows:

1. The department shall provide grants, within available appropriations, on a competitive basis, in response to a request for proposals to pilot development centers, to provide intensive community-based management and technical assistance targeted primarily to minority group members, women [and], individuals with a disability, AND VETERANS who are seeking to start or are starting new business ventures.

S 4. Subdivision 1 of section 212 of the economic development law, as amended by chapter 301 of the laws of 1996, is amended to read as follows:

1. The department shall establish and support, within available appropriations, entrepreneurship support centers at career education agencies and not-for-profit corporations including, but not limited to, local development corporations, chambers of commerce and community-based organizations. The purpose of such support centers shall be to train dislocated workers, individuals with a disability, minorities [and], women, AND VETERANS in the principles and practice of entrepreneurship in order to prepare such persons to pursue self-employment opportunities. Such support centers shall provide for training in all aspects of business development and small business management as defined by the commissioner. For purposes of this section, "career education agency" shall mean a community college or board of cooperative educational services operating within the state.

S 5. This act shall take effect immediately.

PART EE

Section 1. Subdivision 25 of section 11-0103 of the environmental conservation law, as amended by chapter 595 of the laws of 1984, is amended to read as follows:

25. "Hunting [accident] RELATED INCIDENT" means the injury to or death of a person caused by the discharge of a firearm, CROSSBOW or longbow while the person causing such injury or death, or the person injured or killed, is taking or attempting to take game, wildlife or fish.

S 2. Paragraph a of subdivision 1 of section 11-0719 of the environmental conservation law, as amended by section 26 of part R of chapter 58 of the laws of 2013, is amended to read as follows:

a. In the circumstances described in paragraph b of this subdivision the department may revoke any license, bowhunting privilege, or muzzle-

loading privilege, of any person, to hunt, fish or trap, defined in section 11-0701 of this title or issued pursuant to any provision of the Fish and Wildlife Law, or it may revoke all of such licenses, bowhunting privileges, or muzzle-loading privileges. It may also deny such person, for a period not exceeding five years, the privilege of obtaining such license or licenses, bowhunting privilege, or muzzle-loading privilege, or of hunting, trapping or fishing, anywhere in the state with or without license, bowhunting privilege, or muzzle-loading privilege, except as provided in subdivision 1 of section 11-0707 of this title or in section 11-0523 of this article. It may also require that such person successfully complete a department-sponsored course and obtain a certificate of qualification in responsible hunting INCLUDING RESPONSIBLE CROSSBOW HUNTING, responsible bowhunting or responsible trapping practices before being issued another license.

S 3. Subparagraph 4 of paragraph b of subdivision 1 of section 11-0719 of the environmental conservation law, as amended by chapter 436 of the laws of 2000, is amended to read as follows:

(4) is convicted of an offense involving a violation of subdivisions one and two of section 11-0901 of this article relating to taking of wildlife when the person taking is in or on a motor vehicle while such motor vehicle is on a public highway or an offense involving a violation of subdivision one of section 11-0901 of this article and subparagraph one of paragraph a of subdivision four of section 11-0931 of this article relating to taking wildlife when the person taking is in or on a motor vehicle and discharging a firearm, CROSSBOW or longbow in such a way that the load, BOLT or arrow passes over a public highway or a part thereof or signs an acknowledgment of any such violation for the purpose of affecting a settlement by civil compromise or by stipulation.

S 4. Subdivisions 2 and 3 of section 11-0719 of the environmental conservation law, subdivision 2 as amended by section 27 and subdivision 3 as amended by section 28 of part R of chapter 58 of the laws of 2013, are amended to read as follows:

2. a. The department may revoke the licenses, tags, bowhunting privileges, or muzzle-loading privileges, which authorize the holder to hunt and/or trap wildlife, and may deny the privilege of obtaining such licenses, tags, bowhunting privileges, or muzzle-loading privileges, and may deny the privileges of hunting and/or trapping with or without a license.

(1) of any person who, while engaged in hunting or trapping,

(i) causes death or injury to [another] ANY PERSON by discharging a firearm, CROSSBOW or longbow, or

(ii) so negligently discharges a firearm, CROSSBOW or longbow as to endanger the life or safety of another, or

(iii) so negligently and wantonly discharges a firearm, CROSSBOW or longbow as to destroy or damage public or private property; or

(2) of any agent of the department authorized to issue certificates of qualification in responsible hunting INCLUDING RESPONSIBLE CROSSBOW HUNTING, bowhunting, or trapping practices who improperly issues any such certification to a person whom he OR SHE has not trained, or whom he OR SHE knows has not satisfactorily completed all of the requirements necessary for such certification.

b. Action by the department resulting in the revocation of such license or denial of the privilege to hunt and trap as provided in this subdivision shall be only after a hearing held by the department upon notice to the offender, at which proof of facts indicating the violation is established to the satisfaction of the commissioner or of the hearing

officer designated by him OR HER and concurred in by the commissioner. Provided that where a person, while hunting, causes death or injury to any person by discharge of a firearm, CROSSBOW or longbow, the commissioner may, in his OR HER discretion, suspend such person's license or licenses to hunt and suspend such person's right to hunt without a license for a period of up to sixty days pending a hearing as provided for in this subdivision.

c. In case such discharge of a firearm, CROSSBOW or longbow causes death or injury to [another] ANY PERSON, the license or licenses, bowhunting privilege, and muzzle-loading privilege shall be revoked and the ability to obtain any such license and of hunting or of trapping anywhere in the state with or without a license denied, for a period not exceeding ten years, except that no revocation shall be made in cases in which facts established at the hearing indicate to the satisfaction of the commissioner that there was no negligence on the part of the shooter or [bowman] BOWHUNTER. In all other cases the license or licenses, bowhunting privilege, or muzzle-loading privilege, shall be revoked and the privilege of obtaining such license, bowhunting privilege, or muzzle-loading privilege, and of hunting or of trapping anywhere in the state with or without a license denied for a period not exceeding five years. The department may also require that the person causing such death or injury successfully complete a department-sponsored course and obtain a certificate of qualification in responsible hunting INCLUDING RESPONSIBLE CROSSBOW HUNTING or bowhunting practices before being issued another hunting license.

d. Every person injuring himself, herself or another person in a hunting [accident, as such term is defined in subdivision 25 of section 11-0103 of this article] RELATED INCIDENT, and the investigating law enforcement officer summoned to or arriving at the scene of such [accident] INCIDENT shall within ten days from the occurrence of such [accident] INCIDENT file a report of the [accident] INCIDENT in writing with the department. Every such person or law enforcement officer shall make such other and additional reports as the department shall require. Failure to report such [accident] INCIDENT as herein provided by the person causing injury or to furnish relevant information required by the department shall be a violation and shall constitute grounds for suspension or revocation of such person's hunting licenses and bowhunting and muzzle-loading privileges and denial of the ability to obtain any such license and of hunting with or without a license following a hearing or opportunity to be heard. In addition, the department may temporarily suspend the license of the person failing to report a hunting [accident] RELATED INCIDENT within the period prescribed herein until such report has been filed. In the case of a non-resident, the failure to report an [accident] INCIDENT as herein provided shall constitute grounds for suspension or revocation of his or her privileges of hunting within this state. The report required by this section shall be made in such form and number as the department may prescribe.

3. A hunting license issued to a person who is at least twelve and less than sixteen years of age or a hunting license with bowhunting privilege issued to a person who is between the ages of twelve and sixteen years may be revoked by the department upon proof satisfactory to the department that such person, while under the age of sixteen, has engaged in hunting [wildlife] with a gun, CROSSBOW or longbow, in circumstances in which a license and/or bowhunting or muzzle-loading privilege is required, while not accompanied by his or her parent, guardian or other adult as provided in section 11-0929 of this article.

