

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 -- 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:

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

12 PART A

13 Intentionally Omitted

14 PART B

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47

PART C

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

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

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

6 PART D

7 Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax
8 law, as amended by section 1 of part D of chapter 57 of the laws of
9 2011, is amended to read as follows:

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

16 S 2. This act shall take effect immediately.

17 PART E

18 Intentionally Omitted

19 PART F

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

23 7-A. TO PROVIDE TECHNOLOGY SERVICES VIA AGREEMENTS WITH:

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

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

29 (C) PUBLIC AUTHORITIES;

30 (D) SOIL AND WATER CONSERVATION DISTRICTS;

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

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

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

4 S 2. Section 99-r of the general municipal law, as amended by section
5 1 of subpart B of part C of chapter 97 of the laws of 2011, is amended
6 to read as follows:

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

36 S 3. (a) Notwithstanding any provision of law to the contrary, any
37 person employed in the exempt class positions of employee program asso-
38 ciate, employee program assistant, confidential stenographer, or confi-
39 dential assistant by the governor's office of employee relations, and
40 any person employed in the exempt class positions of employee program
41 associate or employee program assistant by the labor management commit-
42 tee, and any person employed in the exempt class positions of manager of
43 information services or information technology specialist by the joint
44 commission on public ethics immediately prior to being transferred to
45 the office of information technology services pursuant to subdivision 2
46 of section 70 of the civil service law, and who, immediately prior ther-
47 eto was performing information technology functions, shall be entitled
48 to permanent appointment in similar or corresponding titles in the
49 appropriate jurisdictional classification as determined by the depart-
50 ment of civil service, and shall be given conforming class rights and
51 status. For those titles determined to be in the competitive class, such
52 employees shall hold such positions in the office of information tech-
53 nology services without further examination. No such employee trans-
54 ferred to the office of information technology services shall be subject
55 to a new probationary term, provided, however, that any employee in
56 probationary status at the time of the transfer shall be required to

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

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

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

14 S 4. Notwithstanding any provision of law to the contrary, the civil
15 service department may re-classify any person employed in a permanent,
16 classified, competitive position immediately prior to being transferred
17 to the office of information technology services pursuant to subdivision
18 2 of section 70 of the civil service law to align with the duties and
19 responsibilities of their positions upon transfer. Permanent employees
20 whose positions are subsequently reclassified to align with the duties
21 and responsibilities of their positions upon being transferred to the
22 office of information technology services pursuant to subdivision 2 of
23 section 70 of the civil service law shall hold such positions without
24 further examination or qualification. Notwithstanding any other
25 provision of this act, the names of those competitive permanent employ-
26 ees on promotion eligible lists in their former agency or department
27 shall be added and interfiled on a promotion eligible list in the new
28 department, as the state civil service department deems appropriate.

29 S 5. Notwithstanding any provision of law to the contrary, the civil
30 service department may re-classify any person employed in the exempt
31 class positions of employee program associate, employee program assist-
32 ant, confidential stenographer, or confidential assistant by the gover-
33 nor's office of employee relations, and any person employed in the
34 exempt class positions of employee program associate or employee program
35 assistant by the labor management committee, and any person employed in
36 the exempt class positions of manager of information services or infor-
37 mation technology specialist by the joint commission on public ethics,
38 immediately prior to being transferred to the office of information
39 technology services pursuant to subdivision 2 of section 70 of the civil
40 service law to align with the duties and responsibilities of their posi-
41 tions upon transfer. Permanent employees whose positions are subse-
42 quently re-classified to align with the duties and responsibilities of
43 their positions upon being transferred to the office of information
44 technology services pursuant to subdivision 2 of section 70 of the civil
45 service law shall hold such positions without further examination or
46 qualification.

47 S 6. This act shall take effect immediately.

48 PART G

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

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

3 S 2. Section 9 of subpart A of part C of chapter 97 of the laws of
4 2011, amending the state finance law and other laws relating to provid-
5 ing certain centralized service to political subdivisions and extending
6 the authority of the commissioner of general services to aggregate
7 purchases of energy for state agencies and political subdivisions, is
8 amended to read as follows:

9 S 9. This act shall take effect immediately, provided, however that:
10 1. sections one, four, five, six and seven of this act shall expire
11 and be deemed repealed [3 years after they shall have become a law] JULY
12 31, 2019;

13 2. the amendments to subdivision 4 of section 97-g of the state
14 finance law made by section two of this act shall [not affect] SURVIVE
15 the expiration and reversion of such subdivision as provided in section
16 3 of chapter 410 of the laws of 2009[, and shall expire and be deemed
17 repealed therewith], AS AMENDED;

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

20 S 3. The public authorities law is amended by adding a new section
21 2881 to read as follows:

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

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

41 3. PURCHASES FROM FEDERAL GENERAL SERVICE ADMINISTRATION SUPPLY SCHED-
42 ULES. ANY OFFICER, BOARD OR AGENCY OF A LOCAL AUTHORITY MAY MAKE
43 PURCHASES FROM FEDERAL GENERAL SERVICE ADMINISTRATION SUPPLY SCHEDULES
44 PURSUANT TO SECTION 211 OF THE FEDERAL E-GOVERNMENT ACT OF 2002, P.L.
45 107-347 AND THE LOCAL PREPAREDNESS ACQUISITION ACT, P.L. 110-248, AND
46 PURSUANT TO SECTION 1122 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR
47 FISCAL YEAR 1994, P.L. 103-160 AND SECTION 833 OF THE JOHN WARNER
48 NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007, P.L. 109-364,
49 AND THE FEDERAL SUPPLY SCHEDULE USAGE ACT OF 2010, P.L. 111-263, OR ANY
50 SUCCESSOR SCHEDULES, IN ACCORDANCE WITH PROCEDURES ESTABLISHED IN
51 CONNECTION THEREWITH. PRIOR TO MAKING SUCH PURCHASES THE OFFICER, BOARD
52 OR AGENCY SHALL CONSIDER WHETHER SUCH PURCHASES WILL RESULT IN COST
53 SAVINGS AFTER ALL FACTORS, INCLUDING CHARGES FOR SERVICE, MATERIAL, AND
54 DELIVERY, HAVE BEEN CONSIDERED.

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

1 LOCAL INDUSTRIAL DEVELOPMENT AUTHORITY ESTABLISHED PURSUANT TO THIS
2 CHAPTER.

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

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

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

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

22

PART H

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

35

SUBPART A

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

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

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

50 S 3. Intentionally omitted.

51 S 4. Intentionally omitted.

52 S 5. Intentionally omitted.

1 S 6. Intentionally omitted.

2 S 7. Intentionally omitted.

3 S 7-a. Intentionally omitted.

4 S 8. Section 110.05 of the penal law, as amended by chapter 276 of the
5 laws of 1973, subdivision 1 as amended by chapter 93 of the laws of
6 2006, subdivisions 3, 4, 5, 6, 7 and 8 as renumbered by chapter 410 of
7 the laws of 1979, is amended to read as follows:

8 S 110.05 Attempt to commit a crime; punishment.

9 An attempt to commit a crime is a:

10 1. Class A-I felony when the crime attempted is the A-I felony of
11 murder in the first degree, aggravated murder as defined in subdivision
12 one of section 125.26 of this chapter, criminal possession of a
13 controlled substance in the first degree, criminal sale of a controlled
14 substance in the first degree, criminal possession of a chemical or
15 biological weapon in the first degree or criminal use of a chemical or
16 biological weapon in the first degree;

17 2. Class A-II felony when the crime attempted is a class A-II felony;

18 3. Class B felony when the crime attempted is a class A-I felony
19 except as provided in subdivision one hereof;

20 4. Class C felony when the crime attempted is a class B felony;

21 5. Class D felony when the crime attempted is a class C felony;

22 6. Class E felony when the crime attempted is a class D felony;

23 7. Class A misdemeanor when the crime attempted is a class E felony;

24 8. Class B misdemeanor when the crime attempted is a misdemeanor;

25 9. CLASS D FELONY WHEN THE CRIME ATTEMPTED IS BRIBERY IN THE THIRD
26 DEGREE AS DEFINED IN SECTION 200.00 OF THIS CHAPTER, A CLASS C FELONY
27 WHEN THE CRIME ATTEMPTED IS BRIBERY IN THE SECOND DEGREE AS DEFINED IN
28 SECTION 200.03 OF THIS CHAPTER AND A CLASS B FELONY WHEN THE CRIME
29 ATTEMPTED IS BRIBERY IN THE FIRST DEGREE AS DEFINED IN SUBDIVISION TWO
30 OF SECTION 200.04 OF THIS CHAPTER.

31 S 9. Subdivision 8 of section 700.05 of the criminal procedure law is
32 amended by adding a new paragraph (u) to read as follows:

33 (U) ANY FELONY DEFINED IN ARTICLE FOUR HUNDRED NINETY-SIX OF THE PENAL
34 LAW.

35 S 10. Paragraph (f) of subdivision 8 of section 700.05 of the criminal
36 procedure law, as amended by chapter 154 of the laws of 1990, is amended
37 to read as follows:

38 (f) Bribery in the third degree, bribery in the second degree, bribery
39 in the first degree, bribe receiving in the third degree, bribe receiv-
40 ing in the second degree, bribe receiving in the first degree, bribe
41 giving for public office [and], bribe receiving for public office AND
42 CORRUPT USE OF POSITION OR AUTHORITY, as defined in article two hundred
43 of the penal law;

44 S 10-a. Intentionally omitted.

45 S 11. Intentionally omitted.

46 S 12. Intentionally omitted.

47 S 13. Intentionally omitted.

48 S 14. Part 4 of the penal law is amended by adding a new title Y-2 to
49 read as follows:

50 TITLE Y-2
51 CORRUPTING THE GOVERNMENT

52 ARTICLE 496
53 CORRUPTING THE GOVERNMENT

54 SECTION 496.01 DEFINITIONS.

- 1 496.02 CORRUPTING THE GOVERNMENT IN THE FOURTH DEGREE.
- 2 496.03 CORRUPTING THE GOVERNMENT IN THE THIRD DEGREE.
- 3 496.04 CORRUPTING THE GOVERNMENT IN THE SECOND DEGREE.
- 4 496.05 CORRUPTING THE GOVERNMENT IN THE FIRST DEGREE.
- 5 496.06 PUBLIC CORRUPTION.
- 6 496.07 SENTENCING.

7 S 496.01 DEFINITIONS.

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

10 S 496.02 CORRUPTING THE GOVERNMENT IN THE FOURTH DEGREE.

11 A PERSON IS GUILTY OF CORRUPTING THE GOVERNMENT IN THE FOURTH DEGREE
12 WHEN, BEING A PUBLIC SERVANT, OR ACTING IN CONCERT WITH A PUBLIC SERV-
13 ANT, HE OR SHE ENGAGES IN A SCHEME CONSTITUTING A SYSTEMATIC ONGOING
14 COURSE OF CONDUCT WITH INTENT TO DEFRAUD THE STATE OR ONE OR MORE POLI-
15 TICAL SUBDIVISIONS OF THE STATE OR ONE OR MORE GOVERNMENTAL INSTRUMEN-
16 TALITIES WITHIN THE STATE TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER
17 RESOURCES, OR OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES FROM
18 THE STATE, OR ANY POLITICAL SUBDIVISION OR GOVERNMENTAL INSTRUMENTALITY
19 OF THE STATE BY FALSE OR FRAUDULENT PRETENSES, REPRESENTATIONS OR PROM-
20 ISES, AND THEREBY WRONGFULLY OBTAINS SUCH PROPERTY, ACTUAL SERVICES OR
21 OTHER RESOURCES.

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

23 S 496.03 CORRUPTING THE GOVERNMENT IN THE THIRD DEGREE.

24 A PERSON IS GUILTY OF CORRUPTING THE GOVERNMENT IN THE THIRD DEGREE
25 WHEN, BEING A PUBLIC SERVANT, OR ACTING IN CONCERT WITH A PUBLIC SERV-
26 ANT, HE OR SHE ENGAGES IN A SCHEME CONSTITUTING A SYSTEMATIC ONGOING
27 COURSE OF CONDUCT WITH INTENT TO DEFRAUD THE STATE OR ONE OR MORE POLI-
28 TICAL SUBDIVISIONS OF THE STATE OR ONE OR MORE GOVERNMENTAL INSTRUMEN-
29 TALITIES WITHIN THE STATE TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER
30 RESOURCES, OR OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES FROM
31 THE STATE, OR ANY POLITICAL SUBDIVISION OR GOVERNMENTAL INSTRUMENTALITY
32 OF THE STATE BY FALSE OR FRAUDULENT PRETENSES, REPRESENTATIONS OR PROM-
33 ISES, AND THEREBY WRONGFULLY OBTAINS SUCH PROPERTY, ACTUAL SERVICES OR
34 OTHER RESOURCES WITH A VALUE IN EXCESS OF ONE THOUSAND DOLLARS.

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

36 S 496.04 CORRUPTING THE GOVERNMENT IN THE SECOND DEGREE.

37 A PERSON IS GUILTY OF CORRUPTING THE GOVERNMENT IN THE SECOND DEGREE
38 WHEN, BEING A PUBLIC SERVANT, OR ACTING IN CONCERT WITH A PUBLIC SERV-
39 ANT, HE OR SHE ENGAGES IN A SCHEME CONSTITUTING A SYSTEMATIC ONGOING
40 COURSE OF CONDUCT WITH INTENT TO DEFRAUD THE STATE OR ONE OR MORE POLI-
41 TICAL SUBDIVISIONS OF THE STATE OR ONE OR MORE GOVERNMENTAL INSTRUMEN-
42 TALITIES WITHIN THE STATE TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER
43 RESOURCES, OR OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES FROM
44 THE STATE, OR ANY POLITICAL SUBDIVISION OR GOVERNMENTAL INSTRUMENTALITY
45 OF THE STATE BY FALSE OR FRAUDULENT PRETENSES, REPRESENTATIONS OR PROM-
46 ISES, AND THEREBY WRONGFULLY OBTAINS SUCH PROPERTY, ACTUAL SERVICES OR
47 OTHER RESOURCES WITH A VALUE IN EXCESS OF TWENTY THOUSAND DOLLARS.

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

49 S 496.05 CORRUPTING THE GOVERNMENT IN THE FIRST DEGREE.

50 A PERSON IS GUILTY OF CORRUPTING THE GOVERNMENT IN THE FIRST DEGREE
51 WHEN, BEING A PUBLIC SERVANT, OR ACTING IN CONCERT WITH A PUBLIC SERV-
52 ANT, HE OR SHE ENGAGES IN A SCHEME CONSTITUTING A SYSTEMATIC ONGOING
53 COURSE OF CONDUCT WITH INTENT TO DEFRAUD THE STATE OR ONE OR MORE POLI-
54 TICAL SUBDIVISIONS OF THE STATE OR ONE OR MORE GOVERNMENTAL INSTRUMEN-
55 TALITIES WITHIN THE STATE TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER
56 RESOURCES, OR TO OBTAIN PROPERTY, ACTUAL SERVICES OR OTHER RESOURCES

1 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.

6 CORRUPTING THE GOVERNMENT IN THE FIRST DEGREE IS A CLASS B FELONY.
7 S 496.06 PUBLIC CORRUPTION.

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

14 2. A "SPECIFIED OFFENSE" IS AN OFFENSE DEFINED BY ANY OF THE FOLLOWING
15 PROVISIONS OF THIS CHAPTER: SECTION 155.25 (PETIT LARCENY); SECTION
16 155.30 (GRAND LARCENY IN THE FOURTH DEGREE); SECTION 155.35 (GRAND
17 LARCENY IN THE THIRD DEGREE); SECTION 155.40 (GRAND LARCENY IN THE
18 SECOND DEGREE); SECTION 155.42 (GRAND LARCENY IN THE FIRST DEGREE);
19 SECTION 190.60 (SCHEME TO DEFRAUD IN THE SECOND DEGREE); OR SECTION
20 190.65 (SCHEME TO DEFRAUD IN THE FIRST DEGREE).

21 S 496.07 SENTENCING.

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

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

32 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

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

53 (a) Any of the felonies set forth in this chapter: sections 120.05,
54 120.10 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

1 135.25 relating to kidnapping; section 135.35 relating to labor traf-
2 ficking; section 135.65 relating to coercion; sections 140.20, 140.25
3 and 140.30 relating to burglary; sections 145.05, 145.10 and 145.12
4 relating to criminal mischief; article one hundred fifty relating to
5 arson; sections 155.30, 155.35, 155.40 and 155.42 relating to grand
6 larceny; sections 177.10, 177.15, 177.20 and 177.25 relating to health
7 care fraud; article one hundred sixty relating to robbery; sections
8 165.45, 165.50, 165.52 and 165.54 relating to criminal possession of
9 stolen property; sections 165.72 and 165.73 relating to trademark coun-
10 terfeiting; sections 170.10, 170.15, 170.25, 170.30, 170.40, 170.65 and
11 170.70 relating to forgery; sections 175.10, 175.25, 175.35, 175.40 and
12 210.40 relating to false statements; sections 176.15, 176.20, 176.25 and
13 176.30 relating to insurance fraud; sections 178.20 and 178.25 relating
14 to criminal diversion of prescription medications and prescriptions;
15 sections 180.03, 180.08, 180.15, 180.25, 180.40, 180.45, 200.00, 200.03,
16 200.04, 200.10, 200.11, 200.12, 200.20, 200.22, 200.25, 200.27, 200.56,
17 215.00, 215.05 and 215.19 [relating to bribery]; sections 187.10,
18 187.15, 187.20 and 187.25 relating to residential mortgage fraud,
19 sections 190.40 and 190.42 relating to criminal usury; section 190.65
20 relating to schemes to defraud; ANY FELONY DEFINED IN ARTICLE FOUR
21 HUNDRED NINETY-SIX; sections 205.60 and 205.65 relating to hindering
22 prosecution; sections 210.10, 210.15, and 215.51 relating to perjury and
23 contempt; section 215.40 relating to tampering with physical evidence;
24 sections 220.06, 220.09, 220.16, 220.18, 220.21, 220.31, 220.34, 220.39,
25 220.41, 220.43, 220.46, 220.55, 220.60 and 220.77 relating to controlled
26 substances; sections 225.10 and 225.20 relating to gambling; sections
27 230.25, 230.30, and 230.32 relating to promoting prostitution; section
28 230.34 relating to sex trafficking; sections 235.06, 235.07, 235.21 and
29 235.22 relating to obscenity; sections 263.10 and 263.15 relating to
30 promoting a sexual performance by a child; sections 265.02, 265.03,
31 265.04, 265.11, 265.12, 265.13 and the provisions of section 265.10
32 which constitute a felony relating to firearms and other dangerous weap-
33 ons; [and] sections 265.14 and 265.16 relating to criminal sale of a
34 firearm; [and] section 275.10, 275.20, 275.30, or 275.40 relating to
35 unauthorized recordings; and sections 470.05, 470.10, 470.15 and 470.20
36 relating to money laundering; or

37 S 17. Intentionally omitted.

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

40 S 200.03 Bribery in the second degree.

41 A person is guilty of bribery in the second degree when he confers, or
42 offers or agrees to confer, any benefit valued in excess of [ten] FIVE
43 thousand dollars upon a public servant upon an agreement or understand-
44 ing that such public servant's vote, opinion, judgment, action, decision
45 or exercise of discretion as a public servant will thereby be influ-
46 enced.

47 Bribery in the second degree is a class C felony.

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

50 S 200.04 Bribery in the first degree.

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

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

7 Bribery in the first degree is a class B felony.

8 S 20. Intentionally omitted.

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

11 S 200.10 Bribe receiving in the third degree.

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

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

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

20 S 200.11 Bribe receiving in the second degree.

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

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

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

30 S 200.12 Bribe receiving in the first degree.

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

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

44 S 24. Intentionally omitted.

45 S 25. Intentionally omitted.

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

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

49 S 200.56 CORRUPT USE OF POSITION OR AUTHORITY.

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

52 1. WHILE HOLDING PUBLIC OFFICE, OR BEING NOMINATED OR SEEKING A NOMI-
53 NATION THEREFOR, CORRUPTLY USES OR PROMISES TO USE, DIRECTLY, OR INDI-
54 RECTLY, ANY OFFICIAL AUTHORITY OR INFLUENCE POSSESSED OR ANTICIPATED, IN
55 THE WAY OF CONFERRING UPON ANY PERSON, OR IN ORDER TO SECURE, OR AID ANY
56 PERSON IN SECURING, ANY OFFICE OR PUBLIC EMPLOYMENT, OR ANY NOMINATION,

1 CONFIRMATION, PROMOTION OR INCREASE OF SALARY, UPON CONSIDERATION THAT
2 THE VOTE OR POLITICAL INFLUENCE OR ACTION OF THE PERSON SO TO BE BENE-
3 FITED OR OF ANY OTHER PERSON, SHALL BE GIVEN OR USED IN BEHALF OF ANY
4 CANDIDATE, OFFICER OR PARTY OR UPON ANY OTHER CORRUPT CONDITION OR
5 CONSIDERATION; OR

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

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

19 4. CORRUPTLY MAKES ANY GIFT, PROMISE OR CONTRIBUTION TO ANY PERSON,
20 UPON THE CONDITION OR CONSIDERATION OF RECEIVING AN APPOINTMENT OR
21 ELECTION TO A PUBLIC OFFICE OR A POSITION OF PUBLIC EMPLOYMENT, OR FOR
22 RECEIVING OR RETAINING ANY SUCH OFFICE OR POSITION, OR PROMOTION, PRIVI-
23 LEGE, INCREASE OF SALARY OR COMPENSATION THEREIN, OR EXEMPTION FROM
24 REMOVAL OR DISCHARGE THEREFROM.

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

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

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

30 a. five thousand dollars; or

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

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

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

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

41 (iii) for B felonies, thirty thousand dollars;

42 (iv) for C felonies, fifteen thousand dollars.

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

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

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

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

1 (b) Five thousand dollars, when the conviction is of a class A misde-
2 meanor or of an unclassified misdemeanor for which a term of imprison-
3 ment in excess of three months is authorized;

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

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

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

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

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

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

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

37 S 30. Section 139-a of the state finance law, as amended by chapter
38 268 of the laws of 1971, is amended to read as follows:

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

1 [(a)] (I) such person, and any firm, partnership or corporation of
2 which he is a member, partner, director or officer shall be disqualified
3 from thereafter selling to or submitting bids to or receiving awards
4 from or entering into any contracts with the state or any public depart-
5 ment, agency or official thereof, for goods, work or services, for a
6 period of five years after such refusal, A PERIOD OF FIVE YEARS UPON A
7 CONVICTION OF A MISDEMEANOR DEFINED IN ARTICLE TWO HUNDRED OR ARTICLE
8 FOUR HUNDRED NINETY-SIX OR AN ATTEMPT TO COMMIT A VIOLATION OF SECTION
9 195.20 OF THE PENAL LAW, PROVIDED THAT IN THE EVENT SUCH CONVICTION IS
10 THE RESULT OF A PLEA AGREEMENT RESULTING IN A PLEA TO SUCH CHARGE IN
11 LIEU OF A PLEA OR CONVICTION OF A FELONY DEFINED IN SECTION 195.20,
12 ARTICLE TWO HUNDRED OR ARTICLE FOUR HUNDRED NINETY-SIX OF THE PENAL LAW,
13 ALL PARTIES TO SUCH AGREEMENT MAY AGREE THAT THE PERIOD OF SUCH BAR MAY
14 BE FOR A PERIOD OF UP TO TEN YEARS FROM THE DATE OF CONVICTION, OR UPON
15 CONVICTION OF A FELONY DEFINED IN ARTICLE TWO HUNDRED OR FOUR HUNDRED
16 NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW, FOR LIFE, ANY CONVICTED
17 FIRM, PARTNERSHIP OR CORPORATION IS DISQUALIFIED FOR ITS EXISTENCE and
18 to provide also that

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

27 S 31. Section 139-b of the state finance law, as amended by chapter
28 268 of the laws of 1971, is amended to read as follows:

29 S 139-b. Disqualification to contract with state. 1. Any person who,
30 when called before a grand jury, head of a state department, temporary
31 state commission or other state agency, or the organized crime task
32 force in the department of law, which is empowered to compel the attend-
33 ance of witnesses and examine them under oath, to testify in an investi-
34 gation, concerning any transaction or contract had with the state, any
35 political subdivision thereof, a public authority or with a public
36 department, agency or official of the state or of any political subdivi-
37 sion thereof or of a public authority, refuses to sign a waiver of immu-
38 nity against subsequent criminal prosecution or to answer any relevant
39 question concerning such transaction or contract, and any firm, partner-
40 ship or corporation of which [he] ANY SUCH PERSON is a member, partner,
41 director or officer shall be disqualified from thereafter selling to or
42 submitting bids to or receiving awards from or entering into any
43 contracts with the state or any public department, agency or official
44 thereof, for goods, work or services, for a period of five years after
45 such refusal or until a disqualification shall be removed pursuant to
46 the provisions of section one hundred thirty-nine-c of this article.

