STATE OF NEW YORK

S. 2005--C A. 3005--C

SENATE - ASSEMBLY

January 23, 2017

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

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

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 3 of the laws of 1995, amending the correction law and other

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

LBD12570-05-7

laws relating to the incarceration fee, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 62 of the laws of 2011, amending the correction law and the executive law, relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the

crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 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 A); intentionally omitted (Part B); intentionally omitted (Part C); intentionally omitted (Part D); to amend the correction law, in relation to the meaning of significant programmatic accomplishment (Part E); to amend the executive law, in relation to the establishment of a hate crime task force (Part F); to amend the executive law, in relation to expanding eligibility for awards to victims of certain crimes not resulting in physical injury (Part G); to amend the executive law, in relation to the reimbursement for loss of savings of a vulnerable elderly person or an incompetent or physically disabled person (Part H); to amend the executive law, in relation to additional duties of the commissioner of general services (Part I); intentionally omitted (Part J); intentionally omitted (Part K); to amend chapter 674 of the laws of 1993 amending the public buildings law relating to value limitations on contracts, in relation to extending the effectiveness thereof (Part L); intentionally omitted (Part M); intentionally omitted (Part N); intentionally omitted (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); intentionally omitted (Part U); intentionally omitted (Part V); intentionally omitted (Part W); intentionally omitted (Part X); intentionally omitted (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); to amend the judiciary law, the family court act, the domestic relations law and the criminal procedure law, in relation to the translation of orders of protection and temporary orders of protection (Part BB); 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 CC); to amend the not-for-profit corporation law, in relation to increasing the number of authorized land banks in the state to 25 (Part DD); in relation to certain properties located in the village of Spring Valley (Part EE); regarding motor vehicles equipped with autonomous vehicle technology; and providing for the repeal of certain provisions upon expiration thereof (Part FF); and to amend the vehicle and traffic law and the state finance law, in relation to allocation of three million dollars of assessments from the city of New York to the general fund; and providing for the repeal of such provisions upon expiration thereof (Part GG)

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

Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2017-2018 state fiscal year. Each component is wholly contained within a Part identified as Parts A through GG. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component,

shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. Section 2 of chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, as amended by section 1 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall remain in effect until September 1, [~~2017~~] 2019.

§ 2. Section 3 of chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, as amended by section 2 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 3. This act shall take effect on the first day of November next succeeding the date on which it shall have become a law, and shall remain in effect until the first day of September, [~~2017~~] 2019, when it shall expire and be deemed repealed.

§ 3. Section 3 of chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, as amended by section 3 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 3. This act shall take effect 60 days after it shall have become a law and shall remain in effect until September 1, [~~2017~~] 2019.

§ 4. Section 20 of chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, as amended by section 4 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 20. This act shall take effect immediately except that section thirteen of this act shall expire and be of no further force or effect on and after September 1, [~~2017~~] 2019 and shall not apply to persons committed to the custody of the department after such date, and provided further that the commissioner of corrections and community supervision shall report each January first and July first during such time as the earned eligibility program is in effect, to the chairmen of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the standards in effect for earned eligibility during the prior six-month period, the number of inmates subject to the provisions of earned eligibility, the number who actually received certificates of earned eligibility during that period of time, the number of inmates with certificates who are granted parole upon their first consideration for parole, the number with certificates who are denied parole upon their first consideration, and the number of individuals granted and denied parole who did not have earned eligibility certificates.

§ 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, as amended by section 5 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

(q) the provisions of section two hundred eighty-four of this act shall remain in effect until September 1, [~~2017~~] 2019 and be applicable to all persons entering the program on or before August 31, [~~2017~~] 2019.

§ 6. Section 10 of chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, as amended by section 6 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 10. This act shall take effect 30 days after it shall have become a law and shall remain in effect until September 1, [~~2017~~] 2019, and provided further that the commissioner of correctional services shall report each January first, and July first, to the chairman of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the number of eligible inmates in each facility under the custody and control of the commissioner who have applied for participation in any program offered under the provisions of work release, furlough, or leave, and the number of such inmates who have been approved for participation.

§ 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, as amended by section 7 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

(c) sections forty-one and forty-two of this act shall expire September 1, [~~2017~~] 2019; provided, that the provisions of section forty-two of this act shall apply to inmates entering the work release program on or after such effective date; and

§ 8. Subdivision h of section 74 of chapter 3 of the laws of 1995, amending the correction law and other laws relating to the incarceration fee, as amended by section 8 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

h. Section fifty-two of this act shall be deemed to have been in full force and effect on and after April 1, 1995; provided, however, that the provisions of section 189 of the correction law, as amended by section fifty-five of this act, subdivision 5 of section 60.35 of the penal law, as amended by section fifty-six of this act, and section fifty-seven of this act shall expire September 1, [~~2017~~] 2019, when upon such date the amendments to the correction law and penal law made by sections fifty-five and fifty-six of this act shall revert to and be read as if the provisions of this act had not been enacted; provided, however, that sections sixty-two, sixty-three and sixty-four of this act shall be deemed to have been in full force and effect on and after March 1, 1995 and shall be deemed repealed April 1, 1996 and upon such date the provisions of subsection (e) of section 9110 of the insurance law and subdivision 2 of section 89-d of the state finance law shall revert to and be read as set out in law on the date immediately preceding the effective date of sections sixty-two and sixty-three of this act;

§ 9. Subdivision (c) of section 49 of subpart A of part C of chapter 62 of the laws of 2011 amending the correction law and the executive law, relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, as amended by section 9 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

(c) that the amendments to subdivision 9 of section 201 of the correction law as added by section thirty-two of this act shall remain

in effect until September 1, [~~2017~~] 2019, when it shall expire and be deemed repealed;

§ 10. Subdivision (aa) of section 427 of chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, as amended by section 10 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

(aa) the provisions of sections three hundred eighty-two, three hundred eighty-three and three hundred eighty-four of this act shall expire on September 1, [~~2017~~] 2019;

§ 11. Section 12 of chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, as amended by section 11 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 12. This act shall take effect immediately, except that the provisions of sections one through ten of this act shall remain in full force and effect until September 1, [~~2017~~] 2019 on which date those provisions shall be deemed to be repealed.

