

STATE OF NEW YORK

1505--B

IN SENATE

January 18, 2019

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

AN ACT intentionally omitted (Part A); intentionally omitted (Part B); intentionally omitted (Part C); intentionally omitted (Part D); to amend the civil service law, in relation to protection of the personal privacy of public employees (Part E); to amend the civil service law, in relation to the expiration of public arbitration panels (Part F); to amend chapter 97 of the laws of 2011, amending the general municipal law and the education law relating to establishing limits upon school district and local government tax levies, in relation to making the tax cap permanent (Part G); to amend chapter 123 of the laws of 2014, amending the vehicle and traffic law, the general municipal law, and the public officers law relating to owner liability for failure of operator to comply with traffic-control indications, in relation to extending the provisions thereof; to amend chapter 101 of the laws of 2014, amending the vehicle and traffic law, the general municipal law, and the public officers law relating to owner liability for failure of operator to comply with traffic-control indications in the city of Mt. Vernon, in relation to extending the effectiveness thereof; to amend chapter 19 of the laws of 2009, amending the vehicle and traffic law and other laws relating to adjudications and owner liability for a violation of traffic-control signal indications, in relation to extending the provisions of such chapter; to amend chapter 99 of the laws of 2014, amending the vehicle and traffic law, the general municipal law, and the public officers law relating to owner liability for failure of operator to comply with traffic-control indications in the city of New Rochelle, in relation to extending the effectiveness thereof; to amend chapter 746 of the laws of 1988, amending the vehicle and traffic law, the general municipal law and the public officers law relating to the civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof; to amend local law number 46 of the city of New York for the year 1989, amending the administrative code of the city of New York relat-

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

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ing to civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof; to amend chapter 23 of the laws of 2009, amending the vehicle and traffic law and the public officers law relating to adjudications and owner liability for a violation of traffic-control signal indications, in relation to extending the provisions of such chapter; to amend chapter 222 of the laws of 2015, amending the vehicle and traffic law, the general municipal law, and the public officers law relating to owner liability for failure of an operator to comply with traffic-control indications in the city of White Plains, in relation to extending the provisions of such chapter; to amend chapter 20 of the laws of 2009, amending the vehicle and traffic law, the general municipal law, and the public officers law, relating to owner liability for failure of operator to comply with traffic control indications, in relation to extending the provisions thereof; and to amend the vehicle and traffic law, in relation to reporting requirements for traffic-control photo violation monitoring systems (Part H); intentionally omitted (Part I); to amend the real property tax law, in relation to a class one reassessment exemption in a special assessing unit that is not a city; and to amend the tax law, in relation to reassessment relief credit (Part J); to provide for the administration of certain funds and accounts related to the 2019-20 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the school tax relief fund; to amend the state finance law, in relation to payments, transfers and deposits; to amend chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to the issuance of bonds or notes; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of certain bonds or notes; to amend part X of chapter 59 of the laws of 2004, authorizing the New York state urban development corporation and the dormitory authority of the state of New York to issue bonds or notes, in relation to the issuance of such bonds or notes; to amend part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of certain bonds or notes; to amend chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, in relation to the issuance of certain bonds or notes; to amend chapter 359 of the laws of 1968, constituting the facilities development corporation act, in relation to the mental hygiene facilities improvement fund income account; and to amend the state finance law, in relation to mental health services fund; and providing for the repeal of certain provisions upon expiration thereof (Part K); to amend chapter 22 of the laws of 2014, relating to expanding opportunities for service-disabled veteran-owned business enterprises, in relation to extending the provisions thereof

(Part L); intentionally omitted (Part M); intentionally omitted (Part N); 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 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 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 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 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 55 of the laws of 2018 amending the criminal procedure law relating to pre-criminal proceeding settlements in the city of New York, in relation to the effectiveness thereof (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); to amend the workers' compensation law, in relation to extending the board's authority to resolve medical bill disputes and simplify the process (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); authorizing the alienation of certain parklands in the town of Hastings, county of Oswego (Part FF); to amend the state finance law, in relation to authorizing use of centralized services by public authorities and public benefit corporations to acquire energy products as centralized services from the office of general services; 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, in relation to the effectiveness thereof; and to amend part C of chapter 97 of the laws of 2011, amending the state finance law and other laws relating to providing certain centralized service to political subdivisions and extending the authority of the commissioner of general services to aggregate purchases of energy for state agencies and political subdivisions, in relation to the effectiveness thereof (Part GG); to amend the public buildings law, in relation to increasing the maximum contract amount during construction emergencies and regarding bidding for certain contracts; and to amend chapter 674 of the laws of 1993, amending the public buildings law relating to value limitations on contracts, in relation to making such provisions permanent (Part HH); to amend the banking law, in relation to licensing considerations for check cashers (Subpart A); to amend

the education law, in relation to eligibility for serving on a New York city community district education council and city-wide council (Subpart B); to amend the executive law, in relation to licensing considerations for bingo suppliers (Subpart C); to amend the executive law, in relation to licensing considerations for notary publics (Subpart D); to amend the general municipal law, in relation to licensing considerations for suppliers of games of chance, for games of chance licensees, for bingo licensees, and for lessors of premises to bingo licensees (Subpart E); to amend the insurance law, in relation to licensing considerations for insurer adjusters and for employment with insurance adjusters; and to repeal certain provisions of such law relating thereto (Subpart F); to amend the real property law, in relation to licensing considerations for real estate brokers or real estate salesmen (Subpart G); to amend the social services law, in relation to participation as employer in subsidized employer programs (Subpart H); to amend the vehicle and traffic law, in relation to eligibility for employment by a driver's school (Subpart I); to repeal certain provisions of the vehicle and traffic law, relating to mandatory suspension of drivers' licenses for certain offenses (Subpart J); to amend the public officers law, in relation to prohibiting disclosure of law enforcement booking information and photographs (Subpart K); to amend the executive law and the judiciary law, in relation to exclusion of undisposed cases from criminal history record searches (Subpart L); directs the commissioner of the division of criminal justice services to seal certain records of any action or proceeding terminated in favor of the accused or convictions for certain traffic violations (Subpart M); to amend the executive law and the judiciary law, in relation to preventing employment discrimination against persons whose criminal charges have been adjourned in contemplation of dismissal (Subpart N); to amend the executive law, in relation to preventing employment discrimination against persons whose criminal charges have been adjourned in contemplation of dismissal (Subpart O); and intentionally omitted (Subpart P) (Part II); intentionally omitted (Part JJ); to amend the penal law and the correction law, in relation to shock incarceration (Part KK); intentionally omitted (Part LL); intentionally omitted (Part MM); intentionally omitted (Part NN); intentionally omitted (Part OO); to amend the civil practice law and rules, the county law and the general municipal law, in relation to restricting forfeiture actions and creating greater accountability for seized assets; and to amend the criminal procedure law and the penal law, in relation to reporting certain demographic data (Part PP); intentionally omitted (Part QQ); to amend the executive law, in relation to creating an office of special investigation within the office of the attorney general, requiring reports on the discharge of a firearm, and requiring the establishment of a model law enforcement use of force policy (Part RR); to amend civil practice law and rules, in relation to authorization to the Suffolk county clerk to charge a block fee (Part SS); intentionally omitted (Part TT); intentionally omitted (Part UU); to amend the administrative code of the city of New York, in relation to the medical board of the New York city employees' retirement system (Part VV); to amend the general municipal law and to amend chapter 273 of the laws of 2017 amending the general municipal law relating to granting sick leave for officers and employees with the qualifying World Trade Center condition, in relation to sick leave for officers and employees with a qualifying World Trade Center condition (Part WW); to amend the state finance

law, in relation to the cost effectiveness of consultant contracts by state agencies (Part XX); to amend the state finance law, in relation to the definition of prior year aid (Part YY); to amend chapter 507 of the laws of 2009, amending the real property actions and proceedings law and other laws relating to home mortgage loans, in relation to making provisions permanent relating to notice of foreclosure and mandatory settlement conferences in residential foreclosure actions (Part ZZ); and to amend the education law and the state finance law, in relation to creating a gun violence research institute (Part AAA)

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 2019-2020
3 state fiscal year. Each component is wholly contained within a Part
4 identified as Parts A through AAA. The effective date for each partic-
5 ular provision contained within such Part is set forth in the last
6 section of such Part. Any provision in any section contained within a
7 Part, including the effective date of the Part, which makes a refer-
8 ence to a section "of this act", when used in connection with that particular
9 component, shall be deemed to mean and refer to the corresponding
10 section of the Part in which it is found. Section three of this act sets
11 forth the general effective date of this act.

- 12 PART A
- 13 Intentionally Omitted
- 14 PART B
- 15 Intentionally Omitted
- 16 PART C
- 17 Intentionally Omitted
- 18 PART D
- 19 Intentionally Omitted
- 20 PART E

21 Section 1. Paragraphs (f) and (g) of subdivision 1 of section 209-a of
22 the civil service law, as amended by chapter 244 of the laws of 2007,
23 are amended to read as follows:

24 (f) to utilize any state funds appropriated for any purpose to train
25 managers, supervisors or other administrative personnel regarding meth-
26 ods to discourage union organization or to discourage an employee from
27 participating in a union organizing drive; ~~(g)~~ (g) to fail to permit or
28 refuse to afford a public employee the right, upon the employee's
29 demand, to representation by a representative of the employee organiza-
30 tion, or the designee of such organization, which has been certified or
31 recognized under this article when at the time of questioning by the
32 employer of such employee it reasonably appears that he or she may be

1 the subject of a potential disciplinary action. If representation is
2 requested, and the employee is a potential target of disciplinary action
3 at the time of questioning, a reasonable period of time shall be
4 afforded to the employee to obtain such representation. It shall be an
5 affirmative defense to any improper practice charge under paragraph (g)
6 of this subdivision that the employee has the right, pursuant to stat-
7 ute, interest arbitration award, collectively negotiated agreement,
8 policy or practice, to present to a hearing officer or arbitrator
9 evidence of the employer's failure to provide representation and to
10 obtain exclusion of the resulting evidence upon demonstration of such
11 failure. Nothing in this section shall grant an employee any right to
12 representation by the representative of an employee organization in any
13 criminal investigation; or (h) to disclose home addresses, personal
14 telephone numbers, personal cell phone numbers, personal e-mail
15 addresses of a public employee, as the term "public employee" is defined
16 in subdivision seven of section two hundred one of this article, except
17 (i) where required pursuant to the provisions of this article, and (ii)
18 to the extent compelled to do so by lawful service of process, subpoena,
19 court order, or as otherwise required by law. This paragraph shall not
20 prohibit other provisions of law regarding work-related, publicly avail-
21 able information such as title, salary, and dates of employment.

22 § 2. Subdivision 1 of section 208 of the civil service law is amended
23 by adding a new paragraph (d) to read as follows:

24 (d) Unless otherwise specified by a collective bargaining agreement,
25 upon the request of the employee organization, not more than quarterly,
26 the employer shall provide the employee organization the name, address,
27 job title, employing agency or department or other operating unit and
28 work location of all employees of a bargaining unit.

29 § 3. This act shall take effect immediately.

30 PART F

31 Section 1. Paragraph (d) of subdivision 4 of section 209 of the civil
32 service law, as amended by section 1 of part L of chapter 57 of the laws
33 of 2016, is amended to read as follows:

34 (d) The provisions of this subdivision shall expire July first, two
35 thousand [~~nineteen~~] twenty-two.

36 § 2. Paragraph (f) of subdivision 6 of section 209 of the civil
37 service law, as amended by section 2 of part L of chapter 57 of the laws
38 of 2016, is amended to read as follows:

39 (f) The provisions of this subdivision shall expire July first, two
40 thousand [~~nineteen~~] twenty-two.

41 § 3. This act shall take effect immediately.

42 PART G

43 Section 1. Section 13 of part A of chapter 97 of the laws of 2011,
44 amending the general municipal law and the education law relating to
45 establishing limits upon school district and local government tax
46 levies, as amended by section 18 of part A of chapter 20 of the laws of
47 2015, is amended to read as follows:

48 § 13. This act shall take effect immediately[~~, provided, however, that~~
49 ~~sections two through eleven of this act shall take effect July 1, 2011~~
50 ~~and shall first apply to school district budgets and the budget adoption~~
51 ~~process for the 2012-13 school year, and shall continue to apply to~~
52 ~~school district budgets and the budget adoption process for any school~~

~~1 year beginning in any calendar year during which this act is in effect,
2 provided further, that if section 26 of part A of chapter 58 of the laws
3 of 2011 shall not have taken effect on or before such date then section
4 ten of this act shall take effect on the same date and in the same
5 manner as such chapter of the laws of 2011, takes effect; provided
6 further, that section one of this act shall first apply to the levy of
7 taxes by local governments for the fiscal year that begins in 2012 and
8 shall continue to apply to the levy of taxes by local governments for
9 any fiscal year beginning in any calendar year during which this act is
10 in effect; provided, further, that this act shall remain in full force
11 and effect at a minimum until and including June 15, 2020 and shall
12 remain in effect thereafter only so long as the public emergency requir-
13 ing the regulation and control of residential rents and evictions and
14 all such laws providing for such regulation and control continue as
15 provided in subdivision 3 of section 1 of the local emergency rent
16 control act, sections 26-501, 26-502 and 26-520 of the administrative
17 code of the city of New York, section 17 of chapter 576 of the laws of
18 1974 and subdivision 2 of section 1 of chapter 274 of the laws of 1946
19 constituting the emergency housing rent control law, and section 10 of
20 chapter 555 of the laws of 1982, amending the general business law and
21 the administrative code of the city of New York relating to conversions
22 of residential property to cooperative or condominium ownership in the
23 city of New York as such laws are continued by chapter 93 of the laws of
24 2011 and as such sections are amended from time to time].~~

25 § 2. This act shall take effect immediately.

26 PART H

27 Section 1. The opening paragraph of section 15 of chapter 123 of the
28 laws of 2014, amending the vehicle and traffic law, the general municip-
29 al law, and the public officers law relating to owner liability for
30 failure of an operator to comply with traffic-control indications, is
31 amended to read as follows:

32 This act shall take effect on the thirtieth day after it shall have
33 become a law and shall expire [~~5 years after such effective date when
34 upon such date the provisions of this act shall~~] and be deemed repealed
35 December 1, 2021; and provided further that any rules necessary for the
36 implementation of this act on its effective date shall be promulgated on
37 or before such effective date, provided that:

38 § 2. The opening paragraph of section 15 of chapter 101 of the laws of
39 2014, amending the vehicle and traffic law, the general municipal law,
40 and the public officers law relating to owner liability for failure of
41 an operator to comply with traffic-control indications in the city of
42 Mt. Vernon, is amended to read as follows:

43 This act shall take effect on the thirtieth day after it shall have
44 become a law and shall expire [~~5 years after such effective date when
45 upon such date the provisions of this act shall~~] and be deemed repealed
46 December 1, 2021; and provided further that any rules necessary for the
47 implementation of this act on its effective date shall be promulgated on
48 or before such effective date, provided that:

49 § 3. Section 10 of chapter 19 of the laws of 2009, amending the vehi-
50 cle and traffic law and other laws relating to adjudications and owner
51 liability for a violation of traffic-control signal indications, as
52 amended by chapter 133 of the laws of 2014, is amended to read as
53 follows:

1 § 10. This act shall take effect on the thirtieth day after it shall
2 have become a law and shall expire December 1, [~~2019~~] 2021 when upon
3 such date the provisions of this act shall be deemed repealed; provided
4 that the amendments to paragraph a of subdivision 5-a of section 401 of
5 the vehicle and traffic law made by section one of this act shall be
6 subject to the expiration and reversion of such paragraph pursuant to
7 section 17 of chapter 746 of the laws of 1988, as amended, when upon
8 such date the provisions of section two of this act shall take effect;
9 provided that the amendments to the opening paragraph and paragraph (c)
10 of subdivision 1 of section 1809 of the vehicle and traffic law made by
11 section four of this act shall be subject to the expiration and rever-
12 sion of such subdivision pursuant to chapter 166 of the laws of 1991, as
13 amended, when upon such date the provisions of section five of this act
14 shall take effect; provided, however, that the amendments to the opening
15 paragraph of subdivision 1 of section 1809 of the vehicle and traffic
16 law made by section five of this act shall not affect the expiration of
17 such subdivision and shall expire therewith; provided, however, that the
18 amendments to subdivision 2 of section 371 of the general municipal law
19 made by section seven of this act shall not affect the expiration of
20 such section and shall be deemed to expire therewith; and provided,
21 further, that any such local laws as may be enacted pursuant to this act
22 shall remain in full force and effect only until December 1, [~~2019~~]
23 2021.

24 § 4. The opening paragraph of section 15 of chapter 99 of the laws of
25 2014, amending the vehicle and traffic law, the general municipal law,
26 and the public officers law relating to owner liability for failure of
27 an operator to comply with traffic-control indications in the city of
28 New Rochelle, is amended to read as follows:

29 This act shall take effect on the thirtieth day after it shall have
30 become a law and shall expire [~~5 years after such effective date when~~
31 ~~upon such date the provisions of this act shall~~] and be deemed repealed
32 December 1, 2021; and provided further that any rules necessary for the
33 implementation of this act on its effective date shall be promulgated on
34 or before such effective date, provided that:

35 § 5. Section 17 of chapter 746 of the laws of 1988, amending the vehi-
36 cle and traffic law, the general municipal law, and the public officers
37 law relating to the civil liability of vehicle owners for traffic
38 control signal violations, as amended by chapter 134 of the laws of
39 2014, is amended to read as follows:

40 § 17. This act shall take effect on the thirtieth day after it shall
41 have become a law and shall remain in full force and effect until Decem-
42 ber 1, [~~2019~~] 2021 when upon such date the amendments and provisions
43 made by this act shall be deemed repealed; provided, however, any such
44 local laws as may be enacted pursuant to this act shall remain in full
45 force and effect only until the expiration on December 1, [~~2019~~] 2021.

46 § 6. Section 2 of local law number 46 of the city of New York for the
47 year 1989 amending the administrative code of the city of New York
48 relating to civil liability of vehicle owners for traffic control signal
49 violations, as amended by chapter 134 of the laws of 2014, is amended to
50 read as follows:

51 § 2. This local law shall take effect immediately and shall expire on
52 December 1, [~~2019~~] 2021.

53 § 7. Section 9 of chapter 23 of the laws of 2009, amending the vehicle
54 and traffic law and other laws relating to adjudications and owner
55 liability for a violation of traffic-control signal indications, as

1 amended by chapter 127 of the laws of 2014, is amended to read as
2 follows:

3 § 9. This act shall take effect on the thirtieth day after it shall
4 have become a law and shall expire December 1, [~~2019~~] 2021 when upon
5 such date the provisions of this act shall be deemed repealed; provided
6 that the amendments to paragraph a of subdivision 5-a of section 401 of
7 the vehicle and traffic law made by section one of this act shall be
8 subject to the expiration and reversion of such paragraph pursuant to
9 section 17 of chapter 746 of the laws of 1988, as amended, when upon
10 such date the provisions of section two of this act shall take effect;
11 provided that the amendments to the opening paragraph and paragraph (c)
12 of subdivision 1 of section 1809 of the vehicle and traffic law made by
13 section four of this act shall be subject to the expiration and rever-
14 sion of such subdivision pursuant to chapter 166 of the laws of 1991, as
15 amended, when upon such date the provisions of section five of this act
16 shall take effect; provided, however, that the amendments to the opening
17 paragraph of subdivision 1 of section 1809 of the vehicle and traffic
18 law made by section five of this act shall not affect the expiration of
19 such subdivision and shall expire therewith; and provided, further, that
20 any such local laws as may be enacted pursuant to this act shall remain
21 in full force and effect only until December 1, [~~2019~~] 2021.

22 § 8. The opening paragraph of section 15 of chapter 222 of the laws of
23 2015, amending the vehicle and traffic law, the general municipal law,
24 and the public officers law relating to owner liability for failure of
25 an operator to comply with traffic-control indications in the city of
26 White Plains, is amended to read as follows:

27 This act shall take effect on the thirtieth day after it shall have
28 become a law and shall expire [~~5 years after such effective date when~~
29 ~~upon such date the provisions of this act shall~~] and be deemed repealed
30 December 1, 2021; and provided further that any rules necessary for the
31 implementation of this act on its effective date shall be promulgated on
32 or before such effective date, provided that:

33 § 9. The opening paragraph and paragraph (k) of section 24 of chapter
34 20 of the laws of 2009, amending the vehicle and traffic law, the gener-
35 al municipal law, and the public officers law relating to owner liabil-
36 ity for failure of operator to comply with traffic control indications,
37 as amended by chapter 128 of the laws of 2014, are amended to read as
38 follows:

39 This act shall take effect on the thirtieth day after it shall have
40 become a law and shall expire December 1, [~~2019~~] 2021 when upon such
41 date the provisions of this act shall be deemed repealed; provided that:

42 (k) any such local laws as may be enacted pursuant to this act shall
43 remain in full force and effect only until December 1, [~~2019~~] 2021.

44 § 10. Subdivisions (a) and (m) of section 1111-a of the vehicle and
45 traffic law, as amended by chapter 658 of the laws of 2006, paragraph 1
46 of subdivision (a) as amended by chapter 18 of the laws of 2009, are
47 amended and two new subdivisions (o) and (p) are added to read as
48 follows:

49 (a) 1. Notwithstanding any other provision of law, each city with a
50 population of one million or more is hereby authorized and empowered to
51 adopt and amend a local law or ordinance establishing a demonstration
52 program imposing monetary liability on the owner of a vehicle for fail-
53 ure of an operator thereof to comply with traffic-control indications in
54 such city in accordance with the provisions of this section. Such demon-
55 stration program shall empower a city to install and operate traffic-

1 control signal photo violation-monitoring devices at no more than one
2 hundred fifty intersections within such city at any one time.

3 2. (i) Such demonstration program shall utilize necessary technologies
4 to ensure, to the extent practicable, that photographs produced by such
5 traffic-control signal photo violation-monitoring systems shall not
6 include images that identify the driver, the passengers, or the contents
7 of the vehicle. Provided, however, that no notice of liability issued
8 pursuant to this section shall be dismissed solely because a photograph
9 or photographs allow for the identification of the contents of a vehi-
10 cle, provided that such city has made a reasonable effort to comply with
11 the provisions of this paragraph.

12 (ii) Photographs, microphotographs, videotape or any other recorded
13 image from a traffic-control signal photo violation-monitoring system
14 shall be for the exclusive use of each such county for the purpose of
15 the adjudication of liability imposed pursuant to this section and of
16 the owner receiving a notice of liability pursuant to this section, and
17 shall be destroyed by each such county upon the final resolution of the
18 notice of liability to which such photographs, microphotographs, vide-
19 otape or other recorded images relate, or one year following the date of
20 issuance of such notice of liability, whichever is later.

21 (m) [~~In any~~] Any city [~~which~~] that adopts a demonstration program
22 pursuant to subdivision (a) of this section[~~, such city~~] shall submit an
23 annual report [~~en~~] detailing the results of the use of [~~a~~] such traff-
24 ic-control signal photo violation-monitoring system to the governor, the
25 temporary president of the senate [~~and~~], the speaker of the assembly and
26 the chairs of the senate and the assembly local government committees on
27 or before June first, two thousand seven and on the same date in each
28 succeeding year in which the demonstration program is operable. Such
29 report shall include, but not be limited to:

30 1. a description of the locations where traffic-control signal photo
31 violation-monitoring systems were used, including those locations where
32 a traffic-control signal photo violation-monitoring system had been
33 deployed, but has since been removed or is no longer in operation, a
34 description of the methodology used to determine where traffic-control
35 signal photo violation-monitoring system units are placed within such
36 city, and the public official, body or entity charged with traffic-con-
37 trol signal photo violation-monitoring system placement;

38 2. within each borough of such city, the aggregate number, type and
39 severity of accidents reported at intersections where a traffic-control
40 signal photo violation-monitoring system is used for the [~~year~~] three
41 years preceding the installation of such system, to the extent the
42 information is maintained by the department of motor vehicles of this
43 state;

44 3. within each borough of such city, the aggregate number, type and
45 severity of accidents reported at intersections where a traffic-control
46 signal photo violation-monitoring system is used for the reporting year,
47 as well as for each year that the traffic-control signal photo viola-
48 tion-monitoring system has been operational, to the extent the informa-
49 tion is maintained by the department of motor vehicles of this state;

50 4. the number of events and number of violations recorded at each
51 intersection where a traffic-control signal photo violation-monitoring
52 system is used and in the aggregate on a daily, weekly and monthly
53 basis;

54 5. the [~~total~~] number of notices of liability issued for violations
55 recorded by such [~~systems~~] system at each intersection where a traffic-
56 control signal photo violation-monitoring system is used;

1 6. the number of fines issued and total amount of fines paid after
2 first notice of liability issued for violations recorded by such
3 systems;

4 7. the number and percentage of violations adjudicated and results of
5 such adjudications including breakdowns of dispositions made for
6 violations recorded by such systems;

7 8. the total amount of revenue realized by such city from such adjudi-
8 cations including a breakdown of revenue realized by such city for each
9 year since deployment of its traffic-control signal photo violation-mon-
10 itoring system;

11 9. total annual year over year expenses incurred by such city in
12 connection with the program, the number of full-time employees includ-
13 ing, but not limited to, technicians and hearing officers required to
14 administer such city's demonstration program, if such city has retained
15 a contractor, or any entity other than the city for the purpose of oper-
16 ating and/or administering such county's demonstration program, the name
17 of the entity, the method of procurement used to select such entity, and
18 duration of existing contracts for administration of a demonstration
19 program; and

20 10. quality of the adjudication process and its results and recommen-
21 dations on ways such city can improve administration of its demon-
22 stration program.

23 A city that has adopted a demonstration program and fails to submit
24 the annual report by the date set forth in this subdivision shall, with-
25 in thirty days, initiate an audit of such city's demonstration program
26 which shall be performed by an independent consultant, engineer or labo-
27 ratory. The report detailing such audit's findings shall be provided to
28 the governor, the temporary president of the senate, the speaker of the
29 assembly and the chairs of the senate and assembly local government
30 committees within one hundred twenty days of commencement of the audit.
31 Should such county fail to initiate the audit during the stated period,
32 such county's demonstration program shall be temporarily suspended until
33 the report has been duly received.

34 (o) Any contract or agreement between a city that has adopted a demon-
35 stration program and an entity or entities for the purpose of operating
36 and administering such program shall not contain any "quotas", "minimum
37 criteria" or any other such term that requires a minimum number of
38 traffic-control signal photo violation-monitoring system events over a
39 stated period of time.

40 (p) The report required pursuant to subdivision (m) of this section
41 shall be considered a public record for the purposes of article six of
42 the public officers law.

43 § 11. Subdivisions (a) and (n) of section 1111-b of the vehicle and
44 traffic law, as added by chapter 19 of the laws of 2009, paragraph 1 of
45 subdivision (a) as amended by section 1 of part R of chapter 57 of the
46 laws of 2012, are amended and two new subdivisions (p) and (q) are added
47 to read as follows:

48 (a) 1. Notwithstanding any other provision of law, the county of
49 Nassau is hereby authorized and empowered to adopt and amend a local law
50 or ordinance establishing a demonstration program imposing monetary
51 liability on the owner of a vehicle for failure of an operator thereof
52 to comply with traffic-control indications in such county in accordance
53 with the provisions of this section. Such demonstration program shall
54 empower such county to install and operate traffic-control signal photo
55 violation-monitoring devices at no more than one hundred intersections
56 within and under the jurisdiction of such county at any one time.

1 2. (i) Such demonstration program shall utilize necessary technologies
2 to ensure, to the extent practicable, that photographs produced by such
3 traffic-control signal photo violation-monitoring systems shall not
4 include images that identify the driver, the passengers, or the contents
5 of the vehicle. Provided, however, that no notice of liability issued
6 pursuant to this section shall be dismissed solely because a photograph
7 or photographs allow for the identification of the contents of a vehi-
8 cle, provided that such county has made a reasonable effort to comply
9 with the provisions of this paragraph.

10 (ii) Photographs, microphotographs, videotape or any other recorded
11 image from a traffic-control signal photo violation-monitoring system
12 shall be for the exclusive use of each such county for the purpose of
13 the adjudication of liability imposed pursuant to this section and of
14 the owner receiving a notice of liability pursuant to this section, and
15 shall be destroyed by each such county upon the final resolution of the
16 notice of liability to which such photographs, microphotographs, vide-
17 otape or other recorded images relate, or one year following the date of
18 issuance of such notice of liability, whichever is later.

19 (n) [~~In any such~~] Any county [~~which~~] that adopts a demonstration
20 program pursuant to subdivision (a) of this section[~~, such county~~] shall
21 submit an annual report [~~on~~] detailing the results of the use of [~~a~~]
22 such traffic-control signal photo violation-monitoring system to the
23 governor, the temporary president of the senate [~~and~~], the speaker of
24 the assembly and the chairs of the senate and the assembly local govern-
25 ment committees on or before June first, two thousand ten and on the
26 same date in each succeeding year in which the demonstration program is
27 operable. Such report shall include, but not be limited to:

28 1. a description of the locations where traffic-control signal photo
29 violation-monitoring systems were used, including those locations where
30 a traffic-control signal photo violation-monitoring system had been
31 deployed, but has since been removed or is no longer in operation, a
32 description of the methodology used to determine where traffic-control
33 signal photo violation-monitoring system units are placed within such
34 county, and the public official, body or entity charged with traffic-
35 control signal photo violation-monitoring system placement;

36 2. the aggregate number, type and severity of accidents reported at
37 intersections where a traffic-control signal photo violation-monitoring
38 system is used for the [~~year~~] three years preceding the installation of
39 such system, to the extent the information is maintained by the depart-
40 ment of motor vehicles of this state;

41 3. the aggregate number, type and severity of accidents reported at
42 intersections where a traffic-control signal photo violation-monitoring
43 system is used for the reporting year, as well as for each year that the
44 traffic-control signal photo violation-monitoring system has been opera-
45 tional, to the extent the information is maintained by the department of
46 motor vehicles of this state;

47 4. the number of events and number of violations recorded at each
48 intersection where a traffic-control signal photo violation-monitoring
49 system is used and in the aggregate on a daily, weekly and monthly
50 basis;

51 5. the [~~total~~] number of notices of liability issued for violations
52 recorded by such [~~systems~~] system at each intersection where a traffic-
53 control signal photo violation-monitoring system is used;

54 6. the number of fines issued and total amount of fines paid after
55 first notice of liability;

1 7. the number and percentage of violations adjudicated and results of
2 such adjudications including breakdowns of disposition made for
3 violations recorded by such systems;

4 8. the total amount of revenue realized by such county from such adju-
5 dications including a breakdown of revenue realized by such county for
6 each year since deployment of its traffic-control signal photo viola-
7 tion-monitoring system;

8 9. total annual year over year expenses incurred by such county in
9 connection with the program, the number of full-time employees includ-
10 ing, but not limited to, technicians and hearing officers required to
11 administer such county's demonstration program, if such county has
12 retained a contractor, or any entity other than the county for the
13 purpose of operating and/or administering such county's demonstration
14 program, the name of the entity, the method of procurement used to
15 select such entity, and duration of existing contracts for adminis-
16 tration of a demonstration program; and

17 10. quality of the adjudication process and its results and recommen-
18 dations on ways such county can improve administration of its demon-
19 stration program.

20 A county that has adopted a demonstration program and fails to submit
21 the annual report by the date set forth in this subdivision shall, with-
22 in thirty days, initiate an audit of such county's demonstration program
23 which shall be performed by an independent consultant, engineer or labo-
24 ratory. The report detailing such audit's findings shall be provided to
25 the governor, the temporary president of the senate, the speaker of the
26 assembly and the chairs of the senate and assembly local government
27 committees within one hundred twenty days of commencement of the audit.
28 Should such county fail to initiate the audit during the stated period,
29 such county's demonstration program shall be temporarily suspended until
30 the report has been duly received.

31 (p) Any contract or agreement between a county that has adopted a
32 demonstration program and an entity or entities for the purpose of oper-
33 ating and administering such program shall not contain any "quotas",
34 "minimum criteria" or any other such term that requires a minimum number
35 of traffic-control signal photo violation-monitoring system events over
36 a stated period of time.

37 (q) The report required pursuant to subdivision (n) of this section
38 shall be considered a public record for the purposes of article six of
39 the public officers law.

40 § 12. Subdivisions (a) and (m) of section 1111-b of the vehicle and
41 traffic law, as added by chapter 20 of the laws of 2009, are amended and
42 two new subdivisions (o) and (p) are added to read as follows:

43 (a) 1. Notwithstanding any other provision of law, the city of Yonkers
44 is hereby authorized and empowered to adopt and amend a local law or
45 ordinance establishing a demonstration program imposing monetary liabil-
46 ity on the owner of a vehicle for failure of an operator thereof to
47 comply with traffic-control indications in such city in accordance with
48 the provisions of this section. Such demonstration program shall empower
49 such city to install and operate traffic-control signal photo viola-
50 tion-monitoring devices at no more than twenty-five intersections within
51 such city at any one time.