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

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

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

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

34 1-A. ANY FIRM, PARTNERSHIP, OR CORPORATION WHICH HAS BECOME SUBJECT TO
35 THE CANCELLATION OR TERMINATION OF A CONTRACT OR DISQUALIFICATION TO
36 CONTRACT ON ACCOUNT OF CONVICTION OF A CRIME DEFINED IN ARTICLE TWO
37 HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW,
38 AS PROVIDED IN SECTIONS ONE HUNDRED THIRTY-NINE-A AND ONE HUNDRED THIR-
39 TY-NINE-B OF THIS ARTICLE, MAY, UPON THIRTY DAYS' NOTICE TO THE DISTRICT
40 ATTORNEY WHO CONDUCTED THE ACTION THAT LED TO THE CONVICTION, AND THE
41 OFFICE OF THE STATE COMPTROLLER COMMENCE A SPECIAL PROCEEDING AT A
42 SPECIAL TERM OF THE SUPREME COURT HELD WITHIN THE JUDICIAL DISTRICT IN
43 WHICH THE CONVICTION WAS OBTAINED FOR AN ORDER DISCONTINUING SUCH
44 DISQUALIFICATION. THE PETITION SHALL SET FORTH THE GROUNDS, INCLUDING
45 THAT THE FIRM, PARTNERSHIP, OR CORPORATION HAS TAKEN SUFFICIENT ACTIONS
46 TO REMOVE FROM RESPONSIBILITY OFFICERS AND EMPLOYEES WHO ENGAGED IN THE
47 ACTIONS THAT FORMED THE BASIS OF THE CONVICTION, THAT THE FIRM, PARTNER-
48 SHIP, OR CORPORATION HAS TAKEN APPROPRIATE AND SUFFICIENT ACTIONS TO
49 ENSURE THAT THE ACTIONS THAT FORMED THE BASIS OF THE CONVICTION ARE
50 UNLIKELY TO RECUR, AND THAT IT WILL NOT BE IN THE PUBLIC INTEREST TO
51 CANCEL OR TERMINATE PETITIONER'S CONTRACTS OR TO CONTINUE THE DISQUALI-
52 FICATION, AS PROVIDED IN SECTIONS ONE HUNDRED THIRTY-NINE-A AND ONE
53 HUNDRED THIRTY-NINE-B OF THIS ARTICLE; PROVIDED FURTHER, AT ANY TIME
54 AFTER SUCH CANCELLATION OR DISQUALIFICATION ANY SUCH FIRM, PARTNERSHIP
55 OR CORPORATION MAY APPLY TO THE SUPREME COURT, UPON NOTICE AS PROVIDED

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

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

5 1-A. (I) NO PERSON SHALL BE CAPABLE OF HOLDING A CIVIL OFFICE WHO
6 SHALL STAND CONVICTED OF A FELONY DEFINED IN ARTICLE TWO HUNDRED OR FOUR
7 HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW.

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

17 S 32. Intentionally omitted.

18 S 33. Intentionally omitted.

19 S 34. Intentionally omitted.

20 S 35. Intentionally omitted.

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

23 S 41. LIMITATIONS ON TAX CREDIT ELIGIBILITY. ANY TAXPAYER WHO STANDS
24 CONVICTED, OR WHO IS A SHAREHOLDER OF AN S CORPORATION OR PARTNER IN A
25 PARTNERSHIP WHICH IS CONVICTED, OF AN OFFENSE DEFINED IN ARTICLE TWO
26 HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.20 OF THE PENAL LAW
27 SHALL NOT BE ELIGIBLE FOR ANY TAX CREDIT ALLOWED UNDER ARTICLE NINE,
28 NINE-A, THIRTY-TWO OR THIRTY-THREE OF THIS CHAPTER OR ANY BUSINESS TAX
29 CREDIT ALLOWED UNDER ARTICLE TWENTY-TWO OF THIS CHAPTER. FOR PURPOSES OF
30 THIS SECTION, A BUSINESS TAX CREDIT ALLOWED UNDER ARTICLE TWENTY-TWO OF
31 THIS CHAPTER IS A TAX CREDIT ALLOWED TO TAXPAYERS UNDER ARTICLE TWENTY-
32 TWO WHICH IS SUBSTANTIALLY SIMILAR TO A TAX CREDIT ALLOWED TO TAXPAYERS
33 UNDER ARTICLE NINE-A OF THIS CHAPTER. IN THE EVENT A PERSON OR FIRM,
34 PARTNERSHIP OR CORPORATION IS CONVICTED OF AN OFFENSE DEFINED IN ARTICLE
35 TWO HUNDRED OR FOUR HUNDRED NINETY-SIX OR SECTION 195.00 OF THE PENAL
36 LAW, THE OFFICE RESPONSIBLE FOR PROSECUTING SUCH OFFENSE SHALL SEND
37 NOTICE OF SUCH CONVICTION, TOGETHER WITH THE NAMES OF ANY FIRM, PARTNER-
38 SHIP OR CORPORATION OF WHICH THE PERSON IS KNOWN TO BE A MEMBER, PART-
39 NER, OFFICER OR DIRECTOR, TO THE COMMISSIONER.

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

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

53 _____
54 _____
55 _____

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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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(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.

1 _____
 2 _____
 3 _____
 4 _____
 5 _____

6 S 38. Severability. If any clause, sentence, paragraph, section or
 7 part of this act shall be adjudged by any court of competent jurisdic-
 8 tion to be invalid, such judgment shall not affect, impair, or invali-
 9 date the remainder thereof, but shall be confined in its operation to
 10 the clause, sentence, paragraph, section or part thereof directly
 11 involved in the controversy in which such judgment shall have been
 12 rendered.

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

16 SUBPART B

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

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

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

32 3. The commissioners of the state board of elections shall have no
 33 other public employment. The commissioners shall receive an annual sala-
 34 ry of twenty-five thousand dollars, within the amounts made available
 35 therefor by appropriation. The board shall, for the purposes of sections
 36 seventy-three and seventy-four of the public officers law, be a "state
 37 agency", and such commissioners shall be "officers" of the state board
 38 of elections for the purposes of such sections. Within the amounts made
 39 available by appropriation therefor, the state board of elections shall
 40 appoint two co-executive directors, and such other staff members as are
 41 necessary in the exercise of its functions, and may fix their compen-
 42 sation. [Anytime after the effective date of the chapter of the laws of
 43 two thousand five which amended this subdivision, the] THE commissioners
 44 or, in the case of a vacancy on the board, the commissioner of each of
 45 the major political parties shall appoint one co-executive director.
 46 Each co-executive director shall serve a term of four years. ANY VACANCY
 47 IN THE OFFICE OF CO-EXECUTIVE DIRECTOR shall be filled by the commis-
 48 sioners or, in the case of a vacancy on the board, the commissioner of
 49 the same major political party as the vacating incumbent for the remain-
 50 ing period of the term of such vacating incumbent.

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

1 3-A. THERE IS ESTABLISHED WITHIN THE STATE BOARD OF ELECTIONS THE
2 OFFICE OF CHIEF ENFORCEMENT COUNSEL TO HEAD THE DIVISION OF ELECTION LAW
3 ENFORCEMENT. SUCH COUNSEL SHALL SERVE IN SAID OFFICE FOR A FIXED TERM OF
4 FIVE YEARS COMMENCING SEPTEMBER FIRST, TWO THOUSAND FOURTEEN, AND MAY
5 ONLY BE REMOVED BY THE GOVERNOR FOR SUBSTANTIAL NEGLECT OF DUTY, GROSS
6 MISCONDUCT IN OFFICE, OR THE INABILITY TO DISCHARGE THE POWERS OR DUTIES
7 OF OFFICE, UPON NOTICE WITH AN OPPORTUNITY TO BE HEARD. THE CHIEF
8 ENFORCEMENT COUNSEL SHALL HAVE SOLE AUTHORITY OVER PERSONNEL DECISIONS
9 WITHIN THE ENFORCEMENT DIVISION. ALL HIRING DECISIONS MADE BY THE CHIEF
10 ENFORCEMENT COUNSEL SHALL BE MADE WITHOUT REGARD TO POLITICAL AFFIL-
11 IATION. THE CHIEF ENFORCEMENT COUNSEL SHALL NOT HOLD ANY OTHER PUBLIC
12 OFFICE, BE A PARTY OFFICER DURING HIS OR HER TERM OF OFFICE, OR OTHER-
13 WISE ENGAGE IN OUTSIDE EMPLOYMENT. HE OR SHE SHALL BE CHOSEN BY THE
14 GOVERNOR WHICH CHOICE SHALL BE CONFIRMED BY EACH HOUSE OF THE LEGISLA-
15 TURE SEPARATELY BY A MAJORITY VOTE OF THE MEMBERS ELECTED TO EACH HOUSE
16 OF THE LEGISLATURE.

17 S 3. Subdivision 3 and paragraph (c) of subdivision 9-A of section
18 3-102 of the election law, subdivision 3 as amended by chapter 9 of the
19 laws of 1978 and paragraph (c) of subdivision 9-A as added by chapter
20 430 of the laws of 1997, are amended to read as follows:

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

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

30 S 4. Section 3-104 of the election law, subdivisions 1, 3, 4 and 5 as
31 redesignated and subdivision 2 as amended by chapter 9 of the laws of
32 1978, is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

53 5. (A) IF, AN INDIVIDUAL HAS FAILED TO CURE PURSUANT TO SECTION
54 3-104-A OF THIS TITLE, OR THE CHIEF ENFORCEMENT COUNSEL DETERMINES THAT
55 SUBSTANTIAL REASON EXISTS TO BELIEVE THAT A PERSON, ACTING AS OR ON
56 BEHALF OF A CANDIDATE OR POLITICAL COMMITTEE UNDER CIRCUMSTANCES EVINC-

1 ING AN INTENT TO VIOLATE SUCH LAW THAT DOES NOT OTHERWISE WARRANT CRIMI-
2 NAL PROSECUTION, OR HAS UNLAWFULLY VIOLATED ANY PROVISION OF THIS CHAP-
3 TER, THE BOARD SHALL ASSIGN A HEARING OFFICER, RANDOMLY FROM A LIST OF
4 PROSPECTIVE HEARING OFFICERS EACH OF WHOM SHALL HAVE BEEN APPROVED BY A
5 MAJORITY VOTE OF THE BOARD. THE CHIEF ENFORCEMENT COUNSEL SHALL PROVIDE
6 A WRITTEN REPORT TO SUCH HEARING OFFICER AS TO: (1) WHETHER SUBSTANTIAL
7 REASON EXISTS TO BELIEVE A VIOLATION OF THIS CHAPTER HAS OCCURRED AND,
8 IF SO, THE NATURE OF THE VIOLATION AND ANY APPLICABLE PENALTY, BASED ON
9 THE NATURE OF THE VIOLATION; (2) WHETHER THE MATTER SHOULD BE RESOLVED
10 EXTRA-JUDICIALLY; AND (3) WHETHER A SPECIAL PROCEEDING SHOULD BE
11 COMMENCED IN THE SUPREME COURT TO RECOVER A CIVIL PENALTY. THE HEARING
12 OFFICER SHALL MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED ON A
13 PREPONDERANCE OF THE EVIDENCE AS TO WHETHER A VIOLATION HAS BEEN ESTAB-
14 LISHED AND, IF SO, WHO IS GUILTY OF SUCH VIOLATION ON NOTICE TO AND WITH
15 AN OPPORTUNITY FOR THE INDIVIDUAL OR ENTITY ACCUSED OF ANY VIOLATIONS TO
16 BE HEARD. HOWEVER, IF THE HEARING OFFICER FINDS THAT ON BALANCE, THE
17 EQUITIES FAVOR A DISMISSAL OF THE COMPLAINT, THE HEARING OFFICER SHALL
18 DISMISS THE CHARGES. IN DETERMINING WHETHER THE EQUITIES FAVOR A
19 DISMISSAL, THE HEARING OFFICER SHALL CONSIDER THE FOLLOWING FACTORS: (1)
20 WHETHER THE COMPLAINT ALLEGES A DE MINIMIS VIOLATION OF ARTICLE FOURTEEN
21 OF THIS CHAPTER; (2) WHETHER THE SUBJECT OF THE COMPLAINT HAS MADE A
22 GOOD FAITH EFFORT TO CORRECT THE VIOLATION; AND (3) WHETHER THE SUBJECT
23 OF THE COMPLAINT HAS A HISTORY OF SIMILAR VIOLATIONS. FOR PURPOSES OF
24 MAKING ANY SUCH FINDINGS UNDER THIS SUBDIVISION, PROCEEDINGS BEFORE THE
25 HEARING OFFICER SHALL BE GOVERNED BY ARTICLE THREE OF THE STATE ADMINIS-
26 TRATIVE PROCEDURE ACT. THE CHIEF ENFORCEMENT COUNSEL SHALL ADOPT THE
27 REPORT OF THE HEARING OFFICER AND MAY, IN HIS OR HER DISCRETION,
28 COMMENCE A SPECIAL PROCEEDING IN THE SUPREME COURT PURSUANT TO SECTIONS
29 16-100, 16-114 AND 16-116 OF THIS CHAPTER SHOULD THE FINDINGS OF FACT
30 AND CONCLUSIONS OF LAW SUPPORT THE COMMENCEMENT OF SUCH PROCEEDING OR
31 ENTER INTO AN AGREEMENT TO SETTLE SUCH MATTER WITH THE SUBJECT OF THE
32 COMPLAINT. IN THE EVENT THE CHIEF ENFORCEMENT COUNSEL COMMENCES A
33 SPECIAL PROCEEDING, THE COURT SHALL AFFORD THE SUBJECT OF THE COMPLAINT
34 AN OPPORTUNITY TO BE HEARD AND SHALL BE EMPOWERED TO ACCEPT, REJECT OR
35 MODIFY THE FINDINGS OF FACT AND CONCLUSIONS OF LAW MADE BY THE HEARING
36 OFFICER. IF THE BOARD FAILS TO PRODUCE A LIST OF ELIGIBLE HEARING OFFI-
37 CERS, THE CHIEF ENFORCEMENT COUNSEL MAY COMMENCE A SPECIAL PROCEEDING AS
38 PROVIDED HEREIN IN ACCORDANCE WITH RECOMMENDATIONS MADE IN HIS OR HER
39 REPORT.

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

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

3 6. UPON NOTIFICATION THAT A SPECIAL PROCEEDING HAS BEEN COMMENCED BY A
4 PARTY OTHER THAN THE STATE BOARD OF ELECTIONS, PURSUANT TO SECTION
5 16-114 OF THIS CHAPTER, THE CHIEF ENFORCEMENT COUNSEL SHALL INVESTIGATE
6 THE ALLEGED VIOLATIONS UNLESS OTHERWISE DIRECTED BY THE COURT.

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

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

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

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

26 2. UPON A FAILURE TO REMEDY THE DEFICIENCIES IDENTIFIED BY THE COMPLI-
27 ANCE UNIT WITHIN THIRTY DAYS OF THE RECEIPT OF SUCH NOTICE THE CHIEF
28 ENFORCEMENT COUNSEL MAY PROCEED PURSUANT TO SUBDIVISION FIVE OF SECTION
29 3-104 OF THIS TITLE. IF SUCH NOTICE IS RECEIVED WITHIN THIRTY DAYS OF AN
30 ELECTION, FAILURE TO REMEDY THE DEFICIENCIES IDENTIFIED WITHIN SEVEN
31 DAYS OF THE RECEIPT OF SUCH NOTICE THE CHIEF ENFORCEMENT COUNSEL MAY
32 PROCEED PURSUANT TO SUBDIVISION FIVE OF SECTION 3-104 OF THIS TITLE.

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

35

SUBPART C

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

38 12. "CLEARLY IDENTIFIED CANDIDATE" MEANS THAT:

39 (A) THE NAME OF THE CANDIDATE INVOLVED APPEARS;

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

41 (C) THE IDENTITY OF THE CANDIDATE IS APPARENT BY UNAMBIGUOUS REFER-
42 ENCE.

43 13. "GENERAL PUBLIC AUDIENCE" MEANS AN AUDIENCE COMPOSED OF MEMBERS OF
44 THE PUBLIC, INCLUDING A TARGETED SUBGROUP OF MEMBERS OF THE PUBLIC;
45 PROVIDED, HOWEVER, IT DOES NOT MEAN AN AUDIENCE SOLELY COMPRISED OF
46 MEMBERS, RETIREES AND STAFF OF A LABOR ORGANIZATION OR MEMBERS OF THEIR
47 HOUSEHOLDS OR AN AUDIENCE SOLELY COMPRISED OF EMPLOYEES OF A CORPO-
48 RATION, UNINCORPORATED BUSINESS ENTITY OR MEMBERS OF A BUSINESS, TRADE
49 OR PROFESSIONAL ASSOCIATION OR ORGANIZATION.

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

1 TIONS OF EMPLOYMENT, GRIEVANCES, LABOR DISPUTES, OR OTHER MATTERS INCI-
2 DENTAL TO THE EMPLOYMENT RELATIONSHIP. FOR THE PURPOSES OF THIS ARTICLE,
3 EACH LOCAL, PARENT NATIONAL OR PARENT INTERNATIONAL ORGANIZATION OF A
4 STATEWIDE LABOR ORGANIZATION, AND EACH STATEWIDE FEDERATION RECEIVING
5 DUES FROM SUBSIDIARY LABOR ORGANIZATIONS, SHALL BE CONSIDERED A SEPARATE
6 LABOR ORGANIZATION.

7 S 2. Intentionally omitted.

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

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

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

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

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

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

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

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

55 (III) INTERNAL COMMUNICATION BY MEMBERS TO OTHER MEMBERS OF A MEMBER-
56 SHIP ORGANIZATION OF NOT MORE THAN FIVE HUNDRED MEMBERS, FOR THE PURPOSE

1 OF SUPPORTING OR OPPOSING A CANDIDATE OR CANDIDATES FOR ELECTIVE OFFICE,
2 PROVIDED SUCH EXPENDITURES ARE NOT USED FOR THE COSTS OF CAMPAIGN MATE-
3 RIAL OR COMMUNICATIONS USED IN CONNECTION WITH BROADCASTING, TELECAST-
4 ING, NEWSPAPERS, MAGAZINES, OR OTHER PERIODICAL PUBLICATION, BILLBOARDS,
5 OR SIMILAR TYPES OF GENERAL PUBLIC COMMUNICATIONS; OR

6 (IV) A COMMUNICATION PUBLISHED ON THE INTERNET, UNLESS THE COMMUNI-
7 CATION IS A PAID ADVERTISEMENT.

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

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

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

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

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

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

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

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

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

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

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

53 (E) THE ELECTION TO WHICH THE INDEPENDENT EXPENDITURE PERTAINS AND THE
54 NAME OF THE CLEARLY IDENTIFIED CANDIDATE OR THE BALLOT PROPOSAL REFER-
55 ENCED.

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

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

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

13 S 5. Intentionally omitted.

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

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

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

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

39 3. ANY PERSON WHO FALSELY IDENTIFIES OR KNOWINGLY FAILS TO IDENTIFY
40 ANY INDEPENDENT EXPENDITURE AS REQUIRED BY SUBDIVISION TWO OF SECTION
41 14-107 OF THIS ARTICLE SHALL BE SUBJECT TO A CIVIL PENALTY UP TO ONE
42 THOUSAND DOLLARS OR UP TO THE COST OF THE COMMUNICATION, WHICHEVER IS
43 GREATER, IN A SPECIAL PROCEEDING OR CIVIL ACTION BROUGHT BY THE STATE
44 BOARD OF ELECTIONS CHIEF ENFORCEMENT COUNSEL OR IMPOSED DIRECTLY BY THE
45 STATE BOARD OF ELECTIONS. FOR PURPOSES OF THIS SUBDIVISION, THE TERM
46 "PERSON" SHALL MEAN A PERSON, GROUP OF PERSONS, CORPORATION, UNINCORPO-
47 RATED BUSINESS ENTITY, LABOR ORGANIZATION OR BUSINESS, TRADE OR PROFES-
48 SIONAL ASSOCIATION OR ORGANIZATION OR POLITICAL COMMITTEE.

49 [3.] 4. Any person who knowingly and willfully fails to file a state-
50 ment required to be filed by this article within ten days after the date
51 provided for filing such statement or any person who knowingly and will-
52 fully violates any other provision of this article shall be guilty of a
53 misdemeanor.

54 [4.] 5. Any person who knowingly and willfully contributes, accepts or
55 aids or participates in the acceptance of a contribution in an amount

1 exceeding an applicable maximum specified in this article shall be guilty of a CLASS A misdemeanor.
 2
 3 [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.
 9
 10 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.
 12

13 SUBPART D

14 Section 1. The article heading of article 14 of the election law is amended to read as follows:
 15
 16 [Campaign Receipts and Expenditures] CAMPAIGN RECEIPTS AND EXPENDITURES; MATCHING FINANCING
 17
 18 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:
 20

21 CAMPAIGN RECEIPTS AND EXPENDITURES

22 S 3. Article 14 of the election law is amended by adding a new title II to read as follows:
 23

24 TITLE II

25 MATCHING FINANCING

- 26 SECTION 14-200. DEFINITIONS.
 27 14-201. REPORTING REQUIREMENTS.
 28 14-202. CONTRIBUTION LIMITS.
 29 14-203. PROOF OF COMPLIANCE.
 30 14-204. ELIGIBILITY.
 31 14-205. LIMITS ON MATCHING FINANCING.
 32 14-206. PAYMENT OF MATCHING FUNDS.
 33 14-207. USE OF MATCHING FUNDS; QUALIFIED CAMPAIGN EXPENDITURES.
 34 14-208. POWERS AND DUTIES OF BOARD.
 35 14-209. AUDITS AND REPAYMENTS.
 36 14-210. ENFORCEMENT AND PENALTIES FOR VIOLATIONS AND OTHER PROCEEDINGS.
 37
 38 14-211. REPORTS.
 39 14-212. DEBATES FOR CANDIDATES FOR COMPTROLLER.
 40 14-213. SEVERABILITY.

41 S 14-200. DEFINITIONS. FOR THE PURPOSES OF THIS TITLE, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:
 42

- 43 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.
 44
 45 2. THE TERM "BOARD" SHALL MEAN THE STATE BOARD OF ELECTIONS.
 46
 47 3. THE TERM "CONTRIBUTION" SHALL HAVE THE SAME MEANING AS APPEARS IN SUBDIVISION NINE OF SECTION 14-100 OF THIS ARTICLE.
 48
 49 4. THE TERM "CONTRIBUTOR" SHALL MEAN ANY PERSON OR ENTITY THAT MAKES A CONTRIBUTION.
 50
 51 5. THE TERM "COVERED ELECTION" SHALL MEAN ANY PRIMARY OR GENERAL ELECTION FOR NOMINATION FOR ELECTION, OR ELECTION, TO THE OFFICE OF STATE COMPTROLLER.
 52
 53
 54

1 6. THE TERM "ELECTION CYCLE" SHALL MEAN THE FOUR YEAR PERIOD STARTING
2 AFTER THE DAY AFTER THE LAST GENERAL ELECTION FOR CANDIDATES FOR STATE-
3 WIDE OFFICE.