ADDITIONALLY, THE DEPARTMENT MAY REVOKE THE HUNTING AND/OR BOWHUNTING OR MUZZLE-LOADING PRIVILEGE OF ANY PARENT, GUARDIAN, YOUTH MENTOR OR OTHER ADULT UPON PROOF SATISFACTORY TO THE DEPARTMENT THAT SUCH PERSON ALLOWED THE HOLDER OF A HUNTING LICENSE, BOWHUNTING PRIVILEGE OR MUZZLE-LOADING PRIVILEGE TO HUNT WITH A GUN, CROSSBOW OR LONGBOW IN VIOLATION OF SECTION 11-0929 OF THIS ARTICLE. If such license or privilege is revoked the department shall fix the period of such revocation, which is not to exceed six years. The department may require that such person successfully complete a department sponsored course and obtain a certificate of qualification in responsible hunting INCLUDING RESPONSIBLE CROSSBOW HUNTING, or responsible bowhunting practices before being issued another hunting or bowhunting license.

S 5. Paragraphs b and g of subdivision 3 and subparagraph 1 of paragraph d of subdivision 4 of section 11-0901 of the environmental conservation law, paragraph b of subdivision 3 as amended by chapter 911 of the laws of 1990, paragraph g of subdivision 3 as amended by chapter 34 of the laws of 1979, subparagraph 1 of paragraph d of subdivision 4 as amended by chapter 600 of the laws of 1993, are amended to read as follows:

b. Wild deer and bear shall not be taken except by gun, CROSSBOW or by long bow. Where an open season, set forth in the table of open seasons in section 11-0907 OF THIS TITLE or otherwise established by law or fixed by regulation, is specified as an open season for taking such game by shotgun or long bow only, or is specified as an open season for taking such game by long bow only, they shall not be taken except as so specified.

g. Wildlife shall not be taken [by the use of a cross-bow, by a long bow drawn, pulled, released, or held in a drawn position by any mechanical device attached to a portion of the bow other than the bowstring, or] by the use of a device commonly called a spear gun.

(1) such long bow OR CROSSBOW is unstrung, or such a firearm is taken down, or securely fastened in a case, or locked in the trunk of a vehicle, or

S 6. Subparagraphs 5, 6 and 8 of paragraph b of subdivision 4 of section 11-0901 of the environmental conservation law, subparagraph 5 as amended by chapter 430 of the laws of 2000, subparagraphs 6 and 8 as amended by chapter 600 of the laws of 1993, are amended and a new subparagraph 9 is added to read as follows:

(5) with [a bow other than] a long bow with a draw weight [in excess] of LESS THAN thirty-five pounds; or

(6) with an arrow OR BOLT with an arrowhead that measures less than seven-eighths of an inch at its widest point or that has fewer than two sharp cutting edges; or

(8) with an arrow with a barbed broadhead arrowhead[.]; OR

(9) WITH A CROSSBOW UNLESS SUCH CROSSBOW SHALL CONSIST OF A BOW AND STRING, EITHER COMPOUND OR RECURVE, THAT LAUNCHES A MINIMUM FOURTEEN INCH BOLT, NOT INCLUDING POINT, MOUNTED UPON A STOCK WITH A TRIGGER THAT HOLDS THE STRING AND LIMBS UNDER TENSION UNTIL RELEASED. THE TRIGGER UNIT OF SUCH CROSSBOW MUST HAVE A WORKING SAFETY. THE MINIMUM LIMB WIDTH OF SUCH CROSSBOW SHALL BE SEVENTEEN INCHES, HAVE A MINIMUM PEAK DRAW WEIGHT OF ONE HUNDRED POUNDS AND A MAXIMUM PEAK DRAW WEIGHT OF TWO HUNDRED POUNDS. THE MINIMUM OVERALL LENGTH OF SUCH CROSSBOW FROM BUTTSTOCK TO FRONT OF LIMBS SHALL BE TWENTY-FOUR INCHES.

S 7. Subparagraphs 5, 6 and 8 of paragraph c of subdivision 4 of section 11-0901 of the environmental conservation law, subparagraph 5 as amended by chapter 430 of the laws of 2000, and subparagraphs 6 and 8 as

amended by chapter 600 of the laws of 1993, are amended and a new subparagraph 9 is added to read as follows:

(5) with [a bow other than] a long bow with a draw weight [in excess] of LESS THAN thirty-five pounds; or

(6) with an arrow OR BOLT with an arrowhead that measures less than seven-eighths of an inch at its widest point or that has fewer than two sharp cutting edges; or

(8) with an arrow with a barbed broadhead arrowhead[.]; OR

(9) WITH A CROSSBOW UNLESS SUCH CROSSBOW SHALL CONSIST OF A BOW AND STRING, EITHER COMPOUND OR RECURVE, THAT LAUNCHES A MINIMUM FOURTEEN INCH BOLT, NOT INCLUDING POINT, MOUNTED UPON A STOCK WITH A TRIGGER THAT HOLDS THE STRING AND LIMBS UNDER TENSION UNTIL RELEASED. THE TRIGGER UNIT OF SUCH CROSSBOW MUST HAVE A WORKING SAFETY. THE MINIMUM LIMB WIDTH OF SUCH CROSSBOW SHALL BE SEVENTEEN INCHES, HAVE A MINIMUM PEAK DRAW WEIGHT OF ONE HUNDRED POUNDS AND A MAXIMUM PEAK DRAW WEIGHT OF TWO HUNDRED POUNDS. THE MINIMUM OVERALL LENGTH OF SUCH CROSSBOW FROM BUTTSTOCK TO FRONT OF LIMBS SHALL BE TWENTY-FOUR INCHES.

S 8. Subdivisions 2 and 4 of section 11-0931 of the environmental conservation law, subdivision 2 as amended by section 7 of part H of chapter 58 of the laws of 2012, subparagraph 3 of paragraph a of subdivision 4 as added by chapter 400 of the laws of 1973 and subparagraph 4 of paragraph a of subdivision 4 as added by chapter 67 of the laws of 1976, are amended to read as follows:

2. No CROSSBOW OR firearm except a pistol or revolver shall be carried or possessed in or on a motor vehicle unless it is UNCOCKED, FOR A CROSSBOW OR unloaded, FOR A FIREARM in both the chamber and the magazine, except that a loaded firearm which may be legally used for taking migratory game birds may be carried or possessed in a motorboat while being legally used in hunting migratory game birds, and no person except a law enforcement officer in the performance of his official duties shall, while in or on a motor vehicle, use a jacklight, spotlight or other artificial light upon lands inhabited by deer if he OR SHE is in possession or is accompanied by a person who is in possession, at the time of such use, of a longbow, crossbow or a firearm of any kind except a pistol or revolver, unless such longbow OR CROSSBOW is unstrung or such firearm OR CROSSBOW is taken down or securely fastened in a case or locked in the trunk of the vehicle. For purposes of this subdivision, motor vehicle shall mean every vehicle or other device operated by any power other than muscle power, and which shall include but not be limited to automobiles, trucks, motorcycles, tractors, trailers and motorboats, snowmobiles and snowtravelers, whether operated on or off public highways. Notwithstanding the provisions of this subdivision, the department may issue a permit to any person who is non-ambulatory, except with the use of a mechanized aid, to possess a loaded firearm in or on a motor vehicle as defined in this section, subject to such restrictions as the department may deem necessary in the interest of public safety. Nothing in this section permits the possession of a pistol or a revolver contrary to the penal law.