52 2. (i) Such demonstration program shall utilize necessary technologies
53 to ensure, to the extent practicable, that photographs produced by such
54 traffic-control signal photo violation-monitoring systems shall not
55 include images that identify the driver, the passengers, or the contents
56 of the vehicle. Provided, however, that no notice of liability issued

1 pursuant to this section shall be dismissed solely because a photograph
2 or photographs allow for the identification of the contents of a vehicle,
3 provided that such city has made a reasonable effort to comply with
4 the provisions of this paragraph.

5 (ii) Photographs, microphotographs, videotape or any other recorded
6 image from a traffic-control signal photo violation-monitoring system
7 shall be for the exclusive use of each such city for the purpose of the
8 adjudication of liability imposed pursuant to this section and of the
9 owner receiving a notice of liability pursuant to this section, and
10 shall be destroyed by each such city upon the final resolution of the
11 notice of liability to which such photographs, microphotographs, vide-
12 otape or other recorded images relate, or one year following the date of
13 issuance of such notice of liability, whichever is later.

14 (m) [~~In any such~~] Any city [~~which~~] that adopts a demonstration program
15 pursuant to subdivision (a) of this section[~~, such city~~] shall submit an
16 annual report [~~on~~] detailing the results of the use of [~~a~~] such traffic-
17 control signal photo violation-monitoring system to the governor, the
18 temporary president of the senate [~~and~~], the speaker of the assembly and
19 the chairs of the senate and assembly local government committees on or
20 before June first, two thousand ten and on the same date in each
21 succeeding year in which the demonstration program is operable. Such
22 report shall include, but not be limited to:

23 1. a description of the locations where traffic-control signal photo
24 violation-monitoring systems were used, including those locations where
25 a traffic-control signal photo violation-monitoring system had been
26 deployed, but has since been removed or is no longer in operation, a
27 description of the methodology used to determine where traffic-control
28 signal photo violation-monitoring system units are placed within such
29 city, and the public official, body or entity charged with traffic-con-
30 trol signal photo violation-monitoring system placement;

31 2. the aggregate number, type and severity of accidents reported at
32 intersections where a traffic-control signal photo violation-monitoring
33 system is used for the [~~year~~] three years preceding the installation of
34 such system, to the extent the information is maintained by the depart-
35 ment of motor vehicles of this state;

36 3. the aggregate number, type and severity of accidents reported at
37 intersections where a traffic-control signal photo violation-monitoring
38 system is used for the reporting year, as well as for each year that the
39 traffic-control signal photo violation-monitoring system has been opera-
40 tional, to the extent the information is maintained by the department of
41 motor vehicles of this state;

42 4. the number of events and number of violations recorded at each
43 intersection where a traffic-control signal photo violation-monitoring
44 system is used and in the aggregate on a daily, weekly and monthly
45 basis;

46 5. the [~~total~~] number of notices of liability issued for violations
47 recorded by such [~~systems~~] system at each intersection where a traffic-
48 control signal photo violation-monitoring system is used;

49 6. the number of fines issued and total amount of fines paid after
50 first notice of liability issued for violations recorded by such
51 systems;

52 7. the number and percentage of violations adjudicated and results of
53 such adjudications including breakdowns of dispositions made for
54 violations recorded by such systems;

55 8. the total amount of revenue realized by such city from such adjudi-
56 cations including a breakdown of revenue realized by such city for each

1 year since deployment of its traffic-control signal photo violation-mon-
2 itoring system;

3 9. total annual year over year expenses incurred by such city in
4 connection with the program, the number of full-time employees includ-
5 ing, but not limited to, technicians and hearing officers required to
6 administer such city's demonstration program, if such city has retained
7 a contractor, or any entity other than the city of the purpose of oper-
8 ating and/or administering such city's demonstration program, the name
9 of the entity, the method of procurement used to select such entity, and
10 duration of existing contracts for administration of a demonstration
11 program; and

12 10. quality of the adjudication process and its results and recommen-
13 dations on ways such city can improve administration of its demon-
14 stration program.

15 A city that has adopted a demonstration program and fails to submit
16 the annual report by the date set forth in this subdivision shall, with-
17 in thirty days, initiate an audit of such city's demonstration program
18 which shall be performed by an independent consultant, engineer or labo-
19 ratory. The report detailing such audit's findings shall be provided to
20 the governor, the temporary president of the senate, the speaker of the
21 assembly and the chairs of the senate and assembly local government
22 committees within one hundred twenty days of commencement of the audit.
23 Should such city fail to initiate the audit during the stated period,
24 such city's demonstration program shall be temporarily suspended until
25 the report has been duly received.

26 (o) Any contract or agreement between a city that has adopted a demon-
27 stration program and an entity or entities for the purpose of operating
28 and administering such program shall not contain any "quotas", "minimum
29 criteria" or any other such term that requires a minimum number of
30 traffic-control signal photo violation-monitoring system events over a
31 stated period of time.

32 (p) The report required pursuant to subdivision (m) of this section
33 shall be considered a public record for the purposes of article six of
34 the public officers law.

35 § 13. Subdivisions (a) and (n) of section 1111-b of the vehicle and
36 traffic law, as added by chapter 23 of the laws of 2009, paragraph 1 of
37 subdivision (a) as amended by section 2 of part R of chapter 57 of the
38 laws of 2012, are amended and two new subdivisions (p) and (q) are added
39 to read as follows:

40 (a) 1. Notwithstanding any other provision of law, the county of
41 Suffolk is hereby authorized and empowered to adopt and amend a local
42 law or ordinance establishing a demonstration program imposing monetary
43 liability on the owner of a vehicle for failure of an operator thereof
44 to comply with traffic-control indications in such county in accordance
45 with the provisions of this section. Such demonstration program shall
46 empower such county to install and operate traffic-control signal photo
47 violation-monitoring devices at no more than one hundred intersections
48 within and under the jurisdiction of such county at any one time.

49 2. (i) Such demonstration program shall utilize necessary technologies
50 to ensure, to the extent practicable, that photographs produced by such
51 traffic-control signal photo violation-monitoring systems shall not
52 include images that identify the driver, the passengers, or the contents
53 of the vehicle. Provided, however, that no notice of liability issued
54 pursuant to this section shall be dismissed solely because a photograph
55 or photographs allow for the identification of the contents of a vehi-

1 cle, provided that such county has made a reasonable effort to comply
2 with the provisions of this paragraph.

3 (ii) Photographs, microphotographs, videotape or any other recorded
4 image from a traffic-control signal photo violation-monitoring system
5 shall be for the exclusive use of each such county for the purpose of
6 the adjudication of liability imposed pursuant to this section and of
7 the owner receiving a notice of liability pursuant to this section, and
8 shall be destroyed by each such county upon the final resolution of the
9 notice of liability to which such photographs, microphotographs, vide-
10 otape or other recorded images relate, or one year following the date of
11 issuance of such notice of liability, whichever is later.

12 (n) [~~In any such~~] Any county [~~which~~] that adopts a demonstration
13 program pursuant to subdivision (a) of this section[~~, such county~~] shall
14 submit an annual report [~~on~~] detailing the results of the use of [~~a~~]
15 such traffic-control signal photo violation-monitoring system to the
16 governor, the temporary president of the senate [~~and~~], the speaker of
17 the assembly and the chairs of the senate and assembly local government
18 committees on or before June first, two thousand ten and on the same
19 date in each succeeding year in which the demonstration program is oper-
20 able. Such report shall include, but not be limited to:

21 1. a description of the locations where traffic-control signal photo
22 violation-monitoring systems were used, including those locations where
23 a traffic-control signal photo violation-monitoring system had been
24 deployed, but has since been removed or is no longer in operation, a
25 description of the methodology used to determine where traffic-control
26 signal photo violation-monitoring system units are placed within such
27 county, and the public official, body or entity charged with traffic-
28 control signal photo violation-monitoring system placement;

29 2. the aggregate number, type and severity of accidents reported at
30 intersections where a traffic-control signal photo violation-monitoring
31 system is used for the [~~year~~] three years preceding the installation of
32 such system, to the extent the information is maintained by the depart-
33 ment of motor vehicles of this state;

34 3. the aggregate number, type and severity of accidents reported at
35 intersections where a traffic-control signal photo violation-monitoring
36 system is used for the reporting year, as well as for each year that the
37 traffic-control signal photo violation-monitoring system has been opera-
38 tional, to the extent the information is maintained by the department of
39 motor vehicles of this state;

40 4. the number of events and number of violations recorded at each
41 intersection where a traffic-control signal photo violation-monitoring
42 system is used and in the aggregate on a daily, weekly and monthly
43 basis;

44 5. the [~~total~~] number of notices of liability issued for violations
45 recorded by such [~~systems~~] system at each intersection where a traffic-
46 control signal photo violation-monitoring system is used;

47 6. the number of fines issued and total amount of fines paid after
48 first notice of liability;

49 7. the number and percentage of violations adjudicated and results of
50 such adjudications including breakdowns of disposition made for
51 violations recorded by such systems;

52 8. the total amount of revenue realized by such county from such adju-
53 dications including a breakdown of revenue realized by such county for
54 each year since deployment of its traffic-control signal photo viola-
55 tion-monitoring system;

1 9. total annual year over year expenses incurred by such county in
2 connection with the program, the number of full-time employees includ-
3 ing, but not limited to, technicians and hearing officers required to
4 administer such county's demonstration program, if such county has
5 retained a contractor, or any entity other than the county for the
6 purpose of operating and/or administering such county's demonstration
7 program, the name of the entity, the method of procurement used to
8 select such entity, and duration of existing contracts for adminis-
9 tration of a demonstration program; and

10 10. quality of the adjudication process and its results and recommen-
11 datations on ways such county can improve administration of its demon-
12 stration program.

13 A county that has adopted a demonstration program and fails to submit
14 the annual report by the date set forth in this subdivision shall, with-
15 in thirty days, initiate an audit of such county's demonstration program
16 which shall be performed by an independent consultant, engineer or labo-
17 ratory. The report detailing such audit's findings shall be provided to
18 the governor, the temporary president of the senate, the speaker of the
19 assembly and the chairs of the senate and assembly local government
20 committees within one hundred twenty days of commencement of the audit.
21 Should such county fail to initiate the audit during the stated period,
22 such county's demonstration program shall be temporarily suspended until
23 the report has been duly received.

24 (p) Any contract or agreement between a county that has adopted a
25 demonstration program and an entity or entities for the purpose of oper-
26 ating and administering such program shall not contain any "quotas",
27 "minimum criteria" or any other such term that requires a minimum number
28 of traffic-control signal photo violation-monitoring system events over
29 a stated period of time.

30 (q) The report required pursuant to subdivision (n) of this section
31 shall be considered a public record for the purposes of article six of
32 the public officers law.

33 § 14. Subdivisions (a) and (m) of section 1111-d of the vehicle and
34 traffic law, as added by chapter 99 of the laws of 2014, are amended and
35 two new subdivisions (o) and (p) are added to read as follows:

36 (a) 1. Notwithstanding any other provision of law, the city of New
37 Rochelle is hereby authorized and empowered to adopt and amend a local
38 law or ordinance establishing a demonstration program imposing monetary
39 liability on the owner of a vehicle for failure of an operator thereof
40 to comply with traffic-control indications in such city in accordance
41 with the provisions of this section. Such demonstration program shall
42 empower such city to install and operate traffic-control signal photo
43 violation-monitoring devices at no more than twelve intersections within
44 such city at any one time.

45 2. (i) Such demonstration program shall utilize necessary technologies
46 to ensure, to the extent practicable, that photographs produced by such
47 traffic-control signal photo violation-monitoring systems shall not
48 include images that identify the driver, the passengers, or the contents
49 of the vehicle. Provided, however, that no notice of liability issued
50 pursuant to this section shall be dismissed solely because a photograph
51 or photographs allow for the identification of the contents of a vehi-
52 cle, provided that such city has made a reasonable effort to comply with
53 the provisions of this paragraph.

54 (ii) Photographs, microphotographs, videotape or any other recorded
55 image from a traffic-control signal photo violation-monitoring system
56 shall be for the exclusive use of each such city for the purpose of the

1 adjudication of liability imposed pursuant to this section and of the
2 owner receiving a notice of liability pursuant to this section, and
3 shall be destroyed by each such city upon the final resolution of the
4 notice of liability to which such photographs, microphotographs, vide-
5 otape or other recorded images relate, or one year following the date of
6 issuance of such notice of liability, whichever is later.

7 (m) [~~In any such~~] Any city [~~which~~] that adopts a demonstration program
8 pursuant to subdivision (a) of this section[~~, such city~~] shall submit an
9 annual report [~~on~~] detailing the results of the use of [~~a~~] such traff-
10 ic-control signal photo violation-monitoring system to the governor, the
11 temporary president of the senate [~~and~~], the speaker of the assembly and
12 the chairs of the senate and assembly local government committees on or
13 before June first, two thousand fifteen and on the same date in each
14 succeeding year in which the demonstration program is operable. Such
15 report shall include, but not be limited to:

16 1. a description of the locations where traffic-control signal photo
17 violation-monitoring systems were used, including those locations where
18 a traffic-control signal photo violation-monitoring system had been
19 deployed, but has since been removed or is no longer in operation, a
20 description of the methodology used to determine where traffic-control
21 signal photo violation-monitoring system units are placed within such
22 city, and the public official, body or entity charged with traffic-con-
23 trol signal photo violation-monitoring system placement;

24 2. the aggregate number, type and severity of accidents reported at
25 intersections where a traffic-control signal photo violation-monitoring
26 system is used for the [~~year~~] three years preceding the installation of
27 such system, to the extent the information is maintained by the depart-
28 ment of motor vehicles of this state;

29 3. the aggregate number, type and severity of accidents reported at
30 intersections where a traffic-control signal photo violation-monitoring
31 system is used for the reporting year, as well as for each year that the
32 traffic-control signal photo violation-monitoring system has been opera-
33 tional, to the extent the information is maintained by the department of
34 motor vehicles of this state;

35 4. the number of events and number of violations recorded at each
36 intersection where a traffic-control signal photo violation-monitoring
37 system is used and in the aggregate on a daily, weekly and monthly
38 basis;

39 5. the [~~total~~] number of notices of liability issued for violations
40 recorded by such [~~systems~~] system at each intersection where a traffic-
41 control signal photo violation-monitoring system is used;

42 6. the number of fines issued and total amount of fines paid after
43 first notice of liability issued for violations recorded by such
44 systems;

45 7. the number and percentage of violations adjudicated and results of
46 such adjudications including breakdowns of dispositions made for
47 violations recorded by such systems;

48 8. the total amount of revenue realized by such city from such adjudi-
49 cations including a breakdown of revenue realized by such city for each
50 year since deployment of its traffic-control signal photo violation-mon-
51 itoring system;

52 9. total annual year over year expenses incurred by such city in
53 connection with the program, the number of full-time employees includ-
54 ing, but not limited to, technicians and hearing officers required to
55 administer such city's demonstration program, if such city has retained
56 a contractor, or any entity other than the city for the purpose of oper-

1 ating and/or administering such city's demonstration program, the name
2 of the entity, the method of procurement used to select such entity, and
3 duration of existing contracts for administration of a demonstration
4 program; and

5 10. quality of the adjudication process and its results and recommen-
6 dations on ways such city can improve administration of its demon-
7 stration program.

8 A city that has adopted a demonstration program and fails to submit
9 the annual report by the date set forth in this subdivision shall, with-
10 in thirty days, initiate an audit of such city's demonstration program
11 which shall be performed by an independent consultant, engineer or labo-
12 ratory. The report detailing such audit's findings shall be provided to
13 the governor, the temporary president of the senate, the speaker of the
14 assembly and the chairs of the senate and assembly local government
15 committees within one hundred twenty days of commencement of the audit.
16 Should such city fail to initiate the audit during the stated period,
17 such city's demonstration program shall be temporarily suspended until
18 the report has been duly received.

19 (o) Any contract or agreement between a city that has adopted a demon-
20 stration program and an entity or entities for the purpose of operating
21 and administering such program shall not contain any "quotas", "minimum
22 criteria" or any other such term that requires a minimum number of
23 traffic-control signal photo violation-monitoring system events over a
24 stated period of time.

25 (p) The report required pursuant to subdivision (m) of this section
26 shall be considered a public record for the purposes of article six of
27 the public officers law.

28 § 15. Subdivisions (a) and (m) of section 1111-d of the vehicle and
29 traffic law, as added by chapter 101 of the laws of 2014, are amended
30 and two new subdivisions (o) and (p) are added to read as follows:

31 (a) 1. Notwithstanding any other provision of law, the city of Mt.
32 Vernon is hereby authorized and empowered to adopt and amend a local law
33 or ordinance establishing a demonstration program imposing monetary
34 liability on the owner of a vehicle for failure of an operator thereof
35 to comply with traffic-control indications in such city in accordance
36 with the provisions of this section. Such demonstration program shall
37 empower such city to install and operate traffic-control signal photo
38 violation-monitoring devices at no more than twelve intersections within
39 such city at any one time.

40 2. (i) Such demonstration program shall utilize necessary technologies
41 to ensure, to the extent practicable, that photographs produced by such
42 traffic-control signal photo violation-monitoring systems shall not
43 include images that identify the driver, the passengers, or the contents
44 of the vehicle. Provided, however, that no notice of liability issued
45 pursuant to this section shall be dismissed solely because a photograph
46 or photographs allow for the identification of the contents of a vehi-
47 cle, provided that such city has made a reasonable effort to comply with
48 the provisions of this paragraph.

49 (ii) Photographs, microphotographs, videotape or any other recorded
50 image from a traffic-control signal photo violation-monitoring system
51 shall be for the exclusive use of each such city for the purpose of the
52 adjudication of liability imposed pursuant to this section and of the
53 owner receiving a notice of liability pursuant to this section, and
54 shall be destroyed by each such city upon the final resolution of the
55 notice of liability to which such photographs, microphotographs, vide-

1 otape or other recorded images relate, or one year following the date of
2 issuance of such notice of liability, whichever is later.

3 (m) [~~In any such~~] Any city [~~which~~] that adopts a demonstration program
4 pursuant to subdivision (a) of this section[~~, such city~~] shall submit an
5 annual report [~~on~~] detailing the results of the use of [~~a~~] such traff-
6 ic-control signal photo violation-monitoring system to the governor, the
7 temporary president of the senate [~~and~~], the speaker of the assembly and
8 the chairs of the senate and assembly local government committees on or
9 before June first, two thousand fifteen and on the same date in each
10 succeeding year in which the demonstration program is operable. Such
11 report shall include, but not be limited to:

12 1. a description of the locations where traffic-control signal photo
13 violation-monitoring systems were used, including those locations where
14 traffic-control signal photo violation-monitoring system had been
15 deployed, but has since been removed or is no longer in operation, a
16 description of the methodology used to determine where traffic-control
17 signal photo violation-monitoring system units are placed within such
18 city, and the public official, body or entity charged with traffic-con-
19 trol signal photo violation-monitoring system placement;

20 2. the aggregate number, type and severity of accidents reported at
21 intersections where a traffic-control signal photo violation-monitoring
22 system is used for the [~~year~~] three years preceding the installation of
23 such system, to the extent the information is maintained by the depart-
24 ment of motor vehicles of this state;

25 3. the aggregate number, type and severity of accidents reported at
26 intersections where a traffic-control signal photo violation-monitoring
27 system is used for the reporting year, as well as for each year that the
28 traffic-control signal photo violation-monitoring system has been opera-
29 tional, to the extent the information is maintained by the department of
30 motor vehicles of this state;

31 4. the number of events and number of violations recorded at each
32 intersection where a traffic-control signal photo violation-monitoring
33 system is used and in the aggregate on a daily, weekly and monthly
34 basis;

35 5. the [~~total~~] number of notices of liability issued for violations
36 recorded by such [~~systems~~] system at each intersection where a traffic-
37 control signal photo violation-monitoring system is used;

38 6. the number of fines issued and total amount of fines paid after
39 first notice of liability issued for violations recorded by such
40 systems;

41 7. the number and percentage of violations adjudicated and results of
42 such adjudications including breakdowns of dispositions made for
43 violations recorded by such systems;

44 8. the total amount of revenue realized by such city from such adjudi-
45 cations including a breakdown of revenue realized by such city for each
46 year since deployment of its traffic-control signal photo violation-mon-
47 itoring system;

48 9. total annual year over year expenses incurred by such city in
49 connection with the program, the number of full-time employees includ-
50 ing, but not limited to, technicians and hearing officers required to
51 administer such city's demonstration program, if such city has retained
52 a contractor, or any entity other than the city for the purpose of oper-
53 ating and/or administering such city's demonstration program, the name
54 of the entity, the method of procurement used to select such entity, and
55 duration of existing contracts for administration of a demonstration
56 program; and

1 10. quality of the adjudication process and its results and recommen-
2 dations on ways such city can improve administration of its demon-
3 stration program.

4 A city that has adopted a demonstration program and fails to submit
5 the annual report by the date set forth in this subdivision shall, with-
6 in thirty days, initiate an audit of such city's demonstration program
7 which shall be performed by an independent consultant, engineer or labo-
8 ratory. The report detailing such audit's findings shall be provided to
9 the governor, the temporary president of the senate, the speaker of the
10 assembly and the chairs of the senate and assembly local government
11 committees within one hundred twenty days of commencement of the audit.
12 Should such city fail to initiate the audit during the stated period,
13 such city's demonstration program shall be temporarily suspended until
14 the report has been duly received.

15 (o) Any contract or agreement between a city that has adopted a demon-
16 stration program and an entity or entities for the purpose of operating
17 and administering such program shall not contain any "quotas", "minimum
18 criteria" or any other such term that requires a minimum number of
19 traffic-control signal photo violation-monitoring system events over a
20 stated period of time.

21 (p) The report required pursuant to subdivision (m) of this section
22 shall be considered a public record for the purposes of article six of
23 the public officers law.

24 § 16. Subdivisions (a) and (m) of section 1111-d of the vehicle and
25 traffic law, as added by chapter 123 of the laws of 2014, are amended
26 and two new subdivisions (o) and (p) are added to read as follows:

27 (a) 1. Notwithstanding any other provision of law, the city of Albany
28 is hereby authorized and empowered to adopt and amend a local law or
29 ordinance establishing a demonstration program imposing monetary liabil-
30 ity on the owner of a vehicle for failure of an operator thereof to
31 comply with traffic-control indications in such city in accordance with
32 the provisions of this section. Such demonstration program shall empower
33 such city to install and operate traffic-control signal photo viola-
34 tion-monitoring devices at no more than twenty intersections within such
35 city at any one time.

36 2. (i) Such demonstration program shall utilize necessary technologies
37 to ensure, to the extent practicable, that photographs produced by such
38 traffic-control signal photo violation-monitoring systems shall not
39 include images that identify the driver, the passengers, or the contents
40 of the vehicle. Provided, however, that no notice of liability issued
41 pursuant to this section shall be dismissed solely because a photograph
42 or photographs allow for the identification of the contents of a vehi-
43 cle, provided that such city has made a reasonable effort to comply with
44 the provisions of this paragraph.

45 (ii) Photographs, microphotographs, videotape or any other recorded
46 image from a traffic-control signal photo violation-monitoring system
47 shall be for the exclusive use of each such city for the purpose of the
48 adjudication of liability imposed pursuant to this section and of the
49 owner receiving a notice of liability pursuant to this section, and
50 shall be destroyed by each such city upon the final resolution of the
51 notice of liability to which such photographs, microphotographs, vide-
52 otape or other recorded images relate, or one year following the date of
53 issuance of such notice of liability, whichever is later.

54 (m) [~~In any such~~] Any city [~~which~~] that adopts a demonstration program
55 pursuant to subdivision (a) of this section[~~, such city~~] shall submit an
56 annual report [~~on~~] detailing the results of the use of [~~a~~] such traff-

1 ic-control signal photo violation-monitoring system to the governor, the
2 temporary president of the senate [~~and~~], the speaker of the assembly and
3 the chairs of the senate and the assembly local government committees on
4 or before June first, two thousand fifteen and on the same date in each
5 succeeding year in which the demonstration program is operable. Such
6 report shall include, but not be limited to:

7 1. a description of the locations where traffic-control signal photo
8 violation-monitoring systems were used, including those locations where
9 a traffic-control signal photo violation-motoring system had been
10 deployed, but has since been removed or is no longer in operation, a
11 description of the methodology used to determine where traffic-control
12 signal photo violation-monitoring system units are placed within such
13 city, and the public official, body or entity charged with traffic-con-
14 trol signal photo violation-monitoring system placement;

15 2. the aggregate number, type and severity of accidents reported at
16 intersections where a traffic-control signal photo violation-monitoring
17 system is used for the [~~year~~] three years preceding the installation of
18 such system, to the extent the information is maintained by the depart-
19 ment of motor vehicles of this state;

20 3. the aggregate number, type and severity of accidents reported at
21 intersections where a traffic-control signal photo violation-monitoring
22 system is used for the reporting year, as well as for each year that the
23 traffic-control signal photo violation-monitoring system has been opera-
24 tional, to the extent the information is maintained by the department of
25 motor vehicles of this state;

26 4. the number of events and number of violations recorded at each
27 intersection where a traffic-control signal photo violation-monitoring
28 system is used and in the aggregate on a daily, weekly and monthly
29 basis;

30 5. the [~~total~~] number of notices of liability issued for violations
31 recorded by such [~~systems~~] system at each intersection where a traffic-
32 control signal photo violation-monitoring system is used;

33 6. the number of fines issued and total amount of fines paid after
34 first notice of liability issued for violations recorded by such
35 systems;

36 7. the number and percentage of violations adjudicated and results of
37 such adjudications including breakdowns of dispositions made for
38 violations recorded by such systems;

39 8. the total amount of revenue realized by such city from such adjudi-
40 cations including a breakdown of revenue realized by such city for each
41 year since deployment of its traffic-control signal photo violation-mon-
42 itoring system;

43 9. total annual year over year expenses incurred by such city in
44 connection with the program, the number of full-time employees includ-
45 ing, but not limited to, technicians and hearing officers required to
46 administer such city's demonstration program, if such city has retained
47 a contractor, or any entity other than the city for the purpose of oper-
48 ating and/or administering such city's demonstration program, the name
49 of the entity, the method of procurement used to select such entity, and
50 duration of existing contracts for administration of a demonstration
51 program; and

52 10. quality of the adjudication process and its results and recommen-
53 dations on ways such city can improve administration of its demon-
54 stration program.

55 A city that has adopted a demonstration program and fails to submit
56 the annual report by the date set forth in this subdivision shall, with-

1 in thirty days, initiate an audit of such city's demonstration program
 2 which shall be performed by an independent consultant, engineer or labo-
 3 ratory. The report detailing such audit's findings shall be provided to
 4 the governor, the temporary president of the senate, the speaker of the
 5 assembly and the chairs of the senate and assembly local government
 6 committees within one hundred twenty days of commencement of the audit.
 7 Should such city fail to initiate the audit during the stated period,
 8 such city's demonstration program shall be temporarily suspended until
 9 the report has been duly received.

10 (o) Any contract or agreement between a city that has adopted a demon-
 11 stration program and an entity or entities for the purpose of operating
 12 and administering such program shall not contain any "quotas", "minimum
 13 criteria" or any other such term that requires a minimum number of
 14 traffic-control signal photo violation-monitoring system events over a
 15 stated period of time.

16 (p) The report required pursuant to subdivision (m) of this section
 17 shall be considered a public record for the purposes of article six of
 18 the public officers law.

19 § 17. Subdivisions (a) and (m) of section 1111-e of the vehicle and
 20 traffic law, as added by chapter 222 of the laws of 2015, are amended
 21 and two new subdivisions (o) and (p) are added to read as follows:

22 (a) 1. Notwithstanding any other provision of law, the city of White
 23 Plains is hereby authorized and empowered to adopt and amend a local law
 24 or ordinance establishing a demonstration program imposing monetary
 25 liability on the owner of a vehicle for failure of an operator thereof
 26 to comply with traffic-control indications in such city in accordance
 27 with the provisions of this section. Such demonstration program shall
 28 empower such city to install and operate traffic-control signal photo
 29 violation-monitoring devices at no more than twelve intersections within
 30 such city at any one time.

31 2. (i) Such demonstration program shall utilize necessary technologies
 32 to ensure, to the extent practicable, that photographs produced by such
 33 traffic-control signal photo violation-monitoring systems shall not
 34 include images that identify the driver, the passengers, or the contents
 35 of the vehicle. Provided, however, that no notice of liability issued
 36 pursuant to this section shall be dismissed solely because a photograph
 37 or photographs allow for the identification of the contents of a vehi-
 38 cle, provided that such city has made a reasonable effort to comply with
 39 the provisions of this paragraph.

40 (ii) Photographs, microphotographs, videotape or any other recorded
 41 image from a traffic-control signal photo violation-monitoring system
 42 shall be for the exclusive use of each such city for the purpose of the
 43 adjudication of liability imposed pursuant to this section and of the
 44 owner receiving a notice of liability pursuant to this section, and
 45 shall be destroyed by each such city upon the final resolution of the
 46 notice of liability to which such photographs, microphotographs, vide-
 47 otape or other recorded images relate, or one year following the date of
 48 issuance of such notice of liability, whichever is later.

49 (m) [~~In any such~~] Any city [~~which~~] that adopts a demonstration program
 50 pursuant to subdivision (a) of this section[~~, such city~~] shall submit an
 51 annual report [~~on~~] detailing the results of the use of [~~a~~] such traff-
 52 ic-control signal photo violation-monitoring system to the governor, the
 53 temporary president of the senate [~~and~~], the speaker of the assembly and
 54 the chairs of the senate and assembly local government committees on or
 55 before the first day of June next succeeding the effective date of this
 56 section and on the same date in each succeeding year in which the demon-

1 stration program is operable. Such report shall include, but not be
2 limited to:

3 1. a description of the locations where traffic-control signal photo
4 violation-monitoring systems were used, including those locations where
5 a traffic-control signal photo violation-monitoring system had been
6 deployed, but has since been removed or is no longer in operation, a
7 description of the methodology used to determine where traffic-control
8 signal photo violation-monitoring system units are placed within such
9 city, and the public official, body or entity charged with traffic-con-
10 trol signal photo violation-monitoring system placement;

11 2. the aggregate number, type and severity of accidents reported at
12 intersections where a traffic-control signal photo violation-monitoring
13 system is used for the [~~year~~] three years preceding the installation of
14 such system, to the extent the information is maintained by the depart-
15 ment of motor vehicles of this state;

16 3. the aggregate number, type and severity of accidents reported at
17 intersections where a traffic-control signal photo violation-monitoring
18 system is used for the reporting year, as well as for each year that the
19 traffic-control signal photo violation-monitoring system has been opera-
20 tional, to the extent the information is maintained by the department of
21 motor vehicles of this state;

22 4. the number of events and number of violations recorded at each
23 intersection where a traffic-control signal photo violation-monitoring
24 system is used and in the aggregate on a daily, weekly and monthly
25 basis;

26 5. the [~~total~~] number of notices of liability issued for violations
27 recorded by such [~~systems~~] system at each intersection where a traffic-
28 control signal photo violation-monitoring system is used;

29 6. the number of fines issued and total amount of fines paid after
30 first notice of liability issued for violations recorded by such
31 systems;

32 7. the number and percentage of violations adjudicated and results of
33 such adjudications including breakdowns of dispositions made for
34 violations recorded by such systems;

35 8. the total amount of revenue realized by such city from such adjudi-
36 cations including a breakdown of revenue realized by such city for each
37 year since deployment of its traffic-control signal photo violation-mon-
38 itoring system;

39 9. total annual year over year expenses incurred by such city in
40 connection with the program, the number of full-time employees includ-
41 ing, but not limited to, technicians and hearing officers required to
42 administer such city's demonstration program, if such city has retained
43 a contractor, or any entity other than the city for the purpose of oper-
44 ating and/or administering such city's demonstration program, the name
45 of the entity, the method of procurement used to select such entity, and
46 duration of existing contracts for administration of a demonstration
47 program; and

48 10. quality of the adjudication process and its results and recommen-
49 dations on ways such city can improve administration of its demon-
50 stration program.

51 A city that has adopted a demonstration program and fails to submit
52 the annual report by the date set forth in this subdivision shall, with-
53 in thirty days, initiate an audit of such city's demonstration program
54 which shall be performed by an independent consultant, engineer or labo-
55 ratory. The report detailing such audit's findings shall be provided to
56 the governor, the temporary president of the senate, the speaker of the

1 assembly and the chairs of the senate and assembly local government
 2 committees within one hundred twenty days of commencement of the audit.
 3 Should such county fail to initiate the audit during the stated period,
 4 such city's demonstration program shall be temporarily suspended until
 5 the report has been duly received.

6 (o) Any contract or agreement between a city that has adopted a demon-
 7 stration program and an entity or entities for the purpose of operating
 8 and administering such program shall not contain any "quotas", "minimum
 9 criteria" or any other such term that requires a minimum number of
 10 traffic-control signal photo violation-monitoring system events over a
 11 stated period of time.