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

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

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

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

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

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

39 (B) THE FOLLOWING CONTRIBUTIONS ARE NOT MATCHABLE:

40 (I) LOANS;

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

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

44 (IV) TRANSFERS FROM A PARTY OR CONSTITUTED COMMITTEE;

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

47 (VI) CONTRIBUTIONS GATHERED DURING A PREVIOUS ELECTION CYCLE;

48 (VII) ILLEGAL CONTRIBUTIONS;

49 (VIII) CONTRIBUTIONS FROM PERSONS UNDER EIGHTEEN;

50 (IX) CONTRIBUTIONS FROM VENDORS FOR CAMPAIGNS; AND

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

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

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

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

8 16. THE TERM "QUALIFIED CAMPAIGN EXPENDITURE" SHALL MEAN AN EXPENDI-
9 TURE FOR WHICH PUBLIC MATCHING FUNDS MAY BE USED.

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

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

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

25 2. DISCLOSURE REPORTS. (A) DETAILED REPORTING. EACH AUTHORIZED AND
26 POLITICAL COMMITTEE SHALL REPORT TO THE BOARD EVERY CONTRIBUTION AND
27 LOAN RECEIVED AND EVERY EXPENDITURE MADE IN THE TIME AND MANNER
28 PRESCRIBED BY SECTIONS 14-102, 14-104 AND 14-108 OF THIS ARTICLE,
29 CONTRIBUTORS WHO MAKE CONTRIBUTIONS OF FIVE HUNDRED DOLLARS OR MORE,
30 EACH AUTHORIZED AND POLITICAL COMMITTEE SHALL REPORT TO THE BOARD THE
31 OCCUPATION, AND BUSINESS ADDRESS OF EACH CONTRIBUTOR, LENDER, AND INTER-
32 MEDIARY. THE RECEIPT OF ANY CONTRIBUTION OR LOAN IN EXCESS OF ONE THOU-
33 SAND DOLLARS SHALL BE DISCLOSED WITHIN FORTY-EIGHT HOURS OF RECEIPT, AND
34 SHALL BE REPORTED IN THE SAME MANNER AS ANY OTHER CONTRIBUTION OR LOAN
35 ON THE NEXT APPLICABLE STATEMENT. THE BOARD SHALL REVISE, PREPARE AND
36 POST FORMS ON ITS WEBPAGE THAT FACILITATE COMPLIANCE WITH THE REQUIRE-
37 MENTS OF THIS SECTION.

38 (B) BOARD REVIEW. THE BOARD SHALL REVIEW EACH DISCLOSURE REPORT FILED
39 AND SHALL INFORM AUTHORIZED AND POLITICAL COMMITTEES OF RELEVANT QUES-
40 TIONS IT HAS CONCERNING: (I) COMPLIANCE WITH REQUIREMENTS OF THIS TITLE
41 AND OF THE RULES ISSUED BY THE BOARD; AND (II) QUALIFICATION FOR RECEIV-
42 ING PUBLIC MATCHING FUNDS PURSUANT TO THIS TITLE. IN THE COURSE OF THIS
43 REVIEW, THE BOARD SHALL GIVE AUTHORIZED AND POLITICAL COMMITTEES AN
44 OPPORTUNITY TO RESPOND TO AND CORRECT POTENTIAL VIOLATIONS AND GIVE
45 CANDIDATES AN OPPORTUNITY TO ADDRESS QUESTIONS THE UNIT HAS CONCERNING
46 THEIR MATCHABLE CONTRIBUTION CLAIMS OR OTHER ISSUES CONCERNING ELIGIBIL-
47 ITY FOR RECEIVING PUBLIC MATCHING FUNDS PURSUANT TO THIS TITLE. NOTHING
48 IN THIS PARAGRAPH SHALL PRECLUDE THE BOARD FROM SUBSEQUENTLY REVIEWING
49 SUCH DISCLOSURE REPORTS AND TAKING ANY ACTION OTHERWISE AUTHORIZED UNDER
50 THIS TITLE.

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

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

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

3 1. IN THE TWO THOUSAND FOURTEEN ELECTION FOR COMPTROLLER, OR FOR NOMI-
4 NATION TO SUCH OFFICE, NO CONTRIBUTOR MAY MAKE A CONTRIBUTION TO ANY
5 CANDIDATE OR POLITICAL COMMITTEE PARTICIPATING IN THE STATE'S PUBLIC
6 CAMPAIGN FINANCING SYSTEM AS DEFINED IN TITLE TWO OF THIS ARTICLE, AND
7 NO SUCH CANDIDATE OR POLITICAL COMMITTEE MAY ACCEPT ANY CONTRIBUTION
8 FROM ANY CONTRIBUTOR, WHICH IS IN THE AGGREGATE AMOUNT GREATER THAN:

9 (A) IN THE CASE OF ANY NOMINATION TO PUBLIC OFFICE, THE PRODUCT OF THE
10 TOTAL NUMBER OF ENROLLED VOTERS IN THE CANDIDATE'S PARTY IN THE STATE,
11 EXCLUDING VOTERS IN INACTIVE STATUS, MULTIPLIED BY \$.005, BUT SUCH
12 AMOUNT SHALL BE NOT MORE THAN SIX THOUSAND DOLLARS AND (B) IN THE CASE
13 OF ANY ELECTION TO SUCH PUBLIC OFFICE, SIX THOUSAND DOLLARS; PROVIDED
14 HOWEVER, THAT THE MAXIMUM AMOUNT WHICH MAY BE SO CONTRIBUTED OR
15 ACCEPTED, IN THE AGGREGATE, FROM ANY CANDIDATE'S CHILD, PARENT, GRAND-
16 PARENT, BROTHER AND SISTER, AND THE SPOUSE OF ANY SUCH PERSONS, SHALL
17 NOT EXCEED IN THE CASE OF ANY NOMINATION TO PUBLIC OFFICE AN AMOUNT
18 EQUIVALENT TO THE PRODUCT OF THE NUMBER OF ENROLLED VOTERS IN THE CANDI-
19 DATE'S PARTY IN THE STATE, EXCLUDING VOTERS IN INACTIVE STATUS, MULTI-
20 PLIED BY \$.025, AND IN THE CASE OF ANY ELECTION FOR A PUBLIC OFFICE, AN
21 AMOUNT EQUIVALENT TO THE PRODUCT OF THE NUMBER OF REGISTERED VOTERS IN
22 THE STATE EXCLUDING VOTERS IN INACTIVE STATUS, MULTIPLIED BY \$.025.

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

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

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

44 (A) BE A CANDIDATE IN A COVERED ELECTION;

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

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

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

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

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

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

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

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

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

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

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

28 2. IN ANY GENERAL ELECTION, RECEIPT OF MATCHING FUNDS BY A PARTICIPAT-
29 ING CANDIDATE'S AUTHORIZED COMMITTEE SHALL NOT EXCEED FOUR MILLION
30 DOLLARS.

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

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

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

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

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

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

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

25 2. SUCH MATCHING FUNDS MAY NOT BE USED FOR:

26 (A) AN EXPENDITURE IN VIOLATION OF ANY LAW;

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

29 (C) AN EXPENSE INCURRED AFTER THE CANDIDATE HAS BEEN FINALLY DISQUALI-
30 FIED FROM THE BALLOT;

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

34 (E) AN EXPENDITURE MADE BY CASH PAYMENT;

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

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

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

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

43 (J) PAYMENTS TO IMMEDIATE FAMILY MEMBERS OF THE PARTICIPATING CANDI-
44 DATE; OR

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

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

1 IDENTIFYING INFORMATION REDACTED AS THE BOARD DETERMINES TO BE APPROPRI-
2 ATE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 S 14-213. SEVERABILITY. IF ANY CLAUSE, SENTENCE, SUBDIVISION, PARA-
35 GRAPH, SECTION OR PART OF THIS TITLE BE ADJUDGED BY ANY COURT OF COMPE-
36 TENT JURISDICTION TO BE INVALID, SUCH JUDGMENT SHALL NOT AFFECT, IMPAIR
37 OR INVALIDATE THE REMAINDER THEREOF, BUT SHALL BE CONFINED IN ITS OPERA-
38 TION TO THE CLAUSE, SENTENCE, SUBDIVISION, PARAGRAPH, SECTION OR PART
39 THEREOF DIRECTLY INVOLVED IN THE CONTROVERSY IN WHICH SUCH JUDGMENT
40 SHALL HAVE BEEN RENDERED.

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

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

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

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

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

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

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

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

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

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

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

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

48 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
49 sion, section or part of this act shall be adjudged by a court of compe-
50 tent jurisdiction to be invalid, such judgment shall not affect, impair,
51 or invalidate the remainder thereof, but shall be confined in its opera-
52 tion to the clause, sentence, paragraph, subdivision, section or part
53 thereof directly involved in the controversy in which such judgment
54 shall have been rendered. It is hereby declared to be the intent of the
55 legislature that this act would have been enacted even if such invalid
56 provisions had not been included herein.

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

4 PART I

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

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

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

1 100. Banking services account (55057).
2 101. Cultural resources survey account (55058).
3 102. Neighborhood work project (55059).
4 103. Automation & printing chargeback account (55060).
5 104. OFT NYT account (55061).
6 105. Data center account (55062).
7 106. Human service telecom account (55063).
8 107. Intrusion detection account (55066).
9 108. Domestic violence grant account (55067).
10 109. Centralized technology services account (55069).
11 110. Labor contact center account (55071).
12 111. Human services contact center account (55072).
13 112. Tax contact center account (55073).
14 113. Joint labor/management administration fund (55201).
15 114. Executive direction internal audit account (55251).
16 115. CIO Information technology centralized services account (55252).
17 116. Health insurance internal service account (55300).
18 117. Civil service employee benefits division administrative account
19 (55301).
20 118. Correctional industries revolving fund (55350).
21 119. Employees health insurance account (60201).
22 120. Medicaid management information system escrow fund (60900).
23 S 1-a. The state comptroller is hereby authorized and directed to loan
24 money in accordance with the provisions set forth in subdivision 5 of
25 section 4 of the state finance law to any account within the following
26 federal funds, provided the comptroller has made a determination that
27 sufficient federal grant award authority is available to reimburse such
28 loans:
29 1. Federal USDA-food and nutrition services fund. (25000).
30 2. Federal health and human services fund (25100).
31 3. Federal education fund (25200).
32 4. Federal block grant fund (25250).
33 5. Federal miscellaneous operating grants fund. (25300)
34 6. Federal unemployment insurance administration fund (25900).
35 7. Federal unemployment insurance occupational training fund (25950).
36 8. Federal emergency employment act fund (26000).
37 9. Federal capital projects fund (31350).
38 S 2. Notwithstanding any law to the contrary, and in accordance with
39 section 4 of the state finance law, the comptroller is hereby authorized
40 and directed to transfer, upon request of the director of the budget, on
41 or before March 31, 2015, up to the unencumbered balance or the follow-
42 ing amounts:
43 Economic Development and Public Authorities:
44 1. \$175,000 from the miscellaneous special revenue fund, underground
45 facilities safety training account (22172), to the general fund.
46 2. An amount up to the unencumbered balance from the miscellaneous
47 special revenue fund, business and licensing services account (21977),
48 to the general fund.
49 3. \$14,810,000 from the miscellaneous special revenue fund, code
50 enforcement account (21904), to the general fund.
51 4. \$3,000,000 from the general fund to the miscellaneous special
52 revenue fund, tax revenue arrearage account (22168).
53 5. \$350,000 from the state exposition special fund, state fair
54 receipts account (50051), to the general fund.
55 Education:

- 1 1. \$2,265,000,000 from the general fund to the state lottery fund,
2 education account (20901), as reimbursement for disbursements made from
3 such fund for supplemental aid to education pursuant to section 92-c of
4 the state finance law that are in excess of the amounts deposited in
5 such fund for such purposes pursuant to section 1612 of the tax law.
 - 6 2. \$950,604,000 from the general fund to the state lottery fund, VLT
7 education account (20904), as reimbursement for disbursements made from
8 such fund for supplemental aid to education pursuant to section 92-c of
9 the state finance law that are in excess of the amounts deposited in
10 such fund for such purposes pursuant to section 1612 of the tax law.
 - 11 3. Moneys from the state lottery fund up to an amount deposited in
12 such fund pursuant to section 1612 of the tax law in excess of the
13 current year appropriation for supplemental aid to education pursuant to
14 section 92-c of the state finance law.
 - 15 4. \$300,000 from the local government records management improvement
16 fund (20500) to the archives partnership trust fund (20350).
 - 17 5. \$900,000 from the general fund to the miscellaneous special revenue
18 fund, Batavia school for the blind account (22032).
 - 19 6. \$900,000 from the general fund to the miscellaneous special revenue
20 fund, Rome school for the deaf account (22053).
 - 21 7. \$343,400,000 from the state university dormitory income fund
22 (40350) to the miscellaneous special revenue fund, state university
23 dormitory income reimbursable account (21937).
 - 24 8. \$24,000,000 from any of the state education department special
25 revenue and internal service funds to the miscellaneous special revenue
26 fund, indirect cost recovery account (21978).
 - 27 9. \$8,318,000 from the general fund to the state university income
28 fund, state university income offset account (22654), for the state's
29 share of repayment of the STIP loan.
 - 30 10. \$64,000,000 from the state university income fund, state universi-
31 ty hospitals income reimbursable account (22656) to the general fund for
32 hospital debt service for the period April 1, 2014 through March 31,
33 2015.
- 34 Environmental Affairs:
- 35 1. \$16,000,000 from any of the department of environmental conserva-
36 tion's special revenue federal funds to the environmental conservation
37 special revenue fund, federal indirect recovery account (21065).
 - 38 2. \$2,000,000 from any of the department of environmental conserva-
39 tion's special revenue federal funds to the conservation fund as neces-
40 sary to avoid diversion of conservation funds.
 - 41 3. \$3,000,000 from any of the office of parks, recreation and historic
42 preservation capital projects federal funds and special revenue federal
43 funds to the miscellaneous special revenue fund, federal grant indirect
44 cost recovery account (22188).
 - 45 4. \$1,000,000 from any of the office of parks, recreation and historic
46 preservation special revenue federal funds to the miscellaneous special
47 revenue fund, I love NY water account (21930).
 - 48 5. \$5,000,000 from the general fund to the environmental protection
49 fund, environmental protection fund transfer account (30451).
- 50 Family Assistance:
- 51 1. \$10,000,000 from any of the office of children and family services,
52 office of temporary and disability assistance, or department of health
53 special revenue federal funds and the general fund, in accordance with
54 agreements with social services districts, to the miscellaneous special
55 revenue fund, office of human resources development state match account
56 (21967).

- 1 2. \$3,000,000 from any of the office of children and family services
2 or office of temporary and disability assistance special revenue federal
3 funds to the miscellaneous special revenue fund, family preservation and
4 support services and family violence services account (22082).
- 5 3. \$18,670,000 from any of the office of children and family services,
6 office of temporary and disability assistance, or department of health
7 special revenue federal funds and any other miscellaneous revenues
8 generated from the operation of office of children and family services
9 programs to the general fund.
- 10 4. \$205,000,000 from any of the office of temporary and disability
11 assistance or department of health special revenue funds to the general
12 fund.
- 13 5. \$2,500,000 from any of the office of temporary and disability
14 assistance or office of children and family services special revenue
15 federal funds to the miscellaneous special revenue fund, office of
16 temporary and disability assistance program account (21980).
- 17 6. \$35,000,000 from any of the office of children and family services,
18 office of temporary and disability assistance, department of labor, and
19 department of health special revenue federal funds to the office of
20 children and family services miscellaneous special revenue fund, multi-
21 agency training contract account (21989).
- 22 7. \$122,000,000 from the miscellaneous special revenue fund, youth
23 facility per Diem account (22186), to the general fund.
- 24 8. \$621,850 from the general fund to the combined gifts, grants, and
25 bequests fund, WB Hoyt Memorial account (20128).
- 26 9. \$2,500,000 from the miscellaneous special revenue fund, state
27 central registry (22028) to the general fund.
- 28 General Government:
- 29 1. \$1,566,000 from the miscellaneous special revenue fund, examination
30 and miscellaneous revenue account (22065) to the general fund.
- 31 2. \$12,500,000 from the general fund to the health insurance revolving
32 fund (55300).
- 33 3. \$192,400,000 from the health insurance reserve receipts fund
34 (60550) to the general fund.
- 35 4. \$150,000 from the general fund to the not-for-profit revolving loan
36 fund (20650).
- 37 5. \$150,000 from the not-for-profit revolving loan fund (20650) to the
38 general fund.
- 39 6. \$30,000,000 from the miscellaneous special revenue fund, real prop-
40 erty disposition account (22006), to the general fund.
- 41 7. \$3,000,000 from the miscellaneous special revenue fund, surplus
42 property account (22036), to the general fund.
- 43 8. \$19,900,000 from the general fund to the miscellaneous special
44 revenue fund, alcoholic beverage control account (22033).
- 45 9. \$23,000,000 from the miscellaneous special revenue fund, revenue
46 arrearage account (22024), to the general fund.
- 47 10. \$1,826,000 from the miscellaneous special revenue fund, revenue
48 arrearage account (22024), to the miscellaneous special revenue fund,
49 authority budget office account (22138).
- 50 11. \$1,000,000 from the miscellaneous special revenue fund, parking
51 services account (22007), to the general fund, for the purpose of reim-
52 bursing the costs of debt service related to state parking facilities.
- 53 12. \$21,800,000 from the general fund to the internal service fund,
54 COPS account (55013).

1 13. \$14,000,000 from the general fund to the agencies internal service
2 fund, central technology services account (55069), for the purpose of
3 enterprise technology projects.

4 Health:

5 1. \$64,600,000 from the miscellaneous special revenue fund, quality of
6 care account (21915) to the general fund.

7 2. \$1,000,000 from the general fund to the combined gifts, grants and
8 bequests fund, breast cancer research and education account (20155), an
9 amount equal to the monies collected and deposited into that account in
10 the previous fiscal year.

11 3. \$1,464,000 from any of the department of health accounts within the
12 federal health and human services fund to the department of health
13 miscellaneous special revenue fund, statewide planning and research
14 cooperation system (SPARCS) program account (21902).

15 4. \$250,000 from the general fund to the combined gifts, grants and
16 bequests fund, prostate cancer research, detection, and education
17 account (20183), an amount equal to the moneys collected and deposited
18 into that account in the previous fiscal year.

19 5. \$500,000 from the general fund to the combined gifts, grants and
20 bequests fund, Alzheimer's disease research and assistance account
21 (20143), an amount equal to the moneys collected and deposited into that
22 account in the previous fiscal year.

23 6. \$26,527,000 from the HCRA resources fund (20800), to the miscella-
24 neous special revenue fund, empire state stem cell trust fund account
25 (22161).

26 7. \$11,373,000 from the general fund to the miscellaneous special
27 revenue fund, empire state stem cell trust fund (22161).

28 8. \$64,600,000 from any of the department of health accounts within
29 the federal health and human services fund to the miscellaneous special
30 revenue fund, quality of care account (21915).

31 9. \$4,000,000 from the miscellaneous special revenue fund, certificate
32 of need account (21920), to the miscellaneous capital projects fund,
33 healthcare IT capital subfund.

34 10. \$3,000,000 from the miscellaneous special revenue fund, adminis-
35 tration program account (21982), to the miscellaneous capital projects
36 fund, healthcare IT capital subfund.

37 11. \$3,000,000 from the miscellaneous special revenue fund, vital
38 records account (22103), to the miscellaneous capital projects fund,
39 healthcare IT capital subfund.

40 12. \$65,000,000 from the HCRA resources fund (20800) to the capital
41 projects fund (30000).

42 13. \$3,700,000 from the miscellaneous New York state agency fund,
43 Medicaid recoveries account (60615), to the general fund.

44 Labor:

45 1. \$400,000 from the miscellaneous special revenue fund, DOL fee and
46 penalty account (21923), to the child performer's protection fund, child
47 performer protection account (20401).

48 2. \$8,400,000 from the miscellaneous special revenue fund, DOL fee and
49 penalty account (21923), to the general fund.

50 3. \$3,300,000 from the unemployment insurance interest and penalty
51 fund, unemployment insurance special interest and penalty account
52 (23601), to the general fund.

53 Mental Hygiene:

54 1. \$10,000,000 from the miscellaneous special revenue fund, mental
55 hygiene patient income account (21909), to the miscellaneous special
56 revenue fund, federal salary sharing account (22056).

- 1 2. \$100,000,000 from the miscellaneous special revenue fund, mental
2 hygiene patient income account (21909), to the miscellaneous special
3 revenue fund, provider of service accounts (21903).
- 4 3. \$100,000,000 from the miscellaneous special revenue fund, mental
5 hygiene program fund account (21907), to the miscellaneous special
6 revenue fund, provider of service account (21903).
- 7 4. \$1,250,000,000 from the general fund to the miscellaneous special
8 revenue fund, mental hygiene patient income account (21909).
- 9 5. \$1,600,000,000 from the general fund to the miscellaneous special
10 revenue fund, mental hygiene program fund account (21907).
- 11 6. \$100,000,000 from the miscellaneous special revenue fund, mental
12 hygiene program fund account (21907), to the general fund.
- 13 7. \$100,000,000 from the miscellaneous special revenue fund, mental
14 hygiene patient income account (21909), to the general fund.
- 15 Public Protection:
- 16 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
17 management account (21944), to the general fund.
- 18 2. \$3,300,000 from the general fund to the miscellaneous special
19 revenue fund, recruitment incentive account (22171).
- 20 3. \$13,000,000 from the general fund to the correctional industries
21 revolving fund, correctional industries internal service account
22 (55350).
- 23 4. \$12,000,000 from the federal miscellaneous operating grants fund,
24 DMNA damage account (25324), to the general fund.
- 25 5. \$14,300,000 from the general fund to the miscellaneous special
26 revenue fund, crimes against revenue program account (22015).
- 27 6. \$9,100,000 from the miscellaneous special revenue fund, criminal
28 justice improvement account (21945), to the general fund.
- 29 7. \$50,000,000 from the miscellaneous special revenue fund, statewide
30 public safety communications account (22123), to the general fund.
- 31 8. \$106,000,000 from the state police motor vehicle law enforcement
32 and motor vehicle theft and insurance fraud prevention fund, state
33 police motor vehicle enforcement account (22802), to the general fund
34 for state operation expenses of the division of state police.
- 35 9. \$21,500,000 from the general fund to the correctional facilities
36 capital improvement fund (32350).
- 37 10. \$5,000,000 from the general fund to the dedicated highway and
38 bridge trust fund (30050) for the purpose of work zone safety activities
39 provided by the division of state police for the department of transpor-
40 tation.
- 41 11. \$5,000,000 from the miscellaneous special revenue fund, statewide
42 public safety communications account (22123), to the capital projects
43 fund (30000).
- 44 12. \$2,000,000 from the miscellaneous special revenue fund, legal
45 services assistance account (22096), to the general fund.
- 46 Transportation:
- 47 1. \$17,672,000 from the federal miscellaneous operating grants fund to
48 the miscellaneous special revenue fund, New York Metropolitan Transpor-
49 tation Council account (21913).
- 50 2. \$20,147,000 from the federal capital projects fund to the miscella-
51 neous special revenue fund, New York Metropolitan Transportation Council
52 account (21913).
- 53 3. \$15,700,000 from the miscellaneous special revenue fund, compulsory
54 insurance account (22087), to the general fund.