§ 12. Subdivision (p) of section 406 of chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, as amended by section 12 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

(p) The amendments to section 1809 of the vehicle and traffic law made by sections three hundred thirty-seven and three hundred thirty-eight of this act shall not apply to any offense committed prior to such effective date; provided, further, that section three hundred forty-one of this act shall take effect immediately and shall expire November 1, 1993 at which time it shall be deemed repealed; sections three hundred forty-five and three hundred forty-six of this act shall take effect July 1, 1991; sections three hundred fifty-five, three hundred fifty-six, three hundred fifty-seven and three hundred fifty-nine of this act shall take effect immediately and shall expire June 30, 1995 and shall revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall take effect immediately and shall expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall remain in effect until September 1, [~~2017~~] 2019, at which time they shall be deemed repealed; provided, however, that the mandatory surcharge provided in section three hundred seventy-four of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, [~~2017~~] 2019 and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall

revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is necessary to assure that all applicants for examination for admission to practice as an attorney and counsellor at law shall pay the increased examination fee provided for by the amendment made to section 465 of the judiciary law by section three hundred eighty of this act for any examination given on or after the effective date of this act notwithstanding that an applicant for such examination may have prepaid a lesser fee for such examination as required by the provisions of such section 465 as of the date prior to the effective date of this act; the provisions of section 306-a of the civil practice law and rules as added by section three hundred eighty-one of this act shall apply to all actions pending on or commenced on or after September 1, 1991, provided, however, that for the purposes of this section service of such summons made prior to such date shall be deemed to have been completed on September 1, 1991; the provisions of section three hundred eighty-three of this act shall apply to all money deposited in connection with a cash bail or a partially secured bail bond on or after such effective date; and the provisions of sections three hundred eighty-four and three hundred eighty-five of this act shall apply only to jury service commenced during a judicial term beginning on or after the effective date of this act; provided, however, that nothing contained herein shall be deemed to affect the application, qualification, expiration or repeal of any provision of law amended by any section of this act and such provisions shall be applied or qualified or shall expire or be deemed repealed in the same manner, to the same extent and on the same date as the case may be as otherwise provided by law;

§ 13. Subdivision 8 of section 1809 of the vehicle and traffic law, as amended by section 13 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

8. The provisions of this section shall only apply to offenses committed on or before September first, two thousand [~~seventeen~~] **nineteen**.

§ 14. Section 6 of chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, as amended by section 14 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 6. This act shall take effect on the first day of April next succeeding the date on which it shall have become a law; provided, however, that effective immediately, the addition, amendment or repeal of any rule or regulation necessary for the implementation of the foregoing sections of this act on their effective date is authorized and directed to be made and completed on or before such effective date and shall remain in full force and effect until the first day of September, [~~2017~~] **2019** when upon such date the provisions of this act shall be deemed repealed.

§ 15. Paragraph a of subdivision 6 of section 76 of chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, as amended by section 15 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

a. sections forty-three through forty-five of this act shall expire and be deemed repealed on September 1, [~~2017~~] **2019**;

§ 16. Section 4 of part D of chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, as amended by section 16 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 4. This act shall take effect 120 days after it shall have become a law and shall remain in full force and effect until September 1, [~~2017~~] 2019, when upon such date it shall expire.

§ 17. Subdivision 2 of section 59 of chapter 222 of the laws of 1994, constituting the family protection and domestic violence intervention act of 1994, as amended by section 17 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

2. Subdivision 4 of section 140.10 of the criminal procedure law as added by section thirty-two of this act shall take effect January 1, 1996 and shall expire and be deemed repealed on September 1, [~~2017~~] 2019.

§ 18. Section 5 of chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, as amended by section 18 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 5. This act shall take effect immediately and shall apply to all criminal actions and proceedings commenced prior to the effective date of this act but still pending on such date as well as all criminal actions and proceedings commenced on or after such effective date and its provisions shall expire on September 1, [~~2017~~] 2019, when upon such date the provisions of this act shall be deemed repealed.

§ 19. Subdivision d of section 74 of chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, as amended by section 19 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

d. Sections one-a through twenty, twenty-four through twenty-eight, thirty through thirty-nine, forty-two and forty-four of this act shall be deemed repealed on September 1, [~~2017~~] 2019;

§ 20. Section 2 of chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, as amended by section 20 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect immediately, except that the provisions of this act shall be deemed to have been in full force and effect since July 1, 1992 and the provisions of this act shall expire September 1, [~~2017~~] 2019 when upon such date the provisions of this act shall be deemed repealed.

§ 21. Section 3 of chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, as amended by section 21 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 3. This act shall take effect immediately, except that section one of this act shall take effect on the first of January next succeeding the date on which it shall have become a law, and shall remain in effect until the first of September, [~~2017~~] 2019, upon which date this act shall be deemed repealed and have no further force and effect; provided that section one of this act shall only take effect with respect to any compacting state which has enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act and provided further that with respect to any such compacting state, upon the effective date of section one of this act, section 259-m of the executive law is hereby deemed REPEALED and section 259-mm of the executive law, as added by section one of this act, shall take effect; and provided further that with respect to any state which has not enacted an interstate compact entitled "Interstate compact for adult offender super-

vision" and having an identical effect to that added by section one of this act, section 259-m of the executive law shall take effect and the provisions of section one of this act, with respect to any such state, shall have no force or effect until such time as such state shall adopt an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act in which case, with respect to such state, effective immediately, section 259-m of the executive law is deemed repealed and section 259-mm of the executive law, as added by section one of this act, shall take effect.