4. a. No person shall:

(1) discharge a firearm, CROSSBOW or long bow in such a way as will result in the load, BOLT, or arrow thereof passing over a public highway or any part thereof;

(2) discharge a firearm [or long bow] within five hundred feet, A LONG BOW WITHIN ONE HUNDRED FIFTY FEET, OR A CROSSBOW WITHIN TWO HUNDRED FIFTY FEET from a dwelling house, farm building or farm structure actu-

ally occupied or used, school building, school playground, PUBLIC STRUCTURE, or occupied factory or church;

(3) use a firearm or a long bow for the hunting of migratory game birds in Larchmont Harbor, specifically those portions bounded by the following points of land:

BEGINNING AT A POINT KNOWN AS UMBRELLA POINT ON THE EAST SHORE OF LARCHMONT HARBOR THEN PROCEEDING IN A NORTHERLY DIRECTION TO CEDAR ISLAND; THENCE NORTHWESTERLY TO MONROE INLET; THENCE NORTHEASTERLY TO DELANCY COVE BEING IN THE TOWN OF MAMARONECK; THENCE IN A SOUTHWESTERLY DIRECTION FROM DELANCY COVE TO GREACEN POINT; THENCE RUNNING THE AREA BETWEEN DELANCY COVE AND THE WEST SHORE OF SATANS TOE NORTHEAST; THENCE SOUTHEAST THEN ALONG THE WEST SHORE OF SATANS TOE SOUTHWEST AND THEN SOUTH TO THE SOUTHERLY POINT OF SATANS TOE TO EDGEWATER POINT.

(4) Use of a firearm or a long bow for the hunting of migratory game birds in Udall's Cove, specifically those portions of Little Neck Bay within Nassau and Queens counties lying east of a line running north from the foot of Douglaston Parkway to the shore opposite.

b. The prohibitions contained in subparagraph 2 of paragraph a above shall not apply to:

(1) The owner or lessee of the dwelling house, or members of his immediate family actually residing therein, or a person in his employ, or the guest of the owner or lessee of the dwelling house acting with the consent of said owner or lessee, provided however, that nothing herein shall be deemed to authorize such persons to discharge a firearm [or longbow] within five hundred feet, A LONG BOW WITHIN ONE HUNDRED FIFTY FEET, OR A CROSSBOW WITHIN TWO HUNDRED FIFTY FEET of any other dwelling house, or a farm building or farm structure actually occupied or used, or a school building or playground, PUBLIC STRUCTURE, or occupied factory or church;

(2) Programs conducted by public schools offering instruction and training in the use of firearms or long bow;

(3) The authorized use of a pistol, rifle or target range regularly operated and maintained by a police department or other law enforcement agency or by any duly organized membership corporation;

(4) The discharge of a shotgun over water by a person hunting migratory game birds if no dwelling house, FARM BUILDING OR FARM STRUCTURE ACTUALLY OCCUPIED OR USED, SCHOOL BUILDING, SCHOOL PLAYGROUND, or public structure, FACTORY OR CHURCH, livestock or person is situated in the line of discharge less than five hundred feet from the point of discharge.

S 9. Paragraph c of subdivision 5 of section 11-0931 of the environmental conservation law, as amended by chapter 309 of the laws of 2006, is amended to read as follows:

c. In the Northern Zone no person, while engaged in hunting with the aid of a dog or while afield accompanied by a dog, shall possess a rifle larger than .22 caliber using rim-fire ammunition or possess a shotgun loaded with a slug, ball or buckshot, OR POSSESS A CROSSBOW; but this paragraph does not apply to persons, engaged in coyote hunts with dogs during any open season on coyotes established pursuant to the provisions of section 11-0903 OF THIS TITLE.

S 10. Paragraph 4 of subdivision a of section 265.20 of the penal law, as amended by chapter 1041 of the laws of 1974, is amended to read as follows:

4. Possession of a rifle, shotgun, CROSSBOW or longbow for use while hunting, trapping or fishing, by a person, not a citizen of the United

States, carrying a valid license issued pursuant to section 11-0713 of the environmental conservation law.

S 11. Paragraph a and the opening paragraph of paragraph b of subdivision 2 of section 11-0929 of the environmental conservation law, as amended by section 13 of part R of chapter 58 of the laws of 2013, are amended to read as follows:

a. hunt wildlife with a gun, CROSSBOW or longbow, other than wild deer or bear as provided in paragraph b of this subdivision, unless he or she is accompanied by his or her parent or legal guardian holding a hunting license, or by a person eighteen years of age or older, designated in writing by his or her parent or legal guardian, holding such license;

hunt wild deer or bear with a CROSSBOW OR gun unless:

S 12. Section 11-0713 of the environmental conservation law is amended by adding a new subdivision 6 to read as follows:

6. THE DEPARTMENT SHALL REQUIRE TRAINING IN THE SAFE USE OF HUNTING WITH A CROSSBOW AND SAFE HUNTING PRACTICES IN THE BASIC HUNTER EDUCATION COURSE REQUIRED FOR ALL NEW HUNTERS. ALL PERSONS WHO HAVE COMPLETED HUNTER EDUCATION AND WHO HAVE NOT CERTIFIED THEIR COMPLETION OF A SAFETY COURSE WHICH INCLUDES CROSSBOW HUNTING TRAINING PRIOR TO APRIL FIRST, TWO THOUSAND FOURTEEN SHALL COMPLETE AN ONLINE OR OTHER TRAINING PROGRAM APPROVED BY THE DEPARTMENT PRIOR TO USING A CROSSBOW TO HUNT.

S 13. Subdivision 15 of section 11-0901 of the environmental conservation law, as amended by chapter 81 of the laws of 1988, is amended to read as follows:

15. Notwithstanding any inconsistent provision of this section, the department may [issue a permit to take] ADOPT REGULATIONS TO ALLOW THE TAKING OF big game or small game by the use of a LONG bow equipped with a mechanical device for holding and releasing the bowstring, attached to the handle section of an otherwise legal LONG bow, to any person WITH A PHYSICAL DISABILITY who is [permanently] physically incapable of drawing and holding a LONG bow because of a physical [handicap or] disability, subject to such restrictions as the department may [deem necessary in the interest of public safety] ADOPT BY REGULATION. FOR THE PURPOSE OF THIS SUBDIVISION, A PERSON WITH A PHYSICAL DISABILITY SHALL MEAN ANY PERSON WHO SUBMITS TO THE DEPARTMENT A STATEMENT OF A PHYSICIAN DULY LICENSED TO PRACTICE MEDICINE THAT SUCH PERSON IS PHYSICALLY INCAPABLE OF ARM MOVEMENT SUFFICIENT TO DRAW, HOLD AND RELEASE A LONG BOW AS DEFINED IN SUBDIVISION FOUR OF THIS SECTION OR AS OTHERWISE DEFINED IN DEPARTMENT REGULATION. THE DEPARTMENT IS AUTHORIZED TO ADOPT REGULATIONS REQUIRING DOCUMENTATION TO ESTABLISH THAT AN APPLICANT IS ELIGIBLE TO USE A MECHANICAL DEVICE PURSUANT TO THIS SUBDIVISION.