- 1 4. \$12,000,000 from the general fund to the mass transportation oper-
2 ating assistance fund, public transportation systems operating assist-
3 ance account (21401).
- 4 5. \$662,483,000 from the general fund to the dedicated highway and
5 bridge trust fund (30050).
- 6 6. \$606,000 from the miscellaneous special revenue fund, accident
7 prevention course program account (22094), to the general fund.
- 8 7. \$6,000 from the miscellaneous special revenue fund, motorcycle
9 safety account (21976), to the general fund.
- 10 8. \$309,250,000 from the general fund to the MTA financial assistance
11 fund, mobility tax trust account (23651).
- 12 9. \$30,000,000 from the mass transportation operating assistance fund,
13 metropolitan mass transportation operating assistance account (21402),
14 to the general debt service fund (40150), for reimbursement of the
15 state's expenses in connection with payments of debt service and related
16 expenses for the metropolitan transportation authority's state service
17 contract bonds.
- 18 10. \$2,500,000 from the miscellaneous special revenue fund, rail safe-
19 ty inspection account (21983) to the dedicated highway and bridge trust
20 fund (30050).
- 21 11. \$5,000,000 from the miscellaneous special revenue fund, transpor-
22 tation regulation account (22067) to the dedicated highway and bridge
23 trust fund (30050), for disbursements made from such fund for motor
24 carrier safety that are in excess of the amounts deposited in the dedi-
25 cated highway and bridge trust fund (30050) for such purpose pursuant to
26 section 94 of the transportation law.
- 27 12. \$2,808,096 from the general fund to the mass transportation oper-
28 ating assistance fund, public transportation systems operating assist-
29 ance account (20401).
- 30 Miscellaneous:
- 31 1. \$150,000,000 from the general fund to any funds or accounts for the
32 purpose of reimbursing certain outstanding accounts receivable balances.
- 33 2. \$500,000,000 from the general fund to the debt reduction reserve
34 fund (40000).
- 35 3. \$450,000,000 from the New York state storm recovery capital fund
36 (33000) to the revenue bond tax fund (40152).
- 37 4. \$15,500,000 from the general fund, community projects account GG
38 (10256), to the general fund, state purposes account (10050).
- 39 S 3. Notwithstanding any law to the contrary, and in accordance with
40 section 4 of the state finance law, the comptroller is hereby authorized
41 and directed to transfer, on or before March 31, 2015:
- 42 1. Upon request of the commissioner of environmental conservation, up
43 to \$11,283,800 from revenues credited to any of the department of envi-
44 ronmental conservation special revenue funds, including \$3,275,400 from
45 the environmental protection and oil spill compensation fund (21200),
46 and \$1,773,600 from the conservation fund (21150), to the environmental
47 conservation special revenue fund, indirect charges account (21060).
- 48 2. Upon request of the commissioner of agriculture and markets, up to
49 \$3,000,000 from any special revenue fund or enterprise fund within the
50 department of agriculture and markets to the general fund, to pay appro-
51 priate administrative expenses.
- 52 3. Upon request of the commissioner of agriculture and markets, up to
53 \$2,000,000 from the state exposition special fund, state fair receipts
54 account (50051) to the miscellaneous capital projects fund, state fair
55 capital improvement account (32208).

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

6 5. Upon request of the commissioner of the division of housing and
7 community renewal, up to \$5,500,000 may be transferred from any miscel-
8 laneous special revenue fund account, to any miscellaneous special
9 revenue fund.

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

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

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

31 S 5. On or before March 31, 2015, the comptroller is hereby authorized
32 and directed to deposit earnings that would otherwise accrue to the
33 general fund that are attributable to the operation of section 98-a of
34 the state finance law, to the agencies internal service fund, banking
35 services account (55057), for the purpose of meeting direct payments
36 from such account.

37 S 6. Notwithstanding any law to the contrary, upon the direction of
38 the director of the budget and upon requisition by the state university
39 of New York, the dormitory authority of the state of New York is
40 directed to transfer, up to \$22,000,000 in revenues generated from the
41 sale of notes or bonds, to the state university of New York for
42 reimbursement of bondable equipment for further transfer to the state's
43 general fund.

44 S 7. Notwithstanding any law to the contrary, and in accordance with
45 section 4 of the state finance law, the comptroller is hereby authorized
46 and directed to transfer, upon request of the director of the budget and
47 upon consultation with the state university chancellor or his or her
48 designee, on or before March 31, 2015, up to \$16,000,000 from the state
49 university income fund general revenue account (22653) to the state
50 general fund for debt service costs related to campus supported capital
51 project costs for the NY-SUNY 2020 challenge grant program at the
52 University at Buffalo.

53 S 8. Notwithstanding any law to the contrary, and in accordance with
54 section 4 of the state finance law, the comptroller is hereby authorized
55 and directed to transfer, upon request of the director of the budget and
56 upon consultation with the state university chancellor or his or her

1 designee, on or before March 31, 2015, up to \$6,500,000 from the state
2 university income fund general revenue account (22653) to the state
3 general fund for debt service costs related to campus supported capital
4 project costs for the NY-SUNY 2020 challenge grant program at the
5 University at Albany.

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

11 S 10. Notwithstanding any law to the contrary, and in accordance with
12 section 4 of the state finance law, the comptroller is hereby authorized
13 and directed to transfer, upon request of the director of the budget, up
14 to \$87,764,000 from the general fund to the state university income
15 fund, state university hospitals income reimbursable account (22656)
16 during the period July 1, 2014 through June 30, 2015 to reflect ongoing
17 state subsidy of SUNY hospitals and to pay costs attributable to the
18 SUNY hospitals' state agency status.

19 S 11. Notwithstanding any law to the contrary, and in accordance with
20 section 4 of the state finance law, the comptroller is hereby authorized
21 and directed to transfer, upon request of the director of the budget, up
22 to \$976,161,900 from the general fund to the state university income
23 fund, state university general revenue offset account (22655) during the
24 period of July 1, 2014 through June 30, 2015 to support operations at
25 the state university.

26 S 12. Notwithstanding any law to the contrary, and in accordance with
27 section 4 of the state finance law, the comptroller is hereby authorized
28 and directed to transfer, upon request of the state university chancel-
29 lor or his or her designee, up to \$50,000,000 from the state university
30 income fund, state university hospitals income reimbursable account
31 (22656), for services and expenses of hospital operations and capital
32 expenditures at the state university hospitals; and the state university
33 income fund, Long Island veterans' home account (22652) to the state
34 university capital projects fund (32400) on or before June 30, 2015.

35 S 13. Notwithstanding any law to the contrary, and in accordance with
36 section 4 of the state finance law, the comptroller, after consultation
37 with the state university chancellor or his or her designee, is hereby
38 authorized and directed to transfer moneys, in the first instance, from
39 the state university collection fund, Stony Brook hospital collection
40 account (61006), Brooklyn hospital collection account (61007), and Syra-
41 cuse hospital collection account (61008) to the state university income
42 fund, state university hospitals income reimbursable account (22656) in
43 the event insufficient funds are available in the state university
44 income fund, state university hospitals income reimbursable account
45 (22656) to permit the full transfer of moneys authorized for transfer,
46 to the general fund for payment of debt service related to the SUNY
47 hospitals. Notwithstanding any law to the contrary, the comptroller is
48 also hereby authorized and directed, after consultation with the state
49 university chancellor or his or her designee, to transfer moneys from
50 the state university income fund to the state university income fund,
51 state university hospitals income reimbursable account (22656) in the
52 event insufficient funds are available in the state university income
53 fund, state university hospitals income reimbursable account (22656) to
54 pay hospital operating costs or to permit the full transfer of moneys
55 authorized for transfer, to the general fund for payment of debt service
56 related to the SUNY hospitals on or before March 31, 2015.

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

10 S 15. Notwithstanding any law to the contrary, and in accordance with
11 section 4 of the state finance law, the comptroller is hereby authorized
12 and directed to transfer monies, upon request of the director of the
13 budget, on or before March 31, 2015, from and to any of the following
14 accounts: the miscellaneous special revenue fund, patient income account
15 (21909), the miscellaneous special revenue fund, mental hygiene program
16 fund account (21907), the miscellaneous special revenue fund, federal
17 salary sharing account (22056) or the general fund in any combination,
18 the aggregate of which shall not exceed \$350 million.

19 S 16. Notwithstanding any law to the contrary, and in accordance with
20 section 4 of the state finance law, the comptroller is hereby authorized
21 and directed to transfer, at the request of the director of the budget,
22 up to \$500 million from the unencumbered balance of any special revenue
23 fund or account, or combination of funds and accounts, to the general
24 fund. The amounts transferred pursuant to this authorization shall be in
25 addition to any other transfers expressly authorized in the 2014-15
26 budget. Transfers from federal funds, debt service funds, capital
27 projects funds, the community projects fund, or funds that would result
28 in the loss of eligibility for federal benefits or federal funds pursu-
29 ant to federal law, rule, or regulation as assented to in chapter 683 of
30 the laws of 1938 and chapter 700 of the laws of 1951 are not permitted
31 pursuant to this authorization.

32 S 16-a. Notwithstanding any law to the contrary, and in accordance
33 with section 4 of the state finance law, the comptroller is hereby
34 authorized and directed to transfer, at the request of the director of
35 the budget, up to twenty-eight million dollars (\$28,000,000) from the
36 unencumbered balance of any special revenue fund or account, or combina-
37 tion of funds and accounts, to the community projects fund. The amounts
38 transferred pursuant to this authorization shall be in addition to any
39 other transfers expressly authorized in the 2014-15 budget. Transfers
40 from federal funds, debt services funds, capital projects funds, or
41 funds that would result in the loss of eligibility for federal benefits
42 or federal funds pursuant to federal law, rule, or regulation as assent-
43 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
44 1951 are not permitted pursuant to this authorization. The director of
45 the budget shall (a) have received a request in writing from one or both
46 houses of the legislature, and (b) notify both houses of the legislature
47 in writing prior to initiating transfers pursuant to this authorization.
48 The comptroller shall provide the director of the budget, the chair of
49 the senate finance committee, and the chair of the assembly ways and
50 means committee with an accurate accounting and report of any transfers
51 that occur pursuant to this section on or before the fifteenth day of
52 the following month in which such transfers occur.

53 S 17. Notwithstanding any law to the contrary, and in accordance with
54 section 4 of the state finance law, the comptroller is hereby authorized
55 and directed to transfer, at the request of the director of the budget,
56 up to \$100 million from any non-general fund or account, or combination

1 of funds and accounts, to the miscellaneous special revenue fund, tech-
2 nology financing account (22207) or the miscellaneous capital projects
3 fund, information technology capital financing account, for the purpose
4 of consolidating technology procurement and services. The amounts
5 transferred to the miscellaneous special revenue fund, technology
6 financing account (22207) pursuant to this authorization shall be equal
7 to or less than the amount of such monies intended to support informa-
8 tion technology costs which are attributable, according to a plan, to
9 such account made in pursuance to an appropriation by law. Transfers to
10 the technology financing account shall be completed from amounts
11 collected by non-general funds or accounts pursuant to a fund deposit
12 schedule or permanent statute, and shall be transferred to the technolo-
13 gy financing account pursuant to a schedule agreed upon by the affected
14 agency commissioner. Transfers from funds that would result in the loss
15 of eligibility for federal benefits or federal funds pursuant to federal
16 law, rule, or regulation as assented to in chapter 683 of the laws of
17 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to
18 this authorization.

19 S 18. Notwithstanding any law to the contrary, and in accordance with
20 section 4 of the state finance law, the comptroller is hereby authorized
21 and directed to transfer, at the request of the director of the budget,
22 up to \$300 million from any non-general fund or account, or combination
23 of funds and accounts, to the general fund for the purpose of consol-
24 idating technology procurement and services. The amounts transferred
25 pursuant to this authorization shall be equal to or less than the amount
26 of such monies intended to support information technology costs which
27 are attributable, according to a plan, to such account made in pursuance
28 to an appropriation by law. Transfers to the general fund shall be
29 completed from amounts collected by non-general funds or accounts pursu-
30 ant to a fund deposit schedule. Transfers from funds that would result
31 in the loss of eligibility for federal benefits or federal funds pursu-
32 ant to federal law, rule, or regulation as assented to in chapter 683 of
33 the laws of 1938 and chapter 700 of the laws of 1951 are not permitted
34 pursuant to this authorization.

35 S 19. Notwithstanding any provision of law to the contrary, as deemed
36 feasible and advisable by its trustees, the power authority of the state
37 of New York is authorized and directed to (i) make a contribution to the
38 state treasury to the credit of the general fund, or as otherwise
39 directed in writing by the director of the budget, in an amount of up to
40 \$90,000,000 for the state fiscal year commencing April 1, 2014, the
41 proceeds of which will be utilized to support energy-related initiatives
42 of the state, or for economic development purposes, and (ii) transfer up
43 to \$25,000,000 of any such contribution by June 30, 2014 and the remain-
44 der of any such contribution by March 31, 2015. Such economic develop-
45 ment purposes may include, but shall not be limited to, efforts to
46 attract and expand business investment and job creation in New York
47 state through the Open for Business program, provided that in the event
48 any contributed funds are used by a state agency or public authority for
49 the purpose of advertising and promoting the benefits of the START-UP NY
50 program, no less than sixty percent of the contributed funds used for
51 such purpose shall be used for advertising and promotion outside the
52 state of New York.

53 S 20. Subdivision 5 of section 97-rrr of the state finance law, as
54 amended by section 20 of part HH of chapter 57 of the laws of 2013, is
55 amended to read as follows:

1 5. Notwithstanding the provisions of section one hundred seventy-one-a
2 of the tax law, as separately amended by chapters four hundred eighty-
3 one and four hundred eighty-four of the laws of nineteen hundred eight-
4 y-one, and notwithstanding the provisions of chapter ninety-four of the
5 laws of two thousand eleven, or any other provisions of law to the
6 contrary, during the fiscal year beginning April first, two thousand
7 [thirteen] FOURTEEN, the state comptroller is hereby authorized and
8 directed to deposit to the fund created pursuant to this section from
9 amounts collected pursuant to article twenty-two of the tax law and
10 pursuant to a schedule submitted by the director of the budget, up to
11 [\$3,419,375,000] \$3,429,375,000, as may be certified in such schedule as
12 necessary to meet the purposes of such fund for the fiscal year begin-
13 ning April first, two thousand [thirteen] FOURTEEN.

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

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

26 6. Notwithstanding any law to the contrary, at the beginning of the
27 state fiscal year, the state comptroller is hereby authorized and
28 directed to receive for deposit to the credit of a fund and/or an
29 account such monies as are identified by the director of the budget as
30 having been intended for such deposit to support disbursements from such
31 fund and/or account made in pursuance of an appropriation by law. As
32 soon as practicable upon enactment of the budget, the director of the
33 budget shall, but not less than three days following preliminary
34 submission to the chairs of the senate finance committee and the assem-
35 bly ways and means committee, file with the state comptroller an iden-
36 tification of specific monies to be so deposited. Any subsequent change
37 regarding the monies to be so deposited shall be filed by the director
38 of the budget, as soon as practicable, but not less than three days
39 following preliminary submission to the chairs of the senate finance
40 committee and the assembly ways and means committee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 S 24. Notwithstanding any other law, rule, or regulation to the
37 contrary, the state comptroller is hereby authorized and directed to use
38 any balance remaining in the mental health services fund debt service
39 appropriation, after payment by the state comptroller of all obligations
40 required pursuant to any lease, sublease, or other financing arrangement
41 between the dormitory authority of the state of New York as successor to
42 the New York state medical care facilities finance agency, and the
43 facilities development corporation pursuant to chapter 83 of the laws of
44 1995 and the department of mental hygiene for the purpose of making
45 payments to the dormitory authority of the state of New York for the
46 amount of the earnings for the investment of monies deposited in the
47 mental health services fund that such agency determines will or may have
48 to be rebated to the federal government pursuant to the provisions of
49 the internal revenue code of 1986, as amended, in order to enable such
50 agency to maintain the exemption from federal income taxation on the
51 interest paid to the holders of such agency's mental services facilities
52 improvement revenue bonds. Annually on or before each June 30th, such
53 agency shall certify to the state comptroller its determination of the
54 amounts received in the mental health services fund as a result of the
55 investment of monies deposited therein that will or may have to be

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

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

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

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

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

17 S 27. Paragraph (b) of subdivision 4 of section 72 of the state
18 finance law, as amended by section 37 of part U of chapter 59 of the
19 laws of 2012, is amended to read as follows:

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

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

39 S 47. 1. Notwithstanding the provisions of any other law to the
40 contrary, the dormitory authority and the corporation are hereby author-
41 ized to issue bonds or notes in one or more series for the purpose of
42 funding project costs for the office of information technology services,
43 DEPARTMENT OF LAW, and other state costs associated with such capital
44 projects. The aggregate principal amount of bonds authorized to be
45 issued pursuant to this section shall not exceed [eighty-seven] ONE
46 HUNDRED EIGHTY-TWO million [seven] FOUR hundred forty thousand dollars,
47 excluding bonds issued to fund one or more debt service reserve funds,
48 to pay costs of issuance of such bonds, and bonds or notes issued to
49 refund or otherwise repay such bonds or notes previously issued. Such
50 bonds and notes of the dormitory authority and the corporation shall not
51 be a debt of the state, and the state shall not be liable thereon, nor
52 shall they be payable out of any funds other than those appropriated by
53 the state to the dormitory authority and the corporation for principal,
54 interest, and related expenses pursuant to a service contract and such
55 bonds and notes shall contain on the face thereof a statement to such
56 effect. Except for purposes of complying with the internal revenue code,

1 any interest income earned on bond proceeds shall only be used to pay
2 debt service on such bonds.

3 2. Notwithstanding any other provision of law to the contrary, in
4 order to assist the dormitory authority and the corporation in undertak-
5 ing the financing for project costs for the office of information tech-
6 nology services, DEPARTMENT OF LAW, and other state costs associated
7 with such capital projects, the director of the budget is hereby author-
8 ized to enter into one or more service contracts with the dormitory
9 authority and the corporation, none of which shall exceed thirty years
10 in duration, upon such terms and conditions as the director of the budg-
11 et and the dormitory authority and the corporation agree, so as to annu-
12 ally provide to the dormitory authority and the corporation, in the
13 aggregate, a sum not to exceed the principal, interest, and related
14 expenses required for such bonds and notes. Any service contract entered
15 into pursuant to this section shall provide that the obligation of the
16 state to pay the amount therein provided shall not constitute a debt of
17 the state within the meaning of any constitutional or statutory
18 provision and shall be deemed executory only to the extent of monies
19 available and that no liability shall be incurred by the state beyond
20 the monies available for such purpose, subject to annual appropriation
21 by the legislature. Any such contract or any payments made or to be made
22 thereunder may be assigned and pledged by the dormitory authority and
23 the corporation as security for its bonds and notes, as authorized by
24 this section.

25 S 29. Subdivision 1 of section 16 of part D of chapter 389 of the laws
26 of 1997, relating to the financing of the correctional facilities
27 improvement fund and the youth facility improvement fund, as amended by
28 section 49 of part HH of chapter 57 of the laws of 2013, is amended to
29 read as follows:

30 1. Subject to the provisions of chapter 59 of the laws of 2000, but
31 notwithstanding the provisions of section 18 of section 1 of chapter 174
32 of the laws of 1968, the New York state urban development corporation is
33 hereby authorized to issue bonds, notes and other obligations in an
34 aggregate principal amount not to exceed seven billion one hundred
35 [thirty-three] FORTY-EIGHT million sixty-nine thousand dollars
36 [\$7,133,069,000] \$7,148,069,000, and shall include all bonds, notes and
37 other obligations issued pursuant to chapter 56 of the laws of 1983, as
38 amended or supplemented. The proceeds of such bonds, notes or other
39 obligations shall be paid to the state, for deposit in the correctional
40 facilities capital improvement fund to pay for all or any portion of the
41 amount or amounts paid by the state from appropriations or reappropri-
42 ations made to the department of corrections and community supervision
43 from the correctional facilities capital improvement fund for capital
44 projects. The aggregate amount of bonds, notes or other obligations
45 authorized to be issued pursuant to this section shall exclude bonds,
46 notes or other obligations issued to refund or otherwise repay bonds,
47 notes or other obligations theretofore issued, the proceeds of which
48 were paid to the state for all or a portion of the amounts expended by
49 the state from appropriations or reappropriations made to the department
50 of corrections and community supervision; provided, however, that upon
51 any such refunding or repayment the total aggregate principal amount of
52 outstanding bonds, notes or other obligations may be greater than seven
53 billion one hundred [thirty-three] FORTY-EIGHT million sixty-nine thou-
54 sand dollars [\$7,133,069,000] \$7,148,069,000, only if the present value
55 of the aggregate debt service of the refunding or repayment bonds, notes
56 or other obligations to be issued shall not exceed the present value of

1 the aggregate debt service of the bonds, notes or other obligations so
2 to be refunded or repaid. For the purposes hereof, the present value of
3 the aggregate debt service of the refunding or repayment bonds, notes or
4 other obligations and of the aggregate debt service of the bonds, notes
5 or other obligations so refunded or repaid, shall be calculated by
6 utilizing the effective interest rate of the refunding or repayment
7 bonds, notes or other obligations, which shall be that rate arrived at
8 by doubling the semi-annual interest rate (compounded semi-annually)
9 necessary to discount the debt service payments on the refunding or
10 repayment bonds, notes or other obligations from the payment dates ther-
11 eof to the date of issue of the refunding or repayment bonds, notes or
12 other obligations and to the price bid including estimated accrued
13 interest or proceeds received by the corporation including estimated
14 accrued interest from the sale thereof.

15 S 30. Paragraph (a) of subdivision 2 of section 47-e of the private
16 housing finance law, as amended by section 50 of part HH of chapter 57
17 of the laws of 2013, is amended to read as follows:

18 (a) Subject to the provisions of chapter fifty-nine of the laws of two
19 thousand, in order to enhance and encourage the promotion of housing
20 programs and thereby achieve the stated purposes and objectives of such
21 housing programs, the agency shall have the power and is hereby author-
22 ized from time to time to issue negotiable housing program bonds and
23 notes in such principal amount as shall be necessary to provide suffi-
24 cient funds for the repayment of amounts disbursed (and not previously
25 reimbursed) pursuant to law or any prior year making capital appropri-
26 ations or reappropriations for the purposes of the housing program;
27 provided, however, that the agency may issue such bonds and notes in an
28 aggregate principal amount not exceeding two billion [eight hundred
29 forty-four] NINE HUNDRED NINETY-NINE million [eight hundred] ninety-nine
30 thousand dollars, plus a principal amount of bonds issued to fund the
31 debt service reserve fund in accordance with the debt service reserve
32 fund requirement established by the agency and to fund any other
33 reserves that the agency reasonably deems necessary for the security or
34 marketability of such bonds and to provide for the payment of fees and
35 other charges and expenses, including underwriters' discount, trustee
36 and rating agency fees, bond insurance, credit enhancement and liquidity
37 enhancement related to the issuance of such bonds and notes. No reserve
38 fund securing the housing program bonds shall be entitled or eligible to
39 receive state funds apportioned or appropriated to maintain or restore
40 such reserve fund at or to a particular level, except to the extent of
41 any deficiency resulting directly or indirectly from a failure of the
42 state to appropriate or pay the agreed amount under any of the contracts
43 provided for in subdivision four of this section.