12 (p) The report required pursuant to subdivision (m) of this section
 13 shall be considered a public record for the purposes of article six of
 14 the public officers law.

15 § 18. This act shall take effect immediately; provided, however, that
 16 the amendments to section 1111-a of the vehicle and traffic law made by
 17 section ten of this act shall not affect the repeal of such section and
 18 shall be deemed repealed therewith; provided, however, that the amend-
 19 ments to section 1111-b of the vehicle and traffic law made by section
 20 eleven of this act shall not affect the repeal of such section and shall
 21 be deemed repealed therewith; provided, however, that the amendments to
 22 section 1111-b of the vehicle and traffic law made by section twelve of
 23 this act shall not affect the repeal of such section and shall be deemed
 24 repealed therewith; provided, however, that the amendments to section
 25 1111-b of the vehicle and traffic law made by section thirteen of this
 26 act shall not affect the repeal of such section and shall be deemed
 27 repealed therewith; provided, however, that the amendments to section
 28 1111-d of the vehicle and traffic law made by section fourteen of this
 29 act shall not affect the repeal of such section and shall be deemed
 30 repealed therewith; provided, however, that the amendments to section
 31 1111-d of the vehicle and traffic law made by section fifteen of this
 32 act shall not affect the repeal of such section and shall be deemed
 33 repealed therewith; provided, however, that the amendments to section
 34 1111-d of the vehicle and traffic law made by section sixteen of this
 35 act shall not affect the repeal of such section and shall be deemed
 36 repealed therewith; provided, however, that the amendments to section
 37 1111-e of the vehicle and traffic law made by section seventeen of this
 38 act shall not affect the repeal of such section and shall be deemed
 39 repealed therewith.

40 PART I

41 Intentionally Omitted

42 PART J

43 Section 1. The real property tax law is amended by adding a new
 44 section 485-u to read as follows:

45 § 485-u. Class one reassessment exemption. 1. Applicability. A special
 46 assessing unit that is not a city may, by local law, opt to provide a
 47 class one reassessment exemption as provided in this section. Such
 48 exemption shall apply in the same manner and to the same extent to coun-
 49 ty, town, special district and school district taxes levied on the
 50 assessment roll prepared by such special assessing unit.

51 2. Eligibility. The assessor shall, for the two thousand twenty--two
 52 thousand twenty-one assessment roll and for the subsequent four years,

1 apply an exemption as provided in this section to each property classi-
2 fied in class one pursuant to article eighteen of this chapter.

3 3. Exemption calculation. (a) (i) The assessor shall calculate the
4 exemption as a percentage of the exemption base. The exemption base
5 shall be the amount by which the assessment of a property on the two
6 thousand twenty--two-thousand twenty-one tentative assessment roll
7 issued on or about January 2, 2019 exceeds the equalized assessment on
8 the two thousand nineteen--two thousand twenty final assessment roll.
9 The assessor shall determine the equalized assessment on the two thou-
10 sand nineteen--two thousand twenty final assessment roll by multiplying
11 a property's effective full value on the two thousand nineteen--two
12 thousand twenty final assessment roll by the class one level of assess-
13 ment on the two thousand twenty--two thousand twenty-one final assess-
14 ment roll. The assessor shall determine a property's effective full
15 value on the two thousand nineteen--two thousand twenty final assessment
16 roll by dividing the assessment on the two thousand nineteen--two thou-
17 sand twenty final assessment roll by the class one level of assessment
18 on the two thousand nineteen--two thousand twenty final assessment roll.
19 Such exemption base shall not include assessment increases due to a
20 physical improvement or a removal or reduction of an exemption on prop-
21 erty.

22 (ii) Any increase in the assessment of a property due to an increase
23 in a property's full value or physical changes subsequent to the two
24 thousand twenty--two thousand twenty-one final assessment roll shall not
25 be eligible for the exemption. If any portion of a property is fully or
26 partially removed from the assessment roll subsequent to the two thou-
27 sand twenty--two thousand twenty-one final assessment roll by reason of
28 fire, demolition, destruction or new exemption, the assessor shall
29 reduce the exemption for any remaining portion in the same proportion
30 the assessment is reduced for such fire, demolition, destruction or new
31 exemption.

32 (b) The exemption shall be eighty per centum of the exemption base on
33 the two thousand twenty--two thousand twenty-one final assessment roll,
34 sixty per centum of the exemption base on the two thousand twenty-one--
35 two thousand twenty-two final assessment roll, forty per centum of the
36 exemption base on the two thousand twenty-two--two thousand twenty-three
37 final assessment roll, twenty per centum of the exemption base on the
38 two thousand twenty-three--two thousand twenty-four final assessment
39 roll and zero per centum of the exemption base on the two thousand twen-
40 ty-four--two thousand twenty-five final assessment roll.

41 4. Entering of exemption on assessment roll. The assessor shall enter
42 in a separate column on the assessment roll the value of any exemption
43 provided by this section.

44 § 2. The real property tax law is amended by adding a new section
45 485-ss to read as follows:

46 § 485-ss. Residential reassessment relief credit local option. 1.
47 Applicability. The governing body of an assessing unit that is a county
48 or a special assessing unit not a city, after a public hearing, may, on
49 or before January first, two thousand twenty, adopt the provisions of
50 this section allowing the residents of the assessing unit to participate
51 in the reassessment relief credit program established under subsection
52 (jjj) of section six hundred six of the tax law.

53 2. Eligibility. To be eligible to participate in this program, an
54 assessing unit that is a county or a special assessing unit not a city,
55 must have carried out a reassessment in that year or the preceding year
56 of all properties that increased the assessed value of more than five

1 percent of all properties by over seven percent or more, and must have
2 enacted a local law to provide an exemption on a percentage of the
3 assessment value increase, including but not limited to the exemption
4 defined in section four hundred eighty-five-u of this title.

5 3. Local share. The county or special assessing unit not a city shall
6 contribute twenty-five percent of the cost of the reassessment relief
7 credit program established under subsection (jjj) of section six hundred
8 six of the tax law. The county or special assessing unit not a city
9 would, notwithstanding any other provision of law to the contrary,
10 beginning in state fiscal year two thousand twenty and ending in state
11 fiscal year two thousand twenty-seven, authorize the commissioner to
12 intercept from the taxes, interest and penalties collected or received
13 by the commissioner in respect of the tax imposed by the county or
14 special assessing unit not a city under the authority of sections twelve
15 hundred ten, twelve hundred eleven, twelve hundred twelve and twelve
16 hundred twelve-A of the tax law, an amount sufficient to but not to
17 exceed the amount necessary to pay for twenty-five percent of the
18 expenses associated with the reassessment relief credit created under
19 subsection (jjj) of section six hundred six of the tax law, and deposit
20 that into the general fund. The commissioner shall annually certify to
21 the comptroller and the local governing body of the county or special
22 assessing unit not a city that the amount of revenue intercepted under
23 this authority was equal to the twenty-five percent of the cost of the
24 reassessment relief credit paid to residents in that municipality.

25 § 3. Section 606 of the tax law is amended by adding a new subsection
26 (jjj) to read as follows:

27 (jjj) Reassessment relief credit. (1) Definitions. For purposes of
28 this subsection:

29 (A) "Qualified taxpayer" means a resident individual of the state, who
30 maintained his or her primary residence in this state on December thir-
31 ty-first of the taxable year, and who was an owner of that property on
32 that date, provided however: (i) An individual may be considered a qual-
33 ified taxpayer with respect to no more than one primary residence during
34 any given taxable year, (ii) if a resident individual was an owner of
35 the property during the taxable year but did not own it on December
36 thirty-first of the taxable year, he or she shall be considered a quali-
37 fied taxpayer if the property was his or her primary residence during
38 the taxable year and he or she paid qualifying taxes on that property
39 while he or she was still an owner of that property.

40 (B) "Affiliated income" shall mean the combined income of all of the
41 owners of the parcel who resided primarily thereon as of December thir-
42 ty-first of the taxable year, and of any owners' spouses residing prima-
43 rily thereon as of such date; provided that the income to be so combined
44 shall be the "adjusted gross income" for the taxable year as reported
45 for federal income tax purposes, or that would be reported as adjusted
46 gross income if a federal income tax return were required to be filed,
47 reduced by distributions, to the extent included in federal adjusted
48 gross income, received from an individual retirement account and an
49 individual retirement annuity. For taxable years beginning on and after
50 January first, two thousand nineteen, where an income-eligibility deter-
51 mination is wholly or partly based upon the income of one or more indi-
52 viduals who did not file a return pursuant to section six hundred
53 fifty-one of this article for the applicable income tax year, then in
54 order to be eligible for the credit authorized by this subsection, each
55 such individual must file a statement with the department showing the
56 the source or sources of his or her income for that income tax year, and

1 the amount or amounts thereof, that would have been reported on such a
2 return if one had been filed. Such statement shall be filed at such
3 time, and in such form and manner, as may be prescribed by the depart-
4 ment, and shall be subject to the provisions of section six hundred
5 ninety-seven of this article to the same extent that a return would be.
6 The department shall make such forms and instructions available for the
7 filing of such statements. The local assessor shall upon the request of
8 a taxpayer assist such taxpayer in the filing of the statement with the
9 department. Provided, further, that if the qualified taxpayer was an
10 owner of the property during the taxable year but did not own it on
11 December thirty-first of the taxable year, then the determination as to
12 whether the income of an individual should be included in "affiliated
13 income" shall be based upon the ownership and/or residency status of
14 that individual as of the first day of the month during which the quali-
15 fied taxpayer ceased to be an owner of the property, rather than as of
16 December thirty-first of the taxable year.

17 (C) "Associated fiscal years" means the fiscal year of the county of
18 special assessing unit not a city that passed a resolution.

19 (D) "Owner" means:

20 (i) a person who owns a parcel in fee simple absolute or as a tenant
21 in common, a joint tenant or a tenant by the entirety;

22 (ii) an owner of a present interest in a parcel under a life estate;

23 (iii) a vendee in possession under an installment contract of sale;

24 (iv) a beneficial owner under a trust;

25 (v) a tenant-stockholder of a cooperative apartment corporation who
26 resides in a portion of real property owned by such cooperative apart-
27 ment corporation, to the extent represented by his or her share or
28 shares of stock in such corporation as determined by its or their
29 proportional relationship to the total outstanding stock of the corpo-
30 ration, including that owned by the corporation;

31 (vi) a resident of a farm dwelling that is owned either by a corpo-
32 ration of which the resident is a shareholder, a partnership of which
33 the resident is a partner, or by a limited liability company of which
34 the resident is an owner; or

35 (vii) a resident of a dwelling, other than a farm dwelling, that is
36 owned by a limited partnership of which the resident is a partner,
37 provided that the limited partnership that holds title to the property
38 does not engage in any commercial activity, that the limited partnership
39 was lawfully created to hold title solely for estate planning and asset
40 protection purposes, and that the partner or partners who primarily
41 reside thereon personally pay all of the real property taxes and other
42 costs associated with the property's ownership.

43 (E) "Qualifying taxes" means the increase in total property taxes that
44 were levied upon the taxpayer's primary residence for the associated
45 fiscal year based on an assessment increase that were actually paid by
46 the taxpayer during the taxable year above the total property taxes that
47 were levied upon the taxpayer's primary residence for the preceding
48 fiscal year that were actually paid by the taxpayer during the preceding
49 taxable year. For property taxes levied by a special assessing unit not
50 a city, the qualifying taxes means the increase in property taxes
51 attributable to the exemption base or a percentage of the exemption base
52 as defined in subdivision three of section four hundred eighty-five-u of
53 the real property tax law. Provided, however, that in the case of a
54 cooperative apartment, "qualifying taxes" means the increase in total
55 property taxes that would have been levied upon the tenant-stockholder's
56 primary residence for the associated fiscal year based on an assessment

1 increase that would have been paid by the tenant-stockholder during the
 2 taxable year above the total property taxes that would have been levied
 3 upon the tenant-stockholder's primary residence for the preceding fiscal
 4 year that would have been paid by the tenant-stockholder during the
 5 preceding taxable year if it were separately assessed, as determined by
 6 the commissioner based on the statement provided by the assessor pursu-
 7 ant to subparagraph (ii) of paragraph (k) of subdivision two of section
 8 four hundred twenty-five of the real property tax law, or in the case of
 9 a cooperative apartment corporation that is described in subparagraph
 10 (iv) of paragraph (k) of subdivision two of section four hundred twen-
 11 ty-five of the real property tax law, one third of such amount. In no
 12 case shall the term "qualifying taxes" be construed to include penal-
 13 ties, or interest, an increase due to an increase in the tax levy, or an
 14 increase in total property taxes based on an assessment increase due to
 15 physical improvement or removal or reduction of an exemption on proper-
 16 ty.

17 (2) Allowance of credit. A qualified taxpayer shall be allowed a cred-
 18 it as provided in paragraph three of this subsection against the taxes
 19 imposed by this article reduced by the credits permitted by this arti-
 20 cle, provided that the requirements set forth in the applicable
 21 subsection are satisfied. If the credit exceeds the tax as so reduced
 22 for such year under this article, the excess shall be treated as an
 23 overpayment, to be credited or refunded, without interest. If a quali-
 24 fied taxpayer is not required to file a return pursuant to section six
 25 hundred fifty-one of this article, a qualified taxpayer may nevertheless
 26 receive the full amount of the credit to be credited or repaid as an
 27 overpayment, without interest.

28 (3) Determination of reassessment relief credit. (A) Beginning with
 29 the first eligible taxable year, the reassessment relief credit shall be
 30 available to a qualified taxpayer if the affiliated income of the parcel
 31 that serves as the taxpayer's primary residence is less than or equal to
 32 five hundred thousand dollars.

33 (B) In the first five years of the program the credit shall be equal
 34 to the qualifying taxes multiplied by the following factor to determine
 35 the value of the credit;

<u>Year Credit</u>	<u>Factor</u>
36 <u>is Allowed:</u>	
38 <u>First Year</u>	<u>1.00</u>
39 <u>Second Year</u>	<u>1.25</u>
40 <u>Third Year</u>	<u>1.50</u>
41 <u>Fourth Year</u>	<u>1.75</u>
42 <u>Fifth Year</u>	<u>1.75</u>

43 (C) For years six and seven of the program, the credit amount shall be
 44 based on an amount equal to the qualifying taxes in year five. That
 45 amount shall be multiplied by the following factor to determine the
 46 value of the credit:

<u>Year Credit</u>	<u>Factor</u>
47 <u>is Allowed:</u>	
49 <u>Sixth Year</u>	<u>1.00</u>
50 <u>Seventh Year</u>	<u>0.25</u>

51 (4) Special cases. A married couple may not receive a credit pursuant
 52 to this subsection on more than one residence during any given taxable
 53 year, unless living apart due to legal separation. Nor may a married
 54 couple receive a credit pursuant to this subsection on one residence

1 while receiving an exemption pursuant to section four hundred twenty-
2 five of the real property tax law on another residence, unless living
3 apart due to legal separation.

4 (5) Disclosure of incomes and other information. (A) Where the commis-
5 sioner has denied a taxpayer's claim for the credit authorized by this
6 subsection in whole or in part on the grounds that the affiliated income
7 of the parcel in question exceeds the applicable limit, the commissioner
8 shall have the authority to reveal to that taxpayer the names and
9 incomes of the other taxpayers whose incomes were included in the compu-
10 tation of such affiliated income.

11 (B) Notwithstanding any provision of law to the contrary, the names
12 and addresses of individuals who have applied for or are receiving the
13 credit authorized by this subsection may be disclosed to assessors,
14 county directors of real property tax services, and municipal tax
15 collecting officers. In addition, where an agreement is in place between
16 the commissioner and the head of the tax department of another state,
17 such information may be disclosed to such official or his or her desig-
18 nees. Such information shall be considered confidential and shall not be
19 subject to further disclosure pursuant to the freedom of information law
20 or otherwise.

21 (6) Proof of claim. The commissioner may require a qualified taxpayer
22 to furnish the following information in support of his or her claim for
23 credit under this subsection: affiliated income, the total taxes levied
24 on the property for the associated fiscal year, the qualifying taxes
25 paid by the taxpayer, the names and taxpayer identification numbers of
26 all owners of the property and spouses who primarily reside on the prop-
27 erty, the parcel identification number and all other information that
28 may be required by the commissioner to determine the credit.

29 (7) Returns. Whether or not the taxpayer is required to file a return
30 pursuant to section six hundred fifty-one of this article, the process
31 for requesting advance payment of such credit shall be as provided by
32 paragraph eight of this subsection.

33 (8) Advance payments. (A) The commissioner shall establish a mechanism
34 by which a qualified taxpayer may apply for an advance payment of the
35 credit authorized by this section, provided that:

36 (i) If the taxpayer acquired a new primary residence between January
37 first and July first of the taxable year, inclusive, any such applica-
38 tion must be submitted to the commissioner by the first day of July of
39 the taxable year, or such later date as may be prescribed by the commis-
40 sioner in order for the taxpayer's payment to be subject to the process-
41 ing schedule provided by subparagraph (B) of this paragraph, and

42 (ii) A qualified taxpayer who fails to apply for an advance payment of
43 such credit by such date may apply for and receive such credit in the
44 manner prescribed by the commissioner, provided that such application
45 shall be made within three years from the time that a return for the
46 taxable year would have had to be filed pursuant to section six hundred
47 fifty-one of this article. If approved, such payment shall be issued as
48 soon as is practicable after the submission of the application but shall
49 not be subject to the processing schedule prescribed by subparagraph (B)
50 of this paragraph, and

51 (iii) A qualified taxpayer who has applied for an advance payment of
52 such credit in a taxable year may continue to receive such advance
53 payments in future taxable years, as provided for in paragraph three of
54 this subsection, without reapplying as long as he or she remains eligi-
55 ble therefor.

1 (B) On or before the date specified below, or as soon thereafter as
2 practicable, the commissioner shall determine the eligibility of taxpay-
3 ers for this credit utilizing the information available to him or her as
4 obtained from the applications submitted on or before July first of that
5 year, or such later date as may have been prescribed by the commissioner
6 for that purpose, and from such other sources as the commissioner deems
7 reliable and appropriate. For those taxpayers whom the commissioner has
8 determined eligible for this credit, the commissioner shall advance a
9 payment in the amount specified in paragraph three, four or eleven of
10 this subsection, whichever is applicable. Such payment shall be issued
11 by the date specified below, or as soon thereafter as is practicable;
12 provided that if such payment is issued after such date, it shall be
13 subject to interest at the rate prescribed by subparagraph (A) of para-
14 graph two of subsection (j) of section six hundred ninety-seven of this
15 article. Nothing contained in this section shall be deemed to preclude
16 the commissioner from issuing payments after such date to qualified
17 taxpayers whose applications were made after July first of that year, or
18 such later date as may have been prescribed by the commissioner for such
19 purpose.

20 (i) The applicable dates for this purpose are as follows:

21 (I) If the assessing unit's tax roll is filed with the commissioner on
22 or before July first, the determination of eligibility shall be made by
23 July fifteenth, or as soon thereafter as is practicable, and the advance
24 payment shall be issued by July thirtieth, or as soon thereafter as is
25 practicable.

26 (II) If the assessing unit's tax roll is filed with the commissioner
27 after July first and on or before September first, the determination of
28 eligibility shall be made by September fifteenth, or as soon thereafter
29 as is practicable, and the advance payment shall be issued by September
30 thirtieth, or as soon thereafter as is practicable.

31 (III) If the assessing unit's tax roll is filed with the commissioner
32 after September first, the determination of eligibility shall be made by
33 the fifteenth day after such filing, or as soon thereafter as is practi-
34 cable, and the advance payment shall be issued by the thirtieth day
35 after such filing, or as soon thereafter as is practicable.

36 (ii) Notwithstanding the foregoing provisions of this subparagraph, in
37 the case of taxpayers whose primary residence is a cooperative apartment
38 that is subject to the provisions of paragraph four of this subsection,
39 the payment shall be issued by the sixtieth day following receipt of all
40 of the data needed to properly calculate the credit, or as soon there-
41 after as is practicable.

42 (C) A taxpayer who has failed to receive an advance payment that he or
43 she believes was due to him or her, or who has received an advance
44 payment that he or she believes is less than the amount that was due to
45 him or her, may request payment of the claimed deficiency in a manner
46 prescribed by the commissioner.

47 (D) An advance payment of credit provided pursuant to this subsection
48 that exceeds the taxpayer's qualifying taxes for that taxable year shall
49 be added back as tax on the income tax return for that taxable year.

50 (E) If the commissioner determines after issuing an advance payment
51 that it was issued in an excessive amount or to an ineligible or incor-
52 rect party, the commissioner shall be empowered to utilize any of the
53 procedures for collection, levy and lien of personal income tax set
54 forth in this article, any other relevant procedures referenced within
55 the provisions of this article, and any other law as may be applicable,
56 to recoup the improperly issued amount.

1 (9) Administration. The provisions of this article, including the
2 provisions of sections six hundred fifty-three, six hundred fifty-eight,
3 and six hundred fifty-nine of this article and the provisions of part
4 six of this article relating to procedure and administration, including
5 the judicial review of the decisions of the commissioner, except so much
6 of section six hundred eighty-seven of this article that permits a claim
7 for credit or refund to be filed after the period provided for in para-
8 graph eight of this subsection and except sections six hundred fifty-
9 seven, six hundred eighty-eight and six hundred ninety-six of this arti-
10 cle, shall apply to the provisions of this subsection in the same manner
11 and with the same force and effect as if the language of those
12 provisions had been incorporated in full into this subsection and had
13 expressly referred to the credit allowed or returns filed under this
14 subsection, except to the extent that any such provision is either
15 inconsistent with a provision of this subsection or is not relevant to
16 this subsection. As used in such sections and such part, the term
17 "taxpayer" shall include a qualified taxpayer under this subsection and,
18 notwithstanding the provisions of subsection (e) of section six hundred
19 ninety-seven of this article, where a qualified taxpayer has protested
20 the denial of a claim for credit under this subsection and the time to
21 file a petition for redetermination of a deficiency or for refund has
22 not expired, he or she shall, subject to such conditions as may be set
23 by the commissioner, receive such information (A) that is contained in
24 any return filed under this article by a member of his or her household
25 for the taxable year for which the credit is claimed, and (B) that the
26 commissioner finds is relevant and material to the issue of whether such
27 claim was properly denied.

28 (10) When the calculation of any other personal income tax credit is
29 based in whole or in part upon the real property taxes paid by the
30 taxpayer, the amount of real property taxes so paid shall be reduced by
31 the credit authorized by this subsection, if applicable, in the course
32 of performing such calculation. When the calculation of any other
33 personal income tax credit is based in whole or in part upon an individ-
34 ual's state tax liability, the credit authorized by this subsection
35 shall not be taken into account in the calculation of such state tax
36 liability. When the calculation of a city tax surcharge is based in
37 whole or in part upon the net state tax of an individual, the credit
38 authorized by this subsection shall not be taken into account in the
39 calculation of such net state tax.

40 (11) (A) Nothing in this section shall be construed to preclude the
41 commissioner from making a preliminary advance payment of the credit
42 based upon an estimate of the property taxes levied upon the taxpayer's
43 primary residence, where he or she finds that attempting to ascertain
44 the actual property taxes levied upon the taxpayer's primary residence
45 would jeopardize the timely issuance of the payment. When making such an
46 estimate, the commissioner shall consider all such information that in
47 his or her judgment will help make the estimate as accurate as possible.

48 (B) Nothing in this section shall be construed to preclude the commis-
49 sioner from making a preliminary advance payment of the credit without
50 attempting to ascertain the taxpayer's qualifying taxes, where he or she
51 finds that attempting to ascertain the taxpayer's qualifying taxes would
52 jeopardize the timely issuance of the payment.

53 (C) If the commissioner determines that a taxpayer received a prelimi-
54 nary advance payment that is above or below the advance payment to which
55 he or she was entitled under this subsection, the commissioner shall
56 provide notice to such taxpayer that the next advance payment due to

1 such taxpayer under this subsection shall be adjusted to reconcile such
2 underpayment or overpayment; provided, however, the commissioner shall
3 permit a taxpayer to request that such adjustment be made on an
4 originally filed timely income tax return for the tax year in which such
5 overpayment or underpayment occurred, provided such return is filed on
6 or before the due date for such return, determined without regard to
7 extensions.

8 (D) a taxpayer who received a preliminary advance payment that consti-
9 tutes an overpayment shall not be required to pay interest on the amount
10 of the overpayment.

11 § 4. Severability. If any provision of this act or if any application
12 thereof to any person or circumstances is held invalid, the remainder of
13 this act and the application of the provision to other persons and
14 circumstances shall not be affected thereby.

15 § 5. This act shall take effect immediately; provided, however, that
16 sections two and three of this act shall take effect on the ninetieth
17 day after it shall have become a law.

18 PART K

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

- 23 1. DOL-Child performer protection account (20401).
- 24 2. Proprietary vocational school supervision account (20452).
- 25 3. Local government records management account (20501).
- 26 4. Child health plus program account (20810).
- 27 5. EPIC premium account (20818).
- 28 6. Education - New (20901).
- 29 7. VLT - Sound basic education fund (20904).
- 30 8. Sewage treatment program management and administration fund
31 (21000).
- 32 9. Hazardous bulk storage account (21061).
- 33 10. Federal grants indirect cost recovery account (21065).
- 34 11. Low level radioactive waste account (21066).
- 35 12. Recreation account (21067).
- 36 13. Public safety recovery account (21077).
- 37 14. Environmental regulatory account (21081).
- 38 15. Natural resource account (21082).
- 39 16. Mined land reclamation program account (21084).
- 40 17. Great lakes restoration initiative account (21087).
- 41 18. Environmental protection and oil spill compensation fund (21200).
- 42 19. Public transportation systems account (21401).
- 43 20. Metropolitan mass transportation (21402).
- 44 21. Operating permit program account (21451).
- 45 22. Mobile source account (21452).
- 46 23. Statewide planning and research cooperative system account
47 (21902).
- 48 24. New York state thruway authority account (21905).
- 49 25. Mental hygiene program fund account (21907).
- 50 26. Mental hygiene patient income account (21909).
- 51 27. Financial control board account (21911).
- 52 28. Regulation of racing account (21912).
- 53 29. New York Metropolitan Transportation Council account (21913).
- 54 30. State university dormitory income reimbursable account (21937).

- 1 31. Criminal justice improvement account (21945).
- 2 32. Environmental laboratory reference fee account (21959).
- 3 33. Training, management and evaluation account (21961).
- 4 34. Clinical laboratory reference system assessment account (21962).
- 5 35. Indirect cost recovery account (21978).
- 6 36. High school equivalency program account (21979).
- 7 37. Multi-agency training account (21989).
- 8 38. Interstate reciprocity for post-secondary distance education
- 9 account (23800).
- 10 39. Bell jar collection account (22003).
- 11 40. Industry and utility service account (22004).
- 12 41. Real property disposition account (22006).
- 13 42. Parking account (22007).
- 14 43. Courts special grants (22008).
- 15 44. Asbestos safety training program account (22009).
- 16 45. Camp Smith billeting account (22017).
- 17 46. Batavia school for the blind account (22032).
- 18 47. Investment services account (22034).
- 19 48. Surplus property account (22036).
- 20 49. Financial oversight account (22039).
- 21 50. Regulation of Indian gaming account (22046).
- 22 51. Rome school for the deaf account (22053).
- 23 52. Seized assets account (22054).
- 24 53. Administrative adjudication account (22055).
- 25 54. Federal salary sharing account (22056).
- 26 55. New York City assessment account (22062).
- 27 56. Cultural education account (22063).
- 28 57. Local services account (22078).
- 29 58. DHCR mortgage servicing account (22085).
- 30 59. Housing indirect cost recovery account (22090).
- 31 60. DHCR-HCA application fee account (22100).
- 32 61. Low income housing monitoring account (22130).
- 33 62. Corporation administration account (22135).
- 34 63. Montrose veteran's home account (22144).
- 35 64. Deferred compensation administration account (22151).
- 36 65. Rent revenue other New York City account (22156).
- 37 66. Rent revenue account (22158).
- 38 67. Tax revenue arrearage account (22168).
- 39 68. State university general income offset account (22654).
- 40 69. Lake George park trust fund account (22751).
- 41 70. State police motor vehicle law enforcement account (22802).
- 42 71. Highway safety program account (23001).
- 43 72. DOH drinking water program account (23102).
- 44 73. NYCCC operating offset account (23151).
- 45 74. Commercial gaming revenue account (23701).
- 46 75. Commercial gaming regulation account (23702).
- 47 76. Highway use tax administration account (23801).
- 48 77. Fantasy sports administration account (24951).
- 49 78. Highway and bridge capital account (30051).
- 50 79. Aviation purpose account (30053).
- 51 80. State university residence hall rehabilitation fund (30100).
- 52 81. State parks infrastructure account (30351).
- 53 82. Clean water/clean air implementation fund (30500).
- 54 83. Hazardous waste remedial cleanup account (31506).
- 55 84. Youth facilities improvement account (31701).
- 56 85. Housing assistance fund (31800).

- 1 86. Housing program fund (31850).
- 2 87. Highway facility purpose account (31951).
- 3 88. Information technology capital financing account (32215).
- 4 89. New York racing account (32213).
- 5 90. Capital miscellaneous gifts account (32214).
- 6 91. New York environmental protection and spill remediation account
- 7 (32219).
- 8 92. Mental hygiene facilities capital improvement fund (32300).
- 9 93. Correctional facilities capital improvement fund (32350).
- 10 94. New York State Storm Recovery Capital Fund (33000).
- 11 95. OGS convention center account (50318).
- 12 96. Empire Plaza Gift Shop (50327).
- 13 97. Centralized services fund (55000).
- 14 98. Archives records management account (55052).
- 15 99. Federal single audit account (55053).
- 16 100. Civil service EHS occupational health program account (55056).
- 17 101. Banking services account (55057).
- 18 102. Cultural resources survey account (55058).
- 19 103. Neighborhood work project account (55059).
- 20 104. Automation & printing chargeback account (55060).
- 21 105. OFT NYT account (55061).
- 22 106. Data center account (55062).
- 23 107. Intrusion detection account (55066).
- 24 108. Domestic violence grant account (55067).
- 25 109. Centralized technology services account (55069).
- 26 110. Labor contact center account (55071).
- 27 111. Human services contact center account (55072).
- 28 112. Tax contact center account (55073).
- 29 113. Executive direction internal audit account (55251).
- 30 114. CIO Information technology centralized services account (55252).
- 31 115. Health insurance internal service account (55300).
- 32 116. Civil service employee benefits division administrative account
- 33 (55301).
- 34 117. Correctional industries revolving fund (55350).
- 35 118. Employees health insurance account (60201).
- 36 119. Medicaid management information system escrow fund (60900).
- 37 120. Department of law civil recoveries account (55074).
- 38 121. Utility environmental regulatory account (21064).
- 39 122. New York state secure choice administrative account (23806).
- 40 123. New York state medical indemnity fund account (_____).
- 41 124. New York state cannabis revenue fund (_____).
- 42 § 1-a. The state comptroller is hereby authorized and directed to loan
- 43 money in accordance with the provisions set forth in subdivision 5 of
- 44 section 4 of the state finance law to any account within the following
- 45 federal funds, provided the comptroller has made a determination that
- 46 sufficient federal grant award authority is available to reimburse such
- 47 loans:
- 48 1. Federal USDA-food and nutrition services fund (25000).
- 49 2. Federal health and human services fund (25100).
- 50 3. Federal education fund (25200).
- 51 4. Federal block grant fund (25250).
- 52 5. Federal miscellaneous operating grants fund (25300).
- 53 6. Federal unemployment insurance administration fund (25900).
- 54 7. Federal unemployment insurance occupational training fund (25950).
- 55 8. Federal emergency employment act fund (26000).
- 56 9. Federal capital projects fund (31350).

1 § 1-b. The state comptroller is hereby authorized and directed to loan
2 money in accordance with the provisions set forth in subdivision 5 of
3 section 4 of the state finance law to any fund within the special revenue,
4 capital projects, proprietary or fiduciary funds for the purpose of
5 payment of any fringe benefit or indirect cost liabilities or obligations
6 incurred.

7 § 2. Notwithstanding any law to the contrary, and in accordance with
8 section 4 of the state finance law, the comptroller is hereby authorized
9 and directed to transfer, upon request of the director of the budget, on
10 or before March 31, 2020, up to the unencumbered balance or the following
11 amounts:

12 Economic Development and Public Authorities:

13 1. \$175,000 from the miscellaneous special revenue fund, underground
14 facilities safety training account (22172), to the general fund.

15 2. An amount up to the unencumbered balance from the miscellaneous
16 special revenue fund, business and licensing services account (21977),
17 to the general fund.

18 3. \$14,810,000 from the miscellaneous special revenue fund, code
19 enforcement account (21904), to the general fund.

20 4. \$3,000,000 from the general fund to the miscellaneous special
21 revenue fund, tax revenue arrearage account (22168).