S 14. Paragraph a of subdivision 1 and paragraph a of subdivision 2 of section 11-0907 of the environmental conservation law, paragraph a of subdivision 1 as amended by section 37 of part F of chapter 82 of the laws of 2002, and paragraph a of subdivision 2 as amended by chapter 600 of the laws of 1993, item (b) of paragraph a of subdivision 2 as amended by section 1 of chapter 600 of the laws of 2005, item (d) of paragraph a of subdivision 2 as separately amended by chapter 108 of the laws of 1995 and section 1 of chapter 600 of the laws of 2005, item (f) of paragraph a of subdivision 2 as separately amended by chapters 144 and 159 of the laws of 2013, item (i) of paragraph a of subdivision 2 as amended by chapter 231 of the laws of 2012, item (k) of paragraph a of subdivision 2 as added by chapter 144 of the laws of 2013, and item (k) of paragraph a of subdivision 2 as added by chapter 159 of the laws of 2013, are amended and a new subdivision 10 is added to read as follows:

a. Wild deer without antlers or having antlers measuring less than three inches in length shall not be taken unless it is taken (1) by long bow in a special long bow season established in subdivision 3 of this section, or (2) by muzzle-loading firearm OR CROSSBOW in a special muzzle-loading firearm season established in subdivision 8 of this section, or (3) by long bow in Westchester and Suffolk Counties in a year in which a regular season for deer of either sex is established for such counties, or (4) in a special open season for deer of either sex fixed by regulation pursuant to subdivision 5 or 7 of section 11-0903 of this title, or (5) pursuant to a special antlerless deer license in a special open season for antlerless deer in a tract within a Wilderness Hunting Area fixed by regulation pursuant to subdivision 6 of section 11-0903 of this title, or (6) pursuant to a deer management permit by a person eligible to take such deer pursuant thereto as provided in section 11-0913 of this title, or (7) pursuant to a permit issued to an eligible non-ambulatory person, pursuant to subdivision 2 of section 11-0931 of this title, while in possession of a valid license issued by the department which authorizes the holder to hunt big game. Nothing in this subparagraph shall be construed to limit the power of the department to designate by regulation an area or areas of the state consisting of a county or part of a county where such season shall apply and whether the number of such special permits shall be limited.

a. Regular open hunting seasons for deer are established separately for the named regions or parts of regions, or named counties listed in column one of the table set forth in this subdivision, and are specified as seasons for taking by pistol, rifle, shotgun or long bow, or for taking by shotgun, CROSSBOW or long bow only, or for taking by long bow only, as indicated in column three entitled "Manner of Taking". Where taking of big game by shotgun is permitted by this chapter such shotgun may contain rifling in all or a portion of the barrel, provided, however, if the barrel or a portion thereof does contain rifling only shells having non-metallic cases, except for the base, may be used. In the areas identified in column one except in the "closed areas" specified in subdivision [5] FIVE OF THIS SECTION the game specified in column two may be taken in the open season stated in column two immediately following the specification of the game, in the manner specified in column three.

TABLE

Column One Area	Column Two Game and Open Season	Column Three Manner of Taking
(a) Northern Zone	Deer, next to last Saturday in October through first Sunday in December	Pistol, rifle, shotgun, CROSSBOW or long bow
(b) Catskill region except Delaware, Greene, Sullivan, Ulster counties and those counties or portions thereof listed in item (i) of this paragraph	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow

(c) Counties of Delaware, Greene, Sullivan and Ulster	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(d) Eastern region, except Columbia, Fulton, Orange, Rensselaer, Saratoga, Washington Counties and those counties or portions thereof listed in item (i) of this paragraph	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm or long bow only
(e) Fulton, Saratoga, Washington (parts in the Southern zone), Columbia, Orange, and Rensselaer counties	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(f) Southern tier, central and Western region, except those counties or portions thereof listed in item (i) [or], (k) OR (L) of this paragraph	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm or long bow only
(g) Westchester County	Deer of either sex, November 1 through December 31	long bow only
(h) Suffolk County	Deer of either sex Second Monday in November through December thirty-first	long bow only
(i) The counties of Allegany, Cattaraugus, Cayuga, Chautauqua except that portion of the county north of route 20, Chemung, Chenango, Herkimer, Madison, Montgomery, Oneida, Oswego, Otsego, Schoharie, Schuyler, Steuben, Tioga, Wyoming and Yates and that portion of the county of	Deer, the first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm, rifle or long bow only

Broome east of the Susquehanna river		
(k) The county of Ontario	Deer, the first Saturday after November 15 through first Sunday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm, rifle or long bow only
[(k)] (L) The county of Wayne	Deer, the first Saturday after November 15 through first Sunday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm, rifle or long bow only

10. NOTWITHSTANDING ANY PROVISION OF THIS CHAPTER, OR ANY PRIOR NOTWITHSTANDING LANGUAGE IN THIS ARTICLE, THE DEPARTMENT MAY, BY REGULATION, AUTHORIZE THE TAKING OF BIG GAME BY THE USE OF A CROSSBOW BY ANY LICENSED PERSON IN ANY BIG GAME SEASON IN ANY AREA DESIGNATED IN ITEMS (A), (B), (C), (D), (E), (F), (I), (K) AND (L) OF PARAGRAPH A OF SUBDIVISION TWO OF THIS SECTION IN WHICH A SHOTGUN OR MUZZLE LOADER IS PERMITTED PROVIDED HOWEVER, THAT ANY CROSSBOW USE DURING AN ARCHERY-ONLY SEASON SHALL ONLY TAKE PLACE DURING THE LAST FOURTEEN CONSECUTIVE DAYS OF SUCH ARCHERY-ONLY SEASON IN THE SOUTHERN ZONE PROVIDED THAT SUCH ARCHERY-ONLY SEASON SHALL CONSIST OF NOT LESS THAN FORTY-FIVE DAYS AND ONLY DURING THE LAST TEN CONSECUTIVE DAYS OF ANY ARCHERY-ONLY SEASON IN THE NORTHERN ZONE PROVIDED THAT SUCH ARCHERY-ONLY SEASON SHALL CONSIST OF NO LESS THAN TWENTY-THREE DAYS. ANY MUZZLE LOADING SEASON WHICH OCCURS AT THE SAME TIME AS A SPECIAL ARCHERY SEASON MAY ONLY OCCUR DURING TIMES WHEN CROSSBOWS ARE AUTHORIZED TO BE USED.

S 15. Paragraph a of subdivision 2 of section 11-0907 of the environmental conservation law, as amended by chapter 95 of the laws of 1974, the opening paragraph as amended by chapter 11 of the laws of 1988, column 2 of item (a) as amended by chapter 344 of the laws of 1979, items (b), (d), and (f) as amended by section 2 of chapter 600 of the laws of 2005, column 2 of item (g) as amended by chapter 92 of the laws of 1980, item (h) as added by chapter 643 of the laws of 1977, column 2 of item (h) as amended by chapter 332 of the laws of 1986, and item (i) as separately amended by chapters 111 and 155 of the laws of 2013, is amended to read as follows:

a. Regular open hunting seasons for big game are established separately for the named regions or parts of regions, or named counties listed in column one of the table set forth in this subdivision, and are specified as seasons for taking by pistol, rifle, shotgun or long bow, or for taking by shotgun or long bow only, or for taking by long bow only, as indicated in column three entitled "Manner of Taking". Where taking of big game by shotgun is permitted by this chapter such shotgun may contain rifling in all or a portion of the barrel, provided, however, if the barrel or a portion thereof does contain rifling only shells having non-metallic cases, except for the base, may be used. In the areas identified in column one except in the "closed areas" specified in subdivision 5 the game specified in column two may be taken in the open season stated in column two immediately following the specification of the game, in the manner specified in column three.