§ 22. Section 8 of part H of chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, as amended by section 22 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 8. This act shall take effect immediately; provided, however that sections five and six of this act shall expire and be deemed repealed September 1, [~~2017~~] 2019.

§ 23. Section 3 of part C of chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, as amended by section 23 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 3. This act shall take effect on the same date as the reversion of subdivision 5 of section 183 and subdivision 1 of section 221 of the military law as provided by section 76 of chapter 435 of the laws of 1997, as amended by section 1 of chapter 19 of the laws of 1999 notwithstanding this act shall be deemed to have been in full force and effect on and after July 31, 2005 and shall remain in full force and effect until September 1, [~~2017~~] 2019 when upon such date this act shall expire.

§ 24. Section 5 of chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, as amended by section 24 of part B of chapter 55 of the laws of 2015, is amended to read as follows:

§ 5. This act shall take effect immediately and shall remain in full force and effect until September 1, [~~2017~~] 2019, and provided further that the commissioner of correctional services shall report each January first and July first during such time as this legislation is in effect, to the chairmen of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the number of individuals who are released to community treatment facilities during the previous six-month period, including the total number for each date at each facility who are not residing within the facility, but who are required to report to the facility on a daily or less frequent basis.

§ 25. Sections 1 and 2 of part H of chapter 503 of the laws of 2009 relating to the disposition of monies recovered by county district attorneys before the filing of an accusatory instrument, section 1 as amended by section 25 of part B of chapter 55 of the laws of 2015 and section 2 as amended by section 1 of part B of chapter 57 of the laws of 2016, is amended to read as follows:

Section 1. When a county district attorney of a county located in a city of one million or more recovers monies before the filing of an

accusatory instrument as defined in subdivision 1 of section 1.20 of the criminal procedure law, after injured parties have been appropriately compensated, the district attorney's office shall retain a percentage of the remaining such monies in recognition that such monies were recovered as a result of investigations undertaken by such office. For each recovery the total amount of such monies to be retained by the county district attorney's office shall equal ten percent of the first twenty-five million dollars received by such office, plus seven and one-half percent of such monies received by such office in excess of twenty-five million dollars but less than fifty million dollars, plus five percent of any such monies received by such office in excess of fifty million dollars but less than one hundred million dollars, plus one percent of such monies received by such office in excess of one hundred million dollars. The remainder of such monies shall be paid by the district attorney's office to the state and to the county in equal amounts within thirty days of receipt, where disposition of such monies is not otherwise prescribed by law. Monies distributed to a county district attorney's office pursuant to this section shall be used to enhance law enforcement efforts **within the state of New York**. Beginning on December 1, [~~2015~~] **2017**, and on each December 1 thereafter, every district attorney shall provide the governor, temporary president of the senate and speaker of the assembly with an annual report detailing the total amount of monies received as described herein by his or her office and a description of how and where such funds were distributed by his or her office but shall not include a description of the distribution of monies where the disclosure of such information would interfere with a law enforcement investigation or a judicial proceeding. **The report shall include a detailed description of any entity to which funds are distributed, including but not limited to, whether it is a profit or not-for-profit entity, where it is located, and the intended use of the monies distributed, and shall state the law enforcement purpose.**

§ 2. This act shall take effect immediately and shall remain in full force and effect until March 31, [~~2017~~] **2018**, when it shall expire and be deemed repealed.

§ 26. This act shall take effect immediately, provided however that section twenty-five of this act shall be deemed to have been in full force and effect on and after March 31, 2017; provided, further, that the amendments to section 1 of part H of chapter 503 of the laws of 2009 made by section twenty-five of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART B

Intentionally Omitted

PART C

Intentionally Omitted

PART D

Intentionally Omitted

PART E

Section 1. Paragraph (c) of subdivision 1 of section 803-b of the correction law, as amended by chapter 412 of the laws of 2010, is amended to read as follows:

(c) "significant programmatic accomplishment" means that the inmate:

(i) participates in no less than two years of college programming; or

(ii) obtains a masters of professional studies degree; or

(iii) successfully participates as an inmate program associate for no less than two years; or

(iv) receives a certification from the state department of labor for his or her successful participation in an apprenticeship program; or

(v) successfully works as an inmate hospice aid for a period of no less than two years; or

(vi) successfully works in the division of correctional industries' optical program for no less than two years and receives a certification as an optician from the American board of opticianry; or

(vii) receives an asbestos handling certificate from the department of labor upon successful completion of the training program and then works in the division of correctional industries' asbestos abatement program as a hazardous materials removal worker or group leader for no less than eighteen months; or

(viii) successfully completes the course curriculum and passes the minimum competency screening process performance examination for sign language interpreter, and then works as a sign language interpreter for deaf inmates for no less than one year; or

(ix) successfully works in the puppies behind bars program for a period of no less than two years**; or**

(x) successfully participates in a vocational culinary arts program for a period of no less than two years and earns a servsafe certificate that is recognized by the national restaurant association; or

(xi) successfully completes the four hundred ninety hour training program while assigned to a department of motor vehicles call center, and continues to work at such call center for an additional twenty-one months; or

(xii) receives a certificate from the food production center in an assigned position following the completion of no less than eight hundred hours of work in such position, and continues to work for an additional eighteen months at the food production center.

§ 2. This act shall take effect April 1, 2017.