22 Education:

23 1. \$2,679,000,000 from the general fund to the state lottery fund,
24 education account (20901), as reimbursement for disbursements made from
25 such fund for supplemental aid to education pursuant to section 92-c of
26 the state finance law that are in excess of the amounts deposited in
27 such fund for such purposes pursuant to section 1612 of the tax law.

28 2. \$987,200,000 from the general fund to the state lottery fund, VLT
29 education account (20904), as reimbursement for disbursements made from
30 such fund for supplemental aid to education pursuant to section 92-c of
31 the state finance law that are in excess of the amounts deposited in
32 such fund for such purposes pursuant to section 1612 of the tax law.

33 3. \$154,400,000 from the general fund to the New York state commercial
34 gaming fund, commercial gaming revenue account (23701), as reimbursement
35 for disbursements made from such fund for supplemental aid to education
36 pursuant to section 97-nnnn of the state finance law that are in excess
37 of the amounts deposited in such fund for purposes pursuant to section
38 1352 of the racing, pari-mutuel wagering and breeding law.

39 4. \$18,000,000 from the interactive fantasy sports fund, fantasy
40 sports education account (24950), to the state lottery fund, education
41 account (20901), as reimbursement for disbursements made from such fund
42 for supplemental aid to education pursuant to section 92-c of the state
43 finance law.

44 5. \$36,211,000 from the charitable gifts trust fund, elementary and
45 secondary education account (24901), to the general fund, for payment of
46 general support for public schools pursuant to section 3609-a of the
47 education law.

48 6. Moneys from the state lottery fund (20900) up to an amount deposited
49 in such fund pursuant to section 1612 of the tax law in excess of the
50 current year appropriation for supplemental aid to education pursuant to
51 section 92-c of the state finance law.

52 7. \$300,000 from the New York state local government records management
53 improvement fund, local government records management account
54 (20501), to the New York state archives partnership trust fund, archives
55 partnership trust maintenance account (20351).

- 1 8. \$900,000 from the general fund to the miscellaneous special revenue
2 fund, Batavia school for the blind account (22032).
- 3 9. \$900,000 from the general fund to the miscellaneous special revenue
4 fund, Rome school for the deaf account (22053).
- 5 10. \$343,400,000 from the state university dormitory income fund
6 (40350) to the miscellaneous special revenue fund, state university
7 dormitory income reimbursable account (21937).
- 8 11. \$8,318,000 from the general fund to the state university income
9 fund, state university income offset account (22654), for the state's
10 share of repayment of the STIP loan.
- 11 12. \$44,000,000 from the state university income fund, state universi-
12 ty hospitals income reimbursable account (22656) to the general fund for
13 hospital debt service for the period April 1, 2019 through March 31,
14 2020.
- 15 13. \$7,200,000 from the miscellaneous special revenue fund, office of
16 the professions account (22051), to the miscellaneous capital projects
17 fund, office of the professions electronic licensing account (32200).
- 18 14. \$24,000,000 from any of the state education department's special
19 revenue and internal service funds to the miscellaneous special revenue
20 fund, indirect cost recovery account (21978) or to the federal miscella-
21 neous operating grants fund, federal indirect cost recovery account.
- 22 15. \$6,600,000 from any of the state education department's special
23 revenue or internal service funds to the capital projects fund (30000).
- 24 Environmental Affairs:
 - 25 1. \$16,000,000 from any of the department of environmental conserva-
26 tion's special revenue federal funds to the environmental conservation
27 special revenue fund, federal indirect recovery account (21065).
 - 28 2. \$5,000,000 from any of the department of environmental conserva-
29 tion's special revenue federal funds to the conservation fund (21150) **or**
30 Marine Resources Account (21151) as necessary to avoid diversion of
31 conservation funds.
 - 32 3. \$3,000,000 from any of the office of parks, recreation and historic
33 preservation capital projects federal funds and special revenue federal
34 funds to the miscellaneous special revenue fund, federal grant indirect
35 cost recovery account (22188).
 - 36 4. \$1,000,000 from any of the office of parks, recreation and historic
37 preservation special revenue federal funds to the miscellaneous capital
38 projects fund, I love NY water account (32212).
 - 39 5. \$28,000,000 from the general fund to the environmental protection
40 fund, environmental protection fund transfer account (30451).
 - 41 6. \$1,800,000 from the general fund to the hazardous waste remedial
42 fund, hazardous waste oversight and assistance account (31505).
 - 43 7. An amount up to or equal to the cash balance within the special
44 revenue-other waste management & cleanup account (21053) to the capital
45 projects fund (30000) for services and capital expenses related to the
46 management and cleanup program as put forth in section 27-1915 of the
47 environmental conservation law.
 - 48 8. \$1,800,000 from the miscellaneous special revenue fund, public
49 service account (22011) to the miscellaneous special revenue fund, util-
50 ity environmental regulatory account (21064).
 - 51 9. \$500,000 from the general fund to the enterprise fund, state fair
52 account (50051).
 - 53 10. \$2,200,000 from the miscellaneous special revenue fund, public
54 service account (22011) to the general fund.
 - 55 11. \$24,000,000 from the general fund to the New York state electric
56 generation facility cessation mitigation fund (_____).

1 Family Assistance:

- 2 1. \$7,000,000 from any of the office of children and family services,
3 office of temporary and disability assistance, or department of health
4 special revenue federal funds and the general fund, in accordance with
5 agreements with social services districts, to the miscellaneous special
6 revenue fund, office of human resources development state match account
7 (21967).
 - 8 2. \$4,000,000 from any of the office of children and family services
9 or office of temporary and disability assistance special revenue federal
10 funds to the miscellaneous special revenue fund, family preservation and
11 support services and family violence services account (22082).
 - 12 3. \$18,670,000 from any of the office of children and family services,
13 office of temporary and disability assistance, or department of health
14 special revenue federal funds and any other miscellaneous revenues
15 generated from the operation of office of children and family services
16 programs to the general fund.
 - 17 4. \$125,000,000 from any of the office of temporary and disability
18 assistance or department of health special revenue funds to the general
19 fund.
 - 20 5. \$2,500,000 from any of the office of temporary and disability
21 assistance special revenue funds to the miscellaneous special revenue
22 fund, office of temporary and disability assistance program account
23 (21980).
 - 24 6. \$24,000,000 from any of the office of children and family services,
25 office of temporary and disability assistance, department of labor, and
26 department of health special revenue federal funds to the office of
27 children and family services miscellaneous special revenue fund, multi-
28 agency training contract account (21989).
 - 29 7. \$205,000,000 from the miscellaneous special revenue fund, youth
30 facility per diem account (22186), to the general fund.
 - 31 8. \$621,850 from the general fund to the combined gifts, grants, and
32 bequests fund, WB Hoyt Memorial account (20128).
 - 33 9. \$5,000,000 from the miscellaneous special revenue fund, state
34 central registry (22028), to the general fund.
- 35 General Government:
- 36 1. \$1,566,000 from the miscellaneous special revenue fund, examination
37 and miscellaneous revenue account (22065) to the general fund.
 - 38 2. \$8,083,000 from the general fund to the health insurance revolving
39 fund (55300).
 - 40 3. \$292,400,000 from the health insurance reserve receipts fund
41 (60550) to the general fund.
 - 42 4. \$150,000 from the general fund to the not-for-profit revolving loan
43 fund (20650).
 - 44 5. \$150,000 from the not-for-profit revolving loan fund (20650) to the
45 general fund.
 - 46 6. \$3,000,000 from the miscellaneous special revenue fund, surplus
47 property account (22036), to the general fund.
 - 48 7. \$19,000,000 from the miscellaneous special revenue fund, revenue
49 arrearage account (22024), to the general fund.
 - 50 8. \$1,826,000 from the miscellaneous special revenue fund, revenue
51 arrearage account (22024), to the miscellaneous special revenue fund,
52 authority budget office account (22138).
 - 53 9. \$1,000,000 from the miscellaneous special revenue fund, parking
54 services account (22007), to the general fund, for the purpose of reim-
55 bursing the costs of debt service related to state parking facilities.

- 1 10. \$9,632,000 from the general fund to the centralized services fund,
2 COPS account (55013).
- 3 11. \$13,854,000 from the general fund to the agencies internal service
4 fund, central technology services account (55069), for the purpose of
5 enterprise technology projects.
- 6 12. \$10,000,000 from the general fund to the agencies internal service
7 fund, state data center account (55062).
- 8 13. \$20,000,000 from the miscellaneous special revenue fund, workers'
9 compensation account (21995), to the miscellaneous capital projects
10 fund, workers' compensation board IT business process design fund,
11 (32218).
- 12 14. \$12,000,000 from the miscellaneous special revenue fund, parking
13 services account (22007), to the centralized services, building support
14 services account (55018).
- 15 15. \$30,000,000 from the general fund to the internal service fund,
16 business services center account (55022).
- 17 16. \$8,000,000 from the general fund to the internal service fund,
18 building support services account (55018).
- 19 17. \$1,500,000 from the combined expendable trust, special events
20 account (20120), to the general fund.
- 21 Health:
- 22 1. A transfer from the general fund to the combined gifts, grants and
23 bequests fund, breast cancer research and education account (20155), up
24 to an amount equal to the monies collected and deposited into that
25 account in the previous fiscal year.
- 26 2. A transfer from the general fund to the combined gifts, grants and
27 bequests fund, prostate cancer research, detection, and education
28 account (20183), up to an amount equal to the moneys collected and
29 deposited into that account in the previous fiscal year.
- 30 3. A transfer from the general fund to the combined gifts, grants and
31 bequests fund, Alzheimer's disease research and assistance account
32 (20143), up to an amount equal to the moneys collected and deposited
33 into that account in the previous fiscal year.
- 34 4. \$33,134,000 from the HCRA resources fund (20800) to the miscella-
35 neous special revenue fund, empire state stem cell trust fund account
36 (22161).
- 37 5. \$6,000,000 from the miscellaneous special revenue fund, certificate
38 of need account (21920), to the miscellaneous capital projects fund,
39 healthcare IT capital subfund (32216).
- 40 6. \$2,000,000 from the miscellaneous special revenue fund, vital
41 health records account (22103), to the miscellaneous capital projects
42 fund, healthcare IT capital subfund (32216).
- 43 7. \$2,000,000 from the miscellaneous special revenue fund, profes-
44 sional medical conduct account (22088), to the miscellaneous capital
45 projects fund, healthcare IT capital subfund (32216).
- 46 8. \$91,304,000 from the HCRA resources fund (20800) to the capital
47 projects fund (30000).
- 48 9. \$6,550,000 from the general fund to the medical marihuana trust
49 fund, health operation and oversight account (23755).
- 50 10. \$1,086,000 from the miscellaneous special revenue fund, certif-
51 icate of need account (21920), to the general fund.
- 52 11. \$59,000,000 from the charitable gifts trust fund, health charita-
53 ble account (24900), to the general fund, for payment of general support
54 for primary, preventive, and inpatient health care, dental and vision
55 care, hunger prevention and nutritional assistance, and other services
56 for New York state residents with the overall goal of ensuring that New

1 York state residents have access to quality health care and other
2 related services.

3 Labor:

4 1. \$500,000 from the miscellaneous special revenue fund, DOL fee and
5 penalty account (21923), to the child performer's protection fund, child
6 performer protection account (20401).

7 2. \$16,200,000 from the unemployment insurance interest and penalty
8 fund, unemployment insurance special interest and penalty account
9 (23601), to the general fund.

10 3. \$5,000,000 from the miscellaneous special revenue fund, workers'
11 compensation account (21995), to the training and education program
12 occupation safety and health fund, OSHA-training and education account
13 (21251) and occupational health inspection account (21252).

14 Mental Hygiene:

15 1. \$10,000,000 from the general fund, to the miscellaneous special
16 revenue fund, federal salary sharing account (22056).

17 2. \$3,800,000 from the general fund, to the agencies internal service
18 fund, civil service EHS occupational health program account (55056).

19 Public Protection:

20 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
21 management account (21944), to the general fund.

22 2. \$2,087,000 from the general fund to the miscellaneous special
23 revenue fund, recruitment incentive account (22171).

24 3. \$20,773,000 from the general fund to the correctional industries
25 revolving fund, correctional industries internal service account
26 (55350).

27 4. \$60,000,000 from any of the division of homeland security and emer-
28 gency services special revenue federal funds to the general fund.

29 5. \$9,500,000 from the miscellaneous special revenue fund, criminal
30 justice improvement account (21945), to the general fund.

31 6. \$115,420,000 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 7. \$119,500,000 from the general fund to the correctional facilities
36 capital improvement fund (32350).

37 8. \$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 9. \$10,000,000 from the miscellaneous special revenue fund, statewide
42 public safety communications account (22123), to the capital projects
43 fund (30000).

44 10. \$29,080,000 from the miscellaneous special revenue fund, legal
45 services assistance account (22096), to the general fund.

46 11. \$1,000,000 from the general fund to the agencies internal service
47 fund, neighborhood work project account (55059).

48 12. \$7,980,000 from the miscellaneous special revenue fund, finger-
49 print identification & technology account (21950), to the general fund.

50 13. \$1,400,000 from the state police motor vehicle law enforcement and
51 motor vehicle theft and insurance fraud prevention fund, motor vehicle
52 theft and insurance fraud account (22801), to the general fund.

53 14. \$150,000 from the medical marijuana trust fund, law enforcement
54 account (23753), to the general fund.

55 15. \$25,000,000 from the miscellaneous special revenue fund, statewide
56 public safety communications account (22123), to the general fund.

1 16. A transfer of the unencumbered balance from the miscellaneous
2 special revenue fund, airport security account (22199), to the miscella-
3 neous special revenue fund, securing the cities account.

4 Transportation:

5 1. \$17,672,000 from the federal miscellaneous operating grants fund to
6 the miscellaneous special revenue fund, New York Metropolitan Transpor-
7 tation Council account (21913).

8 2. \$20,147,000 from the federal capital projects fund to the miscella-
9 neous special revenue fund, New York Metropolitan Transportation Council
10 account (21913).

11 3. \$15,181,992 from the general fund to the mass transportation oper-
12 ating assistance fund, public transportation systems operating assist-
13 ance account (21401), of which \$12,000,000 constitutes the base need for
14 operations.

15 4. \$727,500,000 from the general fund to the dedicated highway and
16 bridge trust fund (30050).

17 5. \$244,250,000 from the general fund to the MTA financial assistance
18 fund, mobility tax trust account (23651).

19 6. \$5,000,000 from the miscellaneous special revenue fund, transporta-
20 tion regulation account (22067) to the dedicated highway and bridge
21 trust fund (30050), for disbursements made from such fund for motor
22 carrier safety that are in excess of the amounts deposited in the dedi-
23 cated highway and bridge trust fund (30050) for such purpose pursuant to
24 section 94 of the transportation law.

25 7. \$3,000,000 from the miscellaneous special revenue fund, traffic
26 adjudication account (22055), to the general fund.

27 8. \$17,421,000 from the mass transportation operating assistance fund,
28 metropolitan mass transportation operating assistance account (21402),
29 to the capital projects fund (30000).

30 9. \$5,000,000 from the miscellaneous special revenue fund, transporta-
31 tion regulation account (22067) to the general fund, for disbursements
32 made from such fund for motor carrier safety that are in excess of the
33 amounts deposited in the general fund for such purpose pursuant to
34 section 94 of the transportation law.

35 Miscellaneous:

36 1. \$250,000,000 from the general fund to any funds or accounts for the
37 purpose of reimbursing certain outstanding accounts receivable balances.

38 2. Intentionally omitted.

39 3. \$450,000,000 from the New York state storm recovery capital fund
40 (33000) to the revenue bond tax fund (40152).

41 4. \$18,550,000 from the general fund, community projects account GG
42 (10256), to the general fund, state purposes account (10050).

43 5. \$100,000,000 from any special revenue federal fund to the general
44 fund, state purposes account (10050).

45 § 3. Notwithstanding any law to the contrary, and in accordance with
46 section 4 of the state finance law, the comptroller is hereby authorized
47 and directed to transfer, on or before March 31, 2020:

48 1. Upon request of the commissioner of environmental conservation, up
49 to \$12,659,400 from revenues credited to any of the department of envi-
50 ronmental conservation special revenue funds, including \$4,000,000 from
51 the environmental protection and oil spill compensation fund (21200),
52 and \$1,831,600 from the conservation fund (21150), to the environmental
53 conservation special revenue fund, indirect charges account (21060).

54 2. Upon request of the commissioner of agriculture and markets, up to
55 \$3,000,000 from any special revenue fund or enterprise fund within the

1 department of agriculture and markets to the general fund, to pay appro-
2 priate administrative expenses.

3 3. Upon request of the commissioner of agriculture and markets, up to
4 \$2,000,000 from the state exposition special fund, state fair receipts
5 account (50051) to the miscellaneous capital projects fund, state fair
6 capital improvement account (32208).

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

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

16 6. Upon request of the commissioner of health up to \$8,500,000 from
17 revenues credited to any of the department of health's special revenue
18 funds, to the miscellaneous special revenue fund, administration account
19 (21982).

20 § 4. On or before March 31, 2020, the comptroller is hereby authorized
21 and directed to deposit earnings that would otherwise accrue to the
22 general fund that are attributable to the operation of section 98-a of
23 the state finance law, to the agencies internal service fund, banking
24 services account (55057), for the purpose of meeting direct payments
25 from such account.

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

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

42 § 7. Notwithstanding any law to the contrary, and in accordance with
43 section 4 of the state finance law, the comptroller is hereby authorized
44 and directed to transfer, upon request of the director of the budget and
45 upon consultation with the state university chancellor or his or her
46 designee, on or before March 31, 2020, up to \$6,500,000 from the state
47 university income fund general revenue account (22653) to the state
48 general fund for debt service costs related to campus supported capital
49 project costs for the NY-SUNY 2020 challenge grant program at the
50 University at Albany.

51 § 8. Notwithstanding any law to the contrary, the state university
52 chancellor or his or her designee is authorized and directed to transfer
53 estimated tuition revenue balances from the state university collection
54 fund (61000) to the state university income fund, state university
55 general revenue offset account (22655) on or before March 31, 2020.

1 § 9. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller is hereby authorized
3 and directed to transfer, upon request of the director of the budget, up
4 to \$1,001,800,300 from the general fund to the state university income
5 fund, state university general revenue offset account (22655) during the
6 period of July 1, 2019 through June 30, 2020 to support operations at
7 the state university.

8 § 10. Notwithstanding any law to the contrary, and in accordance with
9 section 4 of the state finance law, the comptroller is hereby authorized
10 and directed to transfer, upon request of the director of the budget, up
11 to \$109,500,000 from the general fund to the state university income
12 fund, state university general revenue offset account (22655) during the
13 period of April 1, 2019 through June 30, 2019 to support operations at
14 the state university.

15 § 11. Notwithstanding any law to the contrary, and in accordance with
16 section 4 of the state finance law, the comptroller is hereby authorized
17 and directed to transfer, upon request of the director of the budget, up
18 to \$20,000,000 from the general fund to the state university income
19 fund, state university general revenue offset account (22655) during the
20 period of July 1, 2019 to June 30, 2020 to support operations at the
21 state university in accordance with the maintenance of effort pursuant
22 to clause (v) of subparagraph (4) of paragraph h of subdivision 2 of
23 section 355 of the education law.

24 § 12. Notwithstanding any law to the contrary, and in accordance with
25 section 4 of the state finance law, the comptroller is hereby authorized
26 and directed to transfer, upon request of the state university chancel-
27 lor or his or her designee, up to \$55,000,000 from the state university
28 income fund, state university hospitals income reimbursable account
29 (22656), for services and expenses of hospital operations and capital
30 expenditures at the state university hospitals; and the state university
31 income fund, Long Island veterans' home account (22652) to the state
32 university capital projects fund (32400) on or before June 30, 2020.

33 § 13. Notwithstanding any law to the contrary, and in accordance with
34 section 4 of the state finance law, the comptroller, after consultation
35 with the state university chancellor or his or her designee, is hereby
36 authorized and directed to transfer moneys, in the first instance, from
37 the state university collection fund, Stony Brook hospital collection
38 account (61006), Brooklyn hospital collection account (61007), and Syra-
39 cuse hospital collection account (61008) to the state university income
40 fund, state university hospitals income reimbursable account (22656) in
41 the event insufficient funds are available in the state university
42 income fund, state university hospitals income reimbursable account
43 (22656) to permit the full transfer of moneys authorized for transfer,
44 to the general fund for payment of debt service related to the SUNY
45 hospitals. Notwithstanding any law to the contrary, the comptroller is
46 also hereby authorized and directed, after consultation with the state
47 university chancellor or his or her designee, to transfer moneys from
48 the state university income fund to the state university income fund,
49 state university hospitals income reimbursable account (22656) in the
50 event insufficient funds are available in the state university income
51 fund, state university hospitals income reimbursable account (22656) to
52 pay hospital operating costs or to permit the full transfer of moneys
53 authorized for transfer, to the general fund for payment of debt service
54 related to the SUNY hospitals on or before March 31, 2020.

55 § 14. Notwithstanding any law to the contrary, upon the direction of
56 the director of the budget and the chancellor of the state university of

1 New York or his or her designee, and in accordance with section 4 of the
2 state finance law, the comptroller is hereby authorized and directed to
3 transfer monies from the state university dormitory income fund (40350)
4 to the state university residence hall rehabilitation fund (30100), and
5 from the state university residence hall rehabilitation fund (30100) to
6 the state university dormitory income fund (40350), in an amount not to
7 exceed \$80 million from each fund.

8 § 15. Notwithstanding any law to the contrary, and in accordance with
9 section 4 of the state finance law, the comptroller is hereby authorized
10 and directed to transfer monies, upon request of the director of the
11 budget, on or before March 31, 2020, from and to any of the following
12 accounts: the miscellaneous special revenue fund, patient income account
13 (21909), the miscellaneous special revenue fund, mental hygiene program
14 fund account (21907), the miscellaneous special revenue fund, federal
15 salary sharing account (22056), or the general fund in any combination,
16 the aggregate of which shall not exceed \$350 million.

17 § 16. Notwithstanding any law to the contrary, and in accordance with
18 section 4 of the state finance law, the comptroller is hereby authorized
19 and directed to transfer, at the request of the director of the budget,
20 up to \$650 million from the unencumbered balance of any special revenue
21 fund or account, agency fund or account, internal service fund or
22 account, enterprise fund or account, or any combination of such funds
23 and accounts, to the general fund. The amounts transferred pursuant to
24 this authorization shall be in addition to any other transfers expressly
25 authorized in the 2019-20 budget. Transfers from federal funds, debt
26 service funds, capital projects funds, the community projects fund, or
27 funds that would result in the loss of eligibility for federal benefits
28 or federal funds pursuant to federal law, rule, or regulation as assent-
29 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
30 1951 are not permitted pursuant to this authorization.

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

54 § 18. Notwithstanding any law to the contrary, and in accordance with
55 section 4 of the state finance law, the comptroller is hereby authorized
56 and directed to transfer, at the request of the director of the budget,

1 up to \$400 million from any non-general fund or account, or combination
2 of funds and accounts, to the general fund for the purpose of consol-
3 idating technology procurement and services. The amounts transferred
4 pursuant to this authorization shall be equal to or less than the amount
5 of such monies intended to support information technology costs which
6 are attributable, according to a plan, to such account made in pursuance
7 to an appropriation by law. Transfers to the general fund shall be
8 completed from amounts collected by non-general funds or accounts pursu-
9 ant to a fund deposit schedule. Transfers from funds that would result
10 in the loss of eligibility for federal benefits or federal funds pursu-
11 ant to federal law, rule, or regulation as assented to in chapter 683 of
12 the laws of 1938 and chapter 700 of the laws of 1951 are not permitted
13 pursuant to this authorization.

14 § 19. Notwithstanding any provision of law to the contrary, as deemed
15 feasible and advisable by its trustees, the power authority of the state
16 of New York is authorized and directed to transfer to the state treasury
17 to the credit of the general fund \$20,000,000 for the state fiscal year
18 commencing April 1, 2019, the proceeds of which will be utilized to
19 support energy-related state activities.

20 § 20. Notwithstanding any provision of law, rule or regulation to the
21 contrary, the New York state energy research and development authority
22 is authorized and directed to make the following contributions to the
23 state treasury to the credit of the general fund on or before March 31,
24 2020: (a) \$913,000; and (b) \$23,000,000 from proceeds collected by the
25 authority from the auction or sale of carbon dioxide emission allowances
26 allocated by the department of environmental conservation.

27 § 21. Subdivision 5 of section 97-rrr of the state finance law, as
28 amended by section 22 of part BBB of chapter 59 of the laws of 2018, is
29 amended to read as follows:

30 5. Notwithstanding the provisions of section one hundred seventy-one-a
31 of the tax law, as separately amended by chapters four hundred eighty-
32 one and four hundred eighty-four of the laws of nineteen hundred eight-
33 y-one, and notwithstanding the provisions of chapter ninety-four of the
34 laws of two thousand eleven, or any other provisions of law to the
35 contrary, during the fiscal year beginning April first, two thousand
36 [~~eighteen~~ nineteen], the state comptroller is hereby authorized and
37 directed to deposit to the fund created pursuant to this section from
38 amounts collected pursuant to article twenty-two of the tax law and
39 pursuant to a schedule submitted by the director of the budget, up to
40 [~~\$2,458,909,000~~ \$2,185,995,000], as may be certified in such schedule as
41 necessary to meet the purposes of such fund for the fiscal year begin-
42 ning April first, two thousand [~~eighteen~~ nineteen].

43 § 22. Notwithstanding any law to the contrary, the comptroller is
44 hereby authorized and directed to transfer, upon request of the director
45 of the budget, on or before March 31, 2020, the following amounts from
46 the following special revenue accounts to the capital projects fund
47 (30000), for the purposes of reimbursement to such fund for expenses
48 related to the maintenance and preservation of state assets:

49 1. \$43,000 from the miscellaneous special revenue fund, administrative
50 program account (21982).

51 2. \$1,478,000 from the miscellaneous special revenue fund, helen hayes
52 hospital account (22140).

53 3. \$366,000 from the miscellaneous special revenue fund, New York city
54 veterans' home account (22141).

55 4. \$513,000 from the miscellaneous special revenue fund, New York
56 state home for veterans' and their dependents at oxford account (22142).

1 5. \$159,000 from the miscellaneous special revenue fund, western New
2 York veterans' home account (22143).

3 6. \$323,000 from the miscellaneous special revenue fund, New York
4 state for veterans in the lower-hudson valley account (22144).

5 7. \$2,550,000 from the miscellaneous special revenue fund, patron
6 services account (22163).

7 8. \$830,000 from the miscellaneous special revenue fund, long island
8 veterans' home account (22652).

9 9. \$5,379,000 from the miscellaneous special revenue fund, state
10 university general income reimbursable account (22653).

11 10. \$112,556,000 from the miscellaneous special revenue fund, state
12 university revenue offset account (22655).

13 11. \$557,000 from the miscellaneous special revenue fund, state
14 university of New York tuition reimbursement account (22659).

15 12. \$41,930,000 from the state university dormitory income fund, state
16 university dormitory income fund (40350).

17 13. \$1,000,000 from the miscellaneous special revenue fund, litigation
18 settlement and civil recovery account (22117).

19 § 22-a. Subdivision 4 of section 97-rrr of the state finance law, as
20 added by section 22-b of part XXX of chapter 59 of the laws of 2017, is
21 amended to read as follows:

22 4. Any amounts disbursed from such fund shall be excluded from the
23 calculation of annual spending growth in state operating funds [~~until~~
24 ~~June 30, 2019~~].

25 § 23. Intentionally omitted.

26 § 24. Intentionally omitted.

27 § 25. Intentionally omitted.

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

50 § 27. Subdivision 1 of section 47 of section 1 of chapter 174 of the
51 laws of 1968, constituting the New York state urban development corpo-
52 ration act, as amended by section 31 of part BBB of chapter 59 of the
53 laws of 2018, is amended to read as follows:

54 1. Notwithstanding the provisions of any other law to the contrary,
55 the dormitory authority and the corporation are hereby authorized to
56 issue bonds or notes in one or more series for the purpose of funding

1 project costs for the office of information technology services, depart-
2 ment of law, and other state costs associated with such capital
3 projects. The aggregate principal amount of bonds authorized to be
4 issued pursuant to this section shall not exceed [~~five hundred forty~~
5 ~~million nine hundred fifty-four thousand~~] six hundred sixty-two million
6 six hundred fifty-four thousand dollars, \$662,654,000 excluding bonds
7 issued to fund one or more debt service reserve funds, to pay costs of
8 issuance of such bonds, and bonds or notes issued to refund or otherwise
9 repay such bonds or notes previously issued. Such bonds and notes of the
10 dormitory authority and the corporation shall not be a debt of the
11 state, and the state shall not be liable thereon, nor shall they be
12 payable out of any funds other than those appropriated by the state to
13 the dormitory authority and the corporation for principal, interest, and
14 related expenses pursuant to a service contract and such bonds and notes
15 shall contain on the face thereof a statement to such effect. Except for
16 purposes of complying with the internal revenue code, any interest
17 income earned on bond proceeds shall only be used to pay debt service on
18 such bonds.

19 § 28. Subdivision 1 of section 16 of part D of chapter 389 of the laws
20 of 1997, relating to the financing of the correctional facilities
21 improvement fund and the youth facility improvement fund, as amended by
22 section 32 of part BBB of chapter 59 of the laws of 2018, is amended to
23 read as follows:

24 1. Subject to the provisions of chapter 59 of the laws of 2000, but
25 notwithstanding the provisions of section 18 of section 1 of chapter 174
26 of the laws of 1968, the New York state urban development corporation is
27 hereby authorized to issue bonds, notes and other obligations in an
28 aggregate principal amount not to exceed [~~eight billion eighty-two~~
29 ~~million eight hundred ninety-nine thousand~~] eight billion four hundred
30 ninety-four million nine hundred seventy-nine thousand dollars
31 [~~\$8,082,899,000~~] \$8,494,979,000, and shall include all bonds, notes and
32 other obligations issued pursuant to chapter 56 of the laws of 1983, as
33 amended or supplemented. The proceeds of such bonds, notes or other
34 obligations shall be paid to the state, for deposit in the correctional
35 facilities capital improvement fund to pay for all or any portion of the
36 amount or amounts paid by the state from appropriations or reappropri-
37 ations made to the department of corrections and community supervision
38 from the correctional facilities capital improvement fund for capital
39 projects. The aggregate amount of bonds, notes or other obligations
40 authorized to be issued pursuant to this section shall exclude bonds,
41 notes or other obligations issued to refund or otherwise repay bonds,
42 notes or other obligations theretofore issued, the proceeds of which
43 were paid to the state for all or a portion of the amounts expended by
44 the state from appropriations or reappropriations made to the department
45 of corrections and community supervision; provided, however, that upon
46 any such refunding or repayment the total aggregate principal amount of
47 outstanding bonds, notes or other obligations may be greater than [~~eight~~
48 ~~billion eighty-two million eight hundred ninety-nine thousand~~] eight
49 billion four hundred ninety-four million nine hundred seventy-nine thou-
50 sand dollars [~~\$8,082,899,000~~] \$8,494,979,000, only if the present value
51 of the aggregate debt service of the refunding or repayment bonds, notes
52 or other obligations to be issued shall not exceed the present value of
53 the aggregate debt service of the bonds, notes or other obligations so
54 to be refunded or repaid. For the purposes hereof, the present value of
55 the aggregate debt service of the refunding or repayment bonds, notes or
56 other obligations and of the aggregate debt service of the bonds, notes

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

11 § 29. Paragraph (a) of subdivision 2 of section 47-e of the private
12 housing finance law, as amended by section 33 of part BBB of chapter 59
13 of the laws of 2018, is amended to read as follows:

14 (a) Subject to the provisions of chapter fifty-nine of the laws of two
15 thousand, in order to enhance and encourage the promotion of housing
16 programs and thereby achieve the stated purposes and objectives of such
17 housing programs, the agency shall have the power and is hereby author-
18 ized from time to time to issue negotiable housing program bonds and
19 notes in such principal amount as shall be necessary to provide suffi-
20 cient funds for the repayment of amounts disbursed (and not previously
21 reimbursed) pursuant to law or any prior year making capital appropri-
22 ations or reappropriations for the purposes of the housing program;
23 provided, however, that the agency may issue such bonds and notes in an
24 aggregate principal amount not exceeding [~~\$5,981,399,000 five billion~~
25 ~~nine hundred eighty-one million three hundred ninety-nine thousand~~] six
26 billion one hundred seventy-eight million five hundred ninety-nine thou-
27 sand dollars \$6,178,599,000, plus a principal amount of bonds issued to
28 fund the debt service reserve fund in accordance with the debt service
29 reserve fund requirement established by the agency and to fund any other
30 reserves that the agency reasonably deems necessary for the security or
31 marketability of such bonds and to provide for the payment of fees and
32 other charges and expenses, including underwriters' discount, trustee
33 and rating agency fees, bond insurance, credit enhancement and liquidity
34 enhancement related to the issuance of such bonds and notes. No reserve
35 fund securing the housing program bonds shall be entitled or eligible to
36 receive state funds apportioned or appropriated to maintain or restore
37 such reserve fund at or to a particular level, except to the extent of
38 any deficiency resulting directly or indirectly from a failure of the
39 state to appropriate or pay the agreed amount under any of the contracts
40 provided for in subdivision four of this section.