44 S 31. Subdivision (b) of section 11 of chapter 329 of the laws of
45 1991, amending the state finance law and other laws relating to the
46 establishment of the dedicated highway and bridge trust fund, as amended
47 by section 51 of part HH of chapter 57 of the laws of 2013, is amended
48 to read as follows:

49 (b) Any service contract or contracts for projects authorized pursuant
50 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
51 14-k of the transportation law, and entered into pursuant to subdivision
52 (a) of this section, shall provide for state commitments to provide
53 annually to the thruway authority a sum or sums, upon such terms and
54 conditions as shall be deemed appropriate by the director of the budget,
55 to fund, or fund the debt service requirements of any bonds or any obli-
56 gations of the thruway authority issued to fund OR TO REIMBURSE THE

1 STATE FOR FUNDING such projects having a cost not in excess of
2 [\$7,591,875,000] \$8,120,728,000 cumulatively by the end of fiscal year
3 [2013-14] 2014-15.

4 S 32. Subdivision 1 of section 1689-i of the public authorities law,
5 as amended by section 52 of part HH of chapter 57 of the laws of 2013,
6 is amended to read as follows:

7 1. The dormitory authority is authorized to issue bonds, at the
8 request of the commissioner of education, to finance eligible library
9 construction projects pursuant to section two hundred seventy-three-a of
10 the education law, in amounts certified by such commissioner not to
11 exceed a total principal amount of [one hundred twelve] ONE HUNDRED
12 TWENTY-SIX million dollars.

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

18 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
19 notwithstanding any provisions of law to the contrary, the urban devel-
20 opment corporation is hereby authorized to issue bonds or notes in one
21 or more series in an aggregate principal amount not to exceed
22 [\$133,600,000] \$149,600,000, excluding bonds issued to finance one or
23 more debt service reserve funds, to pay costs of issuance of such bonds,
24 and bonds or notes issued to refund or otherwise repay such bonds or
25 notes previously issued, for the purpose of financing capital projects
26 INCLUDING IT INITIATIVES for the division of state police, debt service
27 and leases; and to reimburse the state general fund for disbursements
28 made therefor. Such bonds and notes of such authorized issuer shall not
29 be a debt of the state, and the state shall not be liable thereon, nor
30 shall they be payable out of any funds other than those appropriated by
31 the state to such authorized issuer for debt service and related
32 expenses pursuant to any service contract executed pursuant to subdivi-
33 sion (b) of this section and such bonds and notes shall contain on the
34 face thereof a statement to such effect. Except for purposes of comply-
35 ing with the internal revenue code, any interest income earned on bond
36 proceeds shall only be used to pay debt service on such bonds.

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

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

1 [seven] FIFTY-SEVEN thousand dollars, excluding bonds issued to fund one
2 or more debt service reserve funds, to pay costs of issuance of such
3 bonds, and bonds or notes issued to refund or otherwise repay such bonds
4 or notes previously issued. Such bonds and notes of the dormitory
5 authority and the corporation shall not be a debt of the state, and the
6 state shall not be liable thereon, nor shall they be payable out of any
7 funds other than those appropriated by the state to the dormitory
8 authority and the corporation for principal, interest, and related
9 expenses pursuant to a service contract and such bonds and notes shall
10 contain on the face thereof a statement to such effect. Except for
11 purposes of complying with the internal revenue code, any interest
12 income earned on bond proceeds shall only be used to pay debt service on
13 such bonds.

14 2. Notwithstanding any other provision of law to the contrary, in
15 order to assist the dormitory authority and the corporation in undertak-
16 ing the financing for project costs for the regional economic develop-
17 ment council initiative, the economic transformation program, state
18 university of New York college for nanoscale and science engineering,
19 projects within the city of Buffalo or surrounding environs, the New
20 York works economic development fund, projects for the retention of
21 professional football in western New York, the empire state economic
22 development fund, THE CLARKSON-TRUDEAU PARTNERSHIP, THE NEW YORK GENOME
23 CENTER, THE CORNELL UNIVERSITY COLLEGE OF VETERINARY MEDICINE, THE OLYM-
24 PIC REGIONAL DEVELOPMENT AUTHORITY, A PROJECT AT NANO UTICA, ONONDAGA
25 COUNTY REVITALIZATION PROJECTS, and other state costs associated with
26 such projects, the director of the budget is hereby authorized to enter
27 into one or more service contracts with the dormitory authority and the
28 corporation, none of which shall exceed thirty years in duration, upon
29 such terms and conditions as the director of the budget and the dormito-
30 ry authority and the corporation agree, so as to annually provide to the
31 dormitory authority and the corporation, in the aggregate, a sum not to
32 exceed the principal, interest, and related expenses required for such
33 bonds and notes. Any service contract entered into pursuant to this
34 section shall provide that the obligation of the state to pay the amount
35 therein provided shall not constitute a debt of the state within the
36 meaning of any constitutional or statutory provision and shall be deemed
37 executory only to the extent of monies available and that no liability
38 shall be incurred by the state beyond the monies available for such
39 purpose, subject to annual appropriation by the legislature. Any such
40 contract or any payments made or to be made thereunder may be assigned
41 and pledged by the dormitory authority and the corporation as security
42 for its bonds and notes, as authorized by this section.

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

46 3. The maximum amount of bonds that may be issued for the purpose of
47 financing environmental infrastructure projects authorized by this
48 section shall be one billion [two] THREE hundred [sixty-five]
49 NINETY-EIGHT million [seven] TWO hundred sixty thousand dollars, exclu-
50 sive of bonds issued to fund any debt service reserve funds, pay costs
51 of issuance of such bonds, and bonds or notes issued to refund or other-
52 wise repay bonds or notes previously issued. Such bonds and notes of the
53 corporation shall not be a debt of the state, and the state shall not be
54 liable thereon, nor shall they be payable out of any funds other than
55 those appropriated by the state to the corporation for debt service and
56 related expenses pursuant to any service contracts executed pursuant to

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

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

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

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

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

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

34 1. Notwithstanding the provisions of any other law to the contrary,
35 the urban development corporation of the state of New York is hereby
36 authorized to issue bonds or notes in one or more series for the purpose
37 of funding project costs for the implementation of a NY-SUNY and NY-CUNY
38 2020 challenge grant program subject to the approval of a NY-SUNY and
39 NY-CUNY 2020 plan or plans by the governor and either the chancellor of
40 the state university of New York or the chancellor of the city universi-
41 ty of New York, as applicable. The aggregate principal amount of bonds
42 authorized to be issued pursuant to this section shall not exceed
43 [\$220,000,000] \$330,000,000, excluding bonds issued to fund one or more
44 debt service reserve funds, to pay costs of issuance of such bonds, and
45 bonds or notes issued to refund or otherwise repay such bonds or notes
46 previously issued. Such bonds and notes of the corporation shall not be
47 a debt of the state, and the state shall not be liable thereon, nor
48 shall they be payable out of any funds other than those appropriated by
49 the state to the corporation for principal, interest, and related
50 expenses pursuant to a service contract and such bonds and notes shall
51 contain on the face thereof a statement to such effect. Except for
52 purposes of complying with the internal revenue code, any interest
53 income earned on bond proceeds shall only be used to pay debt service on
54 such bonds.

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

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

4 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
5 notwithstanding the provisions of section 18 of the urban development
6 corporation act, the corporation is hereby authorized to issue bonds or
7 notes in one or more series in an aggregate principal amount not to
8 exceed [\$67,000,000] \$197,000,000 excluding bonds issued to fund one or
9 more debt service reserve funds, to pay costs of issuance of such bonds,
10 and bonds or notes issued to refund or otherwise repay such bonds or
11 notes previously issued, for the purpose of financing capital costs
12 related to homeland security and training facilities for the division of
13 state police, the division of military and naval affairs, and any other
14 state agency, including the reimbursement of any disbursements made from
15 the state capital projects fund, and is hereby authorized to issue bonds
16 or notes in one or more series in an aggregate principal amount not to
17 exceed [\$220,800,000] \$317,800,000, excluding bonds issued to fund one
18 or more debt service reserve funds, to pay costs of issuance of such
19 bonds, and bonds or notes issued to refund or otherwise repay such bonds
20 or notes previously issued, for the purpose of financing improvements to
21 State office buildings and other facilities located statewide, including
22 the reimbursement of any disbursements made from the state capital
23 projects fund. Such bonds and notes of the corporation shall not be a
24 debt of the state, and the state shall not be liable thereon, nor shall
25 they be payable out of any funds other than those appropriated by the
26 state to the corporation for debt service and related expenses pursuant
27 to any service contracts executed pursuant to subdivision (b) of this
28 section, and such bonds and notes shall contain on the face thereof a
29 statement to such effect.

30 S 39. Subdivision 1 of section 386-b of the public authorities law, as
31 amended by section 69 of part HH of chapter 57 of the laws of 2013, is
32 amended to read as follows:

33 1. Notwithstanding any other provision of law to the contrary, the
34 authority, the dormitory authority and the urban development corporation
35 are hereby authorized to issue bonds or notes in one or more series for
36 the purpose of financing peace bridge projects and capital costs of
37 state and local highways, parkways, bridges, the New York state thruway,
38 Indian reservation roads, and facilities, and transportation infrastruc-
39 ture projects including aviation projects, non-MTA mass transit
40 projects, and rail service preservation projects, including work appur-
41 tenant and ancillary thereto. The aggregate principal amount of bonds
42 authorized to be issued pursuant to this section shall not exceed [two]
43 FOUR hundred [forty] SIXTY-FIVE million dollars [(\$240,000,000)]
44 (\$465,000,000), excluding bonds issued to fund one or more debt service
45 reserve funds, to pay costs of issuance of such bonds, and to refund or
46 otherwise repay such bonds or notes previously issued. Such bonds and
47 notes of the authority, the dormitory authority and the urban develop-
48 ment corporation shall not be a debt of the state, and the state shall
49 not be liable thereon, nor shall they be payable out of any funds other
50 than those appropriated by the state to the authority, the dormitory
51 authority and the urban development corporation for principal, interest,
52 and related expenses pursuant to a service contract and such bonds and
53 notes shall contain on the face thereof a statement to such effect.
54 Except for purposes of complying with the internal revenue code, any
55 interest income earned on bond proceeds shall only be used to pay debt
56 service on such bonds.

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

4 (c) Subject to the provisions of chapter fifty-nine of the laws of two
5 thousand, the dormitory authority shall not issue any bonds for state
6 university educational facilities purposes if the principal amount of
7 bonds to be issued when added to the aggregate principal amount of bonds
8 issued by the dormitory authority on and after July first, nineteen
9 hundred eighty-eight for state university educational facilities will
10 exceed ten billion [four] NINE hundred [twenty-two] EIGHTY-FOUR million
11 dollars; provided, however, that bonds issued or to be issued shall be
12 excluded from such limitation if: (1) such bonds are issued to refund
13 state university construction bonds and state university construction
14 notes previously issued by the housing finance agency; or (2) such bonds
15 are issued to refund bonds of the authority or other obligations issued
16 for state university educational facilities purposes and the present
17 value of the aggregate debt service on the refunding bonds does not
18 exceed the present value of the aggregate debt service on the bonds
19 refunded thereby; provided, further that upon certification by the
20 director of the budget that the issuance of refunding bonds or other
21 obligations issued between April first, nineteen hundred ninety-two and
22 March thirty-first, nineteen hundred ninety-three will generate long
23 term economic benefits to the state, as assessed on a present value
24 basis, such issuance will be deemed to have met the present value test
25 noted above. For purposes of this subdivision, the present value of the
26 aggregate debt service of the refunding bonds and the aggregate debt
27 service of the bonds refunded, shall be calculated by utilizing the true
28 interest cost of the refunding bonds, which shall be that rate arrived
29 at by doubling the semi-annual interest rate (compounded semi-annually)
30 necessary to discount the debt service payments on the refunding bonds
31 from the payment dates thereof to the date of issue of the refunding
32 bonds to the purchase price of the refunding bonds, including interest
33 accrued thereon prior to the issuance thereof. The maturity of such
34 bonds, other than bonds issued to refund outstanding bonds, shall not
35 exceed the weighted average economic life, as certified by the state
36 university construction fund, of the facilities in connection with which
37 the bonds are issued, and in any case not later than the earlier of
38 thirty years or the expiration of the term of any lease, sublease or
39 other agreement relating thereto; provided that no note, including
40 renewals thereof, shall mature later than five years after the date of
41 issuance of such note. The legislature reserves the right to amend or
42 repeal such limit, and the state of New York, the dormitory authority,
43 the state university of New York, and the state university construction
44 fund are prohibited from covenanting or making any other agreements with
45 or for the benefit of bondholders which might in any way affect such
46 right.

47 S 41. Paragraph (c) of subdivision 14 of section 1680 of the public
48 authorities law, as amended by section 67 of part HH of chapter 57 of
49 the laws of 2013, is amended to read as follows:

50 (c) Subject to the provisions of chapter fifty-nine of the laws of two
51 thousand, (i) the dormitory authority shall not deliver a series of
52 bonds for city university community college facilities, except to refund
53 or to be substituted for or in lieu of other bonds in relation to city
54 university community college facilities pursuant to a resolution of the
55 dormitory authority adopted before July first, nineteen hundred eighty-
56 five or any resolution supplemental thereto, if the principal amount of

1 bonds so to be issued when added to all principal amounts of bonds
2 previously issued by the dormitory authority for city university commu-
3 nity college facilities, except to refund or to be substituted in lieu
4 of other bonds in relation to city university community college facili-
5 ties will exceed the sum of four hundred twenty-five million dollars and
6 (ii) the dormitory authority shall not deliver a series of bonds issued
7 for city university facilities, including community college facilities,
8 pursuant to a resolution of the dormitory authority adopted on or after
9 July first, nineteen hundred eighty-five, except to refund or to be
10 substituted for or in lieu of other bonds in relation to city university
11 facilities and except for bonds issued pursuant to a resolution supple-
12 mental to a resolution of the dormitory authority adopted prior to July
13 first, nineteen hundred eighty-five, if the principal amount of bonds so
14 to be issued when added to the principal amount of bonds previously
15 issued pursuant to any such resolution, except bonds issued to refund or
16 to be substituted for or in lieu of other bonds in relation to city
17 university facilities, will exceed [six] SEVEN billion [eight] TWO
18 hundred [fifty-three] SEVENTY-THREE million [two] THREE hundred THIRTY-
19 ONE thousand dollars. The legislature reserves the right to amend or
20 repeal such limit, and the state of New York, the dormitory authority,
21 the city university, and the fund are prohibited from covenanting or
22 making any other agreements with or for the benefit of bondholders which
23 might in any way affect such right.

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

27 10-a. Subject to the provisions of chapter fifty-nine of the laws of
28 two thousand, but notwithstanding any other provision of the law to the
29 contrary, the maximum amount of bonds and notes to be issued after March
30 thirty-first, two thousand two, on behalf of the state, in relation to
31 any locally sponsored community college, shall be [six] SEVEN hundred
32 [sixty-three] SEVENTY-SIX million THREE HUNDRED FIVE THOUSAND dollars.
33 Such amount shall be exclusive of bonds and notes issued to fund any
34 reserve fund or funds, costs of issuance and to refund any outstanding
35 bonds and notes, issued on behalf of the state, relating to a locally
36 sponsored community college.

37 S 43. The public authorities law is amended by adding a new section
38 1680-r to read as follows:

39 S 1680-R. AUTHORIZATION FOR THE ISSUANCE OF BONDS FOR THE CAPITAL
40 RESTRUCTURING FINANCING PROGRAM. 1. NOTWITHSTANDING THE PROVISIONS OF
41 ANY OTHER LAW TO THE CONTRARY, THE DORMITORY AUTHORITY AND THE URBAN
42 DEVELOPMENT CORPORATION ARE HEREBY AUTHORIZED TO ISSUE BONDS OR NOTES IN
43 ONE OR MORE SERIES FOR THE PURPOSE OF FUNDING PROJECT COSTS FOR THE
44 CAPITAL RESTRUCTURING FINANCING PROGRAM FOR HEALTH CARE AND RELATED
45 FACILITIES LICENSED PURSUANT TO THE PUBLIC HEALTH LAW OR THE MENTAL
46 HYGIENE LAW AND OTHER STATE COSTS ASSOCIATED WITH SUCH CAPITAL PROJECTS.
47 THE AGGREGATE PRINCIPAL AMOUNT OF BONDS AUTHORIZED TO BE ISSUED PURSUANT
48 TO THIS SECTION SHALL NOT EXCEED ONE BILLION TWO HUNDRED MILLION
49 DOLLARS, EXCLUDING BONDS ISSUED TO FUND ONE OR MORE DEBT SERVICE RESERVE
50 FUNDS, TO PAY COSTS OF ISSUANCE OF SUCH BONDS, AND BONDS OR NOTES ISSUED
51 TO REFUND OR OTHERWISE REPAY SUCH BONDS OR NOTES PREVIOUSLY ISSUED. SUCH
52 BONDS AND NOTES OF THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT
53 CORPORATION SHALL NOT BE A DEBT OF THE STATE, AND THE STATE SHALL NOT BE
54 LIABLE THEREON, NOR SHALL THEY BE PAYABLE OUT OF ANY FUNDS OTHER THAN
55 THOSE APPROPRIATED BY THE STATE TO THE DORMITORY AUTHORITY AND THE URBAN
56 DEVELOPMENT CORPORATION FOR PRINCIPAL, INTEREST, AND RELATED EXPENSES

1 PURSUANT TO A SERVICE CONTRACT AND SUCH BONDS AND NOTES SHALL CONTAIN ON
2 THE FACE THEREOF A STATEMENT TO SUCH EFFECT. EXCEPT FOR PURPOSES OF
3 COMPLYING WITH THE INTERNAL REVENUE CODE, ANY INTEREST INCOME EARNED ON
4 BOND PROCEEDS SHALL ONLY BE USED TO PAY DEBT SERVICE ON SUCH BONDS.

5 2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, IN
6 ORDER TO ASSIST THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT CORPO-
7 RATION IN UNDERTAKING THE FINANCING FOR PROJECT COSTS FOR THE CAPITAL
8 RESTRUCTURING FINANCING PROGRAM FOR HEALTH CARE AND RELATED FACILITIES
9 LICENSED PURSUANT TO THE PUBLIC HEALTH LAW OR THE MENTAL HYGIENE LAW AND
10 OTHER STATE COSTS ASSOCIATED WITH SUCH CAPITAL PROJECTS, THE DIRECTOR OF
11 THE BUDGET IS HEREBY AUTHORIZED TO ENTER INTO ONE OR MORE SERVICE
12 CONTRACTS WITH THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT CORPO-
13 RATION, NONE OF WHICH SHALL EXCEED THIRTY YEARS IN DURATION, UPON SUCH
14 TERMS AND CONDITIONS AS THE DIRECTOR OF THE BUDGET AND THE DORMITORY
15 AUTHORITY AND THE URBAN DEVELOPMENT CORPORATION AGREE, SO AS TO ANNUALLY
16 PROVIDE TO THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT CORPO-
17 RATION, IN THE AGGREGATE, A SUM NOT TO EXCEED THE PRINCIPAL, INTEREST,
18 AND RELATED EXPENSES REQUIRED FOR SUCH BONDS AND NOTES. ANY SERVICE
19 CONTRACT ENTERED INTO PURSUANT TO THIS SECTION SHALL PROVIDE THAT THE
20 OBLIGATION OF THE STATE TO PAY THE AMOUNT THEREIN PROVIDED SHALL NOT
21 CONSTITUTE A DEBT OF THE STATE WITHIN THE MEANING OF ANY CONSTITUTIONAL
22 OR STATUTORY PROVISION AND SHALL BE DEEMED EXECUTORY ONLY TO THE EXTENT
23 OF MONIES AVAILABLE AND THAT NO LIABILITY SHALL BE INCURRED BY THE STATE
24 BEYOND THE MONIES AVAILABLE FOR SUCH PURPOSE, SUBJECT TO ANNUAL APPRO-
25 PRIATION BY THE LEGISLATURE. ANY SUCH CONTRACT OR ANY PAYMENTS MADE OR
26 TO BE MADE THEREUNDER MAY BE ASSIGNED AND PLEDGED BY THE DORMITORY
27 AUTHORITY AND THE URBAN DEVELOPMENT CORPORATION AS SECURITY FOR ITS
28 BONDS AND NOTES, AS AUTHORIZED BY THIS SECTION.

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

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

1 repayment the total aggregate principal amount of outstanding bonds,
2 notes or other obligations may be greater than four hundred [twenty-
3 nine] SIXTY-FIVE million [five] THREE hundred [fifteen] SIXTY-FIVE thou-
4 sand dollars [\$429,515,000] (\$465,365,000), only if the present value of
5 the aggregate debt service of the refunding or repayment bonds, notes or
6 other obligations to be issued shall not exceed the present value of the
7 aggregate debt service of the bonds, notes or other obligations so to be
8 refunded or repaid. For the purposes hereof, the present value of the
9 aggregate debt service of the refunding or repayment bonds, notes or
10 other obligations and of the aggregate debt service of the bonds, notes
11 or other obligations so refunded or repaid, shall be calculated by
12 utilizing the effective interest rate of the refunding or repayment
13 bonds, notes or other obligations, which shall be that rate arrived at
14 by doubling the semi-annual interest rate (compounded semi-annually)
15 necessary to discount the debt service payments on the refunding or
16 repayment bonds, notes or other obligations from the payment dates ther-
17 eof to the date of issue of the refunding or repayment bonds, notes or
18 other obligations and to the price bid including estimated accrued
19 interest or proceeds received by the corporation including estimated
20 accrued interest from the sale thereof.

21 S 45. Intentionally omitted.

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

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

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

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

49 1. Notwithstanding the provisions of any other law to the contrary,
50 the dormitory authority and the corporation are hereby authorized to
51 issue bonds or notes in one or more series for the purpose of funding
52 project costs for the state and municipal facilities program and other
53 state costs associated with such capital projects. The aggregate princi-
54 pal amount of bonds authorized to be issued pursuant to this section
55 shall not exceed [three] SEVEN hundred [eighty-five] SEVENTY million
56 dollars, excluding bonds issued to fund one or more debt service reserve

1 funds, to pay costs of issuance of such bonds, and bonds or notes issued
2 to refund or otherwise repay such bonds or notes previously issued. Such
3 bonds and notes of the dormitory authority and the corporation shall not
4 be a debt of the state, and the state shall not be liable thereon, nor
5 shall they be payable out of any funds other than those appropriated by
6 the state to the dormitory authority and the corporation for principal,
7 interest, and related expenses pursuant to a service contract and such
8 bonds and notes shall contain on the face thereof a statement to such
9 effect. Except for purposes of complying with the internal revenue code,
10 any interest income earned on bond proceeds shall only be used to pay
11 debt service on such bonds.

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

15 S 50. 1. NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW TO THE
16 CONTRARY, THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT CORPORATION
17 ARE HEREBY AUTHORIZED TO ISSUE BONDS OR NOTES IN ONE OR MORE SERIES FOR
18 THE PURPOSE OF FUNDING PROJECT COSTS UNDERTAKEN BY OR ON BEHALF OF
19 SPECIAL ACT SCHOOL DISTRICTS, STATE-SUPPORTED SCHOOLS FOR THE BLIND AND
20 DEAF AND APPROVED PRIVATE SPECIAL EDUCATION SCHOOLS, AND OTHER STATE
21 COSTS ASSOCIATED WITH SUCH CAPITAL PROJECTS. THE AGGREGATE PRINCIPAL
22 AMOUNT OF BONDS AUTHORIZED TO BE ISSUED PURSUANT TO THIS SECTION SHALL
23 NOT EXCEED FIVE MILLION DOLLARS, EXCLUDING BONDS ISSUED TO FUND ONE OR
24 MORE DEBT SERVICE RESERVE FUNDS, TO PAY COSTS OF ISSUANCE OF SUCH BONDS,
25 AND BONDS OR NOTES ISSUED TO REFUND OR OTHERWISE REPAY SUCH BONDS OR
26 NOTES PREVIOUSLY ISSUED. SUCH BONDS AND NOTES OF THE DORMITORY AUTHORITY
27 AND THE URBAN DEVELOPMENT CORPORATION SHALL NOT BE A DEBT OF THE STATE,
28 AND THE STATE SHALL NOT BE LIABLE THEREON, NOR SHALL THEY BE PAYABLE OUT
29 OF ANY FUNDS OTHER THAN THOSE APPROPRIATED BY THE STATE TO THE DORMITORY
30 AUTHORITY AND THE URBAN DEVELOPMENT CORPORATION FOR PRINCIPAL, INTEREST,
31 AND RELATED EXPENSES PURSUANT TO A SERVICE CONTRACT AND SUCH BONDS AND
32 NOTES SHALL CONTAIN ON THE FACE THEREOF A STATEMENT TO SUCH EFFECT.
33 EXCEPT FOR PURPOSES OF COMPLYING WITH THE INTERNAL REVENUE CODE, ANY
34 INTEREST INCOME EARNED ON BOND PROCEEDS SHALL ONLY BE USED TO PAY DEBT
35 SERVICE ON SUCH BONDS.