PART F

Section 1. Subdivision 2 of section 216 of the executive law is renumbered subdivision 3 and a new subdivision 2 is added to read as follows:

2. (a) There shall be within the bureau of criminal investigation a hate crime task force. The superintendent shall assign to it such personnel as may be required for the purpose of preventing, investigating, and detecting hate crimes as defined in article four hundred eighty-five and sections 240.30 and 240.31 of the penal law. When at all possible, the task force members shall assist and support other law enforcement agencies in preventing, investigating, and detecting offenses committed due to a perception or belief regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person.

(b) The task force shall issue reports and publications, in conjunction with the division of human rights and the division of criminal justice services, in order to inform persons of all available rights and

remedies under the penal law as referenced in paragraph (a) of this subdivision, as well as prohibitions against discrimination because of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, familial status, domestic violence victim status, genetic predisposition status, or marital status as those terms are defined by article fifteen of this chapter.

(c) The first report issued by the hate crimes task force, as required by paragraph (b) of this subdivision, shall be issued within ninety days of the effective date of this subdivision. Subsequent reports shall be issued annually thereafter.

§ 2. This act shall take effect immediately.

PART G

Section 1. Subdivisions 11 and 12 of section 631 of the executive law, subdivision 11 as added by chapter 543 of the laws of 1995 and subdivision 12 as amended by chapter 188 of the laws of 2014, are amended to read as follows:

11. Notwithstanding the provisions of subdivisions one, two and three of this section, an individual who was a victim of either the crime of: menacing in the second degree as defined in subdivision one of section 120.14 of the penal law; menacing in the third degree as defined in section 120.15 of the penal law; unlawful imprisonment in the first degree as defined in section 135.10 of the penal law[~~,~~]; kidnapping in the second degree as defined in section 135.20 of the penal law [~~or~~]; kidnapping in the first degree as defined in section 135.25 of the penal law; criminal mischief in the fourth degree as defined in subdivision four of section 145.00 of the penal law; robbery in the third degree as defined in section 160.05 of the penal law; robbery in the second degree as defined in subdivision one, paragraph b of subdivision two or subdivision three of section 160.10 of the penal law; or robbery in the first degree as defined in subdivisions two, three and four of section 160.15 of the penal law who has not been physically injured as a direct result of such crime shall only be eligible for an award that includes loss of earnings [~~or support~~] and the unreimbursed costs of counseling provided to such victim on account of mental or emotional stress resulting from the incident in which the crime occurred.

12. Notwithstanding the provisions of subdivisions one, two and three of this section, an individual who was a victim of either the crime of menacing in the second degree as defined in subdivision two or three of section 120.14 of the penal law, menacing in the first degree as defined in section 120.13 of the penal law, criminal obstruction of breathing or blood circulation as defined in section 121.11 of the penal law, harassment in the second degree as defined in [~~subdivision two or three of~~] section 240.26 of the penal law, harassment in the first degree as defined in section 240.25 of the penal law, aggravated harassment in the second degree as defined in subdivision three or five of section 240.30 of the penal law, aggravated harassment in the first degree as defined in subdivision two of section 240.31 of the penal law, criminal contempt in the first degree as defined in [~~paragraph (ii) or (iv) of~~] subdivision (b) or subdivision (c) of section 215.51 of the penal law, or stalking in the fourth, third, second or first degree as defined in sections 120.45, 120.50, 120.55 and 120.60 of the penal law, respectively, or a hate crime as defined in section 485.05 of the penal law who has not been physically injured as a direct result of such crime shall only be eligible for an award that includes loss of earning or support,

the unreimbursed cost of repair or replacement of essential personal property that has been lost, damaged or destroyed as a direct result of such crime, the unreimbursed cost for security devices to enhance the personal protection of such victim, transportation expenses incurred for necessary court [~~expenses~~] **appearances** in connection with the prosecution of such crime, the unreimbursed costs of counseling provided to such victim on account of mental or emotional stress resulting from the incident in which the crime occurred, **the unreimbursed cost of securing a crime scene,** reasonable relocation expenses, and for occupational or job training.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become law, and apply to all claims filed on or after such effective date.

PART H

Section 1. Subdivision 5 of section 621 of the executive law, as amended by chapter 74 of the laws of 2007, is amended to read as follows:

5. "Victim" shall mean (a) a person who suffers personal physical injury as a direct result of a crime; (b) a person who is the victim of either the crime of (1) unlawful imprisonment in the first degree as defined in section 135.10 of the penal law, (2) kidnapping in the second degree as defined in section 135.20 of the penal law, (3) kidnapping in the first degree as defined in section 135.25 of the penal law, (4) **menacing in the first degree as defined in section 120.13 of the penal law, (5) criminal obstruction of breathing or blood circulation as defined in section 121.11 of the penal law, (6) harassment in the second degree as defined in section 240.26 of the penal law, (7) harassment in the first degree as defined in section 240.25 of the penal law, (8) aggravated harassment in the second degree as defined in subdivision three or five of section 240.30 of the penal law, (9) aggravated harassment in the first degree as defined in subdivision two of section 240.31 of the penal law, (10) criminal contempt in the first degree as defined in subdivision (b) or subdivision (c) of section 215.51 of the penal law, (11) stalking in the fourth, third, second or first degree as defined in sections 120.45, 120.50, 120.55 and 120.60 of the penal law, (12)** labor trafficking as defined in section 135.35 of the penal law, or [~~(5)~~] **(13)** sex trafficking as defined in section 230.34 of the penal law; **a vulnerable elderly person or an incompetent or physically disabled person as defined in section 260.31 of the penal law who incurs a loss of savings as defined in subdivision twenty-four of this section;** or a person who has had a frivolous lawsuit filed against them.