41 § 30. Subdivision (b) of section 11 of chapter 329 of the laws of
42 1991, amending the state finance law and other laws relating to the
43 establishment of the dedicated highway and bridge trust fund, as amended
44 by section 34 of part BBB of chapter 59 of the laws of 2018, is amended
45 to read as follows:

46 (b) Any service contract or contracts for projects authorized pursuant
47 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
48 14-k of the transportation law, and entered into pursuant to subdivision
49 (a) of this section, shall provide for state commitments to provide
50 annually to the thruway authority a sum or sums, upon such terms and
51 conditions as shall be deemed appropriate by the director of the budget,
52 to fund, or fund the debt service requirements of any bonds or any obli-
53 gations of the thruway authority issued to fund or to reimburse the
54 state for funding such projects having a cost not in excess of
55 [~~\$10,251,939,000~~] ten billion seven hundred thirty-nine million four

1 hundred seventy-eight thousand dollars \$10,739,478,000 cumulatively by
2 the end of fiscal year [~~2018-19~~] 2019-20.

3 § 31. Subdivision 1 of section 1689-i of the public authorities law,
4 as amended by section 35 of part BBB of chapter 59 of the laws of 2018,
5 is amended to read as follows:

6 1. The dormitory authority is authorized to issue bonds, at the
7 request of the commissioner of education, to finance eligible library
8 construction projects pursuant to section two hundred seventy-three-a of
9 the education law, in amounts certified by such commissioner not to
10 exceed a total principal amount of [~~two hundred seventeen million~~] two
11 hundred thirty-one million dollars \$231,000,000.

12 § 32. Subdivision (a) of section 27 of part Y of chapter 61 of the
13 laws of 2005, relating to providing for the administration of certain
14 funds and accounts related to the 2005-2006 budget, as amended by
15 section 36 of part BBB of chapter 59 of the laws of 2018, is amended to
16 read as follows:

17 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
18 notwithstanding any provisions of law to the contrary, the urban devel-
19 opment corporation is hereby authorized to issue bonds or notes in one
20 or more series in an aggregate principal amount not to exceed
21 [~~\$220,100,000 two hundred twenty million one hundred thousand~~] two
22 hundred seventy-one million six hundred thousand dollars \$271,600,000,
23 excluding bonds issued to finance one or more debt service reserve
24 funds, to pay costs of issuance of such bonds, and bonds or notes issued
25 to refund or otherwise repay such bonds or notes previously issued, for
26 the purpose of financing capital projects including IT initiatives for
27 the division of state police, debt service and leases; and to reimburse
28 the state general fund for disbursements made therefor. Such bonds and
29 notes of such authorized issuer shall not be a debt of the state, and
30 the state shall not be liable thereon, nor shall they be payable out of
31 any funds other than those appropriated by the state to such authorized
32 issuer for debt service and related expenses pursuant to any service
33 contract executed pursuant to subdivision (b) of this section and such
34 bonds and notes shall contain on the face thereof a statement to such
35 effect. Except for purposes of complying with the internal revenue code,
36 any interest income earned on bond proceeds shall only be used to pay
37 debt service on such bonds.

38 § 33. Section 44 of section 1 of chapter 174 of the laws of 1968,
39 constituting the New York state urban development corporation act, as
40 amended by section 37 of part BBB of chapter 59 of the laws of 2018, is
41 amended to read as follows:

42 § 44. Issuance of certain bonds or notes. 1. Notwithstanding the
43 provisions of any other law to the contrary, the dormitory authority and
44 the corporation are hereby authorized to issue bonds or notes in one or
45 more series for the purpose of funding project costs for the regional
46 economic development council initiative, the economic transformation
47 program, state university of New York college for nanoscale and science
48 engineering, projects within the city of Buffalo or surrounding envi-
49 rons, the New York works economic development fund, projects for the
50 retention of professional football in western New York, the empire state
51 economic development fund, the clarkson-trudeau partnership, the New
52 York genome center, the cornell university college of veterinary medi-
53 cine, the olympic regional development authority, projects at nano
54 Utica, onondaga county revitalization projects, Binghamton university
55 school of pharmacy, New York power electronics manufacturing consortium,
56 regional infrastructure projects, high tech innovation and economic

1 development infrastructure program, high technology manufacturing
2 projects in Chautauqua and Erie county, an industrial scale research and
3 development facility in Clinton county, upstate revitalization initi-
4 ative projects, downstate revitalization initiative, market New York
5 projects, fairground buildings, equipment or facilities used to house
6 and promote agriculture, the state fair, the empire state trail, the
7 moynihan station development project, the Kingsbridge armory project,
8 strategic economic development projects, the cultural, arts and public
9 spaces fund, water infrastructure in the city of Auburn and town of
10 Owasco, a life sciences laboratory public health initiative, not-for-
11 profit pounds, shelters and humane societies, arts and cultural facili-
12 ties improvement program, restore New York's communities initiative,
13 heavy equipment, economic development and infrastructure projects,
14 Roosevelt Island operating corporation capital projects, and other state
15 costs associated with such projects. The aggregate principal amount of
16 bonds authorized to be issued pursuant to this section shall not exceed
17 [~~eight billion three hundred million five hundred ninety thousand~~] nine
18 billion three hundred one million six hundred thirty-six thousand
19 dollars \$9,301,636,000, excluding bonds issued to fund one or more debt
20 service reserve funds, to pay costs of issuance of such bonds, and bonds
21 or notes issued to refund or otherwise repay such bonds or notes previ-
22 ously issued. Such bonds and notes of the dormitory authority and the
23 corporation shall not be a debt of the state, and the state shall not be
24 liable thereon, nor shall they be payable out of any funds other than
25 those appropriated by the state to the dormitory authority and the
26 corporation for principal, interest, and related expenses pursuant to a
27 service contract and such bonds and notes shall contain on the face
28 thereof a statement to such effect. Except for purposes of complying
29 with the internal revenue code, any interest income earned on bond
30 proceeds shall only be used to pay debt service on such bonds.

31 2. Notwithstanding any other provision of law to the contrary, in
32 order to assist the dormitory authority and the corporation in undertak-
33 ing the financing for project costs for the regional economic develop-
34 ment council initiative, the economic transformation program, state
35 university of New York college for nanoscale and science engineering,
36 projects within the city of Buffalo or surrounding environs, the New
37 York works economic development fund, projects for the retention of
38 professional football in western New York, the empire state economic
39 development fund, the clarkson-trudeau partnership, the New York genome
40 center, the cornell university college of veterinary medicine, the olym-
41 pic regional development authority, projects at nano Utica, onondaga
42 county revitalization projects, Binghamton university school of pharma-
43 cy, New York power electronics manufacturing consortium, regional
44 infrastructure projects, New York State Capital Assistance Program for
45 Transportation, infrastructure, and economic development, high tech
46 innovation and economic development infrastructure program, high tech-
47 nology manufacturing projects in Chautauqua and Erie county, an indus-
48 trial scale research and development facility in Clinton county, upstate
49 revitalization initiative projects, downstate revitalization initiative,
50 market New York projects, fairground buildings, equipment or facilities
51 used to house and promote agriculture, the state fair, the empire state
52 trail, the moynihan station development project, the Kingsbridge armory
53 project, strategic economic development projects, the cultural, arts and
54 public spaces fund, water infrastructure in the city of Auburn and town
55 of Owasco, a life sciences laboratory public health initiative, not-for-
56 profit pounds, shelters and humane societies, arts and cultural facili-

1 ties improvement program, restore New York's communities initiative,
2 heavy equipment, economic development and infrastructure projects,
3 Roosevelt Island operating corporation capital projects, and other state
4 costs associated with such projects the director of the budget is hereby
5 authorized to enter into one or more service contracts with the dormito-
6 ry authority and the corporation, none of which shall exceed thirty
7 years in duration, upon such terms and conditions as the director of the
8 budget and the dormitory authority and the corporation agree, so as to
9 annually provide to the dormitory authority and the corporation, in the
10 aggregate, a sum not to exceed the principal, interest, and related
11 expenses required for such bonds and notes. Any service contract entered
12 into pursuant to this section shall provide that the obligation of the
13 state to pay the amount therein provided shall not constitute a debt of
14 the state within the meaning of any constitutional or statutory
15 provision and shall be deemed executory only to the extent of monies
16 available and that no liability shall be incurred by the state beyond
17 the monies available for such purpose, subject to annual appropriation
18 by the legislature. Any such contract or any payments made or to be made
19 thereunder may be assigned and pledged by the dormitory authority and
20 the corporation as security for its bonds and notes, as authorized by
21 this section.

22 § 34. Subdivision (a) of section 1 of part X of chapter 59 of the laws
23 of 2004, authorizing the New York state urban development corporation
24 and the dormitory authority of the state of New York to issue bonds or
25 notes, as amended by section 37-a of part BBB of chapter 59 of the laws
26 of 2018, is amended to read as follows:

27 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
28 notwithstanding any other provision of law to the contrary, the New York
29 State urban development corporation and the dormitory authority of the
30 state of New York are hereby authorized to issue bonds or notes in one
31 or more series in an aggregate principal amount not to exceed
32 ~~[\$293,325,000]~~ two hundred forty-three million three hundred twenty-five
33 thousand dollars \$243,325,000, excluding bonds issued to finance one or
34 more debt service reserve funds, to pay costs of issuance of such bonds,
35 and bonds or notes issued to refund or otherwise repay such bonds or
36 notes previously issued, for the purpose of financing projects cost of
37 the Empire Opportunity Fund; Rebuilding the Empire State Through Oppor-
38 tunities in Regional Economies (RESTORE) New York Program; and the
39 Community Capital Assistance Program authorized pursuant to Part T of
40 chapter 84 of the laws of 2002. Such bonds and notes of the corporation
41 or the dormitory authority shall not be a debt of the state, and the
42 state shall not be liable thereon, nor shall they be payable out of any
43 funds other than those appropriated by the state to the corporation or
44 the dormitory authority for debt service and related expenses pursuant
45 to any service contract executed pursuant to subdivision (b) of this
46 section and such bonds and notes shall contain on the face thereof a
47 statement to such effect. Except for purposes of complying with the
48 internal revenue code, any interest income earned on bond proceeds shall
49 only be used to pay debt service on such bonds. All of the provisions of
50 the New York state urban development corporation act and the dormitory
51 authority act relating to bonds and notes which are not inconsistent
52 with the provisions of this section shall apply to obligations author-
53 ized by this section, including but not limited to the power to estab-
54 lish adequate reserves therefor and to issue renewal notes or refunding
55 bonds thereof. The issuance of any bonds or notes hereunder shall

1 further be subject to the approval of the director of the division of
2 the budget.

3 § 35. Subdivision 3 of section 1285-p of the public authorities law,
4 as amended by section 38 of part BBB of chapter 59 of the laws of 2018,
5 is amended to read as follows:

6 3. The maximum amount of bonds that may be issued for the purpose of
7 financing environmental infrastructure projects authorized by this
8 section shall be [~~five billion one hundred forty seven million two~~
9 ~~hundred sixty thousand~~] five billion three hundred eighty-eight million
10 ten thousand dollars \$5,388,010,000, exclusive of bonds issued to fund
11 any debt service reserve funds, pay costs of issuance of such bonds, and
12 bonds or notes issued to refund or otherwise repay bonds or notes previ-
13 ously issued. Such bonds and notes of the corporation shall not be a
14 debt of the state, and the state shall not be liable thereon, nor shall
15 they be payable out of any funds other than those appropriated by the
16 state to the corporation for debt service and related expenses pursuant
17 to any service contracts executed pursuant to subdivision one of this
18 section, and such bonds and notes shall contain on the face thereof a
19 statement to such effect.

20 § 36. Subdivision (a) of section 48 of part K of chapter 81 of the
21 laws of 2002, relating to providing for the administration of certain
22 funds and accounts related to the 2002-2003 budget, as amended by
23 section 40 of part BBB of chapter 59 of the laws of 2018, is amended to
24 read as follows:

25 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
26 notwithstanding the provisions of section 18 of the urban development
27 corporation act, the corporation is hereby authorized to issue bonds or
28 notes in one or more series in an aggregate principal amount not to
29 exceed [~~\$253,000,000 two hundred fifty three million~~] two hundred eight-
30 y-six million dollars \$286,000,000, excluding bonds issued to fund one
31 or more debt service reserve funds, to pay costs of issuance of such
32 bonds, and bonds or notes issued to refund or otherwise repay such bonds
33 or notes previously issued, for the purpose of financing capital costs
34 related to homeland security and training facilities for the division of
35 state police, the division of military and naval affairs, and any other
36 state agency, including the reimbursement of any disbursements made from
37 the state capital projects fund, and is hereby authorized to issue bonds
38 or notes in one or more series in an aggregate principal amount not to
39 exceed [~~\$748,800,000 seven hundred forty eight million eight hundred~~
40 ~~thousand~~] \$952,800,000 nine hundred fifty-two million eight hundred
41 thousand dollars, excluding bonds issued to fund one or more debt
42 service reserve funds, to pay costs of issuance of such bonds, and bonds
43 or notes issued to refund or otherwise repay such bonds or notes previ-
44 ously issued, for the purpose of financing improvements to State office
45 buildings and other facilities located statewide, including the
46 reimbursement of any disbursements made from the state capital projects
47 fund. Such bonds and notes of the corporation shall not be a debt of the
48 state, and the state shall not be liable thereon, nor shall they be
49 payable out of any funds other than those appropriated by the state to
50 the corporation for debt service and related expenses pursuant to any
51 service contracts executed pursuant to subdivision (b) of this section,
52 and such bonds and notes shall contain on the face thereof a statement
53 to such effect.

54 § 37. Subdivision 1 of section 386-b of the public authorities law, as
55 amended by section 41 of part BBB of chapter 59 of the laws of 2018, is
56 amended to read as follows:

1 1. Notwithstanding any other provision of law to the contrary, the
2 authority, the dormitory authority and the urban development corporation
3 are hereby authorized to issue bonds or notes in one or more series for
4 the purpose of financing peace bridge projects and capital costs of
5 state and local highways, parkways, bridges, the New York state thruway,
6 Indian reservation roads, and facilities, and transportation infrastruc-
7 ture projects including aviation projects, non-MTA mass transit
8 projects, and rail service preservation projects, including work appur-
9 tenant and ancillary thereto. The aggregate principal amount of bonds
10 authorized to be issued pursuant to this section shall not exceed [~~four~~
11 ~~billion five hundred million dollars \$4,500,000,000~~] four billion six
12 hundred twenty-eight million dollars \$4,628,000,000, excluding bonds
13 issued to fund one or more debt service reserve funds, to pay costs of
14 issuance of such bonds, and to refund or otherwise repay such bonds or
15 notes previously issued. Such bonds and notes of the authority, the
16 dormitory authority and the urban development corporation shall not be a
17 debt of the state, and the state shall not be liable thereon, nor shall
18 they be payable out of any funds other than those appropriated by the
19 state to the authority, the dormitory authority and the urban develop-
20 ment corporation for principal, interest, and related expenses pursuant
21 to a service contract and such bonds and notes shall contain on the face
22 thereof a statement to such effect. Except for purposes of complying
23 with the internal revenue code, any interest income earned on bond
24 proceeds shall only be used to pay debt service on such bonds.

25 § 38. Paragraph (c) of subdivision 19 of section 1680 of the public
26 authorities law, as amended by section 42 of part BBB of chapter 59 of
27 the laws of 2018, is amended to read as follows:

28 (c) Subject to the provisions of chapter fifty-nine of the laws of two
29 thousand, the dormitory authority shall not issue any bonds for state
30 university educational facilities purposes if the principal amount of
31 bonds to be issued when added to the aggregate principal amount of bonds
32 issued by the dormitory authority on and after July first, nineteen
33 hundred eighty-eight for state university educational facilities will
34 exceed [~~thirteen billion one hundred seventy-eight million eight hundred~~
35 ~~sixty-four thousand dollars \$13,178,864,000~~] thirteen billion eight
36 hundred forty-one million eight hundred sixty-four thousand dollars
37 \$13,841,864,000; provided, however, that bonds issued or to be issued
38 shall be excluded from such limitation if: (1) such bonds are issued to
39 refund state university construction bonds and state university
40 construction notes previously issued by the housing finance agency; or
41 (2) such bonds are issued to refund bonds of the authority or other
42 obligations issued for state university educational facilities purposes
43 and the present value of the aggregate debt service on the refunding
44 bonds does not exceed the present value of the aggregate debt service on
45 the bonds refunded thereby; provided, further that upon certification by
46 the director of the budget that the issuance of refunding bonds or other
47 obligations issued between April first, nineteen hundred ninety-two and
48 March thirty-first, nineteen hundred ninety-three will generate long
49 term economic benefits to the state, as assessed on a present value
50 basis, such issuance will be deemed to have met the present value test
51 noted above. For purposes of this subdivision, the present value of the
52 aggregate debt service of the refunding bonds and the aggregate debt
53 service of the bonds refunded, shall be calculated by utilizing the true
54 interest cost of the refunding bonds, which shall be that rate arrived
55 at by doubling the semi-annual interest rate (compounded semi-annually)
56 necessary to discount the debt service payments on the refunding bonds

1 from the payment dates thereof to the date of issue of the refunding
2 bonds to the purchase price of the refunding bonds, including interest
3 accrued thereon prior to the issuance thereof. The maturity of such
4 bonds, other than bonds issued to refund outstanding bonds, shall not
5 exceed the weighted average economic life, as certified by the state
6 university construction fund, of the facilities in connection with which
7 the bonds are issued, and in any case not later than the earlier of
8 thirty years or the expiration of the term of any lease, sublease or
9 other agreement relating thereto; provided that no note, including
10 renewals thereof, shall mature later than five years after the date of
11 issuance of such note. The legislature reserves the right to amend or
12 repeal such limit, and the state of New York, the dormitory authority,
13 the state university of New York, and the state university construction
14 fund are prohibited from covenanting or making any other agreements with
15 or for the benefit of bondholders which might in any way affect such
16 right.

17 § 39. Paragraph (c) of subdivision 14 of section 1680 of the public
18 authorities law, as amended by section 43 of part BBB of chapter 59 of
19 the laws of 2018, is amended to read as follows:

20 (c) Subject to the provisions of chapter fifty-nine of the laws of two
21 thousand, (i) the dormitory authority shall not deliver a series of
22 bonds for city university community college facilities, except to refund
23 or to be substituted for or in lieu of other bonds in relation to city
24 university community college facilities pursuant to a resolution of the
25 dormitory authority adopted before July first, nineteen hundred eighty-
26 five or any resolution supplemental thereto, if the principal amount of
27 bonds so to be issued when added to all principal amounts of bonds
28 previously issued by the dormitory authority for city university commu-
29 nity college facilities, except to refund or to be substituted in lieu
30 of other bonds in relation to city university community college facili-
31 ties will exceed the sum of four hundred twenty-five million dollars and
32 (ii) the dormitory authority shall not deliver a series of bonds issued
33 for city university facilities, including community college facilities,
34 pursuant to a resolution of the dormitory authority adopted on or after
35 July first, nineteen hundred eighty-five, except to refund or to be
36 substituted for or in lieu of other bonds in relation to city university
37 facilities and except for bonds issued pursuant to a resolution supple-
38 mental to a resolution of the dormitory authority adopted prior to July
39 first, nineteen hundred eighty-five, if the principal amount of bonds so
40 to be issued when added to the principal amount of bonds previously
41 issued pursuant to any such resolution, except bonds issued to refund or
42 to be substituted for or in lieu of other bonds in relation to city
43 university facilities, will exceed [~~eight billion three hundred fourteen~~
44 ~~million six hundred ninety-one thousand dollars \$8,314,691,000~~] eight
45 billion six hundred seventy-four million two hundred fifty-six thousand
46 dollars \$8,674,256,000. The legislature reserves the right to amend or
47 repeal such limit, and the state of New York, the dormitory authority,
48 the city university, and the fund are prohibited from covenanting or
49 making any other agreements with or for the benefit of bondholders which
50 might in any way affect such right.

51 § 40. Subdivision 10-a of section 1680 of the public authorities law,
52 as amended by section 44 of part BBB of chapter 59 of the laws of 2018,
53 is amended to read as follows:

54 10-a. Subject to the provisions of chapter fifty-nine of the laws of
55 two thousand, but notwithstanding any other provision of the law to the
56 contrary, the maximum amount of bonds and notes to be issued after March

1 thirty-first, two thousand two, on behalf of the state, in relation to
2 any locally sponsored community college, shall be [~~nine hundred sixty~~
3 ~~eight million five hundred forty two thousand dollars \$968,542,000~~] one
4 billion five million six hundred two thousand dollars \$1,005,602,000.

5 Such amount shall be exclusive of bonds and notes issued to fund any
6 reserve fund or funds, costs of issuance and to refund any outstanding
7 bonds and notes, issued on behalf of the state, relating to a locally
8 sponsored community college.

9 § 41. Subdivision 1 of section 17 of part D of chapter 389 of the laws
10 of 1997, relating to the financing of the correctional facilities
11 improvement fund and the youth facility improvement fund, as amended by
12 section 45 of part BBB of chapter 59 of the laws of 2018, is amended to
13 read as follows:

14 1. Subject to the provisions of chapter 59 of the laws of 2000, but
15 notwithstanding the provisions of section 18 of section 1 of chapter 174
16 of the laws of 1968, the New York state urban development corporation is
17 hereby authorized to issue bonds, notes and other obligations in an
18 aggregate principal amount not to exceed [~~seven~~ eight hundred [~~sixty-~~
19 ~~nine~~] four million six hundred fifteen thousand dollars [~~(\$769,615,000)~~
20 \$804,615,000, which authorization increases the aggregate principal
21 amount of bonds, notes and other obligations authorized by section 40 of
22 chapter 309 of the laws of 1996, and shall include all bonds, notes and
23 other obligations issued pursuant to chapter 211 of the laws of 1990, as
24 amended or supplemented. The proceeds of such bonds, notes or other
25 obligations shall be paid to the state, for deposit in the youth facili-
26 ties improvement fund, to pay for all or any portion of the amount or
27 amounts paid by the state from appropriations or reappropriations made
28 to the office of children and family services from the youth facilities
29 improvement fund for capital projects. The aggregate amount of bonds,
30 notes and other obligations authorized to be issued pursuant to this
31 section shall exclude bonds, notes or other obligations issued to refund
32 or otherwise repay bonds, notes or other obligations theretofore issued,
33 the proceeds of which were paid to the state for all or a portion of the
34 amounts expended by the state from appropriations or reappropriations
35 made to the office of children and family services; provided, however,
36 that upon any such refunding or repayment the total aggregate principal
37 amount of outstanding bonds, notes or other obligations may be greater
38 than [~~seven~~ eight hundred [~~sixty-nine~~] four million six hundred fifteen
39 thousand dollars [~~(\$769,615,000)~~] \$804,615,000, only if the present
40 value of the aggregate debt service of the refunding or repayment bonds,
41 notes or other obligations to be issued shall not exceed the present
42 value of the aggregate debt service of the bonds, notes or other obli-
43 gations so to be refunded or repaid. For the purposes hereof, the pres-
44 ent value of the aggregate debt service of the refunding or repayment
45 bonds, notes or other obligations and of the aggregate debt service of
46 the bonds, notes or other obligations so refunded or repaid, shall be
47 calculated by utilizing the effective interest rate of the refunding or
48 repayment bonds, notes or other obligations, which shall be that rate
49 arrived at by doubling the semi-annual interest rate (compounded semi-
50 annually) necessary to discount the debt service payments on the refund-
51 ing or repayment bonds, notes or other obligations from the payment
52 dates thereof to the date of issue of the refunding or repayment bonds,
53 notes or other obligations and to the price bid including estimated
54 accrued interest or proceeds received by the corporation including esti-
55 mated accrued interest from the sale thereof.

1 § 42. Paragraph b of subdivision 2 of section 9-a of section 1 of
2 chapter 392 of the laws of 1973, constituting the New York state medical
3 care facilities finance agency act, as amended by section 46 of part BBB
4 of chapter 59 of the laws of 2018, is amended to read as follows:

5 b. The agency shall have power and is hereby authorized from time to
6 time to issue negotiable bonds and notes in conformity with applicable
7 provisions of the uniform commercial code in such principal amount as,
8 in the opinion of the agency, shall be necessary, after taking into
9 account other moneys which may be available for the purpose, to provide
10 sufficient funds to the facilities development corporation, or any
11 successor agency, for the financing or refinancing of or for the design,
12 construction, acquisition, reconstruction, rehabilitation or improvement
13 of mental health services facilities pursuant to paragraph a of this
14 subdivision, the payment of interest on mental health services improve-
15 ment bonds and mental health services improvement notes issued for such
16 purposes, the establishment of reserves to secure such bonds and notes,
17 the cost or premium of bond insurance or the costs of any financial
18 mechanisms which may be used to reduce the debt service that would be
19 payable by the agency on its mental health services facilities improve-
20 ment bonds and notes and all other expenditures of the agency incident
21 to and necessary or convenient to providing the facilities development
22 corporation, or any successor agency, with funds for the financing or
23 refinancing of or for any such design, construction, acquisition, recon-
24 struction, rehabilitation or improvement and for the refunding of mental
25 hygiene improvement bonds issued pursuant to section 47-b of the private
26 housing finance law; provided, however, that the agency shall not issue
27 mental health services facilities improvement bonds and mental health
28 services facilities improvement notes in an aggregate principal amount
29 exceeding [~~eight billion seven hundred seventy-eight million seven~~
30 ~~hundred eleven thousand~~] nine billion three hundred thirty-three million
31 three hundred eight thousand dollars \$9,333,308,000, excluding mental
32 health services facilities improvement bonds and mental health services
33 facilities improvement notes issued to refund outstanding mental health
34 services facilities improvement bonds and mental health services facili-
35 ties improvement notes; provided, however, that upon any such refunding
36 or repayment of mental health services facilities improvement bonds
37 and/or mental health services facilities improvement notes the total
38 aggregate principal amount of outstanding mental health services facili-
39 ties improvement bonds and mental health facilities improvement notes
40 may be greater than [~~eight billion seven hundred seventy-eight million~~
41 ~~seven hundred eleven thousand dollars \$8,778,711,000~~] nine billion three
42 hundred thirty-three million three hundred eight thousand dollars
43 \$9,333,308,000, only if, except as hereinafter provided with respect to
44 mental health services facilities bonds and mental health services
45 facilities notes issued to refund mental hygiene improvement bonds
46 authorized to be issued pursuant to the provisions of section 47-b of
47 the private housing finance law, the present value of the aggregate debt
48 service of the refunding or repayment bonds to be issued shall not
49 exceed the present value of the aggregate debt service of the bonds to
50 be refunded or repaid. For purposes hereof, the present values of the
51 aggregate debt service of the refunding or repayment bonds, notes or
52 other obligations and of the aggregate debt service of the bonds, notes
53 or other obligations so refunded or repaid, shall be calculated by
54 utilizing the effective interest rate of the refunding or repayment
55 bonds, notes or other obligations, which shall be that rate arrived at
56 by doubling the semi-annual interest rate (compounded semi-annually)

1 necessary to discount the debt service payments on the refunding or
2 repayment bonds, notes or other obligations from the payment dates ther-
3 eof to the date of issue of the refunding or repayment bonds, notes or
4 other obligations and to the price bid including estimated accrued
5 interest or proceeds received by the authority including estimated
6 accrued interest from the sale thereof. Such bonds, other than bonds
7 issued to refund outstanding bonds, shall be scheduled to mature over a
8 term not to exceed the average useful life, as certified by the facili-
9 ties development corporation, of the projects for which the bonds are
10 issued, and in any case shall not exceed thirty years and the maximum
11 maturity of notes or any renewals thereof shall not exceed five years
12 from the date of the original issue of such notes. Notwithstanding the
13 provisions of this section, the agency shall have the power and is here-
14 by authorized to issue mental health services facilities improvement
15 bonds and/or mental health services facilities improvement notes to
16 refund outstanding mental hygiene improvement bonds authorized to be
17 issued pursuant to the provisions of section 47-b of the private housing
18 finance law and the amount of bonds issued or outstanding for such
19 purposes shall not be included for purposes of determining the amount of
20 bonds issued pursuant to this section. The director of the budget shall
21 allocate the aggregate principal authorized to be issued by the agency
22 among the office of mental health, office for people with developmental
23 disabilities, and the office of alcoholism and substance abuse services,
24 in consultation with their respective commissioners to finance bondable
25 appropriations previously approved by the legislature.

26 § 43. Subdivision (a) of section 28 of part Y of chapter 61 of the
27 laws of 2005, relating to providing for the administration of certain
28 funds and accounts related to the 2005-2006 budget, as amended by
29 section 49 of part BBB of chapter 59 of the laws of 2018, is amended to
30 read as follows:

31 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
32 notwithstanding any provisions of law to the contrary, one or more
33 authorized issuers as defined by section 68-a of the state finance law
34 are hereby authorized to issue bonds or notes in one or more series in
35 an aggregate principal amount not to exceed [~~\$67,000,000, sixty-seven~~
36 ~~million~~] ninety-two million \$92,000,000, excluding bonds issued
37 to finance one or more debt service reserve funds, to pay costs of issu-
38 ance of such bonds, and bonds or notes issued to refund or otherwise
39 repay such bonds or notes previously issued, for the purpose of financ-
40 ing capital projects for public protection facilities in the Division of
41 Military and Naval Affairs, debt service and leases; and to reimburse
42 the state general fund for disbursements made therefor. Such bonds and
43 notes of such authorized issuer shall not be a debt of the state, and
44 the state shall not be liable thereon, nor shall they be payable out of
45 any funds other than those appropriated by the state to such authorized
46 issuer for debt service and related expenses pursuant to any service
47 contract executed pursuant to subdivision (b) of this section and such
48 bonds and notes shall contain on the face thereof a statement to such
49 effect. Except for purposes of complying with the internal revenue code,
50 any interest income earned on bond proceeds shall only be used to pay
51 debt service on such bonds.

52 § 44. Subdivision 1 of section 386-a of the public authorities law, as
53 amended by section 61 of part BBB of chapter 59 of the laws of 2018, is
54 amended to read as follows:

55 1. Notwithstanding any other provision of law to the contrary, the
56 authority, the dormitory authority and the urban development corporation

1 are hereby authorized to issue bonds or notes in one or more series for
2 the purpose of assisting the metropolitan transportation authority in
3 the financing of transportation facilities as defined in subdivision
4 seventeen of section twelve hundred sixty-one of this chapter. The
5 aggregate principal amount of bonds authorized to be issued pursuant to
6 this section shall not exceed [~~one billion six hundred ninety-four~~
7 ~~million dollars \$1,694,000,000~~] two billion seventy-nine million eight
8 hundred fifty-six thousand dollars \$2,079,856,000, excluding bonds
9 issued to fund one or more debt service reserve funds, to pay costs of
10 issuance of such bonds, and to refund or otherwise repay such bonds or
11 notes previously issued. Such bonds and notes of the authority, the
12 dormitory authority and the urban development corporation shall not be a
13 debt of the state, and the state shall not be liable thereon, nor shall
14 they be payable out of any funds other than those appropriated by the
15 state to the authority, the dormitory authority and the urban develop-
16 ment corporation for principal, interest, and related expenses pursuant
17 to a service contract and such bonds and notes shall contain on the face
18 thereof a statement to such effect. Except for purposes of complying
19 with the internal revenue code, any interest income earned on bond
20 proceeds shall only be used to pay debt service on such bonds.

21 § 45. Subdivision 1 of section 50 of section 1 of chapter 174 of the
22 laws of 1968, constituting the New York state urban development corpo-
23 ration act, as amended by section 42 of part XXX of chapter 59 of the
24 laws of 2017, is amended to read as follows:

25 1. Notwithstanding the provisions of any other law to the contrary,
26 the dormitory authority and the urban development corporation are hereby
27 authorized to issue bonds or notes in one or more series for the purpose
28 of funding project costs undertaken by or on behalf of special act
29 school districts, state-supported schools for the blind and deaf,
30 approved private special education schools, non-public schools, communi-
31 ty centers, day care facilities, and other state costs associated with
32 such capital projects. The aggregate principal amount of bonds author-
33 ized to be issued pursuant to this section shall not exceed [~~fifty-five~~
34 ~~million dollars~~] one hundred ten million dollars \$110,000,000, excluding
35 bonds issued to fund one or more debt service reserve funds, to pay
36 costs of issuance of such bonds, and bonds or notes issued to refund or
37 otherwise repay such bonds or notes previously issued. Such bonds and
38 notes of the dormitory authority and the urban development corporation
39 shall not be a debt of the state, and the state shall not be liable
40 thereon, nor shall they be payable out of any funds other than those
41 appropriated by the state to the dormitory authority and the urban
42 development corporation for principal, interest, and related expenses
43 pursuant to a service contract and such bonds and notes shall contain on
44 the face thereof a statement to such effect. Except for purposes of
45 complying with the internal revenue code, any interest income earned on
46 bond proceeds shall only be used to pay debt service on such bonds.