36 2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, IN
37 ORDER TO ASSIST THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT CORPO-
38 RATION IN UNDERTAKING THE FINANCING FOR PROJECT COSTS UNDERTAKEN BY OR
39 ON BEHALF OF SPECIAL ACT SCHOOL DISTRICTS, STATE-SUPPORTED SCHOOLS FOR
40 THE BLIND AND DEAF AND APPROVED PRIVATE SPECIAL EDUCATION SCHOOLS, AND
41 OTHER STATE COSTS ASSOCIATED WITH SUCH CAPITAL PROJECTS, THE DIRECTOR OF
42 THE BUDGET IS HEREBY AUTHORIZED TO ENTER INTO ONE OR MORE SERVICE
43 CONTRACTS WITH THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT CORPO-
44 RATION, NONE OF WHICH SHALL EXCEED THIRTY YEARS IN DURATION, UPON SUCH
45 TERMS AND CONDITIONS AS THE DIRECTOR OF THE BUDGET AND THE DORMITORY
46 AUTHORITY AND THE URBAN DEVELOPMENT CORPORATION AGREE, SO AS TO ANNUALLY
47 PROVIDE TO THE DORMITORY AUTHORITY AND THE URBAN DEVELOPMENT CORPO-
48 RATION, IN THE AGGREGATE, A SUM NOT TO EXCEED THE PRINCIPAL, INTEREST,
49 AND RELATED EXPENSES REQUIRED FOR SUCH BONDS AND NOTES. ANY SERVICE
50 CONTRACT ENTERED INTO PURSUANT TO THIS SECTION SHALL PROVIDE THAT THE
51 OBLIGATION OF THE STATE TO PAY THE AMOUNT THEREIN PROVIDED SHALL NOT
52 CONSTITUTE A DEBT OF THE STATE WITHIN THE MEANING OF ANY CONSTITUTIONAL
53 OR STATUTORY PROVISION AND SHALL BE DEEMED EXECUTORY ONLY TO THE EXTENT
54 OF MONIES AVAILABLE AND THAT NO LIABILITY SHALL BE INCURRED BY THE STATE
55 BEYOND THE MONIES AVAILABLE FOR SUCH PURPOSE, SUBJECT TO ANNUAL APPRO-
56 PRIATION BY THE LEGISLATURE. ANY SUCH CONTRACT OR ANY PAYMENTS MADE OR

1 TO BE MADE THEREUNDER MAY BE ASSIGNED AND PLEDGED BY THE DORMITORY
2 AUTHORITY AND THE URBAN DEVELOPMENT CORPORATION AS SECURITY FOR ITS
3 BONDS AND NOTES, AS AUTHORIZED BY THIS SECTION.

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

12 S 46-c. Paragraph (b) of subdivision 3 of section 1 and clause (B) of
13 subparagraph (iii) of paragraph (j) of subdivision 4 of section 1 of
14 part D of chapter 63 of the laws of 2005 relating to the composition and
15 responsibilities of the New York state higher education capital matching
16 grant board, is amended to read as follows:

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

24 (B) The dormitory authority shall not issue any bonds or notes in an
25 amount in excess of [150] 180 million dollars for the purposes of this
26 section; excluding bonds or notes issued to fund one or more debt
27 service reserve funds, to pay costs of issuance of such bonds, and bonds
28 or notes issued to refund or otherwise repay such bonds or notes previ-
29 ously issued. Except for purposes of complying with the internal revenue
30 code, any interest on bond proceeds shall only be used to pay debt
31 service on such bonds.

32 S 46-d. Paragraph (a) of subdivision 1 and subdivision 4 of section
33 3234 of the public authorities law, paragraph (a) of subdivision 1 as
34 amended by chapter 766 of the laws of 2005 and subdivision 4 as added by
35 chapter 220 of the laws of 1990, are amended to read as follows:

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

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

1 by reason of acceptance of appointment as a director, REPRESENTATIVE,
2 officer or agent of the corporation nor shall service as such director,
3 REPRESENTATIVE, officer or agent of the corporation be deemed incompat-
4 ible or in conflict with such office or employment.

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

10 PART J

11 Intentionally Omitted

12 PART K

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

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

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

25 S 13. This act shall take effect immediately and shall be deemed to
26 have been in full force and effect as of April 1, 1994, provided that,
27 the provisions of section 5-a of the legislative law as amended by
28 sections two and two-a of this act shall take effect on January 1, 1995,
29 and provided further that, the provisions of article 5-A of the legisla-
30 tive law as added by section eight of this act shall expire June 30,
31 [2014] 2015 when upon such date the provisions of such article shall be
32 deemed repealed; and provided further that section twelve of this act
33 shall be deemed to have been in full force and effect on and after April
34 10, 1994.

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

39 PART L

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

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

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

5 S 2. This act shall take effect immediately.

6 PART M

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

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

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

18 (3) persons under [nineteen] EIGHTEEN years of age with persons [nine-
19 teen] EIGHTEEN years of age or older; or

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

22 13. Where in the opinion of the chief administrative officer an emer-
23 gency overcrowding condition exists in a local correctional facility
24 caused in part by the prohibition against the commingling of persons
25 under [nineteen] EIGHTEEN years of age with persons [nineteen] EIGHTEEN
26 years of age or older or the commingling of persons [nineteen] EIGHTEEN
27 years of age or older with persons under [nineteen] EIGHTEEN years of
28 age, the chief administrative officer may apply to the commission for
29 permission to commingle the aforementioned categories of inmates for a
30 period not to exceed thirty days as provided herein. The commission
31 shall acknowledge to the chief administrative officer the receipt of
32 such application upon its receipt. The chief administrative officer
33 shall be permitted to commingle such inmates upon acknowledgment of
34 receipt of the application by the commission. The commission shall
35 assess the application within seven days of receipt. The commission
36 shall deny any such application and shall prohibit the continued commin-
37 gling of such inmates where it has found that the local correctional
38 facility does not meet the criteria set forth in this subdivision and
39 further is in substantial noncompliance with minimum staffing require-
40 ments as provided in commission rules and regulations. In addition, the
41 commission shall determine whether the commingling of such inmates
42 presents a danger to the health, safety or welfare of any such inmate.
43 If no such danger exists the chief administrative officer may continue
44 the commingling until the expiration of the aforementioned thirty day
45 period or until such time as he determines that the overcrowding which
46 necessitated the commingling no longer exists, whichever occurs first.
47 In the event the commission determines that such danger exists, it shall
48 immediately notify the chief administrative officer, and the commingling
49 of such inmates shall cease. Such notification shall include specific
50 measures which should be undertaken by the chief administrative officer,
51 to correct such dangers. The chief administrative officer may correct
52 such dangers and reapply to the commission for permission to commingle;
53 however, no commingling may take place until such time as the commission
54 certifies that the facility is now in compliance with the measures set

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

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

17

PART N

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

21 8. Present to the governor, temporary president of the senate, minori-
22 ty leader of the senate, speaker of the assembly and the minority leader
23 of the assembly an annual report about the function and effectiveness of
24 the [Operation IMPACT] GUN INVOLVED VIOLENCE ELIMINATION (GIVE) program.
25 Such report shall include, but not be limited to, crime data obtained,
26 analyzed and used by each [Operation IMPACT] GUN INVOLVED VIOLENCE ELIM-
27 INATION (GIVE) partnership in participating counties and affected muni-
28 cipalities including the number of arrests made by law enforcement as a
29 direct result of the [Operation IMPACT] GUN INVOLVED VIOLENCE ELIMI-
30 NATION (GIVE) program including any available demographic information
31 about the persons arrested and prosecuted and the disposition of such
32 matters, and any other information related to the program's effective-
33 ness in reducing crime. Such report shall also include information about
34 crime reduction strategies developed by [Operation IMPACT] GUN INVOLVED
35 VIOLENCE ELIMINATION (GIVE) partnerships, the number of state police and
36 department of corrections and community supervision personnel partic-
37 ipating in [Operation IMPACT] GUN INVOLVED VIOLENCE ELIMINATION (GIVE)
38 activities, and a description of training supplied to local [Operation
39 IMPACT] GUN INVOLVED VIOLENCE ELIMINATION (GIVE) participants. The
40 initial report required by this paragraph shall be presented by December
41 thirty-first, two thousand six. Thereafter, an annual report shall be
42 presented no later than December thirty-first of each year.

43 S 2. This act shall take effect immediately.

44

PART O

45 Section 1. The provisions of subdivision (c) of section 11-245.1-b of
46 the administrative code of the city of New York shall not be applicable
47 to any multiple dwelling containing fewer than 4 dwelling units, as set
48 forth in the certificate of occupancy, that is located on lots numbered
49 1667 through 1708 and lots numbered 1801 through 1964 of Bronx block
50 numbered 3432, as such lots are indicated on the tax map of the city of
51 New York, provided that the construction of any such multiple dwellings
52 on those lots commences on or before January 1, 2009, and provided,

1 further, that any application for a preliminary or a final certificate
2 of eligibility for such lots is submitted to the local housing agency no
3 later than 180 days after the effective date of this act.
4 S 2. This act shall take effect immediately.

5 PART P

6 Section 1. The commissioner of general services is hereby authorized
7 to construct or cause to be constructed, at a suitable and appropriate
8 outdoor location on the Empire State Plaza in the city of Albany a monu-
9 ment, tablet or memorial of a design honoring and properly reflecting
10 the duty, dignity and devotion of the uniformed personnel in insti-
11 tutions under the jurisdiction of the department of corrections and
12 community supervision of New York state who have died in the line of
13 duty. The commissioner of general services shall confer with the commis-
14 sioner of the department of corrections and community supervision, the
15 commissioner of the division of criminal justice services, and the
16 employee labor organization representing the security services collec-
17 tive bargaining unit with respect to such memorial. Until completion of
18 such memorial the commissioner of general services shall report to the
19 legislature on or before the first day of November on the progress of
20 this effort on an annual basis.

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

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

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

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

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

39 S 3. This act shall take effect immediately.

40 PART Q

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

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

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

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

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

10 S 97-qq. [New York state wireless telephone emergency service] STATE-
11 WIDE PUBLIC SAFETY COMMUNICATIONS account. 1. There is hereby estab-
12 lished in the joint custody of the state comptroller and the commission-
13 er of taxation and finance a fund to be known as the ["New York state
14 wireless telephone emergency service account"] "STATEWIDE PUBLIC SAFETY
15 COMMUNICATIONS ACCOUNT".

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

24 S 4. This act shall take effect immediately.

25 PART R

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

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

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

36 (b) the financial stability, integrity and background of the appli-
37 cant;

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

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

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

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

47 (g) whether the applicant is disqualified from receiving a license
48 under this article; provided, however, that in considering the rehabili-
49 tation of an applicant for a gaming facility license, the commission
50 shall not automatically disqualify an applicant if the applicant affir-
51 matively demonstrates, by clear and convincing evidence, that the appli-
52 cant has financial responsibility, character, reputation, integrity and
53 general fitness as such to warrant belief by the commission that the

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

3 S 2. This act shall take effect immediately.

4 PART S

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

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

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

33 S 4. This act shall take effect immediately.

34 PART T

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

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

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

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

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

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

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

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

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

13 8. "Property" shall mean "real property", "property" or "land" as
14 defined under paragraphs (a) through (g) of subdivision 12 of section
15 102 of the real property tax law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

55 (iii) If a participating municipality has elected to provide assess-
56 ment relief for real property that lost at least thirty percent but less

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

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

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

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

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

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

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

12 (x) one hundred percent.

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

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

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

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

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

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

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

29 33-C. REAL PROPERTY TAX REFUNDS AND CREDITS. PAYMENTS OF EXEMPTIONS,
30 REFUNDS, OR CREDITS FOR REAL PROPERTY TAX, SEWER AND WATER RENTS, RATES
31 AND CHARGES AND ALL OTHER REAL PROPERTY TAXES TO BE MADE BY A MUNICI-
32 PALITY, SCHOOL DISTRICT OR DISTRICT CORPORATION AS A RESULT OF PARTIC-
33 IPATING IN THE MOHAWK VALLEY AND NIAGARA COUNTY ASSESSMENT RELIEF ACT,
34 TEN YEARS.

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

37 PART U

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

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

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

4 S 2. Subparagraph 1 of paragraph d of subdivision 1 of section 467-c
5 of the real property tax law, as separately amended by chapters 188 and
6 205 of the laws of 2005, is amended to read as follows:

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

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

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

50

PART V

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

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

7

SUBPART A

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

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

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

18 (c) "Commissioner of education" shall mean the New York state commis-
19 sioner of education.

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

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

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

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

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

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

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

30 S 3. Bonds. The city is hereby authorized to issue serial bonds,
31 subject to the provisions of section 10.10 of the local finance law, on
32 or before March 31, 2015, in an aggregate principal amount not to exceed
33 \$45,000,000 for the specific object or purpose of liquidating current
34 deficits in the school district general fund as of June 30, 2014. In
35 anticipation of the issuance and sale of such serial bonds, bond antic-
36 ipation notes are hereby authorized to be issued. The city shall use the
37 proceeds of such serial bonds or bond anticipation notes to liquidate
38 any such deficit, in accordance with subparagraph 7 of subdivision a of
39 section 6 of chapter 488 of the laws of 1976.

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

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

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

9 S 6. Severability clause. If any clause, sentence, paragraph, section
10 or part of this act shall be adjudged by any court of competent juris-
11 diction to be invalid, such judgment shall not affect, impair or invali-
12 date the remainder thereof, but shall be confined in its operation to
13 the clause, sentence, paragraph, section or part involved in the contro-
14 versy in which such judgment shall have been rendered. The provisions of
15 this act shall be liberally construed to assist the effectuation of the
16 public purposes furthered hereby.

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

28

SUBPART B

29 Section 1. Notwithstanding any other provision of law, and in addition
30 to the powers currently authorized to be exercised by the state of New
31 York municipal bond bank agency, the state of New York municipal bond
32 bank agency may provide, for purposes of municipal relief to the city of
33 Yonkers to support public schools in the city, a sum not to exceed
34 \$28,000,000 for the city fiscal year ending June 30, 2015, to the city
35 of Yonkers. Notwithstanding any other provision of law, and subject to
36 the approval of the New York state director of the budget, the state of
37 New York mortgage agency shall transfer to the state of New York municip-
38 al bond bank agency for distribution as municipal relief to the city of
39 Yonkers, a total sum not to exceed \$28,000,000, such transfer to be made
40 from (i) the special account of the mortgage insurance fund created
41 pursuant to section 2429-b of the public authorities law, in an amount
42 not to exceed the actual excess balance in the special account of the
43 mortgage insurance fund, as determined and certified by the state of New
44 York mortgage agency for the fiscal year 2013-2014 in accordance with
45 section 2429-b of the public authorities law, if any, and/or (ii)
46 provided that the reserves in the project pool insurance account of the
47 mortgage insurance fund created pursuant to section 2429-b of the public
48 authorities law are sufficient to attain and maintain the credit rating
49 (as determined by the agency) required to accomplish the purposes of
50 such account, the project pool insurance account of the mortgage insur-
51 ance fund created pursuant to section 2429-b of the public authorities
52 law, such transfer to be made as soon as practicable after April 14,
53 2014 but no later than June 30, 2015, provided however that no such
54 transfer is to be made unless and until the city of Yonkers and the

1 Yonkers city school district enter into an inter-municipal agreement
2 that the New York state director of the budget determines would meet the
3 requirements of section two of this act. Notwithstanding any provision
4 of law to the contrary, payments made to the city of Yonkers pursuant to
5 this act shall not be considered when determining the "city amount"
6 required pursuant to subparagraph (ii) of paragraph (a) of subdivision
7 5-b of section 2576 of the education law.

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

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

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

31 3. The authority of the city of Yonkers shall include the right to
32 create, abolish, maintain and consolidate all positions within the func-
33 tions outlined in subdivisions one and two of this section, and to
34 supervise the activities of all personnel which operate within or
35 support said functions, provided however that the Yonkers city school
36 district shall retain the authority granted to it pursuant to the educa-
37 tion law with regard to the creation, abolition, maintenance or consol-
38 idation of positions which have a nexus to the academic activities of
39 the Yonkers city school district, including all tenure decisions, school
40 registration, school choice functions and those Yonkers city school
41 district positions which lie outside the scope of the functions outlined
42 in subdivisions one and two of this section, and the superintendent of
43 schools shall retain the authority granted pursuant to the education law
44 to supervise and direct such personnel of the Yonkers city school
45 district which have a nexus to the academic activities of the Yonkers
46 city school district and those Yonkers city school district positions
47 which lie outside the scope of the functions outlined in subdivisions
48 one and two of this section, subject to approved budgets and financial
49 controls as shall be established by the city of Yonkers.

50 4. The authority of the city of Yonkers in direct consultation with
51 the superintendent and the board of education shall include the imple-
52 mentation of a schedule of public hearings on the budget of the Yonkers
53 city school district which hearings shall be held not less than quarter-
54 ly, and which shall include at least two public hearings in the second
55 quarter of each calendar year, one of which is prior and one subsequent

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

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

8 S 4. Severability clause. If any clause, sentence, paragraph, section
9 or part of this act shall be adjudged by any court of competent juris-
10 diction to be invalid, such judgment shall not affect, impair or invali-
11 date the remainder thereof, but shall be confined in its operation to
12 the clause, sentence, paragraph, section or part involved in the contro-
13 versy in which such judgment shall have been rendered. The provisions of
14 this act shall be liberally construed to assist the effectuation of the
15 public purposes furthered hereby.

16 S 5. This act shall take effect immediately.

17 S 2. Severability clause. If any clause, sentence, paragraph, section
18 or part of this act shall be adjudged by any court of competent juris-
19 diction to be invalid, such judgment shall not affect, impair or invali-
20 date the remainder thereof, but shall be confined in its operation to
21 the clause, sentence, paragraph, section or part involved in the contro-
22 versy in which such judgment shall have been rendered. The provisions of
23 this act shall be liberally construed to assist the effectuation of the
24 public purposes furthered hereby.

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

28

PART W

29 Section 1. Notwithstanding any other provision of law, and in addition
30 to the powers currently authorized to be exercised by the state of New
31 York municipal bond bank agency, the state of New York municipal bond
32 bank agency may provide, for purposes of municipal relief to the city of
33 Rochester, a sum not to exceed \$6,000,000 for the city fiscal year
34 ending June 30, 2015, to the city of Rochester. Notwithstanding any
35 other provision of law, and subject to the approval of the New York
36 state director of the budget, the state of New York mortgage agency
37 shall transfer to the state of New York municipal bond bank agency for
38 distribution as municipal relief to the city of Rochester, a total sum
39 not to exceed \$6,000,000, such transfer to be made from (i) the special
40 account of the mortgage insurance fund created pursuant to section
41 2429-b of the public authorities law, in an amount not to exceed the
42 actual excess balance in the special account of the mortgage insurance
43 fund, as determined and certified by the state of New York mortgage
44 agency for the fiscal year 2013-2014 in accordance with section 2429-b
45 of the public authorities law, if any, and/or (ii) provided that the
46 reserves in the project pool insurance account of the mortgage insurance
47 fund created pursuant to section 2429-b of the public authorities law
48 are sufficient to attain and maintain the credit rating (as determined
49 by the agency) required to accomplish the purposes of such account, the
50 project pool insurance account of the mortgage insurance fund created
51 pursuant to section 2429-b of the public authorities law, such transfer
52 to be made as soon as practicable after April 4, 2014 but no later than
53 June 30, 2015.

54 S 2. This act shall take effect immediately.

1 PART X

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

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

10 S 2. This act shall take effect immediately.

11 PART Y

12 Section 1. Subdivision 8 of section 9 of chapter 401 of the laws of
13 2002, amending the real property tax law and the Nassau county adminis-
14 trative code relating to assessment and review of assessments in the
15 county of Nassau, as amended by section 1 of part Z of chapter 55 of the
16 laws of 2013, is amended to read as follows:

17 8. Notwithstanding the foregoing provisions of this act, on June 30,
18 [2014] 2016, the amendments of sections 6-2.1 and 6-13.0 of the Nassau
19 county administrative code, made by sections two and four of this act,
20 and section 6-24.1 of such code, as added by section seven of this act,
21 shall be deemed repealed. On such date the addition of the words "the
22 year following" to the first sentence of subdivision 8 of section 523-b
23 of the real property tax law, as amended by section one of this act,
24 shall be deemed repealed.

25 S 2. This act shall take effect immediately.

26 PART Z

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

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

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

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

44 (B) FARMERS WHO DEMONSTRATE INNOVATIVE AGRICULTURAL TECHNIQUES INCLUD-
45 ING, BUT NOT LIMITED TO, ORGANIC FARMING AND SPECIALTY CROPS.

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

47 3. THE CORPORATION SHALL ESTABLISH A COMPETITIVE PROCESS FOR THE EVAL-
48 UATION OF APPLICANTS FOR THE BEGINNING FARMERS NY FUND. WHEN AWARDING
49 FUNDS PURSUANT TO THIS SECTION, THE CORPORATION SHALL ENSURE THAT APPLI-
50 CANTS MEET THE CRITERIA AND REQUIREMENTS DETERMINED BY THE CORPORATION
51 PURSUANT TO THIS SECTION.

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

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

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

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

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

24 PART AA

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

29 (1) Minority- and women-owned business development and lending
30 program. (a) There is hereby created a minority- and women-owned busi-
31 ness development and lending program for the purpose of providing finan-
32 cial and technical assistance to minority and women-entrepreneurs.

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

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

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

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

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

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

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

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

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

1 (v) hospitals or residential health care facilities;
2 (vi) overnight lodging facilities;
3 (vii) refinancing of debt or equity invested in an enterprise or
4 project.
5 (d) The corporation is authorized to:
6 (i) establish programs in conjunction with locally, and community
7 based entities to decentralize lending for small loans and loans to
8 start up minority- and women-owned businesses;
9 (ii) establish a comprehensive program for minority and women contrac-
10 tors, which may include assistance through loans, bonding assistance and
11 technical assistance;
12 (iii) establish a program to provide loans to established minority-
13 and women-owned businesses and for minority- and women-owned businesses,
14 including loans to such businesses seeking to acquire or expand a fran-
15 chise;
16 (iv) provide loan guarantees to financial institutions and make linked
17 deposits into federally and state chartered credit unions for the
18 purpose of encouraging private financial institutions to make loans to
19 minority- and women-owned businesses;
20 (v) establish a program to create incubators to assist small and high
21 risk minority- and women-owned businesses to grow and prosper;
22 (vi) promote equity investment in minority- and women-owned busi-
23 nesses; [and]
24 (vii) establish a comprehensive technical assistance program in coop-
25 eration with the department of economic development to assist minority-
26 and women-owned businesses and potential minority and women-entrepren-
27 eurs[.]; AND
28 (VIII) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ESTABLISH
29 A MINORITY- AND WOMEN-OWNED BUSINESS INVESTMENT FUND TO PROVIDE CRITICAL
30 FINANCIAL SUPPORT TO FOSTER THE DEVELOPMENT OF NEW AND EMERGING IDEAS
31 AND PRODUCTS OF MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES AS WELL
32 AS TO PROMOTE THE LONG-TERM FINANCIAL PERFORMANCE AND SUCCESS OF EARLY
33 STAGE ENTERPRISES THAT ARE MINORITY- AND WOMEN-OWNED START-UPS. THE
34 SELECTION OF AN ELIGIBLE APPLICANT AND BENEFICIARY COMPANIES FOR THE
35 MINORITY- AND WOMEN-OWNED BUSINESS INVESTMENT FUND SHALL BE SELECTED BY
36 THE PROCESS ESTABLISHED PURSUANT TO SUBDIVISIONS TWO THROUGH FOUR OF
37 SECTION SIXTEEN-U OF THIS ACT. MINORITY- OR WOMEN-OWNED BUSINESS ENTER-
38 PRISES WHO PARTICIPATE IN SUCH MINORITY- AND WOMEN-OWNED BUSINESS
39 INVESTMENT FUND UNDER THIS SUBDIVISION SHALL NOT BE PRECLUDED FROM QUAL-
40 IFYING FOR ANY OTHER ASSISTANCE, GRANT OR LOAN MADE AVAILABLE FROM THE
41 STATE.
42 S 2. This act shall take effect immediately.