§ 2. Section 621 of the executive law is amended by adding a new subdivision 24 to read as follows:

24. "Loss of savings" shall mean the result of any act or series of acts of larceny as defined in article one hundred fifty-five of the penal law, indicated by a criminal justice agency as defined in subdivision one of section six hundred thirty-one of this article, in which cash is stolen from a vulnerable elderly person or an incompetent or physically disabled person as defined in section 260.31 of the penal law.

§ 3. Subdivision 2 of section 631 of the executive law, as amended by chapter 162 of the laws of 2008, is amended to read as follows:

2. Any award made pursuant to this article shall be in an amount not exceeding out-of-pocket expenses, including indebtedness reasonably

incurred for medical or other services necessary as a result of the injury upon which the claim is based; loss of earnings or support resulting from such injury not to exceed thirty thousand dollars; **loss of savings not to exceed thirty thousand dollars;** burial expenses not exceeding six thousand dollars of a victim who died as a direct result of a crime; the costs of crime scene cleanup and securing of a crime scene not exceeding twenty-five hundred dollars; reasonable relocation expenses not exceeding twenty-five hundred dollars; and the unreimbursed cost of repair or replacement of articles of essential personal property lost, damaged or destroyed as a direct result of the crime. An award for loss of earnings shall include earnings lost by a parent or guardian as a result of the hospitalization of a child victim under age eighteen for injuries sustained as a direct result of a crime. In addition to the medical or other services necessary as a result of the injury upon which the claim is based, an award may be made for rehabilitative occupational training for the purpose of job retraining or similar employment-oriented rehabilitative services based upon the claimant's medical and employment history. For the purpose of this subdivision, rehabilitative occupational training shall include but not be limited to educational training and expenses. An award for rehabilitative occupational training may be made to a victim, or to a family member of a victim where necessary as a direct result of a crime.

§ 4. Section 631 of the executive law is amended by adding a new subdivision 3-a to read as follows:

3-a. Any award made for loss of savings shall, unless reduced pursuant to other provisions of this article, be in an amount equal to the actual loss sustained.

§ 5. Subdivision 5 of section 631 of the executive law is amended by adding a new paragraph (f) to read as follows:

(f) Notwithstanding the provisions of paragraph (a) of this subdivision, the office shall disregard for this purpose the responsibility of the victim for his or her own loss of savings.

§ 6. Section 631 of the executive law is amended by adding a new subdivision 8-a to read as follows:

8-a. Notwithstanding the provisions of subdivision one of this section, a vulnerable elderly person or an incompetent or physically disabled person, as defined in section 260.31 of the penal law, who has not been physically injured as a direct result of a crime, shall be eligible for an award that includes loss of savings.

§ 7. This act shall take effect on the one hundred eightieth day after it shall have become a law, and shall apply to all claims filed on or after such effective date.

PART I

Section 1. The executive law is amended by adding a new section 203-a to read as follows:

§ 203-a. Additional duties of the commissioner regarding flood related losses. In accordance with 44 CFR 75.11 of the code of federal regulations, in the event that state-owned structures and their contents are damaged as the result of flood related losses, flood, and/or flood related hazards occurring in areas identified by the federal insurance administrator as A, AO, AH, A1-30, AE, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, A99, M, V, VO, V1-30, VE, and E Zones, the commissioner of general services shall pay an amount not less than the limits of coverage that would be applicable if such state-owned structures and their

contents had been covered by standard flood insurance policies, as defined in 44 CFR 59.1, for the repair, restoration, or replacement of such state-owned structures and contents, and shall maintain and update, not less frequently than annually, an inventory of all state-owned structures and their contents within such zones.

§ 2. This act shall take effect immediately.

PART J

Intentionally Omitted

PART K

Intentionally Omitted

PART L

Section 1. Section 3 of chapter 674 of the laws of 1993, amending the public buildings law relating to value limitations on contracts, as amended by section 1 of part M of chapter 55 of the laws of 2015, is amended to read as follows:

§ 3. This act shall take effect immediately and shall remain in full force and effect only until June 30, [~~2017~~] **2019**.

§ 2. This act shall take effect immediately.

PART M

Intentionally Omitted

PART N

Intentionally Omitted

PART O

Intentionally Omitted

PART P

Intentionally Omitted

PART Q

Intentionally Omitted

PART R

Intentionally Omitted

PART S

Intentionally Omitted

PART T

Intentionally Omitted

PART U

Intentionally Omitted

PART V

Intentionally Omitted

PART W

Intentionally Omitted

PART X

Intentionally Omitted

PART Y

Intentionally Omitted

PART Z

Intentionally Omitted

PART AA

Intentionally Omitted

PART BB

Section 1. Paragraph (t) of subdivision 2 of section 212 of the judiciary law, as added by chapter 237 of the laws of 2015, is relettered paragraph (u).

§ 2. Paragraph (t) of subdivision 2 of section 212 of the judiciary law, as added by chapter 367 of the laws of 2015, is relettered paragraph (v) and two new paragraphs (t) and (t-1) are added to read as follows:

(t) Make available translation services to all family and supreme courts to assist in the translation of orders of protection and temporary orders of protection, as provided in this paragraph, where the person protected by and/or the person subject to the order of protection has limited English proficiency or has a limited ability to read English:

(i) Translation services shall be made available to all family and supreme courts in the ten languages most frequently used in the courts of each judicial department in accordance with the schedule in subparagraph (ii) of this paragraph, and any additional languages that the chief administrator of the courts deems appropriate;

(ii) (A) In three languages from among the ten most frequently used in the courts of each judicial department, by January first, two thousand eighteen;

(B) In three additional languages from among the ten most frequently used in the courts of each judicial department, by June thirtieth, two thousand nineteen; and

(C) In four additional languages from among the ten most frequently used in the courts of each judicial department, by December thirty-first, two thousand twenty; and

(iii) Upon issuance of an order of protection or temporary order of protection, the court shall inquire of any person who is protected by it or subject to it, who has made an appearance, whether translation services are needed. The court shall advise the party or parties of the availability of such translation services;

(iv) The authority provided by this paragraph shall be in addition to, and shall not be deemed to diminish or reduce any rights of the parties under existing law.