47 § 46. Section 1 of chapter 174 of the laws of 1968, constituting the
48 New York state urban development corporation act, is amended by adding a
49 new section 53 to read as follows:

50 § 53. 1. Notwithstanding the provisions of any other law to the
51 contrary, the dormitory authority and the urban development corporation
52 are hereby authorized to issue bonds or notes in one or more series for
53 the purpose of funding project costs for the acquisition of equipment,
54 including but not limited to the creation or modernization of informa-
55 tion technology systems and related research and development equipment,
56 health and safety equipment, heavy equipment and machinery, the creation

1 or improvement of security systems, and laboratory equipment and other
2 state costs associated with such capital projects. The aggregate princi-
3 pal amount of bonds authorized to be issued pursuant to this section
4 shall not exceed ninety-three million dollars \$93,000,000, excluding
5 bonds issued to fund one or more debt service reserve funds, to pay
6 costs of issuance of such bonds, and bonds or notes issued to refund or
7 otherwise repay such bonds or notes previously issued. Such bonds and
8 notes of the dormitory authority and the urban development corporation
9 shall not be a debt of the state, and the state shall not be liable
10 thereon, nor shall they be payable out of any funds other than those
11 appropriated by the state to the dormitory authority and the urban
12 development corporation for principal, interest, and related expenses
13 pursuant to a service contract and such bonds and notes shall contain on
14 the face thereof a statement to such effect. Except for purposes of
15 complying with the internal revenue code, any interest income earned on
16 bond proceeds shall only be used to pay debt service on such bonds.

17 2. Notwithstanding any other provision of law to the contrary, in
18 order to assist the dormitory authority and the urban development corpo-
19 ration in undertaking the financing for project costs for the acquisi-
20 tion of equipment, including but not limited to the creation or modern-
21 ization of information technology systems and related research and
22 development equipment, health and safety equipment, heavy equipment and
23 machinery, the creation or improvement of security systems, and labora-
24 tory equipment and other state costs associated with such capital
25 projects, the director of the budget is hereby authorized to enter into
26 one or more service contracts with the dormitory authority and the urban
27 development corporation, none of which shall exceed thirty years in
28 duration, upon such terms and conditions as the director of the budget
29 and the dormitory authority and the urban development corporation agree,
30 so as to annually provide to the dormitory authority and the urban
31 development corporation, in the aggregate, a sum not to exceed the prin-
32 cipal, interest, and related expenses required for such bonds and notes.
33 Any service contract entered into pursuant to this section shall provide
34 that the obligation of the state to pay the amount therein provided
35 shall not constitute a debt of the state within the meaning of any
36 constitutional or statutory provision and shall be deemed executory only
37 to the extent of monies available and that no liability shall be
38 incurred by the state beyond the monies available for such purpose,
39 subject to annual appropriation by the legislature. Any such contract or
40 any payments made or to be made thereunder may be assigned and pledged
41 by the dormitory authority and the urban development corporation as
42 security for its bonds and notes, as authorized by this section.

43 § 47. Subdivision 2 and paragraph (a) of subdivision 4 of section
44 1680-q of the public authorities law, as added by section 4 of part B of
45 chapter 57 of the laws of 2013, are amended to read as follows:

46 2. The authority may, from and after April first, two thousand thir-
47 teen, issue dormitory facility revenue bonds in an amount not to exceed
48 [~~nine hundred forty four~~] one billion three hundred ninety-four million
49 dollars. Notwithstanding any other rule or law, such bonds shall not be
50 a debt of the state of New York or the state university nor shall the
51 state or the state university be liable thereon, nor shall they be paya-
52 ble out of any funds other than those of the authority constituting
53 dormitory facilities revenues. Such amount shall be exclusive of bonds
54 and notes issued to fund any reserve fund or funds, cost of issuance,
55 original issue premium, and to refund any prior dormitory facility bonds
56 or any dormitory facility revenue bonds. The authority and the state

1 university are hereby authorized to enter into agreements relating to,
2 among other things, the acquisition of property or interests therein,
3 the construction, reconstruction, rehabilitation, improvement, equipping
4 and furnishing of dormitory facilities, the operation and maintenance of
5 dormitory facilities, and the billing, collection and disbursement of
6 dormitory facilities revenues, the title to which has been conveyed,
7 assigned or otherwise transferred to the authority pursuant to paragraph
8 y of subdivision two of section three hundred fifty-five of the educa-
9 tion law. In no event shall the state university have any obligation
10 under the agreement to make payment with respect to, on account of or to
11 pay dormitory facilities revenue bonds, and such bonds shall be payable
12 solely from the dormitory facilities revenues assigned to the authority
13 by the state university. No debt shall be contracted except to finance
14 capital works or purposes. Notwithstanding any other provision of law,
15 dormitory facility revenues shall not be deemed to be revenues of the
16 state. Notwithstanding any other rule or law, the state shall not be
17 liable for any payments on any dormitory facility revenue bonds, and
18 such bonds shall not be a debt of the state and shall not be payable out
19 of any funds other than the dormitory facilities revenues assigned to
20 the authority by the state university.

21 (a) The dormitory authority, in consultation with the state university
22 of New York, shall prepare an annual report due on September thirtieth,
23 commencing on September thirtieth, two thousand fourteen, of every
24 calendar year relating to the provisions of paragraph y of subdivision
25 two of section three hundred fifty-five of the education law [~~as added~~
26 ~~by a chapter of the laws of two thousand thirteen which added this~~
27 ~~section~~]; subdivision eight of section three hundred fifty-five of the
28 education law [~~as amended by a chapter of the laws of two thousand thir-~~
29 ~~teen which added this section~~]; and this section. The report shall
30 include, but not be limited to: (i) the total dormitory facilities
31 revenues assigned or otherwise transferred from the state university of
32 New York to the dormitory authority in the prior state university fiscal
33 year and the sum of such transfers made in the five prior fiscal years;
34 (ii) the sum of monies, if any, transferred to the state university of
35 New York from the dormitory facilities revenue fund in the prior state
36 university fiscal year; (iii) a list of any increase in rents, fees and
37 other charges that relate to dormitory facilities per campus to
38 students; (iv) a summary of all costs associated with the construction,
39 reconstruction, rehabilitation, improvement, equipping, furnishing,
40 repair, maintenance and operations of dormitory facilities that the
41 dormitory authority funded with dormitory facilities revenues and the
42 proceeds of dormitory facility revenue bonds; (v) a summary and justi-
43 fication of dormitory authority administrative expenses and costs
44 incurred related to the dormitory facilities revenue fund; (vi) the
45 issuance amounts, debt service costs and savings, if any, of all state
46 university of New York dormitory bonds issued prior to April first, two
47 thousand thirteen and refinanced by the dormitory authority with dormi-
48 tory facility revenue bonds; (vii) total amount of debt service payments
49 made per year on dormitory facility revenue bonds; and (viii) an esti-
50 mated date when the dormitory authority will reach the [~~nine hundred~~
51 ~~forty-four million dollar~~] cap on dormitory facility revenue bonds.

52 § 48. Paragraphs b and f of subdivision 3 of section 9 of section 1 of
53 chapter 359 of the laws of 1968 constituting the facilities development
54 corporation act, paragraph b as amended by chapter 236 of the laws of
55 2005 and paragraph f as amended by chapter 58 of the laws of 1987, are
56 amended and a new paragraph g is added to read as follows:

1 b. All monies of the corporation received or accepted pursuant to
2 paragraph a of this subdivision, other than appropriations and advances
3 from the state and except as otherwise authorized or provided in this
4 section, shall be paid to the commissioner of taxation and finance as
5 agent of the corporation, who shall not commingle such monies with any
6 other monies. Such monies shall be deposited in two or more separate
7 bank accounts. One of such accounts, to which shall be credited (i) all
8 payments made on or after January 1, 1964, for the care, maintenance and
9 treatment of patients in every mental hygiene facility, other than a
10 community mental health and retardation facility, (ii) all payments made
11 to the corporation as rentals, lease payments, permit fees or otherwise
12 under any lease, sublease or agreement undertaken with respect to a
13 community mental health and retardation facility or a current or former
14 mental hygiene facility, (iii) all payments made to the corporation for
15 the purchase of real property held by the corporation for the use of the
16 department, other than payments derived from New York state medical care
17 facilities finance agency financing or refinancing of the design,
18 construction, acquisition, reconstruction, rehabilitation, improvement
19 or renovation of state operated mental hygiene facilities, (iv) all
20 income from investments and (v) all monies received or to be received
21 for the purposes of such account on a recurring basis, shall be denomi-
22 nated the "mental hygiene facilities improvement fund income account".
23 The monies in any account shall be paid out on checks signed by the
24 commissioner of taxation and finance on requisition of the chairman of
25 the corporation or of such other officer or employee or officers or
26 employees as the corporation shall authorize to make such requisition.
27 All deposits of such money shall, if required by the commissioner of
28 taxation and finance or the directors of the corporation, be secured by
29 obligations of the United States or of the state of a market value equal
30 at all times to the amount of the deposit and all banks and trust compa-
31 nies are authorized to give such security for such deposits. Any moneys
32 of the corporation not required for immediate use or disbursement may,
33 at the discretion of the corporation, be invested by the commissioner of
34 taxation and finance in accordance with the provisions of section 98-a
35 of the state finance law. [~~When the corporation is no longer required to
36 make any rental payments under any lease, sublease or agreement entered
37 into with the state housing finance agency in effect as of the effective
38 date of this amendment to this paragraph, all monies received or
39 accepted pursuant to paragraph a of this subdivision, other than appro-
40 priations and advances from the state and except as otherwise authorized
41 or provided in this section, shall be deposited into the mental health
42 services fund established by section 97-f of the state finance law. Any
43 monies remaining in the mental hygiene facilities improvement fund
44 income account and in any rental reserve account created pursuant to
45 paragraph c of subdivision 4 of this section, when such lease, sublease
46 or agreement is no longer in effect shall be deposited in the mental
47 health services fund.~~] The mental hygiene facilities improvement fund
48 and the income account therein shall remain in existence until termi-
49 nated by the corporation by written notice to the commissioner of taxa-
50 tion and finance. Any moneys on deposit in the mental hygiene facilities
51 improvement fund or the income account therein upon the termination of
52 said fund and account shall be transferred by the commissioner of taxa-
53 tion and finance to the mental health services fund. The corporation
54 shall not terminate the mental hygiene facilities improvement fund and
55 the income account therein until all mental health services facilities
56 bonds issued pursuant to: (i) the New York state medical care facilities

1 finance agency act; (ii) article five-c of the state finance law; and
2 (iii) article five-f of the state finance law and payable from the
3 income account as described in paragraph g of this subdivision are no
4 longer outstanding.

5 f. The directors of the corporation shall from time to time, but in no
6 event later than the fifteenth day of each month pay over to the commis-
7 sioner of taxation and finance and the state comptroller for deposit in
8 the mental health services fund, all monies of the corporation in excess
9 of the aggregate amount of money required to be maintained on deposit in
10 the mental hygiene facilities improvement fund income account pursuant
11 to [~~paragraph~~] paragraphs e and g of this subdivision. Prior to making
12 any such payment, the chairman of the corporation shall, on behalf of
13 the directors, make and deliver to the governor and the director of the
14 budget his certificate stating the aggregate amount to be maintained on
15 deposit in the mental hygiene facilities improvement fund income account
16 to comply in full with the provisions of [~~paragraph e~~] paragraphs e and
17 g of this subdivision.

18 g. (1) In addition to the amount required to be maintained by para-
19 graph e of this subdivision, there shall be accumulated and set aside in
20 each month in the mental hygiene facilities improvement fund income
21 account, all receipts associated with loans, leases and other agreements
22 with voluntary agencies. The corporation shall provide the amount of
23 such receipts to be set aside to the commissioner of taxation and
24 finance in each month. (2) No later than five days prior to the earlier
25 of when payment is to be made on bonds issued for mental health services
26 facilities purposes pursuant to: (i) the New York state medical care
27 facilities finance agency act; (ii) article five-C of the state finance
28 law; and (iii) article five-F of the state finance law, such set-aside
29 receipts shall be transferred by the commissioner of taxation and
30 finance as agent of the corporation from the mental hygiene facilities
31 improvement fund income account in the amounts set forth in schedules
32 provided by the corporation to the commissioner of taxation and finance
33 in the following priority: first, to the trustee appointed by the New
34 York state medical care facilities finance agency for the bonds issued
35 pursuant to the New York state medical care facilities finance agency
36 act for both voluntary agency and state purposes to pay debt service and
37 other cash requirements due on such bonds on the relevant payment date,
38 second, any remaining amount of such set-aside receipts to the trustee
39 appointed by authorized issuers for the bonds issued pursuant to article
40 five-C of the state finance law to pay debt service and other cash
41 requirements due on such bonds on the relevant payment date and third,
42 any remaining amount of such set-aside to the trustee appointed by
43 authorized issuers for the bonds issued pursuant to article five-F of
44 the state finance law to pay debt service and other cash requirements
45 due on such bonds on the relevant payment date.

46 § 49. Subdivisions 5 and 8 of section 97-f of the state finance law,
47 subdivision 5 as amended by section 15 of part BBB of chapter 59 of the
48 laws of 2018 and subdivision 8 as amended by section 59 of part HH of
49 chapter 57 of the laws of 2013, are amended and a new subdivision 9 is
50 added to read as follows:

51 5. The comptroller shall from time to time, but in no event later than
52 the fifteenth day of each month, pay over for deposit in the mental
53 hygiene general fund state operations account all moneys in the mental
54 health services fund in excess of the amount of money required to be
55 maintained on deposit in the mental health services fund. [~~The~~] Subject
56 to subdivision nine of this section, the amount required to be main-

1 tained in such fund shall be (i) twenty percent of the amount of the
2 next payment coming due relating to the mental health services facili-
3 ties improvement program under any agreement between the facilities
4 development corporation and the New York state medical care facilities
5 finance agency multiplied by the number of months from the date of the
6 last such payment with respect to payments under any such agreement
7 required to be made semi-annually, plus (ii) those amounts specified in
8 any such agreement with respect to payments required to be made other
9 than semi-annually, including for variable rate bonds, interest rate
10 exchange or similar agreements or other financing arrangements permitted
11 by law. [~~Prior to making any such payment, the comptroller shall make
12 and deliver to the director of the budget and the chairmen of the facil-
13 ities development corporation and the New York state medical care facil-
14 ities finance agency, a certificate stating the aggregate amount to be
15 maintained on deposit in the mental health services fund to comply in
16 full with the provisions of this subdivision.~~] Concurrently with the
17 making of any such payment, the facilities development corporation shall
18 deliver to the comptroller, the director of the budget and the New York
19 state medical care facilities finance agency a certificate stating the
20 aggregate amount to be maintained on deposit in the mental health
21 services fund to comply in full with the provisions of this subdivision.

22 8. In addition to the amounts required to be maintained on deposit in
23 the mental health services fund pursuant to subdivision five of this
24 section and subject to subdivision nine of this section, the fund shall
25 maintain on deposit an amount equal to the debt service and other cash
26 requirements on mental health services facilities bonds issued by
27 authorized issuers pursuant to sections sixty-eight-b and sixty-nine-n
28 of this chapter. The amount required to be maintained in such fund shall
29 be (i) twenty percent of the amount of the next payment coming due
30 relating to mental health services facilities bonds issued by an author-
31 ized issuer multiplied by the number of months from the date of the last
32 such payment with respect to payments required to be made semi-annually,
33 plus (ii) those amounts specified in any financing agreement between the
34 issuer and the state, acting through the director of the budget, with
35 respect to payments required to be made other than semi-annually,
36 including for variable rate bonds, interest rate exchange or similar
37 agreements or other financing arrangements permitted by law. [~~Prior to
38 making any such payment, the comptroller shall make and deliver to the
39 director of the budget and the chairmen of the facilities development
40 corporation and the New York state medical care facilities finance agen-
41 cy, a certificate stating the aggregate amount to be maintained on
42 deposit in the mental health services fund to comply in full with the
43 provisions of this subdivision.~~] Concurrently with the making of any
44 such payment, the facilities development corporation shall deliver to
45 the comptroller, the director of the budget and the New York state
46 medical care facilities finance agency a certificate stating the aggre-
47 gate amount to be maintained on deposit in the mental health services
48 fund to comply in full with the provisions of this subdivision.

49 No later than five days prior to the payment to be made by the state
50 comptroller on such mental health services facilities bonds pursuant to
51 sections ninety-two-z and ninety-two-h of this article, the amount of
52 such payment shall be transferred by the state comptroller from the
53 mental health services fund to the revenue bond tax fund established by
54 section ninety-two-z of this article and the sales tax revenue bond fund
55 established by section ninety-two-h of this article. The accumulation of
56 moneys pursuant to this subdivision and subsequent transfer to the

1 revenue bond tax fund and the sales tax revenue bond fund shall be
2 subordinate in all respects to payments to be made to the New York state
3 medical care facilities finance agency and to any pledge or assignment
4 pursuant to subdivision six of this section.

5 9. In determining the amounts required to be maintained in the mental
6 health services fund under subdivisions five and eight of this section
7 in each month, the amount of receipts associated with loans, leases and
8 other agreements with voluntary agencies accumulated and set aside in
9 the mental hygiene facilities improvement fund income account under
10 paragraph g of subdivision three of section nine of the facilities
11 development corporation act shall be taken into account as a credit but
12 only if such crediting does not result in the amounts required to be
13 maintained in the mental health services fund exclusive of any credit to
14 be less than the amount required under subdivision five of this section
15 in each month.

16 § 49-a. Intentionally omitted.

17 § 50. This act shall take effect immediately and shall be deemed to
18 have been in full force and effect on and after April 1, 2019; provided,
19 however, that the provisions of sections one, one-a, one-b, two, three,
20 four, five, six, seven, eight, thirteen, fourteen, fifteen, sixteen,
21 seventeen, eighteen, nineteen, twenty, twenty-two, twenty-three, and
22 twenty-four of this act shall expire March 31, 2020 when upon such date
23 the provisions of such sections shall be deemed repealed.

24 PART L

25 Section 1. Section 4 of chapter 22 of the laws of 2014, relating to
26 expanding opportunities for service-disabled veteran-owned business
27 enterprises, is amended to read as follows:

28 § 4. This act shall take effect immediately; provided, however, that
29 sections one, one-a and two of this act shall expire and be deemed
30 repealed March 31, [~~2019~~] 2024; and provided, further, however, that the
31 amendments to subdivisions 7 and 15 of section 310 of the executive law
32 made by section three of this act shall not affect the expiration of
33 such section and shall be deemed to expire therewith.

34 § 2. This act shall take effect immediately and shall be deemed to
35 have been in full force and effect on and after April 1, 2019.

36 PART M

37 Intentionally Omitted

38 PART N

39 Intentionally Omitted

40 PART O

41 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
42 correction law relating to the psychological testing of candidates, as
43 amended by section 1 of part A of chapter 55 of the laws of 2017, is
44 amended to read as follows:

45 § 2. This act shall take effect on the one hundred eightieth day after
46 it shall have become a law and shall remain in effect until September 1,
47 [~~2019~~] 2020.

1 § 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
2 tive law and the criminal procedure law relating to expanding the
3 geographic area of employment of certain police officers, as amended by
4 section 2 of part A of chapter 55 of the laws of 2017, is amended to
5 read as follows:

6 § 3. This act shall take effect on the first day of November next
7 succeeding the date on which it shall have become a law, and shall
8 remain in effect until the first day of September, [~~2019~~] 2020, when it
9 shall expire and be deemed repealed.

10 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
11 correction law and the penal law relating to prisoner furloughs in
12 certain cases and the crime of absconding therefrom, as amended by
13 section 3 of part A of chapter 55 of the laws of 2017, is amended to
14 read as follows:

15 § 3. This act shall take effect 60 days after it shall have become a
16 law and shall remain in effect until September 1, [~~2019~~] 2020.

17 § 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
18 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
19 other chapters and laws relating to correctional facilities, as amended
20 by section 4 of part A of chapter 55 of the laws of 2017, is amended to
21 read as follows:

22 § 20. This act shall take effect immediately except that section thir-
23 teen of this act shall expire and be of no further force or effect on
24 and after September 1, [~~2019~~] 2020 and shall not apply to persons
25 committed to the custody of the department after such date, and provided
26 further that the commissioner of corrections and community supervision
27 shall report each January first and July first during such time as the
28 earned eligibility program is in effect, to the chairmen of the senate
29 crime victims, crime and correction committee, the senate codes commit-
30 tee, the assembly correction committee, and the assembly codes commit-
31 tee, the standards in effect for earned eligibility during the prior
32 six-month period, the number of inmates subject to the provisions of
33 earned eligibility, the number who actually received certificates of
34 earned eligibility during that period of time, the number of inmates
35 with certificates who are granted parole upon their first consideration
36 for parole, the number with certificates who are denied parole upon
37 their first consideration, and the number of individuals granted and
38 denied parole who did not have earned eligibility certificates.

39 § 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992,
40 amending the tax law and other laws relating to taxes, surcharges, fees
41 and funding, as amended by section 5 of part A of chapter 55 of the laws
42 of 2017, is amended to read as follows:

43 (q) the provisions of section two hundred eighty-four of this act
44 shall remain in effect until September 1, [~~2019~~] 2020 and be applicable
45 to all persons entering the program on or before August 31, [~~2019~~] 2020.

46 § 6. Section 10 of chapter 339 of the laws of 1972, amending the
47 correction law and the penal law relating to inmate work release,
48 furlough and leave, as amended by section 6 of part A of chapter 55 of
49 the laws of 2017, is amended to read as follows:

50 § 10. This act shall take effect 30 days after it shall have become a
51 law and shall remain in effect until September 1, [~~2019~~] 2020, and
52 provided further that the commissioner of correctional services shall
53 report each January first, and July first, to the chairman of the senate
54 crime victims, crime and correction committee, the senate codes commit-
55 tee, the assembly correction committee, and the assembly codes commit-
56 tee, the number of eligible inmates in each facility under the custody

1 and control of the commissioner who have applied for participation in
2 any program offered under the provisions of work release, furlough, or
3 leave, and the number of such inmates who have been approved for partic-
4 ipation.

5 § 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994
6 relating to certain provisions which impact upon expenditure of certain
7 appropriations made by chapter 50 of the laws of 1994 enacting the state
8 operations budget, as amended by section 7 of part A of chapter 55 of
9 the laws of 2017, is amended to read as follows:

10 (c) sections forty-one and forty-two of this act shall expire Septem-
11 ber 1, [~~2019~~] 2020; provided, that the provisions of section forty-two
12 of this act shall apply to inmates entering the work release program on
13 or after such effective date; and

14 § 8. Subdivision h of section 74 of chapter 3 of the laws of 1995,
15 amending the correction law and other laws relating to the incarceration
16 fee, as amended by section 8 of part A of chapter 55 of the laws of
17 2017, is amended to read as follows:

18 h. Section fifty-two of this act shall be deemed to have been in full
19 force and effect on and after April 1, 1995; provided, however, that the
20 provisions of section 189 of the correction law, as amended by section
21 fifty-five of this act, subdivision 5 of section 60.35 of the penal law,
22 as amended by section fifty-six of this act, and section fifty-seven of
23 this act shall expire September 1, [~~2019~~] 2020, when upon such date the
24 amendments to the correction law and penal law made by sections fifty-
25 five and fifty-six of this act shall revert to and be read as if the
26 provisions of this act had not been enacted; provided, however, that
27 sections sixty-two, sixty-three and sixty-four of this act shall be
28 deemed to have been in full force and effect on and after March 1, 1995
29 and shall be deemed repealed April 1, 1996 and upon such date the
30 provisions of subsection (e) of section 9110 of the insurance law and
31 subdivision 2 of section 89-d of the state finance law shall revert to
32 and be read as set out in law on the date immediately preceding the
33 effective date of sections sixty-two and sixty-three of this act;

34 § 9. Subdivision (c) of section 49 of subpart A of part C of chapter
35 62 of the laws of 2011 amending the correction law and the executive law
36 relating to merging the department of correctional services and division
37 of parole into the department of corrections and community supervision,
38 as amended by section 9 of part A of chapter 55 of the laws of 2017, is
39 amended to read as follows:

40 (c) that the amendments to subdivision 9 of section 201 of the
41 correction law as added by section thirty-two of this act shall remain
42 in effect until September 1, [~~2019~~] 2020, when it shall expire and be
43 deemed repealed;

44 § 10. Subdivision (aa) of section 427 of chapter 55 of the laws of
45 1992, amending the tax law and other laws relating to taxes, surcharges,
46 fees and funding, as amended by section 10 of part A of chapter 55 of
47 the laws of 2017, is amended to read as follows:

48 (aa) the provisions of sections three hundred eighty-two, three
49 hundred eighty-three and three hundred eighty-four of this act shall
50 expire on September 1, [~~2019~~] 2020;

51 § 11. Section 12 of chapter 907 of the laws of 1984, amending the
52 correction law, the New York city criminal court act and the executive
53 law relating to prison and jail housing and alternatives to detention
54 and incarceration programs, as amended by section 11 of part A of chap-
55 ter 55 of the laws of 2017, is amended to read as follows:

1 § 12. This act shall take effect immediately, except that the
2 provisions of sections one through ten of this act shall remain in full
3 force and effect until September 1, [~~2019~~ 2020] on which date those
4 provisions shall be deemed to be repealed.

5 § 12. Subdivision (p) of section 406 of chapter 166 of the laws of
6 1991, amending the tax law and other laws relating to taxes, as amended
7 by section 12 of part A of chapter 55 of the laws of 2017, is amended to
8 read as follows:

9 (p) The amendments to section 1809 of the vehicle and traffic law made
10 by sections three hundred thirty-seven and three hundred thirty-eight of
11 this act shall not apply to any offense committed prior to such effec-
12 tive date; provided, further, that section three hundred forty-one of
13 this act shall take effect immediately and shall expire November 1, 1993
14 at which time it shall be deemed repealed; sections three hundred
15 forty-five and three hundred forty-six of this act shall take effect
16 July 1, 1991; sections three hundred fifty-five, three hundred fifty-
17 six, three hundred fifty-seven and three hundred fifty-nine of this act
18 shall take effect immediately and shall expire June 30, 1995 and shall
19 revert to and be read as if this act had not been enacted; section three
20 hundred fifty-eight of this act shall take effect immediately and shall
21 expire June 30, 1998 and shall revert to and be read as if this act had
22 not been enacted; section three hundred sixty-four through three hundred
23 sixty-seven of this act shall apply to claims filed on or after such
24 effective date; sections three hundred sixty-nine, three hundred seven-
25 ty-two, three hundred seventy-three, three hundred seventy-four, three
26 hundred seventy-five and three hundred seventy-six of this act shall
27 remain in effect until September 1, [~~2019~~ 2020], at which time they
28 shall be deemed repealed; provided, however, that the mandatory
29 surcharge provided in section three hundred seventy-four of this act
30 shall apply to parking violations occurring on or after said effective
31 date; and provided further that the amendments made to section 235 of
32 the vehicle and traffic law by section three hundred seventy-two of this
33 act, the amendments made to section 1809 of the vehicle and traffic law
34 by sections three hundred thirty-seven and three hundred thirty-eight of
35 this act and the amendments made to section 215-a of the labor law by
36 section three hundred seventy-five of this act shall expire on September
37 1, [~~2019~~ 2020] and upon such date the provisions of such subdivisions
38 and sections shall revert to and be read as if the provisions of this
39 act had not been enacted; the amendments to subdivisions 2 and 3 of
40 section 400.05 of the penal law made by sections three hundred seventy-
41 seven and three hundred seventy-eight of this act shall expire on July
42 1, 1992 and upon such date the provisions of such subdivisions shall
43 revert and shall be read as if the provisions of this act had not been
44 enacted; the state board of law examiners shall take such action as is
45 necessary to assure that all applicants for examination for admission to
46 practice as an attorney and counsellor at law shall pay the increased
47 examination fee provided for by the amendment made to section 465 of the
48 judiciary law by section three hundred eighty of this act for any exam-
49 ination given on or after the effective date of this act notwithstanding
50 that an applicant for such examination may have prepaid a lesser fee for
51 such examination as required by the provisions of such section 465 as of
52 the date prior to the effective date of this act; the provisions of
53 section 306-a of the civil practice law and rules as added by section
54 three hundred eighty-one of this act shall apply to all actions pending
55 on or commenced on or after September 1, 1991, provided, however, that
56 for the purposes of this section service of such summons made prior to

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

14 § 13. Subdivision 8 of section 1809 of the vehicle and traffic law, as
15 amended by section 13 of part A of chapter 55 of the laws of 2017, is
16 amended to read as follows:

17 8. The provisions of this section shall only apply to offenses commit-
18 ted on or before September first, two thousand [~~nineteen~~] twenty.

19 § 14. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
20 cle and traffic law relating to the ignition interlock device program,
21 as amended by section 14 of part A of chapter 55 of the laws of 2017, is
22 amended to read as follows:

23 § 6. This act shall take effect on the first day of April next
24 succeeding the date on which it shall have become a law; provided,
25 however, that effective immediately, the addition, amendment or repeal
26 of any rule or regulation necessary for the implementation of the fore-
27 going sections of this act on their effective date is authorized and
28 directed to be made and completed on or before such effective date and
29 shall remain in full force and effect until the first day of September,
30 [~~2019~~] 2020 when upon such date the provisions of this act shall be
31 deemed repealed.

32 § 15. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
33 laws of 1997, amending the military law and other laws relating to vari-
34 ous provisions, as amended by section 15 of part A of chapter 55 of the
35 laws of 2017, is amended to read as follows:

36 a. sections forty-three through forty-five of this act shall expire
37 and be deemed repealed on September 1, [~~2019~~] 2020;

38 § 16. Section 4 of part D of chapter 412 of the laws of 1999, amending
39 the civil practice law and rules and the court of claims act relating to
40 prisoner litigation reform, as amended by section 16 of part A of chap-
41 ter 55 of the laws of 2017, is amended to read as follows:

42 § 4. This act shall take effect 120 days after it shall have become a
43 law and shall remain in full force and effect until September 1, [~~2019~~]
44 2020, when upon such date it shall expire.

45 § 17. Subdivision 2 of section 59 of chapter 222 of the laws of 1994,
46 constituting the family protection and domestic violence intervention
47 act of 1994, as amended by section 17 of part A of chapter 55 of the
48 laws of 2017, is amended to read as follows:

49 2. Subdivision 4 of section 140.10 of the criminal procedure law as
50 added by section thirty-two of this act shall take effect January 1,
51 1996 and shall expire and be deemed repealed on September 1, [~~2019~~]
52 2020.

53 § 18. Section 5 of chapter 505 of the laws of 1985, amending the crim-
54 inal procedure law relating to the use of closed-circuit television and
55 other protective measures for certain child witnesses, as amended by

1 section 18 of part A of chapter 55 of the laws of 2017, is amended to
2 read as follows:

3 § 5. This act shall take effect immediately and shall apply to all
4 criminal actions and proceedings commenced prior to the effective date
5 of this act but still pending on such date as well as all criminal
6 actions and proceedings commenced on or after such effective date and
7 its provisions shall expire on September 1, [~~2019~~] 2020, when upon such
8 date the provisions of this act shall be deemed repealed.

9 § 19. Subdivision d of section 74 of chapter 3 of the laws of 1995,
10 enacting the sentencing reform act of 1995, as amended by section 19 of
11 part A of chapter 55 of the laws of 2017, is amended to read as follows:

12 d. Sections one-a through twenty, twenty-four through twenty-eight,
13 thirty through thirty-nine, forty-two and forty-four of this act shall
14 be deemed repealed on September 1, [~~2019~~] 2020;

15 § 20. Section 2 of chapter 689 of the laws of 1993 amending the crimi-
16 nal procedure law relating to electronic court appearance in certain
17 counties, as amended by section 20 of part A of chapter 55 of the laws
18 of 2017, is amended to read as follows:

19 § 2. This act shall take effect immediately, except that the
20 provisions of this act shall be deemed to have been in full force and
21 effect since July 1, 1992 and the provisions of this act shall expire
22 September 1, [~~2019~~] 2020 when upon such date the provisions of this act
23 shall be deemed repealed.