43 PART BB

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

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

15 S 3. This act shall take effect immediately.

16

PART CC

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

20 3-A. THE FACULTY DEVELOPMENT AND TECHNOLOGY TRANSFER ADVISORY COUNCIL
21 SHALL BE ESTABLISHED BY THE COMMISSIONER OF ECONOMIC DEVELOPMENT TO
22 REVIEW AND RECOMMEND PROPOSALS SUBMITTED FOR CONSIDERATION UNDER SUBDI-
23 VISIONS THREE AND FIVE OF THIS SECTION. THE COUNCIL SHALL CONSIST OF
24 ELEVEN MEMBERS THAT SHALL INCLUDE REPRESENTATIVES FROM FOUR DIFFERENT
25 UNIVERSITIES, ONE NATIONAL LAB, TWO NEW YORK STATE INCUBATORS OR NEW
26 YORK STATE INNOVATION HOT SPOTS, TWO COMPANIES AND TWO NON-PROFITS WITH
27 A STATEWIDE ECONOMIC DEVELOPMENT MISSION. EACH REPRESENTATIVE SHALL HAVE
28 TECHNOLOGY TRANSFER EXPERIENCE. IN ADDITION, AT LEAST SIX MEMBERS OF THE
29 COUNCIL SHALL HAVE A DEMONSTRATED BACKGROUND IN BIO-MEDICINE, BIOTECH-
30 NOLOGY OR OTHER LIFE SCIENCES.

31 5. An incentive program is hereby created to provide additional
32 assistance to technology transfer OR COMMERCIALIZATION activities at
33 institutions of higher education and research institutions in the state
34 of New York for the purpose of encouraging technology transfer from
35 institutions of higher education and research institutions to businesses
36 and for commercialization within New York state. Funds appropriated for
37 this program shall be available for personal service expenses to enhance
38 the technology transfer abilities OR COMMERCIALIZATION OF RESEARCH of
39 higher education and research institutions to businesses within New York
40 state including but not limited to patent applications, the creation of
41 business and marketing plans, venture capital conferences and non-capi-
42 tal costs associated with the development of real property owned by such
43 institution of higher education or research institution for research and
44 development purposes. Funds awarded under the incentive program shall
45 not exceed fifty percent of the cost of the purpose for which such funds
46 shall be applied. THE FACULTY DEVELOPMENT AND TECHNOLOGY TRANSFER ADVI-
47 SORY COUNCIL, AS ESTABLISHED BY SUBDIVISION THREE-A OF THIS SECTION,
48 SHALL REVIEW AND RECOMMEND PROPOSALS SUBMITTED FOR CONSIDERATION PURSU-
49 ANT TO THIS SUBDIVISION. PREFERENCE SHALL BE GIVEN TO PROPOSALS DEVEL-
50 OPED IN COORDINATION WITH A PRIVATE OR PUBLIC MEDICAL SCHOOL LOCATED IN
51 THE STATE.

52 S 2. This act shall take effect immediately.

53

PART DD

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

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

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

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

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

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

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

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

41 S 5. This act shall take effect immediately.

42

PART EE

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

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

50 S 2. Paragraph a of subdivision 1 of section 11-0719 of the environ-
51 mental conservation law, as amended by section 26 of part R of chapter
52 58 of the laws of 2013, is amended to read as follows:

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

1 loading privilege, of any person, to hunt, fish or trap, defined in
2 section 11-0701 of this title or issued pursuant to any provision of the
3 Fish and Wildlife Law, or it may revoke all of such licenses, bowhunting
4 privileges, or muzzle-loading privileges. It may also deny such person,
5 for a period not exceeding five years, the privilege of obtaining such
6 license or licenses, bowhunting privilege, or muzzle-loading privilege,
7 or of hunting, trapping or fishing, anywhere in the state with or with-
8 out license, bowhunting privilege, or muzzle-loading privilege, except
9 as provided in subdivision 1 of section 11-0707 of this title or in
10 section 11-0523 of this article. It may also require that such person
11 successfully complete a department-sponsored course and obtain a certifi-
12 cate of qualification in responsible hunting INCLUDING RESPONSIBLE
13 CROSSBOW HUNTING, responsible bowhunting or responsible trapping prac-
14 tices before being issued another license.

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

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

29 S 4. Subdivisions 2 and 3 of section 11-0719 of the environmental
30 conservation law, subdivision 2 as amended by section 27 and subdivision
31 3 as amended by section 28 of part R of chapter 58 of the laws of 2013,
32 are amended to read as follows:

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

39 (1) of any person who, while engaged in hunting or trapping,
40 (i) causes death or injury to [another] ANY PERSON by discharging a
41 firearm, CROSSBOW or longbow, or

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

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

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

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

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

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

26 d. Every person injuring himself, herself or another person in a hunt-
27 ing [accident, as such term is defined in subdivision 25 of section
28 11-0103 of this article] RELATED INCIDENT, and the investigating law
29 enforcement officer summoned to or arriving at the scene of such [acci-
30 dent] INCIDENT shall within ten days from the occurrence of such [acci-
31 dent] INCIDENT file a report of the [accident] INCIDENT in writing with
32 the department. Every such person or law enforcement officer shall make
33 such other and additional reports as the department shall require.
34 Failure to report such [accident] INCIDENT as herein provided by the
35 person causing injury or to furnish relevant information required by the
36 department shall be a violation and shall constitute grounds for suspen-
37 sion or revocation of such person's hunting licenses and bowhunting and
38 muzzle-loading privileges and denial of the ability to obtain any such
39 license and of hunting with or without a license following a hearing or
40 opportunity to be heard. In addition, the department may temporarily
41 suspend the license of the person failing to report a hunting [accident]
42 RELATED INCIDENT within the period prescribed herein until such report
43 has been filed. In the case of a non-resident, the failure to report an
44 [accident] INCIDENT as herein provided shall constitute grounds for
45 suspension or revocation of his or her privileges of hunting within this
46 state. The report required by this section shall be made in such form
47 and number as the department may prescribe.

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

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

13 S 5. Paragraphs b and g of subdivision 3 and subparagraph 1 of para-
14 graph d of subdivision 4 of section 11-0901 of the environmental conser-
15 vation law, paragraph b of subdivision 3 as amended by chapter 911 of
16 the laws of 1990, paragraph g of subdivision 3 as amended by chapter 34
17 of the laws of 1979, subparagraph 1 of paragraph d of subdivision 4 as
18 amended by chapter 600 of the laws of 1993, are amended to read as
19 follows:

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

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

31 (1) such long bow OR CROSSBOW is unstrung, or such a firearm is taken
32 down, or securely fastened in a case, or locked in the trunk of a vehi-
33 cle, or

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

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

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

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

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

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

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

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

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

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

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

18 S 8. Subdivisions 2 and 4 of section 11-0931 of the environmental
19 conservation law, subdivision 2 as amended by section 7 of part H of
20 chapter 58 of the laws of 2012, subparagraph 3 of paragraph a of subdi-
21 vision 4 as added by chapter 400 of the laws of 1973 and subparagraph 4
22 of paragraph a of subdivision 4 as added by chapter 67 of the laws of
23 1976, are amended to read as follows:

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

49 4. a. No person shall:

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

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

1 ally occupied or used, school building, school playground, PUBLIC STRUC-
2 TURE, or occupied factory or church;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 S 14. Paragraph a of subdivision 1 and paragraph a of subdivision 2 of
43 section 11-0907 of the environmental conservation law, paragraph a of
44 subdivision 1 as amended by section 37 of part F of chapter 82 of the
45 laws of 2002, and paragraph a of subdivision 2 as amended by chapter 600
46 of the laws of 1993, item (b) of paragraph a of subdivision 2 as amended
47 by section 1 of chapter 600 of the laws of 2005, item (d) of paragraph a
48 of subdivision 2 as separately amended by chapter 108 of the laws of
49 1995 and section 1 of chapter 600 of the laws of 2005, item (f) of para-
50 graph a of subdivision 2 as separately amended by chapters 144 and 159
51 of the laws of 2013, item (i) of paragraph a of subdivision 2 as amended
52 by chapter 231 of the laws of 2012, item (k) of paragraph a of subdivi-
53 sion 2 as added by chapter 144 of the laws of 2013, and item (k) of
54 paragraph a of subdivision 2 as added by chapter 159 of the laws of
55 2013, are amended and a new subdivision 10 is added to read as follows:

1 a. Wild deer without antlers or having antlers measuring less than
 2 three inches in length shall not be taken unless it is taken (1) by long
 3 bow in a special long bow season established in subdivision 3 of this
 4 section, or (2) by muzzle-loading firearm OR CROSSBOW in a special
 5 muzzle-loading firearm season established in subdivision 8 of this
 6 section, or (3) by long bow in Westchester and Suffolk Counties in a
 7 year in which a regular season for deer of either sex is established for
 8 such counties, or (4) in a special open season for deer of either sex
 9 fixed by regulation pursuant to subdivision 5 or 7 of section 11-0903 of
 10 this title, or (5) pursuant to a special antlerless deer license in a
 11 special open season for antlerless deer in a tract within a Wilderness
 12 Hunting Area fixed by regulation pursuant to subdivision 6 of section
 13 11-0903 of this title, or (6) pursuant to a deer management permit by a
 14 person eligible to take such deer pursuant thereto as provided in
 15 section 11-0913 of this title, or (7) pursuant to a permit issued to an
 16 eligible non-ambulatory person, pursuant to subdivision 2 of section
 17 11-0931 of this title, while in possession of a valid license issued by
 18 the department which authorizes the holder to hunt big game. Nothing in
 19 this subparagraph shall be construed to limit the power of the depart-
 20 ment to designate by regulation an area or areas of the state consisting
 21 of a county or part of a county where such season shall apply and wheth-
 22 er the number of such special permits shall be limited.

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

TABLE

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

- | | | | |
|----|------------------------|------------------------|-------------------|
| 1 | (c) Counties of | Deer, first Monday | Pistol, rifle, |
| 2 | Delaware, Greene, | after November 15 | shotgun, CROSSBOW |
| 3 | Sullivan and Ulster | through first Tuesday | or long bow |
| 4 | | after December 7 | |
| | | | |
| 5 | (d) Eastern region, | Deer, first Monday | Pistol, shotgun, |
| 6 | except Columbia, | after November 15 | CROSSBOW, |
| 7 | Fulton, Orange, | through first Tuesday | muzzle loading |
| 8 | Rensselaer, Saratoga, | after December 7 | firearm or |
| 9 | Washington Counties | | long bow only |
| 10 | and those counties | | |
| 11 | or portions thereof | | |
| 12 | listed in item (i) | | |
| 13 | of this paragraph | | |
| | | | |
| 14 | (e) Fulton, Saratoga, | Deer, first Monday | Pistol, rifle, |
| 15 | Washington (parts | after November 15 | shotgun, CROSSBOW |
| 16 | in the Southern | through first Tuesday | or long bow |
| 17 | zone), Columbia, | after December 7 | |
| 18 | Orange, and | | |
| 19 | Rensselaer | | |
| 20 | counties | | |
| | | | |
| 21 | (f) Southern tier, | Deer, first | Pistol, shotgun, |
| 22 | central and Western | Monday after November | CROSSBOW, |
| 23 | region, except those | 15 through first | muzzle loading |
| 24 | counties or portions | Tuesday after | firearm or |
| 25 | thereof listed in | December 7 | long bow only |
| 26 | item (i) [or], (k) | | |
| 27 | OR (L) of this | | |
| 28 | paragraph | | |
| | | | |
| 29 | (g) Westchester | Deer of either sex, | long bow only |
| 30 | County | November 1 through | |
| 31 | | December 31 | |
| | | | |
| 32 | (h) Suffolk County | Deer of either sex | long bow only |
| 33 | | Second Monday in | |
| 34 | | November through | |
| 35 | | December thirty-first | |
| | | | |
| 36 | (i) The counties of | Deer, the first Monday | Pistol, shotgun, |
| 37 | Allegany, Cattaraugus, | after November 15 | CROSSBOW, |
| 38 | Cayuga, Chautauqua | through first Tuesday | muzzle loading |
| 39 | except that portion | after December 7 | firearm, rifle or |
| 40 | of the county north | | long bow only |
| 41 | of route 20, Chemung, | | |
| 42 | Chenango, Herkimer, | | |
| 43 | Madison, | | |
| 44 | Montgomery, Oneida, | | |
| 45 | Oswego, Otsego, | | |
| 46 | Schoharie, Schuyler, | | |
| 47 | Steuben, Tioga, | | |
| 48 | Wyoming and Yates | | |
| 49 | and that portion of | | |
| 50 | the county of | | |

1 Broome east of the
2 Susquehanna river

3	(k) The county of	Deer, the first	Pistol, shotgun,
4	Ontario	Saturday after November	CROSSBOW,
5		15 through first Sunday	muzzle loading
6		after December 7	firearm, rifle or
7			long bow only

8	[(k)] (L) The county of	Deer, the first	Pistol, shotgun,
9	Wayne	Saturday after November	CROSSBOW,
10		15 through first Sunday	muzzle loading
11		after December 7	firearm, rifle
12			or long bow only

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

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

38 a. Regular open hunting seasons for big game are established separate-
 39 ly for the named regions or parts of regions, or named counties listed
 40 in column one of the table set forth in this subdivision, and are speci-
 41 fied as seasons for taking by pistol, rifle, shotgun or long bow, or for
 42 taking by shotgun or long bow only, or for taking by long bow only, as
 43 indicated in column three entitled "Manner of Taking". Where taking of
 44 big game by shotgun is permitted by this chapter such shotgun may
 45 contain rifling in all or a portion of the barrel, provided, however, if
 46 the barrel or a portion thereof does contain rifling only shells having
 47 non-metallic cases, except for the base, may be used. In the areas iden-
 48 tified in column one except in the "closed areas" specified in subdivi-
 49 sion 5 the game specified in column two may be taken in the open season
 50 stated in column two immediately following the specification of the
 51 game, in the manner specified in column three.

1 2	Column One Area	Column Two Game and Open Season	Column Three Manner of Taking
3 4 5 6	(a) Northern Zone	Deer and bear, next to last Saturday in October through first Sunday in December	Pistol, rifle, shotgun, CROSSBOW or long bow
7 8 9 10 11 12 13 14	(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
15 16 17 18 19 20 21 22 23	(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
24 25 26 27 28 29 30 31 32	(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
33 34 35 36 37 38 39	(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
40 41 42 43 44 45 46	(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
47 48 49	(g) Westchester County	Deer of either sex, November 1 through December 31	Long bow only

1	(h) Suffolk County	Deer of either sex	long bow only
2		Second Monday in	
3		November through	
4		December thirty-first	
5	(i) The counties of	Deer and bear, the	Pistol, shotgun,
6	Allegany, Cattaraugus,	first Monday after	CROSSBOW,
7	Chautauqua except	November 15 through	muzzle loading
8	that portion of the	first Tuesday after	firearm, rifle or
9	county north of route	December 7	long bow only
10	20, Chenango,		
11	Herkimer, Montgomery,		
12	Oneida, Oswego,		
13	Otsego, Schoharie,		
14	Tioga and Wyoming		
15	and that portion		
16	of the county		
17	of Broome east of the		
18	Susquehanna river		

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

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

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

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

44 9. A muzzle-loading privilege when included on a hunting license enti-
 45 tles a holder who is fourteen years of age or older to hunt wild deer
 46 and bear with a muzzle-loading firearm OR CROSSBOW, as provided in title
 47 9 of this article, in a special muzzle-loading firearm season.

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

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

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

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

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

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

15 c. Wild small game and wild upland game birds shall be taken only by
16 longbow or gun, or by the use of raptors as provided in title 10 of this
17 article, except that:

18 (1) skunk, raccoon, bobcat, coyote, fox, mink and muskrat may be taken
19 in any manner not prohibited in this section or in title 11 of the Fish
20 and Wildlife Law[, and];

21 (2) frogs may also be taken by spearing, catching with the hands, or
22 by the use of a club or hook[.]; AND

23 (3) CROSSBOWS MAY BE USED BUT ONLY BY LICENSEES WHO ARE FOURTEEN YEARS
24 OF AGE OR OLDER.

25 S 20. Subdivision 1 of section 11-0929 of the environmental conserva-
26 tion law, as amended by section 13 of part R of chapter 58 of the laws
27 of 2013, is amended to read as follows:

28 1. A licensee who is twelve or thirteen years of age shall not hunt
29 wildlife with a gun or a longbow unless he or she is accompanied by his
30 or her parent or legal guardian, or by a person twenty-one years of age
31 or older designated in writing by his or her parent or legal guardian on
32 a form prescribed by the department, who holds a hunting license. A
33 LICENSEE WHO IS TWELVE OR THIRTEEN YEARS OF AGE SHALL NOT HUNT WITH A
34 CROSSBOW.

35 S 21. Paragraph a of subdivision 1 of section 11-0701 of the environ-
36 mental conservation law, as amended by section 1-a of part R of chapter
37 58 of the laws of 2013, is amended to read as follows:

38 a. entitles a holder who is twelve or thirteen years of age to hunt
39 wildlife, except big game, as provided in title 9 of this article
40 subject, specifically, to the provisions of section 11-0929 of this
41 article. It entitles such holder to possess firearms as provided in
42 section 265.05 of the penal law. A HOLDER WHO IS TWELVE OR THIRTEEN
43 YEARS OF AGE SHALL NOT HUNT WITH A CROSSBOW.

44 S 22. The environmental conservation law is amended by adding a new
45 section 11-0933 to read as follows:

46 S 11-0933. TAKING SMALL GAME BY CROSSBOW.

47 NOTWITHSTANDING ANY PROVISION OF THIS CHAPTER, OR ANY PRIOR NOTWITH-
48 STANDING LANGUAGE IN THIS ARTICLE, THE DEPARTMENT MAY, BY REGULATION,
49 AUTHORIZE THE TAKING OF SMALL GAME AND WILD UPLAND GAME BIRDS BY THE USE
50 OF A CROSSBOW BY ANY LICENSED PERSON FOURTEEN YEARS OF AGE OR OLDER, IN
51 ANY SMALL GAME SEASON, IN ANY AREA DESIGNATED IN ITEMS (A), (B), (C),
52 (D), (E), (F), (I), (K), AND (L) OF PARAGRAPH A OF SUBDIVISION TWO OF
53 SECTION 11-0907 OF THIS TITLE IN WHICH A SHOTGUN OR MUZZLE LOADER IS
54 PERMITTED.

55 S 23. Section 11-0715 of the environmental conservation law is amended
56 by adding a new subdivision 7 to read as follows:

1 7. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION THREE OF THIS
 2 SECTION, THE COMMISSIONER MAY OFFER FOR SALE LICENSES, PRIVILEGES AND
 3 PERMITS LISTED IN THIS SECTION AT A REDUCED PRICE UP TO TEN DAYS PER
 4 YEAR TO ENCOURAGE RESIDENT AND OUT-OF-STATE HUNTERS, TRAPPERS AND
 5 ANGLERS TO UTILIZE NEW YORK'S HUNTING, TRAPPING AND FISHING OPPORTU-
 6 NITIES. THESE DAYS SHALL BE DESIGNATED IN A MANNER DETERMINED BY THE
 7 DEPARTMENT TO BEST PROVIDE PUBLIC NOTICE THEREOF AND TO MAXIMIZE PUBLIC
 8 PARTICIPATION THEREIN.

9 S 24. Subdivision 14 of section 11-0305 of the environmental conserva-
 10 tion law, as amended by chapter 292 of the laws of 1996 and as renum-
 11 bered by section 2 of part F of chapter 82 of the laws of 2002, is
 12 amended to read as follows:

13 14. Notwithstanding any inconsistent provision of law, the commission-
 14 er may designate no more than [two] EIGHT days in each year that shall
 15 be effective in every administrative region of the department, as free
 16 sport fishing days during which any person may, without having a sport
 17 fishing license and without the payment of any fee, exercise the privi-
 18 leges of a holder of a sport fishing license, subject to all of the
 19 limitations, restrictions, conditions, laws, rules and regulations
 20 applicable to the holder of a sport fishing license. Free sport fishing
 21 days shall be designated in a manner determined by the department to
 22 best provide public notice thereof and to maximize public participation
 23 therein, so as to promote the recreational opportunities afforded by
 24 sport fishing.

25 S 25. Subparagraph 7 of paragraph a and subparagraph 3 of paragraph b
 26 of subdivision 3 of section 11-0715 of the environmental conservation
 27 law, as amended by chapter 276 of the laws of 2013, are amended to read
 28 as follows:

29	(7) Seven-day fishing	[\$13.00]	\$12.00
30	(3) Seven-day fishing	[\$31.00]	\$28.00

31 S 26. Section 404-s of the vehicle and traffic law, as added by chap-
 32 ter 304 of the laws of 2001, is amended by adding three new subdivisions
 33 3, 4 and 5 to read as follows:

34 3. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION TO A PERSON WHO
 35 PURCHASES A LIFETIME LICENSE PURSUANT TO SECTION 11-0702 OF THE ENVIRON-
 36 MENTAL CONSERVATION LAW OR A LIFETIME VEHICLE ACCESS PASS, ALSO KNOWN AS
 37 A LIFETIME EMPIRE PASSPORT, PURSUANT TO ARTICLE THIRTEEN OF THE PARKS,
 38 RECREATION AND HISTORIC PRESERVATION LAW BETWEEN JANUARY FIRST, TWO
 39 THOUSAND FOURTEEN AND DECEMBER THIRTY-FIRST, TWO THOUSAND FOURTEEN SHALL
 40 BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF
 41 THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF
 42 THIS ARTICLE; PROVIDED, HOWEVER, THAT COMMENCING UPON THE THIRD REGIS-
 43 TRATION PERIOD AFTER THE INITIAL ISSUANCE OF SUCH PLATE, AN ADDITIONAL
 44 ANNUAL SERVICE CHARGE OF FIFTEEN DOLLARS SHALL BE CHARGED FOR SUCH
 45 PLATE. SUCH SERVICE CHARGE SHALL BE DEPOSITED AND MADE AVAILABLE IN THE
 46 SAME MANNER AS SET FORTH IN SUBDIVISION TWO OF THIS SECTION. ADDI-
 47 TIONALLY, SUCH PERSON SHALL BE EXEMPT FROM THE PAYMENT OF (A) THE TWEN-
 48 TY-FIVE DOLLAR FEE REQUIRED TO BE PAID FOR THE ISSUANCE OF A SET OF
 49 REFLECTORIZED NUMBER PLATES PURSUANT TO PARAGRAPH A OF SUBDIVISION THREE
 50 OF SECTION FOUR HUNDRED ONE OF THIS ARTICLE, AND (B) THE FEE OF THREE
 51 DOLLARS AND TWENTY-FIVE CENTS FOR THE ISSUANCE OF A NEW SET OF NUMBER
 52 PLATES PURSUANT TO PARAGRAPH B OF SUBDIVISION THREE OF SECTION FOUR
 53 HUNDRED ONE OF THIS ARTICLE.