TABLE

Column One Area	Column Two Game and Open Season	Column Three Manner of Taking
(a) Northern Zone	Deer and bear, next to last Saturday in October through first Sunday in December	Pistol, rifle, shotgun, CROSSBOW or long bow
(b) Catskill region except Delaware, Greene, Sullivan, Ulster counties and those counties or portions thereof listed in item (i) of this paragraph	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(c) Counties of Delaware, Greene, Sullivan and Ulster	Deer, first Monday after November 15 through first Tuesday after December 7; Bear, first Monday after November 15 through second Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(d) Eastern region, except Columbia, Fulton, Orange, Rensselaer, Saratoga, Washington Counties and those counties or portions thereof listed in item (i) of this paragraph	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm or long bow only
(e) Fulton, Saratoga, Washington (parts in the Southern zone), Columbia, Orange, and Rensselaer counties	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(f) Southern tier, central and Western region, except those counties or portions thereof listed in item (i) of this paragraph	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm or long bow only
(g) Westchester County	Deer of either sex, November 1 through December 31	Long bow only

(h) Suffolk County	Deer of either sex Second Monday in November through December thirty-first	long bow only
(i) The counties of Allegany, Cattaraugus, Chautauqua except that portion of the county north of route 20, Chenango, Herkimer, Montgomery, Oneida, Oswego, Otsego, Schoharie, Tioga and Wyoming and that portion of the county of Broome east of the Susquehanna river	Deer and bear, the first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm, rifle or long bow only

S 16. Paragraphs a and b of subdivision 8 of section 11-0907 of the environmental conservation law, paragraph a as amended by section 11 of part R of chapter 58 of the laws of 2013, paragraph b as amended by chapter 241 of the laws of 1997, are amended to read as follows:

a. In every area identified in column one of the table set forth in subdivision [2] TWO of this section, except those areas restricted to special seasons for taking deer by longbow only, special open seasons may be established by regulation for taking deer and/or bear, by the use of muzzle-loading firearms, of not less than .44 caliber shooting a single projectile, OR BY THE USE OF A CROSSBOW, by the holders of a hunting license with a valid muzzle-loading privilege.

b. Such special open season for the Southern Zone shall be for the seven day period immediately preceding the regular open season for deer stated in column two of the table set forth in subdivision [2] TWO OF THIS SECTION, except that the department may, by regulation, fix such open season in the Southern Zone or any portion thereof to be either the seven days immediately preceding or immediately following the regular open season for deer, PROVIDED, HOWEVER, THAT ANY TAKING OF DEER OR BEAR BY THE USE OF A CROSSBOW IN A SEASON OR SPECIAL SEASON IN WHICH THE MUZZLE LOADER IS THE ONLY FIREARM PERMITTED SHALL SUCCEED THE REGULAR OPEN HUNTING SEASON FOR DEER ESTABLISHED PURSUANT TO SUBDIVISION TWO OF OF THIS SECTION.

S 17. Subdivision 9 of section 11-0701 of the environmental conservation law, as amended by section 1-a of part R of chapter 58 of the laws of 2013, is amended to read as follows:

9. A muzzle-loading privilege when included on a hunting license entitles a holder who is fourteen years of age or older to hunt wild deer and bear with a muzzle-loading firearm OR CROSSBOW, as provided in title 9 of this article, in a special muzzle-loading firearm season.

S 18. a. In no event shall the department of environmental conservation authorize the taking of big game by the use of a crossbow during any archery-only season prior to the last fourteen days of such season in the southern zone, or during any archery-only season prior to the last ten days of such season in the northern zone.

b. In no event shall the department authorize the taking of big game by the use of a crossbow in any area designated in items (a), (b), (c),

(d), (e), (f), (i), (k) and (l) of paragraph a of subdivision 2 of section 11-0907 of the environmental conservation law for which the use of shotgun or muzzle loader is not authorized as a manner of taking pursuant to such paragraph.

c. In no event shall the department of environmental conservation authorize hunting with a crossbow by a person less than 14 years old.

d. In no event shall the department of environmental conservation establish any muzzle loading season which occurs at the same time as a special archery season unless it is at the same time as when crossbows are authorized to be used.

S 19. Paragraph c of subdivision 3 of section 11-0901 of the environmental conservation law, as amended by chapter 825 of the laws of 1973, subparagraph 1 as amended by chapter 407 of the laws of 1976, is amended to read as follows:

c. Wild small game and wild upland game birds shall be taken only by longbow or gun, or by the use of raptors as provided in title 10 of this article, except that:

(1) skunk, raccoon, bobcat, coyote, fox, mink and muskrat may be taken in any manner not prohibited in this section or in title 11 of the Fish and Wildlife Law[, and];

(2) frogs may also be taken by spearing, catching with the hands, or by the use of a club or hook[.]; AND

(3) CROSSBOWS MAY BE USED BUT ONLY BY LICENSEES WHO ARE FOURTEEN YEARS OF AGE OR OLDER.

S 20. Subdivision 1 of section 11-0929 of the environmental conservation law, as amended by section 13 of part R of chapter 58 of the laws of 2013, is amended to read as follows:

1. A licensee who is twelve or thirteen years of age shall not hunt wildlife with a gun or a longbow unless he or she is accompanied by his or her parent or legal guardian, or by a person twenty-one years of age or older designated in writing by his or her parent or legal guardian on a form prescribed by the department, who holds a hunting license. A LICENSEE WHO IS TWELVE OR THIRTEEN YEARS OF AGE SHALL NOT HUNT WITH A CROSSBOW.

S 21. Paragraph a of subdivision 1 of section 11-0701 of the environmental conservation law, as amended by section 1-a of part R of chapter 58 of the laws of 2013, is amended to read as follows:

a. entitles a holder who is twelve or thirteen years of age to hunt wildlife, except big game, as provided in title 9 of this article subject, specifically, to the provisions of section 11-0929 of this article. It entitles such holder to possess firearms as provided in section 265.05 of the penal law. A HOLDER WHO IS TWELVE OR THIRTEEN YEARS OF AGE SHALL NOT HUNT WITH A CROSSBOW.

S 22. The environmental conservation law is amended by adding a new section 11-0933 to read as follows:

S 11-0933. TAKING SMALL GAME BY CROSSBOW.

NOTWITHSTANDING ANY PROVISION OF THIS CHAPTER, OR ANY PRIOR NOTWITHSTANDING LANGUAGE IN THIS ARTICLE, THE DEPARTMENT MAY, BY REGULATION, AUTHORIZE THE TAKING OF SMALL GAME AND WILD UPLAND GAME BIRDS BY THE USE OF A CROSSBOW BY ANY LICENSED PERSON FOURTEEN YEARS OF AGE OR OLDER, IN ANY SMALL GAME SEASON, IN ANY AREA DESIGNATED IN ITEMS (A), (B), (C), (D), (E), (F), (I), (K), AND (L) OF PARAGRAPH A OF SUBDIVISION TWO OF SECTION 11-0907 OF THIS TITLE IN WHICH A SHOTGUN OR MUZZLE LOADER IS PERMITTED.

S 23. Section 11-0715 of the environmental conservation law is amended by adding a new subdivision 7 to read as follows:

7. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION THREE OF THIS SECTION, THE COMMISSIONER MAY OFFER FOR SALE LICENSES, PRIVILEGES AND PERMITS LISTED IN THIS SECTION AT A REDUCED PRICE UP TO TEN DAYS PER YEAR TO ENCOURAGE RESIDENT AND OUT-OF-STATE HUNTERS, TRAPPERS AND ANGLERS TO UTILIZE NEW YORK'S HUNTING, TRAPPING AND FISHING OPPORTUNITIES. THESE DAYS SHALL BE DESIGNATED IN A MANNER DETERMINED BY THE DEPARTMENT TO BEST PROVIDE PUBLIC NOTICE THEREOF AND TO MAXIMIZE PUBLIC PARTICIPATION THEREIN.

S 24. Subdivision 14 of section 11-0305 of the environmental conservation law, as amended by chapter 292 of the laws of 1996 and as renumbered by section 2 of part F of chapter 82 of the laws of 2002, is amended to read as follows:

14. Notwithstanding any inconsistent provision of law, the commissioner may designate no more than [two] EIGHT days in each year that shall be effective in every administrative region of the department, as free sport fishing days during which any person may, without having a sport fishing license and without the payment of any fee, exercise the privileges of a holder of a sport fishing license, subject to all of the limitations, restrictions, conditions, laws, rules and regulations applicable to the holder of a sport fishing license. Free sport fishing days shall be designated in a manner determined by the department to best provide public notice thereof and to maximize public participation therein, so as to promote the recreational opportunities afforded by sport fishing.