24 § 21. Section 3 of chapter 688 of the laws of 2003, amending the exec-
25 utive law relating to enacting the interstate compact for adult offender
26 supervision, as amended by section 21 of part A of chapter 55 of the
27 laws of 2017, is amended to read as follows:

28 § 3. This act shall take effect immediately, except that section one
29 of this act shall take effect on the first of January next succeeding
30 the date on which it shall have become a law, and shall remain in effect
31 until the first of September, [~~2019~~] 2020, upon which date this act
32 shall be deemed repealed and have no further force and effect; provided
33 that section one of this act shall only take effect with respect to any
34 compacting state which has enacted an interstate compact entitled
35 "Interstate compact for adult offender supervision" and having an iden-
36 tical effect to that added by section one of this act and provided
37 further that with respect to any such compacting state, upon the effec-
38 tive date of section one of this act, section 259-m of the executive law
39 is hereby deemed REPEALED and section 259-mm of the executive law, as
40 added by section one of this act, shall take effect; and provided
41 further that with respect to any state which has not enacted an inter-
42 state compact entitled "Interstate compact for adult offender super-
43 vision" and having an identical effect to that added by section one of
44 this act, section 259-m of the executive law shall take effect and the
45 provisions of section one of this act, with respect to any such state,
46 shall have no force or effect until such time as such state shall adopt
47 an interstate compact entitled "Interstate compact for adult offender
48 supervision" and having an identical effect to that added by section one
49 of this act in which case, with respect to such state, effective imme-
50 diately, section 259-m of the executive law is deemed repealed and
51 section 259-mm of the executive law, as added by section one of this
52 act, shall take effect.

53 § 22. Section 8 of part H of chapter 56 of the laws of 2009, amending
54 the correction law relating to limiting the closing of certain correc-
55 tional facilities, providing for the custody by the department of
56 correctional services of inmates serving definite sentences, providing

1 for custody of federal prisoners and requiring the closing of certain
2 correctional facilities, as amended by section 22 of part A of chapter
3 55 of the laws of 2017, is amended to read as follows:

4 § 8. This act shall take effect immediately; provided, however that
5 sections five and six of this act shall expire and be deemed repealed
6 September 1, [~~2019~~] 2020.

7 § 23. Section 3 of part C of chapter 152 of the laws of 2001 amending
8 the military law relating to military funds of the organized militia, as
9 amended by section 3 of part O of chapter 55 of the laws of 2018, is
10 amended to read as follows:

11 § 3. This act shall take effect immediately; provided however that the
12 amendments made to subdivision 1 of section 221 of the military law by
13 section two of this act shall expire and be deemed repealed September 1,
14 [~~2019~~] 2020.

15 § 24. Section 5 of chapter 554 of the laws of 1986, amending the
16 correction law and the penal law relating to providing for community
17 treatment facilities and establishing the crime of absconding from the
18 community treatment facility, as amended by section 24 of part A of
19 chapter 55 of the laws of 2017, is amended to read as follows:

20 § 5. This act shall take effect immediately and shall remain in full
21 force and effect until September 1, [~~2019~~] 2020, and provided further
22 that the commissioner of correctional services shall report each January
23 first and July first during such time as this legislation is in effect,
24 to the chairmen of the senate crime victims, crime and correction
25 committee, the senate codes committee, the assembly correction commit-
26 tee, and the assembly codes committee, the number of individuals who are
27 released to community treatment facilities during the previous six-month
28 period, including the total number for each date at each facility who
29 are not residing within the facility, but who are required to report to
30 the facility on a daily or less frequent basis.

31 § 25. Section 2 of part F of chapter 55 of the laws of 2018, amending
32 the criminal procedure law relating to pre-criminal proceeding settle-
33 ments in the city of New York, is amended to read as follows:

34 § 2. This act shall take effect immediately and shall remain in full
35 force and effect until March 31, [~~2019~~] 2020, when it shall expire and
36 be deemed repealed.

37 § 26. This act shall take effect immediately, provided however that
38 section twenty-five of this act shall be deemed to have been in full
39 force and effect on and after March 31, 2019.

40 PART P

41 Intentionally Omitted

42 PART Q

43 Intentionally Omitted

44 PART R

45 Intentionally Omitted

46 PART S

47 Intentionally Omitted

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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

Intentionally Omitted

PART CC

20 Section 1. Section 13-b of the workers' compensation law, as amended
21 by chapter 1068 of the laws of 1960, the section heading, subdivisions 1
22 and 2 as amended by chapter 473 of the laws of 2000 and subdivision 3 as
23 amended by section 85 of part A of chapter 58 of the laws of 2010, is
24 amended to read as follows:

25 § 13-b. Authorization of [**physicians**] **providers**, medical bureaus and
26 laboratories by the chair. 1. [~~Upon the recommendation of the medical
27 society of the county in which the physician's office is located or of a
28 board designated by such county society or of a board representing duly
29 licensed physicians of any other school of medical practice in such
30 county, the chair may authorize physicians licensed to practice medicine
31 in the state of New York to render medical care under this chapter and
32 to perform independent medical examinations in accordance with subdivi-
33 sion four of section thirteen-a of this article. If, within sixty days
34 after the chair requests such recommendations the medical society of
35 such county or board fails to act, or if there is no such society in
36 such county, the chair shall designate a board of three outstanding
37 physicians, who shall make the requisite recommendations.~~]

1 ~~No such authorization shall be made in the absence of a recommendation~~
2 ~~of the appropriate society or board or of a review and recommendation by~~
3 ~~the medical appeals unit.]~~ No person shall render medical care or
4 conduct independent medical examinations under this chapter without such
5 authorization by the chair[, ~~provided, that: (a)~~]. As used in this
6 title, the following definitions shall have the following meanings
7 unless their context requires otherwise:

8 (a) "Acupuncturist" shall mean licensed as having completed a formal
9 course of study and having passed an examination in accordance with the
10 education law, the regulations of the commissioner of education, and the
11 requirements of the board of regents. Acupuncturists are required by the
12 education law to advise, in writing, each patient of the importance of
13 consulting with a physician for the condition or conditions necessitat-
14 ing acupuncture care, as prescribed by the education law.

15 (b) "Chair" of the board shall mean either the chair or the chair's
16 designee.

17 (c) "Chiropractor" shall mean licensed and having completed two years
18 of preprofessional college study and a four-year resident program in
19 chiropractic in accordance with the education law, and consistent with
20 the licensing requirements of the commissioner of education.

21 (d) "Dentist" shall mean licensed and having completed a four-year
22 course of study leading to a D.D.S. or D.D.M. degree, or an equivalent
23 degree, in accordance with the education law and the licensing require-
24 ments of the commissioner of education.

25 (e) "Employer" shall mean a self-insured employer or, if insured, the
26 insurance carrier.

27 (f) "Independent medical examination" shall mean an examination
28 performed by a medical provider, authorized under this section to
29 perform such examination, for the purpose of examining or evaluating
30 injury or illness pursuant to paragraph (b) of subdivision four of
31 section thirteen-a and section one hundred thirty-seven of this chapter
32 and as more fully set forth in regulation.

33 (g) "Nurse practitioner" shall mean a licensed registered professional
34 nurse certified pursuant to section sixty-nine hundred ten of the educa-
35 tion law.

36 (h) "Occupational therapist" shall mean licensed as having a bach-
37 elor's or master's degree in occupational therapy from a registered
38 program with the education department or receipt of a diploma or degree
39 resulting from completion of not less than four years of postsecondary
40 study, which includes the professional study of occupational therapy in
41 accordance with the education law and the regulations of the commis-
42 ioner of education.

43 (i) "Physical therapist" shall mean licensed as having completed a
44 master's degree or higher in physical therapy in accordance with the
45 education law and the licensing requirements of the commissioner of
46 education.

47 (j) "Physician" shall mean licensed with a degree of doctor of medi-
48 cine, M.D., or doctor of osteopathic medicine, D.O., or an equivalent
49 degree in accordance with the education law and the licensing require-
50 ments of the state board of medicine and the regulations of the commis-
51 sioner of education.

52 (k) "Physician assistant" shall mean a licensed provider who has grad-
53 uated from a two- to four-year state-approved physician assistant
54 program, has passed a licensing examination, and whose actions and
55 duties are within the scope of practice of the supervising physician, in

1 accordance with the education law and the regulations of the commission-
2 er of education.

3 (l) "Podiatrist" shall mean a doctor of podiatric medicine licensed as
4 having received a doctoral degree in podiatric medicine in accordance
5 with the regulations of the commissioner of education and the education
6 law, and must satisfactorily meet all other requirements of the state
7 board for podiatric medicine.

8 (m) "Provider" shall mean a duly licensed acupuncturist, chiropractor,
9 independent medical examiner, nurse practitioner, physical therapist,
10 physician, physician assistant, podiatrist, psychologist, or social
11 worker authorized by the chair.

12 (n) "Psychologist" shall mean licensed as having received a doctoral
13 degree in psychology from a program of psychology registered with the
14 state education department or the substantial equivalent thereof in
15 accordance with the education law, the requirements of the state board
16 for psychology, and the regulations of the commissioner of education.

17 (o) "Social worker" shall mean a licensed clinical social worker. A
18 licensed clinical social worker has completed a master's degree of
19 social work that includes completion of a core curriculum of at least
20 twelve credit hours of clinical courses or the equivalent post-graduate
21 clinical coursework, in accordance with the education law and the regu-
22 lations of the commissioner of education.

23 2. Any [physician] provider licensed [~~to practice medicine~~] pursuant
24 to the education law to provide medical care and treatment in the state
25 of New York may render emergency [medical] care and treatment in an
26 emergency hospital or urgent care setting providing emergency treatment
27 under this chapter without authorization by the chair under this
28 section; [and

29 ~~(b)] (a) Such~~ licensed [physician] provider as identified in this
30 subdivision who is [~~a member of a constituted medical staff of any~~
31 ~~hospital] on staff at any hospital or urgent care center providing emer-~~
32 ~~gency treatment may [render] continue such~~ medical care under this chap-
33 ~~ter while an injured employee remains a patient in such hospital or~~
34 ~~urgent care setting; and~~

35 [~~(e)] (b) Under the [active and personal] direct~~ supervision of an
36 authorized [physician] provider, medical care may be rendered by a
37 registered nurse or other person trained in laboratory or diagnostic
38 techniques within the scope of such person's specialized training and
39 qualifications. This supervision shall be evidenced by signed records of
40 instructions for treatment and signed records of the patient's condition
41 and progress. Reports of such treatment and supervision shall be made by
42 such [physician] provider to the chair [~~on such forms and] in the format~~
43 ~~prescribed by the chair~~ at such times as the chair may require.

44 [~~(d) Upon the referral which may be directive as to treatment of an~~
45 ~~authorized physician physical therapy care may be rendered by a duly~~
46 ~~licensed physical therapist. Where physical therapy care is rendered~~
47 ~~records of the patient's condition and progress, together with records~~
48 ~~of instruction for treatment, if any, shall be maintained by the phys-~~
49 ~~ical therapist and physician. Said records shall be submitted to the~~
50 ~~chair on such forms and at such times as the chair may require.~~

51 ~~(e) Upon the prescription or referral of an authorized physician occu-~~
52 ~~ptional therapy care may be rendered by a duly licensed occupational~~
53 ~~therapist. Where occupational therapy care is rendered records of the~~
54 ~~patient's condition and progress, together with records of instruction~~
55 ~~for treatment, if any shall be maintained by the occupational therapist~~

~~1 and physician. Said records shall be submitted to the chair on forms and
2 at such times as the chair may require.~~

3 ~~(f)]~~ (c) Where it would place an unreasonable burden upon the employer
4 or carrier to arrange for, or for the claimant to attend, an independent
5 medical examination by an authorized [~~physician]~~ provider, the employer
6 or carrier shall arrange for such examination to be performed by a qual-
7 ified [~~physician]~~ provider in a medical facility convenient to the
8 claimant.

9 ~~[2-]~~ (d) Upon the prescription or referral of an authorized physician,
10 or nurse practitioner acting within the scope of his or her practice,
11 care or treatment may be rendered to an injured employee by an author-
12 ized physical therapist, occupational therapist or acupuncturist
13 provided the conditions and the treatment performed are among the condi-
14 tions that the physical therapist, occupational therapist or acupunctu-
15 rist is authorized to treat pursuant to the education law or the regu-
16 lations of the commissioner of education. Where any such care or
17 treatment is rendered, records of the patient's condition and progress,
18 together with records of instruction for treatment, if any, shall be
19 maintained by the physical therapist, occupational therapist or acupunc-
20 turist rendering treatment and by the referring physician or nurse prac-
21 titioner. Said records shall be submitted to the chair on forms and at
22 such times as the chair may require.

23 (e) A record, report or opinion of a physical therapist, occupational
24 therapist, acupuncturist or physician assistant shall not be considered
25 as evidence of the causal relationship of any condition to a work
26 related accident or occupational disease under this chapter. Nor may a
27 record, report or opinion of a physical therapist, occupational thera-
28 pist or acupuncturist be considered evidence of disability. Nor may a
29 record, report or opinion of a physician assistant be considered
30 evidence of the presence of a permanent or initial disability or the
31 degree thereof. Nor may a physical therapist, occupational therapist,
32 acupuncturist or physician assistant perform an independent medical
33 examination concerning a claim under this chapter.

34 (f) A nurse practitioner, or licensed clinical social worker, may
35 perform an independent medical examination on behalf of an employer only
36 to the extent that the examination concerns treatment rendered by an
37 identical provider type, but may not perform an independent medical
38 examination on behalf of the employer concerning (1) the causal
39 relationship of any condition to a work related accident or occupational
40 disease under this chapter or (2) the presence of a disability or the
41 degree thereof.

42 3. A [~~physician licensed to practice medicine in the state of New York~~
43 ~~who is]~~ provider properly licensed or certified pursuant to the regu-
44 lations of the commissioner of education and the requirements of the
45 education law desirous of being authorized to render medical care under
46 this chapter and/or to conduct independent medical examinations in
47 accordance with paragraph (b) of subdivision four of section thirteen-a
48 and section one hundred thirty-seven of this chapter shall file an
49 application for authorization under this chapter with the [~~medical soci-~~
50 ~~ety in the county in which his or her office is located, or with a board~~
51 ~~designated by such society, or with a board designated by the chair as~~
52 ~~provided in this section. In such application the applicant shall state~~
53 ~~his or her training and qualifications, and shall agree to limit his or~~
54 ~~her professional activities under this chapter to such medical care and~~
55 ~~independent medical examinations, as his or her experience and training~~
56 ~~qualify him or her to render. The applicant shall further agree to~~

1 ~~refrain~~] chair or chair's designee. Prior to receiving authorization, a
2 physician must, together with submission of an application to the chair,
3 submit such application to the medical society of the county in which
4 the physician's office is located or of a board designated by such coun-
5 ty society or of a board representing duly licensed physicians of any
6 other school of medical practice in such county, and submit the recom-
7 mendation to the board. In the event such county society or board fails
8 to take action upon a physician's application within forty-five days,
9 the chair may complete review of the application without such approval.
10 Upon approval of the application by the chair or the chair's designee,
11 the applicant shall further agree to refrain from subsequently treating
12 for remuneration, as a private patient, any person seeking medical
13 treatment, or submitting to an independent medical examination, in
14 connection with, or as a result of, any injury compensable under this
15 chapter, if he or she has been removed from the list of [~~physicians~~]
16 providers authorized to render medical care or to conduct independent
17 medical examinations under this chapter, or if the person seeking such
18 treatment, or submitting to an independent medical examination, has been
19 transferred from his or her care in accordance with the provisions of
20 this chapter. This agreement shall run to the benefit of the injured
21 person so treated or examined, and shall be available to him or her as a
22 defense in any action by such [~~physician~~] provider for payment for
23 treatment rendered by a [~~physician~~] provider after he or she has been
24 removed from the list of [~~physicians~~] providers authorized to render
25 medical care or to conduct independent medical examinations under this
26 chapter, or after the injured person was transferred from his or her
27 care in accordance with the provisions of this chapter. [~~The medical~~
28 ~~society or the board designated by it, or the board as otherwise~~
29 ~~provided under this section, if it deems such licensed physician duly~~
30 ~~qualified, shall recommend to the chair that such physician be author-~~
31 ~~ized to render medical care and/or conduct independent medical examina-~~
32 ~~tions under this chapter, and such recommendation and authorization~~
33 ~~shall specify the character of the medical care or independent medical~~
34 ~~examination which such physician is qualified and authorized to render~~
35 ~~under this chapter. Such recommendations shall be advisory to the chair~~
36 ~~only and shall not be binding or conclusive upon him or her. The~~
37 ~~licensed physician may present to the medical society or board,~~
38 ~~evidences of additional qualifications at any time subsequent to his or~~
39 ~~her original application. If the medical society or board fails to~~
40 ~~recommend to the chair that a physician be authorized to render medical~~
41 ~~care and/or to conduct independent medical examinations under this chap-~~
42 ~~ter, the physician may appeal to the medical appeals unit. The medical~~
43 ~~society or the board designated by it, or the board as otherwise~~
44 ~~provided under this section, may upon its own initiative, or shall upon~~
45 ~~request of the chair, review at any time the qualifications of any~~
46 ~~physician as to the character of the medical care or independent medical~~
47 ~~examinations which such physician has theretofore been authorized to~~
48 ~~render under this chapter and may recommend to the chair that such~~
49 ~~physician be authorized to render medical care or to conduct independent~~
50 ~~medical examinations thereafter of the character which such physician is~~
51 ~~then qualified to render. On such advisory recommendation the chair may~~
52 ~~review and after reasonable investigation may revise the authorization~~
53 ~~of a physician in respect to the character of medical care and/or to~~
54 ~~conduct independent medical examinations which he or she is authorized~~
55 ~~to render. If the medical society or board recommends to the chair that~~
56 ~~a physician be authorized to render medical care and/or to conduct inde-~~

~~pendent medical examinations under this chapter of a character different from the character of medical care or independent medical examinations he or she has been theretofore authorized to render, such physician may appeal from such recommendation to the medical appeals unit.~~

3.] 4. Laboratories and bureaus engaged in x-ray diagnosis or treatment or in physiotherapy or other therapeutic procedures and which participate in the diagnosis or treatment of injured [~~workmen~~] workers under this chapter shall be operated or supervised by [~~qualified physicians duly~~] providers authorized under this chapter and shall be subject to the provisions of section thirteen-c of this article. The person in charge of diagnostic clinical laboratories duly authorized under this chapter shall possess the qualifications established by the public health and health planning council for approval by the state commissioner of health or, in the city of New York, the qualifications approved by the board of health of said city and shall maintain the standards of work required for such approval.

§ 2. Section 13-d of the workers' compensation law, as amended by chapter 459 of the laws of 1944, the section heading, subdivision 1 and subdivision 2 as amended by chapter 473 of the laws of 2000, paragraphs (a) and (b) of subdivision 2 as amended and subdivision 5 as added by chapter 6 of the laws of 2007, subdivision 4 as amended by chapter 1068 of the laws of 1960, is amended to read as follows:

§ 13-d. Removal of [~~physicians~~] providers from lists of those authorized to render medical care or to conduct independent medical examinations. 1. The medical society of the county in which the physician's office is located at the time or a board designated by such county society or a board representing duly licensed physicians of any other school of medical practice in such county shall investigate, hear and make findings with respect to all charges as to professional or other misconduct of any authorized physician as herein provided under rules and procedure to be prescribed by the medical appeals unit, and shall report evidence of such misconduct, with their findings and recommendation with respect thereto, to the chair. Failure to commence such investigation within sixty days from the date the charges are referred to the society by the chair or submit findings and recommendations relating to the charges within one hundred eighty days from the date the charges are referred shall empower the chair to appoint, as a hearing officer, a member of the board, employee, or other qualified hearing officer to hear and report on the charges to the chair. A qualified hearing officer, who is neither a member of the board, or employee thereof shall be paid at a reasonable per diem rate to be fixed by the chair.

Such investigation, hearing, findings, recommendation and report may be made by the society or board of an adjoining county upon the request of the medical society of the county in which the alleged misconduct or infraction of this chapter occurred, subject to the time limit and conditions set forth herein. The medical appeals unit shall review the findings and recommendation of such medical society or board, or hearing officer appointed by the chair upon application of the accused physician and may reopen the matter and receive further evidence. The findings, decision and recommendation of such society, board or hearing officer appointed by the chair or medical appeals unit shall be advisory to the chair only, and shall not be binding or conclusive upon him or her.

2. The chair shall remove from the list of [~~physicians~~] providers authorized to render medical care under this chapter, or to conduct independent medical examinations in accordance with paragraph (b) of subdivision four of section thirteen-a of this article, the name of any

1 [~~physician~~] ~~provider~~ who he or she shall find after reasonable investi-
2 gation is disqualified because such [~~physician~~] ~~provider~~:

3 (a) has been guilty of professional or other misconduct or incompeten-
4 cy in connection with rendering medical services under the law; or

5 (b) has exceeded the limits of his or her professional competence in
6 rendering medical care or in conducting independent medical examinations
7 under the law, or has made materially false statements regarding his or
8 her qualifications in his or her application for the recommendation of
9 the medical society or board as provided in section thirteen-b of this
10 article; or

11 (c) has failed to transmit copies of medical reports to claimant's
12 attorney or licensed representative as provided in subdivision (f) of
13 section thirteen of this article; or has failed to submit full and
14 truthful medical reports of all his or her findings to the employer, and
15 directly to the chair or the board within the time limits provided in
16 subdivision four of section thirteen-a of this article with the excep-
17 tion of injuries which do not require (1) more than ordinary first aid
18 or more than two treatments by a [~~physician~~] ~~provider~~ or person render-
19 ing first aid, or (2) loss of time from regular duties of one day beyond
20 the working day or shift; or

21 (d) knowingly made a false statement or representation as to a materi-
22 al fact in any medical report made pursuant to this chapter or in testi-
23 fying or otherwise providing information for the purposes of this chap-
24 ter; or

25 (e) has solicited, or has employed another to solicit for himself or
26 herself or for another, professional treatment, examination or care of
27 an injured employee in connection with any claim under this chapter; or

28 (f) has refused to appear before, to testify, to submit to a deposi-
29 tion, or to answer upon request of, the chair, board, medical appeals
30 unit or any duly authorized officer of the state, any legal question, or
31 to produce any relevant book or paper concerning his or her conduct
32 under any authorization granted to him or her under this chapter; or

33 (g) has directly or indirectly requested, received or participated in
34 the division, transference, assignment, rebating, splitting or refunding
35 of a fee for, or has directly or indirectly requested, received or prof-
36 ited by means of a credit or other valuable consideration as a commis-
37 sion, discount or gratuity in connection with the furnishing of medical
38 or surgical care, an independent medical examination, diagnosis or
39 treatment or service, including X-ray examination and treatment, or for
40 or in connection with the sale, rental, supplying or furnishing of clin-
41 ical laboratory services or supplies, X-ray laboratory services or
42 supplies, inhalation therapy service or equipment, ambulance service,
43 hospital or medical supplies, physiotherapy or other therapeutic service
44 or equipment, artificial limbs, teeth or eyes, orthopedic or surgical
45 appliances or supplies, optical appliances, supplies or equipment,
46 devices for aid of hearing, drugs, medication or medical supplies, or
47 any other goods, services or supplies prescribed for medical diagnosis,
48 care or treatment, under this chapter; except that reasonable payment,
49 not exceeding the technical component fee permitted in the medical fee
50 schedule, established under this chapter for X-ray examinations, diagno-
51 sis or treatment, may be made by a [~~physician~~] ~~provider~~ duly authorized
52 as a roentgenologist to any hospital furnishing facilities and equipment
53 for such examination, diagnosis or treatment, provided such hospital
54 does not also submit a charge for the same services. Nothing contained
55 in this paragraph shall prohibit such [~~physicians~~] ~~providers~~ who prac-
56 tice as partners, in groups or as a professional corporation or as a

1 university faculty practice corporation from pooling fees and moneys
2 received, either by the partnership, professional corporation, universi-
3 ty faculty practice corporation or group by the individual members ther-
4 eof, for professional services furnished by any individual professional
5 member, or employee of such partnership, corporation or group, nor shall
6 the professionals constituting the partnerships, corporations, or groups
7 be prohibited from sharing, dividing or apportioning the fees and moneys
8 received by them or by the partnership, corporation or group in accord-
9 ance with a partnership or other agreement.

10 3. Any person who violates or attempts to violate, and any person who
11 aids another to violate or attempts to induce him or her to violate the
12 provisions of paragraph (g) of subdivision two of this section shall be
13 guilty of a misdemeanor.

14 4. Nothing in this section shall be construed as limiting in any
15 respect the power or duty of the [~~chairman~~] chair to investigate
16 instances of misconduct, either before or after investigation by a
17 medical society or board as herein provided, or to temporarily suspend
18 the authorization of any [~~physieian~~] provider that he or she may believe
19 to be guilty of such misconduct.

20 5. Whenever the department of health or the department of education
21 shall conduct an investigation with respect to charges of professional
22 or other misconduct by a [~~physieian~~] provider which results in a report,
23 determination or consent order that includes a finding of professional
24 or other misconduct or incompetency by such [~~physieian~~] provider, the
25 chair shall have full power and authority to temporarily suspend, revoke
26 or otherwise limit the authorization under this chapter of any [~~physi-~~
27 ~~ian~~] provider upon such finding by the department of health or the
28 department of education that the [~~physieian~~] provider has been guilty of
29 professional or other misconduct. The recommendations of the department
30 of health or the department of education shall be advisory to the chair
31 only and shall not be binding or conclusive upon the chair.

32 § 3. Section 13-g of the workers' compensation law, as added by chap-
33 ter 258 of the laws of 1935, subdivision 1 as amended by chapter 674 of
34 the laws of 1994, subdivisions 2 and 3 as amended by section 4 of part
35 GG of chapter 57 of the laws of 2013, subdivision 4 as amended by
36 section 3 of part D of chapter 55 of the laws of 2015, subdivision 5 as
37 amended by chapter 578 of the laws of 1959 and subdivision 6 as amended
38 by chapter 639 of the laws of 1996, is amended to read as follows:

39 § 13-g. Payment of bills for medical care. (1) Within forty-five days
40 after a bill for medical care or supplies delivered pursuant to section
41 thirteen of this article has been rendered to the employer [~~by the~~
42 ~~hospital, physician or self-employed physical or occupational therapist~~
43 ~~who has rendered treatment pursuant to a referral from the injured~~
44 ~~employee's authorized physician or authorized podiatrist for treatment~~
45 ~~to the injured employee~~], such employer must pay the bill or notify the
46 [~~hospital, physician or self-employed physical or occupational therapist~~
47 ~~in writing~~] medical care provider or supplier in the format prescribed
48 by the chair that the bill is not being paid and explain the reasons for
49 non-payment. In the event that the employer fails to make payment or
50 notify the [~~hospital, physician or self-employed physical or occupa-~~
51 ~~tional therapist~~] medical care provider or supplier within such forty-
52 five day period that payment is not being made, the [~~hospital, physi-~~
53 ~~cian, self-employed physical therapist or self-employed occupational~~
54 ~~therapist~~] medical care provider or supplier may notify the board in the
55 format prescribed by the chair [~~in writing~~] that the bill has not been
56 paid and request that the board make an award for payment of such bill.

1 The board or the chair may make an award not in excess of the estab-
2 lished fee schedules for any such bill or part thereof which remains
3 unpaid after said forty-five day period or thirty days after all other
4 questions duly and timely raised in accordance with the provisions of
5 this chapter, relating to the employer's liability for the payment of
6 such amount, shall have been finally determined adversely to the employ-
7 er, whichever is later, in accordance with rules promulgated by the
8 chair, and such award may be collected in like manner as an award of
9 compensation. The chair shall assess the sum of fifty dollars against
10 the employer for each such award made by the board, which sum shall be
11 paid into the state treasury.

12 In the event that the employer has provided an explanation in writing
13 why the bill has not been paid, in part or in full, within the aforesaid
14 time period, and the parties can not agree as to the value of medical
15 aid rendered under this chapter, such value shall be decided by arbi-
16 tration [~~if requested by the hospital, physician or self-employed phys-
17 ical or occupational therapist, in accordance with the provisions of
18 subdivision two or subdivision three of this section, as appropriate,
19 and~~] as set forth in rules and regulations promulgated by the chair.

20 Where a [~~physician, physical or occupational therapist~~] bill for
21 medical care or supplies has been determined to be due and owing in
22 accordance with the provisions of this section the board shall include
23 in the amount of the award interest of not more than one and one-half
24 [~~per cent~~] percent (1 1/2%) per month payable to the [~~physician, phys-
25 ical or occupational therapist~~] medical care provider or supplier, in
26 accordance with the rules and regulations promulgated by the board.
27 Interest shall be calculated from the forty-fifth day after the bill was
28 rendered or from the thirtieth day after all other questions duly and
29 timely raised in accordance with the provisions of this chapter, relat-
30 ing to the employer's liability for the payment of such amount, shall
31 have been finally determined adversely to the employer, whichever is
32 later, in accordance with rules promulgated by the chair.

33 (2) (a) If the parties fail to agree to the value of medical aid
34 rendered under this chapter and the amount of the disputed bill is one
35 thousand dollars or less, or if the amount of the disputed medical bill
36 exceeds one thousand dollars and the [~~health~~] medical care provider or
37 supplier expressly so requests, such value shall be decided by a single
38 arbitrator process, pursuant to rules promulgated by the chair. [~~The
39 chair shall appoint a physician who is a member in good standing of the
40 medical society of the state of New York to determine the value of such
41 disputed medical bill. Where the physician whose charges are being
42 arbitrated is a member in good standing of the New York osteopathic
43 society, the value of such disputed bill shall be determined by a member
44 in good standing of the New York osteopathic society appointed by the
45 chair. Where the physician whose charges are being arbitrated is a
46 member in good standing of the New York homeopathic society, the value
47 of such disputed bill shall be determined by a member in good standing
48 of the New York homeopathic society appointed by the chair. Where the
49 value of physical therapy services or occupational therapy services is
50 at issue, such value shall be determined by a member in good standing of
51 a recognized professional association representing its respective
52 profession in the state of New York appointed by the chair.~~] Decisions
53 rendered under the single arbitrator process shall be conclusive upon
54 the parties as to the value of the services in dispute.