54 4. A PERSON WHO, PRIOR TO JANUARY FIRST, TWO THOUSAND FOURTEEN,
 55 POSSESSES A LIFETIME LICENSE PURSUANT TO SECTION 11-0702 OF THE ENVIRON-
 56 MENTAL CONSERVATION LAW OR A LIFETIME VEHICLE ACCESS PASS, ALSO KNOWN AS

1 A LIFETIME EMPIRE PASSPORT, OR A THREE OR FIVE YEAR VEHICLE ACCESS PASS
2 PURSUANT TO ARTICLE THIRTEEN OF THE PARKS, RECREATION AND HISTORIC PRES-
3 ERVATION LAW SHALL, ON REQUEST BETWEEN APRIL FIRST, TWO THOUSAND FOUR-
4 TEEN AND MARCH THIRTY-FIRST, TWO THOUSAND FIFTEEN, BE ISSUED A DISTINC-
5 TIVE PLATE PURSUANT TO THIS SECTION IN THE SAME MANNER AS OTHER NUMBER
6 PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY
7 SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT
8 COMMENCING UPON THE THIRD REGISTRATION PERIOD AFTER THE INITIAL ISSUANCE
9 OF SUCH PLATE, AN ADDITIONAL ANNUAL SERVICE CHARGE OF FIFTEEN DOLLARS
10 SHALL BE CHARGED FOR SUCH PLATE. SUCH SERVICE CHARGE SHALL BE DEPOSITED
11 AND MADE AVAILABLE IN THE SAME MANNER AS SET FORTH IN SUBDIVISION TWO OF
12 THIS SECTION. ADDITIONALLY, SUCH PERSON SHALL BE EXEMPT FROM THE
13 PAYMENT OF THE FEE OF THREE DOLLARS AND TWENTY-FIVE CENTS FOR THE ISSU-
14 ANCE OF A NEW SET OF NUMBER PLATES PURSUANT TO PARAGRAPH B OF SUBDIVI-
15 SION THREE OF SECTION FOUR HUNDRED ONE OF THIS ARTICLE.

16 5. ANY NEW YORK RESIDENT WHO POSSESSES A HUNTING, FISHING OR TRAPPING
17 LICENSE ISSUED PURSUANT TO TITLE SEVEN OF ARTICLE ELEVEN OF THE ENVIRON-
18 MENTAL CONSERVATION LAW OR AN ANNUAL VEHICLE ACCESS PASS, ALSO KNOWN AS
19 AN EMPIRE PASSPORT, PURSUANT TO ARTICLE THIRTEEN OF THE PARKS, RECRE-
20 ATION AND HISTORIC PRESERVATION LAW SHALL, UPON REQUEST, BE ISSUED THE
21 DISTINCTIVE PLATE AVAILABLE TO A PERSON WHO PURCHASES A LIFETIME LICENSE
22 OR PASSPORT, WHICH SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER
23 PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY
24 SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT AN
25 ADDITIONAL ANNUAL SERVICE CHARGE OF FIFTEEN DOLLARS SHALL BE CHARGED FOR
26 SUCH PLATE. SUCH SERVICE CHARGE SHALL BE DEPOSITED AND MADE AVAILABLE IN
27 THE SAME MANNER AS SET FORTH IN SUBDIVISION TWO OF THIS SECTION.

28 S 27. This act shall take effect April 1, 2014 provided that if this
29 act shall take effect after April 1, 2014, this act shall take effect
30 immediately and shall be deemed to have been in full force and effect on
31 and after April 1, 2014; provided, however, that the amendments to para-
32 graph a of subdivision 2 of section 11-0907 of the environmental
33 conservation law made by section fourteen of this act shall be subject
34 to the expiration and reversion of such paragraph pursuant to section 13
35 of chapter 600 of the laws of 1993, as amended, when upon such date the
36 provisions of section fifteen of this act shall take effect.

37 PART FF

38 Section 1. Chapter 350 of the laws of 2012 relating to the conveyance
39 of land formerly used as an armory to the town of Brookhaven, county of
40 Suffolk, section 3 as amended by chapter 161 of the laws of 2013, is
41 amended to read as follows:

42 Section 1. Subject to the provisions of this act but notwithstanding
43 any other provision of law to the contrary, the commissioner of general
44 services is hereby authorized to transfer and convey to the [town of
45 Brookhaven] NORTH PATCHOGUE FIRE DISTRICT in consideration of one dollar
46 and upon such other conditions as the commissioner may deem proper, land
47 formerly used as an armory, and further described in section two of this
48 act.

49 S 2. The lands authorized by this act to be transferred and conveyed
50 are as follows:

51 ALL that tract or parcel of land situate, lying and being in the Town
52 of Brookhaven, County of Suffolk and State of New York, described as
53 follows:

1 BEGINNING at a concrete monument on the southerly line of Barton
2 Avenue, at the boundary line of Lots 30 and 31 of the Map of Property of
3 the O.L. Schwencke Land and Investment Company and running from said
4 point of beginning South 05°08'00" West a distance of 512.00 feet to a
5 concrete monument on the boundary line between said lot and lands
6 belonging to William G. Hubbard (reputed owner); thence South 84°52'00"
7 East a distance of 255.30 feet to a concrete monument on the boundary
8 line between Lots 27 and 28; thence North 05°08'00" East a distance of
9 512.00 feet to a concrete monument on the northerly boundary line of
10 Lots 27 and 28 which is 914.14 feet from a concrete monument at the
11 boundary line of Lot 27 and Washington Avenue; thence North 84°52'00"
12 West a distance of 255.30 feet to the point and place of beginning.

13 Said parcel consisting of Lots 28, 29 and 30 on Map 17-277 of O.L.
14 Schwenke and filed in the Office of the County Clerk of the County of
15 Suffolk dated September 24, 1901 contains 3.00 acres.

16 S 3. The commissioner of general services shall not transfer or convey
17 the aforesaid land unless application is made by the [town of Brookha-
18 ven] NORTH PATCHOGUE FIRE DISTRICT within [three years] ONE YEAR after
19 the effective date of [this act] THE CHAPTER OF THE LAWS OF 2014 THAT
20 AMENDED THIS SECTION.

21 S 4. Any lands transferred pursuant to this act shall be used for the
22 purposes of the [town of Brookhaven] NORTH PATCHOGUE FIRE DISTRICT to
23 utilize the subject property and improve the structures for [general
24 municipal] FIRE PROTECTION AND EMERGENCY SERVICES uses[, highway depart-
25 ment uses and recreation] and upon termination of such use title to the
26 lands so transferred shall revert to the state of New York.

27 S 5. This act shall take effect immediately.

28 S 2. This act shall take effect immediately.

29

PART GG

30 Section 1. Subject to the provisions of this act, but notwithstanding
31 any other provision of law to the contrary, the commissioner of general
32 services is hereby authorized to sell and convey at fair market value,
33 and upon such other terms and conditions as such commissioner may deter-
34 mine, to the city of Ogdensburg all or part of the land and improvements
35 hereinafter described:

36 Parcel A: Surplus property as defined by the Office of Mental Health
37 December 29, 2011. Situated between Route 37 and Cottage Drive; bounded
38 on the northeast by Office of Mental Health long-term property for Chil-
39 dren and Youth to include building numbers 38, 49, 50, 56, 57, 58 and
40 86, and bounded on the west by Ogdensburg Bridge and Port Authority
41 lands, containing approximately 45 acres.

42 A precise description will be based on an actual survey of the proper-
43 ty to be conveyed.

44 S 2. The commissioner of general services shall not transfer or convey
45 any of the aforesaid land and improvements unless application is made by
46 the city of Ogdensburg within one year after the effective date of this
47 act. Due to the proximity of the land and improvements to be transferred
48 and conveyed to existing mental health and correctional facilities,
49 terms and conditions of any transfer and conveyance including the
50 proposed use of said land and improvements, shall be subject to the
51 approval of the commissioner of mental health, the commissioner of
52 corrections and community supervision, and the director of the division
53 of the budget.

54 S 3. This act shall take effect immediately.

1

PART HH

2 Section 1. Section 4 of the state finance law is amended by adding a
3 new subdivision 11 to read as follows:

4 11. (A) NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY AND EXCEPT AS
5 PROVIDED BY PARAGRAPH (B) OF THIS SUBDIVISION, NO STATE AGENCY OR A
6 STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY, MAY PAY
7 OUT OR OTHERWISE DISBURSE FUNDS OBTAINED AS THE RESULT OF A JUDGMENT,
8 STIPULATION, DECREE, AGREEMENT TO SETTLE, ASSURANCE OF DISCONTINUANCE,
9 OR OTHER LEGAL INSTRUMENT RESOLVING ANY CLAIM OR CAUSE OF ACTION, WHETH-
10 ER FILED OR UNFILED, ACTUAL OR POTENTIAL, AND WHETHER ARISING UNDER
11 COMMON LAW, EQUITY, OR ANY PROVISION OF LAW, EXCEPT PURSUANT TO AN
12 APPROPRIATION. SUCH FUNDS SHALL NOT BE RETAINED BY ANY STATE OFFICIAL,
13 EMPLOYEE, OR AGENCY IN ANY FUND HELD IN THE SOLE CUSTODY OF A STATE
14 AGENCY FOR A PERIOD OF MORE THAN THIRTY DAYS BUT SHALL, CONSISTENT WITH
15 SECTION SEVEN OF ARTICLE SEVEN OF THE STATE CONSTITUTION BE DEPOSITED IN
16 THE STATE TREASURY, OR FUND UNDER ITS MANAGEMENT AS MAY BE DIRECTED BY
17 STATUTE OR AS OTHERWISE DIRECTED BY THE COMPTROLLER WITH THE CONCURRENCE
18 OF THE DIRECTOR OF THE BUDGET.

19 (B) PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO (1) MONEYS TO
20 BE DISTRIBUTED TO THE FEDERAL GOVERNMENT, TO A LOCAL GOVERNMENT, OR TO
21 ANY HOLDER OF A BOND OR OTHER DEBT INSTRUMENT ISSUED BY THE STATE, ANY
22 PUBLIC AUTHORITY, OR ANY PUBLIC BENEFIT CORPORATION; (2) MONEYS TO BE
23 DISTRIBUTED SOLELY OR EXCLUSIVELY AS A PAYMENT OF DAMAGES OR RESTITUTION
24 TO INDIVIDUALS OR ENTITIES THAT WERE SPECIFICALLY INJURED OR HARMED BY
25 THE DEFENDANT'S OR SETTLING PARTY'S CONDUCT AND THAT ARE IDENTIFIED IN,
26 OR CAN BE IDENTIFIED BY THE TERMS OF, THE RELEVANT JUDGMENT, AGREEMENT
27 TO SETTLE, ASSURANCE OF DISCONTINUANCE, OR RELEVANT INSTRUMENT RESOLVING
28 THE CLAIM OR CAUSE OF ACTION; (3) MONEYS RECOVERED OR OBTAINED BY A
29 STATE AGENCY OR A STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL
30 CAPACITY WHERE APPLICATION OF PARAGRAPH (A) OF THIS SUBDIVISION IS
31 PROHIBITED BY FEDERAL LAW, RULE, OR REGULATION, OR WOULD RESULT IN THE
32 REDUCTION OR LOSS OF FEDERAL FUNDS OR ELIGIBILITY FOR FEDERAL BENEFITS
33 PURSUANT TO FEDERAL LAW, RULE, OR REGULATION; (4) MONEYS RECOVERED OR
34 OBTAINED BY OR ON BEHALF OF A PUBLIC AUTHORITY, A PUBLIC BENEFIT CORPO-
35 RATION, THE DEPARTMENT OF TAXATION AND FINANCE, THE WORKERS' COMPEN-
36 SATION BOARD, THE NEW YORK STATE HIGHER EDUCATION SERVICES CORPORATION,
37 THE TOBACCO SETTLEMENT FINANCING CORPORATION, A STATE OR LOCAL RETIRE-
38 MENT SYSTEM, AN EMPLOYEE HEALTH BENEFIT PROGRAM ADMINISTERED BY THE NEW
39 YORK STATE DEPARTMENT OF CIVIL SERVICE, THE TITLE IV-D CHILD SUPPORT
40 FUND, THE LOTTERY PRIZE FUND, THE ABANDONED PROPERTY FUND, OR AN ENDOW-
41 MENT OF THE STATE UNIVERSITY OF NEW YORK OR ANY UNIT THEREOF OR ANY
42 STATE AGENCY, PROVIDED THAT ALL OF THE MONEYS RECEIVED OR RECOVERED ARE
43 IMMEDIATELY TRANSFERRED TO THE RELEVANT PUBLIC AUTHORITY, PUBLIC BENEFIT
44 CORPORATION, DEPARTMENT, FUND, PROGRAM, OR ENDOWMENT; (5) MONEYS TO BE
45 REFUNDED TO AN INDIVIDUAL OR ENTITY AS (I) AN OVERPAYMENT OF A TAX,
46 FINE, PENALTY, FEE, INSURANCE PREMIUM, LOAN PAYMENT, CHARGE OR
47 SURCHARGE; (II) A RETURN OF SEIZED ASSETS, OR (III) A PAYMENT MADE IN
48 ERROR; AND (6) MONEYS TO BE USED TO PREVENT, ABATE, RESTORE, MITIGATE,
49 OR CONTROL ANY IDENTIFIABLE INSTANCE OF PRIOR OR ONGOING WATER, LAND OR
50 AIR POLLUTION.

51 S 2. The state finance law is amended by adding a new section 190-a to
52 read as follows:

53 S 190-A. MONIES RECOVERED. NOTWITHSTANDING ANY LAW TO THE CONTRARY,
54 ALL MONIES RECOVERED OR OBTAINED UNDER THIS ARTICLE BY A STATE AGENCY OR

1 STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE
2 SUBJECT TO SUBDIVISION ELEVEN OF SECTION FOUR OF THIS CHAPTER.

3 S 3. The first undesignated paragraph of subdivision 12 of section 63
4 of the executive law, as amended by chapter 476 of the laws of 1981, is
5 amended to read as follows:

6 Whenever any person shall engage in repeated fraudulent or illegal
7 acts or otherwise demonstrate persistent fraud or illegality in the
8 carrying on, conducting or transaction of business, the attorney general
9 may apply, in the name of the people of the state of New York, to the
10 supreme court of the state of New York, on notice of five days, for an
11 order enjoining the continuance of such business activity or of any
12 fraudulent or illegal acts, directing restitution and damages and, in an
13 appropriate case, cancelling any certificate filed under and by virtue
14 of the provisions of section four hundred forty of the former penal law
15 or section one hundred thirty of the general business law, and the court
16 may award the relief applied for or so much thereof as it may deem prop-
17 er. The word "fraud" or "fraudulent" as used herein shall include any
18 device, scheme or artifice to defraud and any deception, misrepresen-
19 tation, concealment, suppression, false pretense, false promise or
20 unconscionable contractual provisions. The term "persistent fraud" or
21 "illegality" as used herein shall include continuance or carrying on of
22 any fraudulent or illegal act or conduct. The term "repeated" as used
23 herein shall include repetition of any separate and distinct fraudulent
24 or illegal act, or conduct which affects more than one person. NOTWITH-
25 STANDING ANY LAW TO THE CONTRARY, ALL MONIES RECOVERED OR OBTAINED UNDER
26 THIS SUBDIVISION BY A STATE AGENCY OR STATE OFFICIAL OR EMPLOYEE ACTING
27 IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVISION ELEVEN OF
28 SECTION FOUR OF THE STATE FINANCE LAW.

29 S 4. Section 63 of the executive law is amended by adding a new subdi-
30 vision 16 to read as follows:

31 16. (A) NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, IN RESOLVING,
32 BY AGREED JUDGMENT, STIPULATION, DECREE, AGREEMENT TO SETTLE, ASSURANCE
33 OF DISCONTINUANCE OR OTHERWISE, ANY CLAIM OR CAUSE OF ACTION, WHETHER
34 FILED OR UNFILED, ACTUAL OR POTENTIAL, AND WHETHER ARISING UNDER COMMON
35 LAW, EQUITY, OR ANY PROVISION OF LAW, A STATE AGENCY OR A STATE OFFICIAL
36 OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL NOT HAVE THE AUTHOR-
37 ITY TO INCLUDE OR AGREE TO INCLUDE IN SUCH RESOLUTION ANY TERM OR CONDI-
38 TION THAT WOULD PROVIDE THE STATE AGENCY, OFFICIAL, OR EMPLOYEE, THEIR
39 AGENT OR DESIGNEE, THE SETTLING PARTY, OR ANY THIRD PARTY WITH CONTROL
40 OR DISCRETION OVER HOW ANY MONEYS TO BE PAID BY THE SETTLING PARTY WOULD
41 BE USED, SPENT, OR ALLOCATED.

42 (B) PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO ANY PROVISION
43 IN THE RESOLUTION OF A CLAIM OR CAUSE OF ACTION PROVIDING (1) MONEYS TO
44 BE DISTRIBUTED TO THE FEDERAL GOVERNMENT, TO A LOCAL GOVERNMENT, OR TO
45 ANY HOLDER OF A BOND OR OTHER DEBT INSTRUMENT ISSUED BY THE STATE, ANY
46 PUBLIC AUTHORITY, OR ANY PUBLIC BENEFIT CORPORATION; (2) MONEYS TO BE
47 DISTRIBUTED SOLELY OR EXCLUSIVELY AS A PAYMENT OF DAMAGES OR RESTITUTION
48 TO INDIVIDUALS OR ENTITIES THAT WERE SPECIFICALLY INJURED OR HARMED BY
49 THE DEFENDANT'S OR SETTLING PARTY'S CONDUCT AND THAT ARE IDENTIFIED IN,
50 OR CAN BE IDENTIFIED BY THE TERMS OF, THE RELEVANT JUDGMENT, STIPU-
51 LATION, DECREE, AGREEMENT TO SETTLE, ASSURANCE OF DISCONTINUANCE, OR
52 RELEVANT INSTRUMENT RESOLVING THE CLAIM OR CAUSE OF ACTION; (3) MONEYS
53 RECOVERED OR OBTAINED BY THE ATTORNEY GENERAL WHERE APPLICATION OF PARA-
54 GRAPH (A) OF THIS SUBDIVISION IS PROHIBITED BY FEDERAL LAW, RULE, OR
55 REGULATION, OR WOULD RESULT IN THE REDUCTION OR LOSS OF FEDERAL FUNDS OR
56 ELIGIBILITY FOR FEDERAL BENEFITS PURSUANT TO FEDERAL LAW, RULE, OR REGU-

1 LATION; (4) MONEYS RECOVERED OR OBTAINED BY OR ON BEHALF OF A PUBLIC
2 AUTHORITY, A PUBLIC BENEFIT CORPORATION, THE DEPARTMENT OF TAXATION AND
3 FINANCE, THE WORKERS' COMPENSATION BOARD, THE NEW YORK STATE HIGHER
4 EDUCATION SERVICES CORPORATION, THE TOBACCO SETTLEMENT FINANCING CORPO-
5 RATION, A STATE OR LOCAL RETIREMENT SYSTEM, AN EMPLOYEE HEALTH BENEFIT
6 PROGRAM ADMINISTERED BY THE NEW YORK STATE DEPARTMENT OF CIVIL SERVICE,
7 THE TITLE IV-D CHILD SUPPORT FUND, THE LOTTERY PRIZE FUND, THE ABANDONED
8 PROPERTY FUND, OR AN ENDOWMENT OF THE STATE UNIVERSITY OF NEW YORK OR
9 ANY UNIT THEREOF OR ANY STATE AGENCY, PROVIDED THAT ALL OF THE MONEYS
10 RECEIVED OR RECOVERED ARE IMMEDIATELY TRANSFERRED TO THE RELEVANT PUBLIC
11 AUTHORITY, PUBLIC BENEFIT CORPORATION, DEPARTMENT, FUND, PROGRAM, OR
12 ENDOWMENT; (5) MONEYS TO BE REFUNDED TO AN INDIVIDUAL OR ENTITY AS (I)
13 AN OVERPAYMENT OF A TAX, FINE, PENALTY, FEE, INSURANCE PREMIUM, LOAN
14 PAYMENT, CHARGE OR SURCHARGE; (II) A RETURN OF SEIZED ASSETS; OR (III) A
15 PAYMENT MADE IN ERROR; AND (6) MONEYS TO BE USED TO PREVENT, ABATE,
16 RESTORE, MITIGATE OR CONTROL ANY IDENTIFIABLE INSTANCE OF PRIOR OR ONGO-
17 ING WATER, LAND OR AIR POLLUTION.

18 (C) WHERE AN AGREED JUDGMENT, STIPULATION, DECREE, AGREEMENT TO
19 SETTLE, ASSURANCE OF DISCONTINUANCE OR OTHER LEGAL INSTRUMENT RESOLVES
20 (1) ANY CLAIM OR ANY CAUSE OF ACTION ASSERTED BY A STATE AGENCY OR A
21 STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY AND (2) ANY
22 CLAIM OR CAUSE OF ACTION ASSERTED BY ONE OR MORE FOREIGN JURISDICTIONS
23 OR THIRD PARTIES, PARAGRAPH (A) OF THIS SUBDIVISION SHALL ONLY APPLY TO
24 THE RESOLUTION OF THE CLAIM OR CAUSE OF ACTION ASSERTED BY THE STATE
25 AGENCY, OFFICIAL, OR EMPLOYEE.

26 S 5. The general business law is amended by adding a new section 340-a
27 to read as follows:

28 S 340-A. MONIES RECOVERED. NOTWITHSTANDING ANY LAW TO THE CONTRARY,
29 ALL MONIES RECOVERED OR OBTAINED UNDER THIS ARTICLE BY A STATE AGENCY OR
30 STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE
31 SUBJECT TO SUBDIVISION ELEVEN OF SECTION FOUR OF THE STATE FINANCE LAW.

32 S 6. Section 349 of the general business law is amended by adding a
33 new subdivision (j) to read as follows:

34 (J) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ALL MONIES RECOVERED OR
35 OBTAINED UNDER THIS ARTICLE BY A STATE AGENCY OR STATE OFFICIAL OR
36 EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVI-
37 SION ELEVEN OF SECTION FOUR OF THE STATE FINANCE LAW.

38 S 7. Section 353 of the general business law is amended by adding a
39 new subdivision 4 to read as follows:

40 4. NOTWITHSTANDING ANY LAW TO THE CONTRARY, ALL MONIES RECOVERED OR
41 OBTAINED UNDER THIS ARTICLE BY A STATE AGENCY OR STATE OFFICIAL OR
42 EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVI-
43 SION ELEVEN OF SECTION FOUR OF THE STATE FINANCE LAW.

44 S 8. Severability. If any provision of this act shall for any reason
45 be finally adjudged by any court of competent jurisdiction to be inval-
46 id, such judgment shall not affect, impair, or invalidate the remainder
47 of this act, but shall be confined in its operation to the provision
48 directly involved in the controversy in which such judgment shall have
49 been rendered. It is hereby declared to be the intent of the legislature
50 that this act would have been enacted even if such invalid provision had
51 not been included in this act. Provided further that if a court of final
52 competent jurisdiction adjudges that the application of any provision of
53 this act to a judgment, stipulation, decree, agreement to settle, assur-
54 ance of discontinuance, or other legal instrument executed prior to the
55 effective date of this act is invalid, such provision shall be applied
56 to a judgment, stipulation, decree, agreement to settle, assurance of

1 discontinuance, or other legal instrument executed after the effective
2 date of this act.

3 S 9. This act shall take effect immediately.

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

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