S 25. Subparagraph 7 of paragraph a and subparagraph 3 of paragraph b of subdivision 3 of section 11-0715 of the environmental conservation law, as amended by chapter 276 of the laws of 2013, are amended to read as follows:

(7) Seven-day fishing [$13.00] $12.00

(3) Seven-day fishing [$31.00] $28.00

S 26. Section 404-s of the vehicle and traffic law, as added by chapter 304 of the laws of 2001, is amended by adding three new subdivisions 3, 4 and 5 to read as follows:

3. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION TO A PERSON WHO PURCHASES A LIFETIME LICENSE PURSUANT TO SECTION 11-0702 OF THE ENVIRONMENTAL CONSERVATION LAW OR A LIFETIME VEHICLE ACCESS PASS, ALSO KNOWN AS A LIFETIME EMPIRE PASSPORT, PURSUANT TO ARTICLE THIRTEEN OF THE PARKS, RECREATION AND HISTORIC PRESERVATION LAW BETWEEN JANUARY FIRST, TWO THOUSAND FOURTEEN AND DECEMBER THIRTY-FIRST, TWO THOUSAND FOURTEEN SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT COMMENCING UPON THE THIRD REGISTRATION PERIOD AFTER THE INITIAL ISSUANCE OF SUCH PLATE, AN ADDITIONAL ANNUAL SERVICE CHARGE OF FIFTEEN DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH SERVICE CHARGE SHALL BE DEPOSITED AND MADE AVAILABLE IN THE SAME MANNER AS SET FORTH IN SUBDIVISION TWO OF THIS SECTION. ADDITIONALLY, SUCH PERSON SHALL BE EXEMPT FROM THE PAYMENT OF (A) THE TWENTY-FIVE DOLLAR FEE REQUIRED TO BE PAID FOR THE ISSUANCE OF A SET OF REFLECTORIZED NUMBER PLATES PURSUANT TO PARAGRAPH A OF SUBDIVISION THREE OF SECTION FOUR HUNDRED ONE OF THIS ARTICLE, AND (B) THE FEE OF THREE DOLLARS AND TWENTY-FIVE CENTS FOR THE ISSUANCE OF A NEW SET OF NUMBER PLATES PURSUANT TO PARAGRAPH B OF SUBDIVISION THREE OF SECTION FOUR HUNDRED ONE OF THIS ARTICLE.

4. A PERSON WHO, PRIOR TO JANUARY FIRST, TWO THOUSAND FOURTEEN, POSSESSES A LIFETIME LICENSE PURSUANT TO SECTION 11-0702 OF THE ENVIRONMENTAL CONSERVATION LAW OR A LIFETIME VEHICLE ACCESS PASS, ALSO KNOWN AS

A LIFETIME EMPIRE PASSPORT, OR A THREE OR FIVE YEAR VEHICLE ACCESS PASS PURSUANT TO ARTICLE THIRTEEN OF THE PARKS, RECREATION AND HISTORIC PRESERVATION LAW SHALL, ON REQUEST BETWEEN APRIL FIRST, TWO THOUSAND FOURTEEN AND MARCH THIRTY-FIRST, TWO THOUSAND FIFTEEN, BE ISSUED A DISTINCTIVE PLATE PURSUANT TO THIS SECTION IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT COMMENCING UPON THE THIRD REGISTRATION PERIOD AFTER THE INITIAL ISSUANCE OF SUCH PLATE, AN ADDITIONAL ANNUAL SERVICE CHARGE OF FIFTEEN DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH SERVICE CHARGE SHALL BE DEPOSITED AND MADE AVAILABLE IN THE SAME MANNER AS SET FORTH IN SUBDIVISION TWO OF THIS SECTION. ADDITIONALLY, SUCH PERSON SHALL BE EXEMPT FROM THE PAYMENT OF THE FEE OF THREE DOLLARS AND TWENTY-FIVE CENTS FOR THE ISSUANCE OF A NEW SET OF NUMBER PLATES PURSUANT TO PARAGRAPH B OF SUBDIVISION THREE OF SECTION FOUR HUNDRED ONE OF THIS ARTICLE.

5. ANY NEW YORK RESIDENT WHO POSSESSES A HUNTING, FISHING OR TRAPPING LICENSE ISSUED PURSUANT TO TITLE SEVEN OF ARTICLE ELEVEN OF THE ENVIRONMENTAL CONSERVATION LAW OR AN ANNUAL VEHICLE ACCESS PASS, ALSO KNOWN AS AN EMPIRE PASSPORT, PURSUANT TO ARTICLE THIRTEEN OF THE PARKS, RECREATION AND HISTORIC PRESERVATION LAW SHALL, UPON REQUEST, BE ISSUED THE DISTINCTIVE PLATE AVAILABLE TO A PERSON WHO PURCHASES A LIFETIME LICENSE OR PASSPORT, WHICH SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF FIFTEEN DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH SERVICE CHARGE SHALL BE DEPOSITED AND MADE AVAILABLE IN THE SAME MANNER AS SET FORTH IN SUBDIVISION TWO OF THIS SECTION.

S 27. This act shall take effect April 1, 2014 provided that if this act shall take effect after April 1, 2014, this act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2014; provided, however, that the amendments to paragraph a of subdivision 2 of section 11-0907 of the environmental conservation law made by section fourteen of this act shall be subject to the expiration and reversion of such paragraph pursuant to section 13 of chapter 600 of the laws of 1993, as amended, when upon such date the provisions of section fifteen of this act shall take effect.

PART FF

Section 1. Chapter 350 of the laws of 2012 relating to the conveyance of land formerly used as an armory to the town of Brookhaven, county of Suffolk, section 3 as amended by chapter 161 of the laws of 2013, is amended to read as follows:

Section 1. Subject to the provisions of this act but notwithstanding any other provision of law to the contrary, the commissioner of general services is hereby authorized to transfer and convey to the [town of Brookhaven] NORTH PATCHOGUE FIRE DISTRICT in consideration of one dollar and upon such other conditions as the commissioner may deem proper, land formerly used as an armory, and further described in section two of this act.

S 2. The lands authorized by this act to be transferred and conveyed are as follows:

ALL that tract or parcel of land situate, lying and being in the Town of Brookhaven, County of Suffolk and State of New York, described as follows:

BEGINNING at a concrete monument on the southerly line of Barton Avenue, at the boundary line of Lots 30 and 31 of the Map of Property of the O.L. Schwencke Land and Investment Company and running from said point of beginning South 05°08'00" West a distance of 512.00 feet to a concrete monument on the boundary line between said lot and lands belonging to William G. Hubbard (reputed owner); thence South 84°52'00" East a distance of 255.30 feet to a concrete monument on the boundary line between Lots 27 and 28; thence North 05°08'00" East a distance of 512.00 feet to a concrete monument on the northerly boundary line of Lots 27 and 28 which is 914.14 feet from a concrete monument at the boundary line of Lot 27 and Washington Avenue; thence North 84°52'00" West a distance of 255.30 feet to the point and place of beginning.

Said parcel consisting of Lots 28, 29 and 30 on Map 17-277 of O.L. Schwenke and filed in the Office of the County Clerk of the County of Suffolk dated September 24, 1901 contains 3.00 acres.

S 3. The commissioner of general services shall not transfer or convey the aforesaid land unless application is made by the [town of Brookhaven] NORTH PATCHOGUE FIRE DISTRICT within [three years] ONE YEAR after the effective date of [this act] THE CHAPTER OF THE LAWS OF 2014 THAT AMENDED THIS SECTION.

S 4. Any lands transferred pursuant to this act shall be used for the purposes of the [town of Brookhaven] NORTH PATCHOGUE FIRE DISTRICT to utilize the subject property and improve the structures for [general municipal] FIRE PROTECTION AND EMERGENCY SERVICES uses[, highway department uses and recreation] and upon termination of such use title to the lands so transferred shall revert to the state of New York.