(t-1) Issue reports concerning the availability of translation services where orders of protection and temporary orders of protection are issued; special pilot programs. (i) The chief administrator of the courts shall submit to the legislature, the governor, and the chief judge of the state the following reports:

(A) Not later than April first, two thousand nineteen, a report on the availability and use of translation services in the courts for orders of protection and temporary orders of protection, including but not limited to the languages for which written and oral translation is provided; the number of parties that received translated documents, broken down by language and judicial department; the number of parties receiving interpretation, broken down by language and judicial department; the number of people who requested a translated document and did not receive it; and the number of cases in which a court interpreter was used to communicate with either party and an order of protection or temporary order of protection was issued but in which a translated document was not provided to either party. Such report shall contain recommendations for further legislation relating to the availability of such translation services as the chief administrator of the courts shall deem appropriate; and

(B) Not later than April first, two thousand eighteen, a report evaluating the technical and operational issues involved in subjecting the following orders of protection and temporary orders of protection to the same requirements, relative to translation and interpretation of such orders, as are applicable to orders of protection and temporary orders of protection issued under section one hundred sixty-nine of the family court act: (I) orders of protection and temporary orders of protection issued under section 530.12 or 530.13 of the criminal procedure law; and (II) orders of protection and temporary orders of protection issued by a town or village justice court.

(ii) The office of court administration shall establish and oversee two pilot programs, as follows:

(A) In one town or village court within each judicial district, to develop best practices for the use of written translation and interpretation services for orders of protection and temporary orders of protection in the justice courts. Following consultation with the state magistrates association, the conference of mayors, the association of towns, the unified court system's advisory committee on language access, and such other parties as may be interested, the chief administrator shall include an analysis and evaluation of this pilot program, together with a plan for its expansion throughout the justice court system, in the report required pursuant to clause (B) of subparagraph (i) of this paragraph.

(B) In one county in the city of New York and two counties outside such city, to develop best practices for the use of written translation

and interpretation services for orders of protection and temporary orders of protection issued in the state-paid criminal courts of such counties. Following consultation with the state district attorneys association, representatives of the criminal defense bar, representatives of domestic violence prevention legal services providers, the unified court system's advisory committee on language access, and such other parties as may be interested, the chief administrator shall include an analysis and evaluation of this pilot program, together with a plan for its expansion throughout the state, in the report required pursuant to clause (B) of subparagraph (i) of this paragraph.

§ 3. The family court act is amended by adding a new section 169 to read as follows:

§ 169. Translation and interpretation of orders of protection. The office of court administration shall, in accordance with paragraph (t) of subdivision two of section two hundred twelve of the judiciary law, ensure that a court order of protection and temporary order of protection issued by the court under article three, four, five, six, seven, eight or ten of this act, is translated in writing into the appropriate language for a party to a proceeding where the court has appointed an interpreter. The office of court administration shall ensure that the standard language of the office of court administration order of protection and temporary order of protection forms shall be translated in writing in the languages most frequently used in the courts of each judicial department in accordance with paragraph (t) of subdivision two of section two hundred twelve of the judiciary law. A copy of the written translation shall be given to each party in the proceeding, along with the original order or temporary order of protection issued in English. A copy of this written translation shall also be included as part of the record of the proceeding. The court shall read the essential terms and conditions of the order aloud on the record and direct the court appointed interpreter to interpret the same terms and conditions. Such written translation or interpretation shall not affect the validity or enforceability of the order. In every case a party to a proceeding shall be provided with an English copy of any court order of protection or temporary order of protection issued. The authority provided herein shall be in addition to and shall not be deemed to diminish or reduce any rights of the parties under existing law.

§ 4. Subdivision 3 of section 240 of the domestic relations law is amended by adding a new paragraph a-1 to read as follows:

a-1. Translation and interpretation of orders of protection. The office of court administration shall, in accordance with paragraph (t) of subdivision two of section two hundred twelve of the judiciary law, ensure that a court order of protection and temporary order of protection is translated in writing into the appropriate language for a party to a proceeding where the court has appointed an interpreter. The office of court administration shall ensure that the standard language of the office of court administration order of protection and temporary order of protection forms shall be translated in writing in the languages most frequently used in the courts of each judicial department in accordance with paragraph (t) of subdivision two of section two hundred twelve of the judiciary law. A copy of the written translation shall be given to each party in the proceeding, along with the original order or temporary order of protection issued in English. A copy of this written translation shall also be included as part of the record of the proceeding. The court shall read the essential terms and conditions

of the order aloud on the record and direct the court appointed interpreter to interpret the same terms and conditions. Such written translation or interpretation shall not affect the validity or enforceability of the order. In every case a party to a proceeding shall be provided with an English copy of any court order of protection or temporary order of protection issued. The authority provided herein shall be in addition to and shall not be deemed to diminish or reduce any rights of the parties under existing law.