S 5. This act shall take effect immediately.

S 2. This act shall take effect immediately.

PART GG

Section 1. Subject to the provisions of this act, but notwithstanding any other provision of law to the contrary, the commissioner of general services is hereby authorized to sell and convey at fair market value, and upon such other terms and conditions as such commissioner may determine, to the city of Ogdensburg all or part of the land and improvements hereinafter described:

Parcel A: Surplus property as defined by the Office of Mental Health December 29, 2011. Situated between Route 37 and Cottage Drive; bounded on the northeast by Office of Mental Health long-term property for Children and Youth to include building numbers 38, 49, 50, 56, 57, 58 and 86, and bounded on the west by Ogdensburg Bridge and Port Authority lands, containing approximately 45 acres.

A precise description will be based on an actual survey of the property to be conveyed.

S 2. The commissioner of general services shall not transfer or convey any of the aforesaid land and improvements unless application is made by the city of Ogdensburg within one year after the effective date of this act. Due to the proximity of the land and improvements to be transferred and conveyed to existing mental health and correctional facilities, terms and conditions of any transfer and conveyance including the proposed use of said land and improvements, shall be subject to the approval of the commissioner of mental health, the commissioner of corrections and community supervision, and the director of the division of the budget.

S 3. This act shall take effect immediately.

PART HH

Section 1. Section 4 of the state finance law is amended by adding a new subdivision 11 to read as follows:

11. (A) NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY AND EXCEPT AS PROVIDED BY PARAGRAPH (B) OF THIS SUBDIVISION, NO STATE AGENCY OR A STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY, MAY PAY OUT OR OTHERWISE DISBURSE FUNDS OBTAINED AS THE RESULT OF A JUDGMENT, STIPULATION, DECREE, AGREEMENT TO SETTLE, ASSURANCE OF DISCONTINUANCE, OR OTHER LEGAL INSTRUMENT RESOLVING ANY CLAIM OR CAUSE OF ACTION, WHETHER FILED OR UNFILED, ACTUAL OR POTENTIAL, AND WHETHER ARISING UNDER COMMON LAW, EQUITY, OR ANY PROVISION OF LAW, EXCEPT PURSUANT TO AN APPROPRIATION. SUCH FUNDS SHALL NOT BE RETAINED BY ANY STATE OFFICIAL, EMPLOYEE, OR AGENCY IN ANY FUND HELD IN THE SOLE CUSTODY OF A STATE AGENCY FOR A PERIOD OF MORE THAN THIRTY DAYS BUT SHALL, CONSISTENT WITH SECTION SEVEN OF ARTICLE SEVEN OF THE STATE CONSTITUTION BE DEPOSITED IN THE STATE TREASURY, OR FUND UNDER ITS MANAGEMENT AS MAY BE DIRECTED BY STATUTE OR AS OTHERWISE DIRECTED BY THE COMPTROLLER WITH THE CONCURRENCE OF THE DIRECTOR OF THE BUDGET.

(B) PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO (1) MONEYS TO BE DISTRIBUTED TO THE FEDERAL GOVERNMENT, TO A LOCAL GOVERNMENT, OR TO ANY HOLDER OF A BOND OR OTHER DEBT INSTRUMENT ISSUED BY THE STATE, ANY PUBLIC AUTHORITY, OR ANY PUBLIC BENEFIT CORPORATION; (2) MONEYS TO BE DISTRIBUTED SOLELY OR EXCLUSIVELY AS A PAYMENT OF DAMAGES OR RESTITUTION TO INDIVIDUALS OR ENTITIES THAT WERE SPECIFICALLY INJURED OR HARMED BY THE DEFENDANT'S OR SETTLING PARTY'S CONDUCT AND THAT ARE IDENTIFIED IN, OR CAN BE IDENTIFIED BY THE TERMS OF, THE RELEVANT JUDGMENT, AGREEMENT TO SETTLE, ASSURANCE OF DISCONTINUANCE, OR RELEVANT INSTRUMENT RESOLVING THE CLAIM OR CAUSE OF ACTION; (3) MONEYS RECOVERED OR OBTAINED BY A STATE AGENCY OR A STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY WHERE APPLICATION OF PARAGRAPH (A) OF THIS SUBDIVISION IS PROHIBITED BY FEDERAL LAW, RULE, OR REGULATION, OR WOULD RESULT IN THE REDUCTION OR LOSS OF FEDERAL FUNDS OR ELIGIBILITY FOR FEDERAL BENEFITS PURSUANT TO FEDERAL LAW, RULE, OR REGULATION; (4) MONEYS RECOVERED OR OBTAINED BY OR ON BEHALF OF A PUBLIC AUTHORITY, A PUBLIC BENEFIT CORPORATION, THE DEPARTMENT OF TAXATION AND FINANCE, THE WORKERS' COMPENSATION BOARD, THE NEW YORK STATE HIGHER EDUCATION SERVICES CORPORATION, THE TOBACCO SETTLEMENT FINANCING CORPORATION, A STATE OR LOCAL RETIREMENT SYSTEM, AN EMPLOYEE HEALTH BENEFIT PROGRAM ADMINISTERED BY THE NEW YORK STATE DEPARTMENT OF CIVIL SERVICE, THE TITLE IV-D CHILD SUPPORT FUND, THE LOTTERY PRIZE FUND, THE ABANDONED PROPERTY FUND, OR AN ENDOWMENT OF THE STATE UNIVERSITY OF NEW YORK OR ANY UNIT THEREOF OR ANY STATE AGENCY, PROVIDED THAT ALL OF THE MONEYS RECEIVED OR RECOVERED ARE IMMEDIATELY TRANSFERRED TO THE RELEVANT PUBLIC AUTHORITY, PUBLIC BENEFIT CORPORATION, DEPARTMENT, FUND, PROGRAM, OR ENDOWMENT; (5) MONEYS TO BE REFUNDED TO AN INDIVIDUAL OR ENTITY AS (I) AN OVERPAYMENT OF A TAX, FINE, PENALTY, FEE, INSURANCE PREMIUM, LOAN PAYMENT, CHARGE OR SURCHARGE; (II) A RETURN OF SEIZED ASSETS, OR (III) A PAYMENT MADE IN ERROR; AND (6) MONEYS TO BE USED TO PREVENT, ABATE, RESTORE, MITIGATE, OR CONTROL ANY IDENTIFIABLE INSTANCE OF PRIOR OR ONGOING WATER, LAND OR AIR POLLUTION.

S 2. The state finance law is amended by adding a new section 190-a to read as follows:

S 190-A. MONIES RECOVERED. NOTWITHSTANDING ANY LAW TO THE CONTRARY, ALL MONIES RECOVERED OR OBTAINED UNDER THIS ARTICLE BY A STATE AGENCY OR

STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVISION ELEVEN OF SECTION FOUR OF THIS CHAPTER.

S 3. The first undesignated paragraph of subdivision 12 of section 63 of the executive law, as amended by chapter 476 of the laws of 1981, is amended to read as follows:

Whenever any person shall engage in repeated fraudulent or illegal acts or otherwise demonstrate persistent fraud or illegality in the carrying on, conducting or transaction of business, the attorney general may apply, in the name of the people of the state of New York, to the supreme court of the state of New York, on notice of five days, for an order enjoining the continuance of such business activity or of any fraudulent or illegal acts, directing restitution and damages and, in an appropriate case, cancelling any certificate filed under and by virtue of the provisions of section four hundred forty of the former penal law or section one hundred thirty of the general business law, and the court may award the relief applied for or so much thereof as it may deem proper. The word "fraud" or "fraudulent" as used herein shall include any device, scheme or artifice to defraud and any deception, misrepresentation, concealment, suppression, false pretense, false promise or unconscionable contractual provisions. The term "persistent fraud" or "illegality" as used herein shall include continuance or carrying on of any fraudulent or illegal act or conduct. The term "repeated" as used herein shall include repetition of any separate and distinct fraudulent or illegal act, or conduct which affects more than one person. NOTWITHSTANDING ANY LAW TO THE CONTRARY, ALL MONIES RECOVERED OR OBTAINED UNDER THIS SUBDIVISION BY A STATE AGENCY OR STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVISION ELEVEN OF SECTION FOUR OF THE STATE FINANCE LAW.

S 4. Section 63 of the executive law is amended by adding a new subdivision 16 to read as follows:

16. (A) NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, IN RESOLVING, BY AGREED JUDGMENT, STIPULATION, DECREE, AGREEMENT TO SETTLE, ASSURANCE OF DISCONTINUANCE OR OTHERWISE, ANY CLAIM OR CAUSE OF ACTION, WHETHER FILED OR UNFILED, ACTUAL OR POTENTIAL, AND WHETHER ARISING UNDER COMMON LAW, EQUITY, OR ANY PROVISION OF LAW, A STATE AGENCY OR A STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL NOT HAVE THE AUTHORITY TO INCLUDE OR AGREE TO INCLUDE IN SUCH RESOLUTION ANY TERM OR CONDITION THAT WOULD PROVIDE THE STATE AGENCY, OFFICIAL, OR EMPLOYEE, THEIR AGENT OR DESIGNEE, THE SETTLING PARTY, OR ANY THIRD PARTY WITH CONTROL OR DISCRETION OVER HOW ANY MONEYS TO BE PAID BY THE SETTLING PARTY WOULD BE USED, SPENT, OR ALLOCATED.

(B) PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO ANY PROVISION IN THE RESOLUTION OF A CLAIM OR CAUSE OF ACTION PROVIDING (1) MONEYS TO BE DISTRIBUTED TO THE FEDERAL GOVERNMENT, TO A LOCAL GOVERNMENT, OR TO ANY HOLDER OF A BOND OR OTHER DEBT INSTRUMENT ISSUED BY THE STATE, ANY PUBLIC AUTHORITY, OR ANY PUBLIC BENEFIT CORPORATION; (2) MONEYS TO BE DISTRIBUTED SOLELY OR EXCLUSIVELY AS A PAYMENT OF DAMAGES OR RESTITUTION TO INDIVIDUALS OR ENTITIES THAT WERE SPECIFICALLY INJURED OR HARMED BY THE DEFENDANT'S OR SETTLING PARTY'S CONDUCT AND THAT ARE IDENTIFIED IN, OR CAN BE IDENTIFIED BY THE TERMS OF, THE RELEVANT JUDGMENT, STIPULATION, DECREE, AGREEMENT TO SETTLE, ASSURANCE OF DISCONTINUANCE, OR RELEVANT INSTRUMENT RESOLVING THE CLAIM OR CAUSE OF ACTION; (3) MONEYS RECOVERED OR OBTAINED BY THE ATTORNEY GENERAL WHERE APPLICATION OF PARAGRAPH (A) OF THIS SUBDIVISION IS PROHIBITED BY FEDERAL LAW, RULE, OR REGULATION, OR WOULD RESULT IN THE REDUCTION OR LOSS OF FEDERAL FUNDS OR ELIGIBILITY FOR FEDERAL BENEFITS PURSUANT TO FEDERAL LAW, RULE, OR REGU-

LATION; (4) MONEYS RECOVERED OR OBTAINED BY OR ON BEHALF OF A PUBLIC AUTHORITY, A PUBLIC BENEFIT CORPORATION, THE DEPARTMENT OF TAXATION AND FINANCE, THE WORKERS' COMPENSATION BOARD, THE NEW YORK STATE HIGHER EDUCATION SERVICES CORPORATION, THE TOBACCO SETTLEMENT FINANCING CORPORATION, A STATE OR LOCAL RETIREMENT SYSTEM, AN EMPLOYEE HEALTH BENEFIT PROGRAM ADMINISTERED BY THE NEW YORK STATE DEPARTMENT OF CIVIL SERVICE, THE TITLE IV-D CHILD SUPPORT FUND, THE LOTTERY PRIZE FUND, THE ABANDONED PROPERTY FUND, OR AN ENDOWMENT OF THE STATE UNIVERSITY OF NEW YORK OR ANY UNIT THEREOF OR ANY STATE AGENCY, PROVIDED THAT ALL OF THE MONEYS RECEIVED OR RECOVERED ARE IMMEDIATELY TRANSFERRED TO THE RELEVANT PUBLIC AUTHORITY, PUBLIC BENEFIT CORPORATION, DEPARTMENT, FUND, PROGRAM, OR ENDOWMENT; (5) MONEYS TO BE REFUNDED TO AN INDIVIDUAL OR ENTITY AS (I) AN OVERPAYMENT OF A TAX, FINE, PENALTY, FEE, INSURANCE PREMIUM, LOAN PAYMENT, CHARGE OR SURCHARGE; (II) A RETURN OF SEIZED ASSETS; OR (III) A PAYMENT MADE IN ERROR; AND (6) MONEYS TO BE USED TO PREVENT, ABATE, RESTORE, MITIGATE OR CONTROL ANY IDENTIFIABLE INSTANCE OF PRIOR OR ONGOING WATER, LAND OR AIR POLLUTION.

(C) WHERE AN AGREED JUDGMENT, STIPULATION, DECREE, AGREEMENT TO SETTLE, ASSURANCE OF DISCONTINUANCE OR OTHER LEGAL INSTRUMENT RESOLVES (1) ANY CLAIM OR ANY CAUSE OF ACTION ASSERTED BY A STATE AGENCY OR A STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY AND (2) ANY CLAIM OR CAUSE OF ACTION ASSERTED BY ONE OR MORE FOREIGN JURISDICTIONS OR THIRD PARTIES, PARAGRAPH (A) OF THIS SUBDIVISION SHALL ONLY APPLY TO THE RESOLUTION OF THE CLAIM OR CAUSE OF ACTION ASSERTED BY THE STATE AGENCY, OFFICIAL, OR EMPLOYEE.

S 5. The general business law is amended by adding a new section 340-a to read as follows:

S 340-A. MONIES RECOVERED. NOTWITHSTANDING ANY LAW TO THE CONTRARY, ALL MONIES RECOVERED OR OBTAINED UNDER THIS ARTICLE BY A STATE AGENCY OR STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVISION ELEVEN OF SECTION FOUR OF THE STATE FINANCE LAW.

S 6. Section 349 of the general business law is amended by adding a new subdivision (j) to read as follows:

(J) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ALL MONIES RECOVERED OR OBTAINED UNDER THIS ARTICLE BY A STATE AGENCY OR STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVISION ELEVEN OF SECTION FOUR OF THE STATE FINANCE LAW.

S 7. Section 353 of the general business law is amended by adding a new subdivision 4 to read as follows:

4. NOTWITHSTANDING ANY LAW TO THE CONTRARY, ALL MONIES RECOVERED OR OBTAINED UNDER THIS ARTICLE BY A STATE AGENCY OR STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVISION ELEVEN OF SECTION FOUR OF THE STATE FINANCE LAW.

S 8. Severability. If any provision of this act shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the provision directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provision had not been included in this act. Provided further that if a court of final competent jurisdiction adjudges that the application of any provision of this act to a judgment, stipulation, decree, agreement to settle, assurance of discontinuance, or other legal instrument executed prior to the effective date of this act is invalid, such provision shall be applied to a judgment, stipulation, decree, agreement to settle, assurance of

discontinuance, or other legal instrument executed after the effective date of this act.

S 9. This act shall take effect immediately.

S 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

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