§ 5. Section 252 of the domestic relations law is amended by adding a new subdivision 1-a to read as follows:

1-a. Translation and interpretation of orders of protection. The office of court administration shall, in accordance with paragraph (t) of subdivision two of section two hundred twelve of the judiciary law, ensure that a court order of protection or temporary order of protection is translated in writing into the appropriate language for a party to a proceeding where the court has appointed an interpreter. The office of court administration shall ensure that the standard language of the office of court administration order of protection and temporary order of protection forms shall be translated in writing in the languages most frequently used in the courts of each judicial department in accordance with paragraph (t) of subdivision two of section two hundred twelve of the judiciary law. A copy of the written translation shall be given to each party in the proceeding, along with the original order or temporary order of protection issued in English. A copy of this written translation shall also be included as part of the record of the proceeding. The court shall read the essential terms and conditions of the order aloud on the record and direct the court appointed interpreter to interpret the same terms and conditions. Such written translation or interpretation shall not affect the validity or enforceability of the order. In every case a party to a proceeding shall be provided with an English copy of any court order of protection or temporary order of protection issued. The authority provided herein shall be in addition to and shall not be deemed to diminish or reduce any rights of the parties under existing law.

§ 6. The closing paragraph of subparagraph 2 of paragraph (ii) of subdivision (b) of section 214 of the family court act, as added by chapter 237 of the laws of 2015, is amended to read as follows:

Notwithstanding the foregoing, the chief administrator may not eliminate the requirement of consent to participation in a county hereunder until he or she shall have provided all persons or organizations, or their representative or representatives, who regularly appear in proceedings in the family court of such county, in which proceedings the requirement of consent is to be eliminated, with reasonable notice and an opportunity to submit comments with respect thereto and shall have given due consideration to all such comments, nor until he or she shall have consulted with the members of the advisory committee continued pursuant to subparagraph (vi) of paragraph [~~(t)~~] (u) of subdivision two of section two hundred twelve of the judiciary law.

§ 7. Subparagraph (ii) of paragraph (b) of subdivision 2 of section 10.40 of the criminal procedure law, as added by chapter 237 of the laws of 2015, is amended to read as follows:

(ii) The chief administrator may eliminate the requirement of consent to participation in this program in supreme and county courts of not more than six counties provided he or she may not eliminate such requirement for a court without the consent of the district attorney, the consent of the criminal defense bar as defined in subdivision three

of this section and the consent of the county clerk of the county in which such court presides.

Notwithstanding the foregoing provisions of this subparagraph, the chief administrator shall not eliminate the requirement of consent to participation in a county hereunder until he or she shall have provided all persons and organizations, or their representative or representatives, who regularly appear in criminal actions or proceedings in the superior court of such county with reasonable notice and opportunity to submit comments with respect thereto and shall have given due consideration to all such comments, nor until he or she shall have consulted with the members of the advisory committee specified in subparagraph (v) of paragraph [~~(t)~~] **(u)** of subdivision two of section two hundred twelve of the judiciary law.

§ 8. The chief administrator of the courts may promulgate rules and regulations in order to effectuate the provisions of this act, and, to the extent necessary and appropriate, exercise his or her authority pursuant to paragraph (l) of subdivision 1 of section 212 of the judiciary law to the same end.

§ 9. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to orders of protection issued on or after such effective date; provided that the amendments to section 214 of the family court act, made by section six of this act, shall not affect the expiration and reversion of such section, and shall expire therewith; provided, further, that the amendments to subparagraph (ii) of paragraph (b) of subdivision 2 of section 10.40 of the criminal procedure law made by section seven of this act, shall not affect the expiration and reversion of such section, and shall expire therewith.

PART CC

Section 1. Section 13 of chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, as amended by section 2 of part S of chapter 57 of the laws of 2016, is amended to read as follows:

§ 13. This act shall take effect immediately and shall be deemed to have been in full force and effect as of April 1, 1994, provided that, the provisions of section 5-a of the legislative law as amended by sections two and two-a of this act shall take effect on January 1, 1995, and provided further that, the provisions of article 5-A of the legislative law as added by section eight of this act shall expire June 30, [~~2017~~] **2018** when upon such date the provisions of such article shall be deemed repealed; and provided further that section twelve of this act shall be deemed to have been in full force and effect on and after April 10, 1994.

§ 2. This act shall take effect immediately, provided, however, if section one of this act shall take effect on or after June 30, 2017 section one of this act shall be deemed to have been in full force and effect on and after June 30, 2017.

PART DD

Section 1. Paragraph (g) of section 1603 of the not-for-profit corporation law, as amended by chapter 106 of the laws of 2014, is amended to read as follows:

(g) Nothing in this article shall be construed to authorize the existence of more than [~~twenty~~] **twenty-five** land banks located in the state

at one time, provided further that each foreclosing governmental unit or units proposing to create a land bank shall submit such local law, ordinance or resolution as required by paragraph (a) of this section, to the urban development corporation, for its review and approval. The creation of a land bank shall be conditioned upon approval of the urban development corporation.

§ 2. This act shall take effect immediately.

PART EE

Section 1. Notwithstanding any other provision of law to the contrary, in accordance with local law number one of 2017 of the village of Spring Valley, those properties located within the village of Spring Valley that have timely filed applications for real property tax law exemptions for persons over sixty-five years of age and for veterans pursuant to sections 467 and 458 of the real property tax law with the town of Clarkstown or the town of Ramapo for the 2016 and 2017 assessment rolls of each municipality shall be granted such exemptions on the portion of such rolls to be used for the levy of the village of Spring Valley taxes in 2017 and 2018 where the assessor determines that the applicable eligibility requirements are satisfied, notwithstanding the fact that said local law was adopted after the taxable date of such rolls.

§ 2. This act shall take effect immediately.

PART FF

Section 1. a. Notwithstanding the provisions of section 1226 of the vehicle and traffic law, the New York state commissioner of motor vehicles may approve demonstrations and tests consisting of the operation of a motor vehicle equipped with autonomous vehicle technology while such motor vehicle is engaged in the use of such technology on public highways within this state for the purposes of demonstrating and assessing the current development of autonomous vehicle technology and to begin identifying potential impacts of such technology on safety, traffic control, traffic enforcement, emergency services, and such other areas as may be identified by such commissioner. Provided, however, that such demonstrations and tests shall only take place under the direct supervision of the New York state police. Such demonstrations and tests shall take place in a manner and form prescribed by the commissioner of motor vehicles including, but not limited to: a requirement that a natural person holding a valid license for the operation of the motor vehicle's class be present within such vehicle for the duration of the time it is operated on public highways; a requirement that the motor vehicle utilized in such demonstrations and tests complies with all applicable federal motor vehicle safety standards and New York state motor vehicle inspection standards; and a requirement that the motor vehicle utilized in such demonstrations and tests has in place, at a minimum, financial security in the amount of five million dollars. Nothing in this act shall authorize the motor vehicle utilized in such demonstrations and tests to operate in violation of article 22 or title 7 of the vehicle and traffic law, excluding section 1226 of such law.

b. For the purposes of this act, the term "autonomous vehicle technology" shall mean the hardware and software that are collectively capable of performing part or all of the dynamic driving task on a sustained basis, and the term "dynamic driving task" shall mean all of the real-time operational and tactical functions required to operate a vehicle in

on-road traffic, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints.

§ 2. The commissioner of motor vehicles shall, in consultation with the superintendent of state police, submit a report to the governor, the temporary president of the senate, the speaker of the assembly, and the chairs of the senate and assembly transportation committees on the demonstrations and tests authorized by section one of this act. Such report shall include, but not be limited to, a description of the parameters and purpose of such demonstrations and tests, the location or locations where demonstrations and tests were conducted, the demonstrations' and tests' impacts on safety, traffic control, traffic enforcement, emergency services, and such other areas as may be identified by such commissioner. Such commissioner shall submit such report on or before June 1, 2018.

§ 3. This act shall take effect April 1, 2017; provided, however, that section one of this act shall expire and be deemed repealed April 1, 2018.

PART GG

Section 1. Subdivision 5 of section 227 of the vehicle and traffic law, as amended by section 3 of part CC of chapter 58 of the laws of 2015, is amended to read as follows:

5. All penalties and forfeited security collected pursuant to the provisions of this article shall be paid to the department of audit and control to the credit of the justice court fund and shall be subject to the applicable provisions of section eighteen hundred three of this chapter. After such audit as shall reasonably be required by the comptroller, such penalties and forfeited security shall be paid quarterly or, in the discretion of the comptroller, monthly, to the appropriate jurisdiction in which the violation occurred in accordance with the provisions of section ninety-nine-a of the state finance law, except that the sum of four dollars for each violation occurring in such jurisdiction for which a complaint has been filed with the administrative tribunal established pursuant to this article shall be retained by the state. **Notwithstanding any law to the contrary an additional annual sum of three million dollars collected from fines and assessed to the city of New York, shall be deposited into the general fund in accordance with the provisions of section ninety-nine-a of the state finance law.** The amount distributed during the first three quarters to the city of Rochester in any given fiscal year shall not exceed seventy percent of the amount which will be otherwise payable. Provided, however, that if the full costs of administering this article shall exceed the amounts received and retained by the state for any period specified by the commissioner, then such additional sums as shall be required to offset such costs shall be retained by the state out of the penalties and forfeited security collected pursuant to this article.

§ 2. Paragraph c of subdivision 1 of section 1803 of the vehicle and traffic law, as amended by chapter 385 of the laws of 1999, is amended to read as follows:

c. for compliance with or violations of subdivision nineteen of section three hundred eighty-five of this chapter, notwithstanding any inconsistent provision of law, except as provided in section ninety of the state finance law, the fees and fines collected by the state pursuant to sections two hundred twenty-seven, three hundred eighty-five and eighteen hundred three of this chapter and section ninety-nine-a of the

state finance law, shall be made available to the state comptroller for deposit in the general fund except that fines collected within a city not wholly included within one county shall be paid to such city in accordance with the procedures set forth in subdivision four of section two hundred twenty-seven of this chapter for deposit into the general fund of such city**, and except that an annual amount of three million dollars of fines collected within the city of New York pursuant to article two-A of this chapter be deposited by the comptroller to the general fund**.

§ 3. Subdivision 3 of section 99-a of the state finance law, as amended by section 10 of part CC of chapter 58 of the laws of 2015, is amended to read as follows:

3. The comptroller is hereby authorized to implement alternative procedures, including guidelines in conjunction therewith, relating to the remittance of fines, penalties, forfeitures and other moneys by town and village justice courts, and by the Nassau and Suffolk counties traffic and parking violations agencies, and by the city of Buffalo traffic violations agency, **and by the city of New York pursuant to article two-A of the vehicle and traffic law,** to the justice court fund and for the distribution of such moneys by the justice court fund. Notwithstanding any law to the contrary, the alternative procedures utilized may include:

a. electronic funds transfer;

b. remittance of funds by the justice court to the chief fiscal office of the town or village, or, in the case of the Nassau and Suffolk counties traffic and parking violations agencies, to the county treasurer, or, in the case of the Buffalo traffic violations agency, to the city of Buffalo comptroller, for distribution in accordance with instructions by the comptroller **or, in the case of the city of New York, pursuant to article two-A of the vehicle and traffic law to the city comptroller**; and/or

c. monthly, rather than quarterly, distribution of funds.

The comptroller may require such reporting and record keeping as he or she deems necessary to ensure the proper distribution of moneys in accordance with applicable laws. A justice court or the Nassau and Suffolk counties traffic and parking violations agencies or the city of Buffalo traffic violations agency **or the city of New York pursuant to article two-A of the vehicle and traffic law** may utilize these procedures only when permitted by the comptroller, and such permission, once given, may subsequently be withdrawn by the comptroller on due notice.

§ 4. This act shall take effect immediately; and shall expire and be deemed repealed April 1, 2019.

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

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