55 (b) If the parties fail to agree as to the value of medical aid
56 rendered under this chapter and the amount of the disputed bill exceeds

1 one thousand dollars, such value shall be decided by an arbitration
2 committee unless the [health] medical care provider or supplier express-
3 ly requests a single arbitrator process in accordance with paragraph (a)
4 of this subdivision. The arbitration committee shall ~~[consist of one~~
5 ~~physician designated by the president of the medical society of the~~
6 ~~county in which the medical services were rendered, one physician who is~~
7 ~~a member of the medical society of the state of New York, appointed by~~
8 ~~the employer or carrier, and one physician, also a member of the medical~~
9 ~~society of the state of New York, appointed by the chair of the workers'~~
10 ~~compensation board. If the physician whose charges are being arbitrated~~
11 ~~is a member in good standing of the New York osteopathic society or the~~
12 ~~New York homeopathic society, the members of such arbitration committee~~
13 ~~shall be physicians of such organization, one to be appointed by the~~
14 ~~president of that organization, one by the employer or carrier and the~~
15 ~~third by the chair of the workers' compensation board. Where the value~~
16 ~~of physical therapy services is at issue and the amount of the disputed~~
17 ~~bill exceeds one thousand dollars, the arbitration committee shall~~
18 ~~consist of a member in good standing of a recognized professional asso-~~
19 ~~ciation representing physical therapists in the state of New York~~
20 ~~appointed by the president of such organization, a physician designated~~
21 ~~by the employer or carrier and a physician designated by the chair of~~
22 ~~the workers' compensation board provided however, that the chair finds~~
23 ~~that there are a sufficient number of physical therapy arbitrations in a~~
24 ~~geographical area comprised of one or more counties to warrant a commit-~~
25 ~~tee so comprised. In all other cases where the value of physical therapy~~
26 ~~services is at issue and the amount of the disputed bill exceeds one~~
27 ~~thousand dollars, the arbitration committee shall be similarly selected~~
28 ~~and identical in composition, provided that the physical therapist~~
29 ~~member shall serve without remuneration, and provided further that in~~
30 ~~the event a physical therapist is not available, the committee shall be~~
31 ~~comprised of three physicians designated in the same manner as in cases~~
32 ~~where the value of medical aid is at issue.~~

33 ~~(c) Where the value of occupational therapy services is at issue the~~
34 ~~arbitration committee shall consist of a member in good standing of a~~
35 ~~recognized professional association representing occupational therapists~~
36 ~~in the state of New York appointed by the president of such organiza-~~
37 ~~tion, a physician designated by the employer or carrier and a physician~~
38 ~~designated by the chair of the workers' compensation board provided,~~
39 ~~however, that the chair finds that there are a sufficient number of~~
40 ~~occupational therapy arbitrations in a geographical area comprised of~~
41 ~~one or more counties to warrant a committee so comprised. In all other~~
42 ~~cases where the value of occupational therapy services is at issue and~~
43 ~~the amount of the disputed bill exceeds one thousand dollars, the arbi-~~
44 ~~tration committee shall be similarly selected and identical in composi-~~
45 ~~tion, provided that the occupational therapist member shall serve with-~~
46 ~~out remuneration, and provided further that in the event an occupational~~
47 ~~therapist is not available, the committee shall be comprised of three~~
48 ~~physicians designated in the same manner as in cases where the value of~~
49 ~~medical aid is at issue.] have three members designated by the chair in
50 consultation with the medical director's office of the workers' compen-
51 sation board. The majority decision of any such arbitration committee
52 shall be conclusive upon the parties as to the value of the services in
53 dispute.~~

54 (3) ~~[(a) If an employer shall have notified the hospital in writing,~~
55 ~~as provided in subdivision one of this section, why the bill has not~~
56 ~~been paid, in part or in full, and the amount of the disputed bill is~~

1 ~~one thousand dollars or less, or where the amount of the disputed~~
2 ~~medical bill exceeds one thousand dollars and the hospital expressly so~~
3 ~~requests, such value shall be decided by a single arbitrator process,~~
4 ~~pursuant to rules promulgated by the chair. The chair shall appoint a~~
5 ~~physician in good standing licensed to practice in New York state to~~
6 ~~determine the value of such disputed bill. Decisions rendered under the~~
7 ~~administrative resolution procedure shall be conclusive upon the parties~~
8 ~~as to the value of the services in dispute.~~

9 ~~(b) If an employer shall have notified the hospital in writing, as~~
10 ~~provided in subdivision one of this section, why the bill has not been~~
11 ~~paid, in part or in full, and the amount of the disputed bill exceeds~~
12 ~~one thousand dollars, the value of such bill shall be determined by an~~
13 ~~arbitration committee appointed by the chair for that purpose, which~~
14 ~~committee shall consider all of the charges of the hospital, unless the~~
15 ~~hospital expressly requests a single arbitrator process pursuant to~~
16 ~~paragraph (a) of this subdivision. The committee shall consist of three~~
17 ~~physicians. One member of the committee may be nominated by the chair~~
18 ~~upon recommendation of the president of the hospital association of New~~
19 ~~York state and one member may be nominated by the employer or insurance~~
20 ~~carrier. The majority decision of any such committee shall be conclusive~~
21 ~~upon the parties as to the value of the services rendered. The chair may~~
22 ~~make reasonable rules and regulations consistent with the provisions of~~
23 ~~this section.~~

24 ~~(4)] A provider or supplier initiating an arbitration, including a~~
25 ~~single arbitrator process, pursuant to this section shall not pay a fee~~
26 ~~to cover the costs related to the conduct of such arbitration. [~~Each~~~~
27 ~~member of an arbitration committee for medical bills, and each member of~~
28 ~~an arbitration committee for hospital bills shall be entitled to receive~~
29 ~~and shall be paid a fee for each day's attendance at an arbitration~~
30 ~~session in any one count in an amount fixed by the chair of the workers'~~
31 ~~compensation board.~~

32 ~~(5)] (4) In claims where the employer has failed to secure compen-~~
33 ~~sation to his employees as required by section fifty of this chapter,~~
34 ~~the board may make an award for the value of medical [~~and podiatry~~]~~
35 ~~services, supplies or treatment rendered to such employees, in accord-~~
36 ~~ance with the schedules of fees and charges prepared and established~~
37 ~~under the provisions of [~~section thirteen, subdivision a, and section~~~~
38 ~~~~thirteen k, subdivision two, of~~] this chapter[, and for the reasonable~~
39 ~~value of hospital care in accordance with the charges currently in force~~
40 ~~in hospitals in the same community for cases coming within the~~
41 ~~provisions of this chapter]. Such award shall be made to the [~~physician,~~~~
42 ~~podiatrist, or hospital] medical care provider or supplier entitled~~
43 ~~thereto. A default in the payment of such award may be enforced in the~~
44 ~~manner provided for the enforcement of compensation awards as set forth~~
45 ~~in section twenty-six of this [~~chapter~~] article.~~

46 In all cases coming under this subdivision the payment of the claim
47 [~~of the physician, podiatrist, or hospital for medical, podiatry, or~~
48 ~~surgical services or treatment] for medical care or supplies shall be
49 subordinate to that of the claimant or his or her beneficiaries.~~

50 [~~(6) Notwithstanding any inconsistent provision of law, arbitration~~
51 ~~regarding payments for inpatient hospital services for any patient~~
52 ~~discharged on or after January first, nineteen hundred ninety-one and~~
53 ~~prior to December thirty first, nineteen hundred ninety six shall be~~
54 ~~resolved in accordance with paragraph (d) of subdivision three of~~
55 ~~section twenty eight hundred seven c of the public health law.]~~

1 § 4. Subdivisions 1 and 2 and paragraph (b) of subdivision 3 of
2 section 13-k of the workers' compensation law, subdivision 1 as added by
3 chapter 787 of the laws of 1952 and subdivision 2 and paragraph (b) of
4 subdivision 3 as amended by chapter 473 of the laws of 2000, are amended
5 to read as follows:

6 1. When the term "chairman" is hereinafter used, it shall be deemed to
7 mean the [~~chairman~~] chair of the [~~workmen's~~] workers' compensation board
8 of the state of New York.

9 2. An employee injured under circumstances which make such injury
10 compensable under this article, when care is required for an injury to
11 the foot which injury or resultant condition therefrom may lawfully be
12 treated by a duly registered and licensed podiatrist of the state of New
13 York, may select to treat him or her any podiatrist authorized by the
14 chair to render [~~podiatry~~] podiatric medical care, as hereinafter
15 provided. If the injury or condition is one which is without the limits
16 prescribed by the education law for [~~podiatry~~] podiatric medical care
17 and treatment, or the injuries involved affect other parts of the body
18 in addition to the foot, the said podiatrist must so advise the said
19 injured employee and instruct him or her to consult a physician of said
20 employee's choice for appropriate care and treatment. Such physician
21 shall thenceforth have overall supervision of the treatment of said
22 patient including the future treatment to be administered to the patient
23 by the podiatrist. If for any reason during the period when [~~podiatry~~]
24 podiatric medical treatment and care is required, the employee wishes to
25 transfer his or her treatment and care to another authorized podiatrist
26 he or she may do so, in accordance with rules prescribed by the chair,
27 provided however that the employer shall be liable for the proper fees
28 of the original podiatrist for the care and treatment he or she shall
29 have rendered. [~~A podiatrist licensed and registered to practice podia-~~
30 ~~try in the state of New York who is desirous of being authorized to~~
31 ~~render podiatry care under this section and/or to conduct independent~~
32 ~~medical examinations in accordance with paragraph (b) of subdivision~~
33 ~~three of this section shall file an application for authorization under~~
34 ~~this section with the podiatry practice committee. In such application~~
35 ~~he or she shall agree to refrain from subsequently treating for remuner-~~
36 ~~ation, as a private patient, any person seeking podiatry treatment, or~~
37 ~~submitting to an independent medical examination, in connection with, or~~
38 ~~as a result of, any injury compensable under this chapter, if he or she~~
39 ~~has been removed from the list of podiatrists authorized to render~~
40 ~~podiatry care or to conduct independent medical examinations under this~~
41 ~~chapter, or if the person seeking such treatment has been transferred~~
42 ~~from his or her care in accordance with the provisions of this section.~~
43 ~~This agreement shall run to the benefit of the injured person so treated~~
44 ~~or examined, and shall be available to him or her as a defense in any~~
45 ~~action by such podiatrist for payment for treatment rendered by a podia-~~
46 ~~trist after he or she has been removed from the list of podiatrists~~
47 ~~authorized to render podiatry care or to conduct independent medical~~
48 ~~examinations under this section, or after the injured person was trans-~~
49 ~~ferred from his or her care in accordance with the provisions of this~~
50 ~~section. The podiatry practice committee if it deems such licensed~~
51 ~~podiatrist duly qualified shall recommend to the chair that such podia-~~
52 ~~trist be authorized to render podiatry care and/or to conduct independ-~~
53 ~~ent medical examinations under this section. Such recommendation shall~~
54 ~~be advisory to the chair only and shall not be binding or conclusive~~
55 ~~upon him or her.] The chair shall prepare and establish a schedule for
56 the state, or schedules limited to defined localities, of charges and~~

1 fees for [~~podiatry~~] podiatric medical treatment and care, to be deter-
2 mined in accordance with and to be subject to change pursuant to rules
3 promulgated by the chair. Before preparing such schedule for the state
4 or schedules for limited localities the chair shall request the [~~podia-~~
5 ~~try~~] podiatric medicine practice committee to submit to him or her a
6 report on the amount of remuneration deemed by such committee to be fair
7 and adequate for the types of [~~podiatry~~] podiatric medical care to be
8 rendered under this chapter, but consideration shall be given to the
9 view of other interested parties. The amounts payable by the employer
10 for such treatment and services shall be the fees and charges estab-
11 lished by such schedule.

12 (b) Upon receipt of the notice provided for by paragraph (a) of this
13 subdivision, the employer, the carrier and the claimant each shall be
14 entitled to have the claimant examined by a qualified podiatrist author-
15 ized by the chair in accordance with [~~subdivision two of this~~] section
16 thirteen-b and section one hundred thirty-seven of this chapter, at a
17 medical facility convenient to the claimant and in the presence of the
18 claimant's podiatrist, and refusal by the claimant to submit to such
19 independent medical examination at such time or times as may reasonably
20 be necessary in the opinion of the board shall bar the claimant from
21 recovering compensation for any period during which he or she has
22 refused to submit to such examination.

23 § 5. Subdivisions 1 and 2 and paragraph (b) of subdivision 3 of
24 section 13-1 of the workers' compensation law, subdivision 1 as added by
25 chapter 940 of the laws of 1973 and subdivision 2 and paragraph (b) of
26 subdivision 3 as amended by chapter 473 of the laws of 2000, are amended
27 to read as follows:

28 1. Where the term "chairman" is hereinafter used, it shall be deemed
29 to mean the [~~chairman~~] chair of the [~~workmen's~~] workers' compensation
30 board of the state of New York.

31 2. An employee injured under circumstances which make such injury
32 compensable under this article, when care is required for an injury
33 which consists solely of a condition which may lawfully be treated by a
34 chiropractor as defined in section sixty-five hundred fifty-one of the
35 education law may select to treat him or her, any duly registered and
36 licensed chiropractor of the state of New York, authorized by the chair
37 to render chiropractic care as hereinafter provided. If the injury or
38 condition is one which is outside the limits prescribed by the education
39 law for chiropractic care and treatment, the said chiropractor must so
40 advise the said injured employee and instruct him or her to consult a
41 physician of said employee's choice for appropriate care and treatment.
42 Such physician shall thenceforth have supervision of the treatment of
43 said condition including the future treatment to be administered to the
44 patient by the chiropractor. [~~A chiropractor licensed and registered to~~
45 ~~practice chiropractic in the state of New York, who is desirous of being~~
46 ~~authorized to render chiropractic care under this section and/or to~~
47 ~~conduct independent medical examinations in accordance with paragraph~~
48 ~~(b) of subdivision three of this section shall file an application for~~
49 ~~authorization under this section with the chiropractic practice commit-~~
50 ~~tee. In such application he or she shall agree to refrain from subse-~~
51 ~~quently treating for remuneration, as a private patient, any person~~
52 ~~seeking chiropractic treatment, or submitting to an independent medical~~
53 ~~examination, in connection with, or as a result of, any injury compensa-~~
54 ~~ble under this chapter, if he or she has been removed from the list of~~
55 ~~chiropractors authorized to render chiropractic care or to conduct inde-~~
56 ~~pendent medical examinations under this chapter, or if the person seek-~~

~~ing such treatment has been transferred from his or her care in accordance with the provisions of this section. This agreement shall run to the benefit of the injured person so treated, or examined, and shall be available to him or her as a defense in any action by such chiropractor for payment rendered by a chiropractor after he or she has been removed from the list of chiropractors authorized to render chiropractic care or to conduct independent medical examinations under this section, or after the injured person was transferred from his or her care in accordance with the provisions of this section. The chiropractic practice committee if it deems such licensed chiropractor duly qualified shall recommend to the chair that such be authorized to render chiropractic care and/or to conduct independent medical examinations under this section. Such recommendations shall be advisory to the chair only and shall not be binding or conclusive upon him or her.]~~

The chair shall prepare and establish a schedule for the state, or schedules limited to defined localities of charges and fees for chiropractic treatment and care, to be determined in accordance with and to be subject to change pursuant to rules promulgated by the chair. Before preparing such schedule for the state or schedules for limited localities the chair shall request the chiropractic practice committee to submit to him or her a report on the amount of remuneration deemed by such committee to be fair and adequate for the types of chiropractic care to be rendered under this chapter, but consideration shall be given to the view of other interested parties, the amounts payable by the employer for such treatment and services shall be the fees and charges established by such schedule.

(b) Upon receipt of the notice provided for by paragraph (a) of this subdivision, the employer, the carrier, and the claimant each shall be entitled to have the claimant examined by a qualified chiropractor authorized by the chair in accordance with ~~[subdivision two of this~~ section thirteen-b and section one hundred thirty-seven of this chapter at a medical facility convenient to the claimant and in the presence of the claimant's chiropractor, and refusal by the claimant to submit to such independent medical examination at such time or times as may reasonably be necessary in the opinion of the board shall bar the claimant from recovering compensation, for any period during which he or she has refused to submit to such examination.

§ 6. Subdivisions 1, 2 and 3 and paragraph (b) of subdivision 4 of section 13-m of the workers' compensation law, subdivisions 1 and 2 as added by chapter 589 of the laws of 1989 and subdivision 3 and paragraph (b) of subdivision 4 as amended by chapter 473 of the laws of 2000, are amended to read as follows:

1. Where the term "chairman" is hereinafter used, it shall be deemed to mean the ~~[chairman]~~ chair of the workers' compensation board of the state of New York.

2. (a) An injured employee, injured under circumstances which make such injury compensable under this article, may lawfully be treated~~[, upon the referral of an authorized physician,]~~ by a psychologist, duly registered and licensed by the state of New York, authorized by the ~~[chairman]~~ chair to render psychological care pursuant to ~~[this]~~ section thirteen-b of this article. Such services shall be within the scope of such psychologist's specialized training and qualifications as defined in article one hundred fifty-three of the education law.

(b) Medical bureaus, medical centers jointly operated by labor and management representatives, hospitals and health maintenance organizations, authorized to provide medical care pursuant to section thirteen-c of this ~~[chapter]~~ article, may provide psychological services when

1 required[~~, upon the referral of an authorized physician, provided such~~
2 ~~care is rendered by a duly registered, licensed and authorized psychol-~~
3 ~~ogist, as required by this section].~~

4 (c) A psychologist rendering service pursuant to this section shall
5 maintain records of the patient's psychological condition and treatment,
6 and such records or reports shall be submitted to the [~~chairman~~] chair
7 on such forms and at such times as the [~~chairman~~] chair may require.

8 3. [~~A psychologist, licensed and registered to practice psychology in~~
9 ~~the state of New York, who is desirous of being authorized to render~~
10 ~~psychological care under this section and/or to conduct independent~~
11 ~~medical examinations in accordance with paragraph (b) of subdivision~~
12 ~~four of this section shall file an application for authorization under~~
13 ~~this section with the psychology practice committee. The applicant shall~~
14 ~~agree to refrain from subsequently treating for remuneration, as a~~
15 ~~private patient, any person seeking psychological treatment, or submit-~~
16 ~~ting to an independent medical examination, in connection with, or as a~~
17 ~~result of, any injury compensable under this chapter, if he or she has~~
18 ~~been removed from the list of psychologists authorized to render psycho-~~
19 ~~logical care under this chapter. This agreement shall run to the benefit~~
20 ~~of the injured person so treated, and shall be available as a defense in~~
21 ~~any action by such psychologist for payment for treatment rendered by~~
22 ~~such psychologist after being removed from the list of psychologists~~
23 ~~authorized to render psychological care or to conduct independent~~
24 ~~medical examinations under this section. The psychology practice commit-~~
25 ~~tee if it deems such licensed psychologist duly qualified shall recom-~~
26 ~~mend to the chair that such person be authorized to render psychological~~
27 ~~care and/or to conduct independent medical examinations under this~~
28 ~~section. Such recommendations shall be only advisory to the chair and~~
29 ~~shall not be binding or conclusive.]~~

30 The chair shall prepare and estab-
31 lish a schedule for the state or schedules limited to defined localities
32 of charges and fees for psychological treatment and care, to be deter-
33 mined in accordance with and be subject to change pursuant to rules
34 promulgated by the chair. Before preparing such schedule for the state
35 or schedules for limited localities the chair shall request the psychol-
36 ogy practice committee to submit to such chair a report on the amount of
37 remuneration deemed by such committee to be fair and adequate for the
38 types of psychological care to be rendered under this chapter, but
39 consideration shall be given to the view of other interested parties.
40 The amounts payable by the employer for such treatment and services
41 shall be the fees and charges established by such schedule.

42 (b) Upon receipt of the notice provided for by paragraph (a) of this
43 subdivision, the employer, the carrier, and the claimant each shall be
44 entitled to have the claimant examined by a qualified psychologist,
45 authorized by the chair in accordance with [~~subdivision three of this~~]
46 section thirteen-b and section one hundred thirty-seven of this chapter,
47 at a medical facility convenient to the claimant and in the presence of
48 the claimant's psychologist, and refusal by the claimant to submit to
49 such independent medical examination at such time or times as may
50 reasonably be necessary in the opinion of the board shall bar the claim-
51 ant from recovering compensation, for any period during which he or she
52 has refused to submit to such examination.

53 § 7. Section 54-b of the workers' compensation law, as amended by
54 chapter 6 of the laws of 2007, is amended to read as follows:

55 § 54-b. Enforcement on failure to pay award or judgment. In case of
56 default by a carrier or self-insured employer in the payment of any
57 compensation due under an award for the period of thirty days after

1 payment is due and payable, or in the case of failure by a carrier or
 2 self-insured employer to make full payment of an award for medical care
 3 or supplies issued by the board or the chair pursuant to section thir-
 4 teen-g of this chapter, the chair in any such case or on the chair's
 5 consent any party to an award may file with the county clerk for the
 6 county in which the injury occurred or the county in which the carrier
 7 or self-insured employer has his or her principal place of business, (1)
 8 a certified copy of the decision of the board awarding compensation or
 9 ending, diminishing or increasing compensation previously awarded, from
 10 which no appeal has been taken within the time allowed therefor, or if
 11 an appeal has been taken by a carrier or self-insured employer who has
 12 not complied with the provisions of section fifty of this article, where
 13 he or she fails to deposit with the chair the amount of the award as
 14 security for its payment within ten days after the same is due and paya-
 15 ble, or (2) a certified copy of the award for medical care or supplies
 16 issued pursuant to section thirteen-g of this chapter, and thereupon
 17 judgment must be entered in the supreme court by the clerk of such coun-
 18 ty in conformity therewith immediately upon such filing. If the payment
 19 in default be an installment, the board may declare the entire award due
 20 and judgment may be entered in accordance with the provisions of this
 21 section. Such judgment shall be entered in the same manner, have the
 22 same effect and be subject to the same proceedings as though rendered in
 23 a suit duly heard and determined by the supreme court, except that no
 24 appeal may be taken therefrom. The court shall vacate or modify such
 25 judgment to conform to any later award or decision of the board upon
 26 presentation of a certified copy of such award or decision. The award
 27 may be so compromised by the board as in the discretion of the board may
 28 best serve the interest of the persons entitled to receive the compen-
 29 sation or benefits. Where an award has been made against a carrier or
 30 self-insured employer in accordance with the provisions of subdivision
 31 nine of section fifteen, or of section twenty-five-a of this chapter,
 32 such an award may be similarly compromised by the board, upon notice to
 33 a representative of the fund to which the award is payable, but if there
 34 be no representative of any such fund, notice shall be given to such
 35 representative as may be designated by the chair of the board; and
 36 notwithstanding any other provision of law, such compromise shall be
 37 effective without the necessity of any approval by the state comp-
 38 troller. Neither the chair nor any party in interest shall be required
 39 to pay any fee to any public officer for filing or recording any paper
 40 or instrument or for issuing a transcript of any judgment executed in
 41 pursuance of this section. The carrier or self-insured employer shall be
 42 liable for all costs and attorneys fees necessary to enforce the award.
 43 For the purposes of this section, the term "carrier" shall include the
 44 state insurance fund and any stock corporation, mutual corporation or
 45 reciprocal insurer authorized to transact the business of workers'
 46 compensation insurance in this state.

47 § 8. This act shall take effect on the ninetieth day after it shall
 48 have become a law.

49 PART DD

50 Intentionally Omitted

51 PART EE

52 Intentionally Omitted

1

PART FF

2 Section 1. Subject to the provisions of this act, the town of Hast-
 3 ings, in the county of Oswego, acting by and through its governing body
 4 and upon such terms and conditions as determined by such body, is hereby
 5 authorized to discontinue as parklands and to transfer ownership of the
 6 lands described in section three of this act, to the New York Division
 7 of State Police for the purpose of providing necessary land for the
 8 construction of a Division of State Police station.

9 § 2. The authorization contained in section one of this act shall take
 10 effect only upon the condition that the town of Hastings shall dedicate
 11 an amount equal to or greater than the fair market value of the park-
 12 lands being discontinued towards the acquisition of new parklands and/or
 13 capital improvements to existing park and recreational facilities.

14 § 3. The parklands authorized by section one of this act to be alien-
 15 ated are described as follows: All that tract or parcel of land situate
 16 in the Town of Hastings, County of Oswego and State of New York, being
 17 part of Lot No. 28 and being part of Lot No. 29 in Township No. 13 of
 18 Scriba's Patent, and being part of the lands conveyed from F. Don Sweet
 19 to the Town of Hastings by deed dated April 16, 1969 and recorded at the
 20 Oswego County Clerk's Office on April 16, 1969 in Book of Deeds 712 at
 21 Page 116 and being more particularly described as follows:

22 Beginning at the southwesterly corner of lands of the Town of Hastings
 23 (712/116), being a point on the southerly bounds of Lot No. 28, also
 24 being the centerline of Wilson Road per deed (712/116), said point being
 25 easterly a distance of 645 feet, more or less, from the nominal center-
 26 line intersection of Wilson Road and U.S. Route No. 11;

27 Thence running N. 28° 53' 09" E. along the easterly bounds of The Town
 28 of Hastings (712/141) a distance of 435.60 feet to a point; thence S.
 29 61° 57' 15" E. a distance of 300.00 feet to a point; thence S. 28° 53'
 30 09" W. a distance of 435.60 feet to the southerly bounds of Lot No. 29;
 31 thence N. 61° 57' 15" W. a distance of 300.00 feet to the point and
 32 place of beginning containing 3.0 acres of land, more or less.

33 Subject to any and all easements and restrictions of record and the
 34 highway rights of the public and the Town of Hastings in and to the
 35 portion of Wilson Road lying within the bounds of the above described
 36 parcel.

37 § 4. If the parkland that is described in section three of this act
 38 has received funding pursuant to the federal land and water conservation
 39 fund, the discontinuance of parklands authorized by section one of this
 40 act shall not occur until the town of Hastings has complied with the
 41 federal requirements pertaining to the conversion of parklands, includ-
 42 ing satisfying the secretary of the interior that the discontinuance
 43 with all conditions which the secretary of the interior deems necessary
 44 to assure the substitution of other lands shall be equivalent in fair
 45 market value and recreational usefulness to the lands being discontin-
 46 ued.

47 § 5. This act shall take effect immediately.

48

PART GG

49 Section 1. Subdivisions 3 and 5 of section 97-g of the state finance
 50 law, subdivision 3 as amended by section 62 of part HH of chapter 57 of
 51 the laws of 2013 and subdivision 5 as amended by section 1 of subpart A
 52 of part C of chapter 97 of the laws of 2011, are amended to read as
 53 follows:

1 3. Moneys of the fund shall be available to the commissioner of gener-
2 al services for the purchase of food, supplies and equipment for state
3 agencies, and for the purpose of furnishing or providing centralized
4 services to or for state agencies; provided further that such moneys
5 shall be available to the commissioner of general services for purposes
6 pursuant to items (d) and (f) of subdivision four of this section to or
7 for political subdivisions, public authorities, and public benefit
8 corporations. Beginning the first day of April, two thousand two, moneys
9 in such fund shall also be transferred by the state comptroller to the
10 revenue bond tax fund account of the general debt service fund in
11 amounts equal to those required for payments to authorized issuers for
12 revenue bonds issued pursuant to article five-C and article five-F of
13 this chapter for the purpose of lease purchases and installment
14 purchases by or for state agencies and institutions for personal or real
15 property purposes.

16 5. The amount expended from such fund for the above-stated purposes
17 shall be charged against the agency [~~or~~], political [~~subdivisions~~]
18 subdivision, public authority or public benefit corporation above
19 receiving such food, supplies, equipment and services and all payments
20 received therefor shall be credited to such fund.

21 § 2. Section 3 of chapter 410 of the laws of 2009, amending the state
22 finance law relating to authorizing the aggregate purchases of energy
23 for state agencies, institutions, local governments, public authorities
24 and public benefit corporations, as amended by section 1 of part G of
25 chapter 55 of the laws of 2014, is amended to read as follows:

26 § 3. This act shall take effect immediately [~~and shall expire and be~~
27 ~~deemed repealed July 31, 2019~~].

28 § 3. Section 9 of subpart A of part C of chapter 97 of the laws of
29 2011, amending the state finance law and other laws relating to provid-
30 ing certain centralized service to political subdivisions and extending
31 the authority of the commissioner of general services to aggregate
32 purchases of energy for state agencies and political subdivisions, as
33 amended by section 2 of part G of chapter 55 of the laws of 2014, is
34 amended to read as follows:

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

36 1. sections [~~one~~] four, five, six and seven of this act shall expire
37 and be deemed repealed July 31, [~~2019~~] 2024;

38 2. the amendments to subdivision 4 of section 97-g of the state
39 finance law made by section two of this act shall survive the expiration
40 and reversion of such subdivision as provided in section 3 of chapter
41 410 of the laws of 2009, as amended;

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

44 § 4. This act shall take effect immediately.

45

PART HH

46 Section 1. Subdivision 2 of section 9 of the public buildings law, as
47 amended by section 2 of part M of chapter 55 of the laws of 2015, is
48 amended to read as follows:

49 2. Notwithstanding any other provision of this law or any general or
50 special law, where there is a construction emergency, as defined by
51 subdivision one of this section, the commissioner of general services
52 may, upon written notice of such construction emergency from an author-
53 ized officer of the department or agency having jurisdiction of the
54 property, let emergency contracts for public work or the purchase of

1 supplies, materials or equipment without complying with formal compet-
2 itive bidding requirements, provided that all such contracts shall be
3 subject to the approval of the attorney general and the comptroller and
4 that no such contract shall exceed [~~six hundred thousand~~] two million
5 dollars. Such emergency contracts shall be let only for work necessary
6 to remedy or ameliorate a construction emergency.

7 § 2. Subdivision 4 of section 9 of the public buildings law, as added
8 by chapter 674 of the laws of 1993, is amended to read as follows:

9 4. Bidders for such construction emergency contracts shall be solicit-
10 ed from a list of bidders, which shall be regional in scope, established
11 by the office of general services based on an invitation to contractors
12 including certified minority and women-owned contractors to be so list-
13 ed, subject to approval by the office of general services, advertised
14 annually in the procurement opportunities newsletter published by the
15 department of economic development, in the public notification service
16 of the office of general services and by newspaper advertisement as
17 provided in section eight of this article. The office of general
18 services shall seek to provide prime contract bidding opportunities for
19 minority and women-owned contractors in the letting of such emergency
20 contracts. From such list of bidders, the office of general services
21 shall solicit bidders sequentially or by rotation in such manner that
22 the listed potential bidders shall be solicited consecutively, to the
23 extent practicable, and thereby given fair opportunity to bid in the
24 course of successive needs for emergency contracts. The office of gener-
25 al services may remove any bidder from such lists for (i) failure to
26 demonstrate sufficient completed operations liability, as defined in
27 subsection (b) of section fifty-nine hundred two of the insurance law,
28 or for (ii) nonresponsibility or nonreliability. Beginning on April
29 first, two thousand twenty, no contractor, including the owner, any
30 individual or company with a controlling interest, or officer, that has
31 in the two years prior made a contribution, as defined in subsection
32 nine of section 14-100 of the election law, to any officeholder of the
33 state governmental entity or entities issuing the invitation, or approv-
34 ing or awarding the final procurement contract, may be added to the list
35 and no contractors including the owner, any individual or company with a
36 controlling interest, or officer, may make such contributions while on
37 the bidders list. Any contractors that had been awarded a construction
38 emergency contract prior to that date would remain eligible to complete
39 that contract. The emergency contracts let under this section in each
40 month shall be published by the office of general services in the public
41 notification service.

42 The department or agency having jurisdiction of the property shall
43 promptly and diligently take all actions and prepare and submit the
44 required documentation relating to the contract award for the repair and
45 remediation of the construction emergency, as necessary to deliver to
46 the office of the state comptroller as early as practicable prior to the
47 thirtieth day following the commencement of the work all such documenta-
48 tion required for the comptroller's approval of the contract.

49 § 3. Section 3 of chapter 674 of the laws of 1993, amending the public
50 buildings law relating to value limitations on contracts, as amended by
51 section 1 of part L of chapter 55 of the laws of 2017, is amended to
52 read as follows:

53 § 3. This act shall take effect immediately and shall remain in full
54 force and effect only until June 30, [~~2019~~] 2021.

55 § 4. This act shall take effect immediately; provided, however, that
56 the amendments to subdivisions 2 and 4 of section 9 of the public build-

1 ings law made by sections one and two of this act shall not affect the
2 expiration of such subdivisions and shall be deemed to expire therewith.

3 PART II

4 Section 1. This Part enacts into law major components of legislation
5 that remove unnecessary barriers to reentry of people with criminal
6 histories into society. This Part removes mandatory bars on licensing
7 and employment for people with criminal convictions in the categories
8 enumerated therein and replace them with individualized review processes
9 using the factors set out in article 23-A of the correction law. This
10 Part removes mandatory drivers license suspension for non-driving drug
11 offenses. This Part prohibits disclosure of mugshots and arrest informa-
12 tion by amending the freedom of information law. This Part also amends
13 provisions of law to enact into law major components of legislation to
14 prevent the use in a civil context, of past arrest information that did
15 not result in a conviction because no disposition has been reported, or
16 the case has been adjourned in contemplation of dismissal, or because
17 arrest and arraignment charges were not followed by a corresponding
18 conviction on those charges. This information would still be able to be
19 seen and used by law enforcement and in criminal proceedings. Finally,
20 this Part establishes compassionate parole for incarcerated individuals
21 over the age of 55 who have incapacitating medical conditions exacerbat-
22 ed by age. Each component is wholly contained with a Subpart identified
23 as Subparts A through P. Any provision in any section contained within a
24 Subpart, including the effective date of the Subpart, which makes refer-
25 ence to a section "of this act", when used in connection with that
26 particular component, shall be deemed to mean and refer to the corre-
27 sponding section of the Subpart in which it is found. Section three of
28 this Part sets forth the general effective date of this Part.

29 SUBPART A

30 Section 1. Subdivision 6 of section 369 of the banking law, as amended
31 by chapter 164 of the laws of 2003, paragraph (b) as amended by section
32 6 of part LL of chapter 56 of the laws of 2010, is amended to read as
33 follows:

34 6. The superintendent may, consistent with article twenty-three-A of
35 the correction law, refuse to issue a license pursuant to this article
36 if he shall find that the applicant, or any person who is a director,
37 officer, partner, agent, employee or substantial stockholder of the
38 applicant, (a) has been convicted of a crime in any jurisdiction or (b)
39 is associating or consorting with any person who has, or persons who
40 have, been convicted of a crime or crimes in any jurisdiction or juris-
41 dictions[~~, provided, however, that the superintendent shall not issue~~
42 ~~such a license if he shall find that the applicant, or any person who is~~
43 ~~a director, officer, partner, agent, employee or substantial stockholder~~
44 ~~of the applicant, has been convicted of a felony in any jurisdiction or~~
45 ~~of a crime which, if committed within this state, would constitute a~~
46 ~~felony under the laws thereof]. For the purposes of this article, a~~
47 person shall be deemed to have been convicted of a crime if such person
48 shall have pleaded guilty to a charge thereof before a court or magis-
49 trate, or shall have been found guilty thereof by the decision or judg-
50 ment of a court or magistrate or by the verdict of a jury, irrespective
51 of the pronouncement of sentence or the suspension thereof[~~, unless such~~
52 ~~plea of guilty, or such decision, judgment or verdict, shall have been~~

~~set aside, reversed or otherwise abrogated by lawful judicial process or unless the person convicted of the crime shall have received a pardon therefor from the president of the United States or the governor or other pardoning authority in the jurisdiction where the conviction was had, or shall have received a certificate of relief from disabilities or a certificate of good conduct pursuant to article twenty-three of the correction law to remove the disability under this article because of such conviction~~]. The term "substantial stockholder," as used in this subdivision, shall be deemed to refer to a person owning or controlling ten per centum or more of the total outstanding stock of the corporation in which such person is a stockholder. In making a determination pursuant to this subdivision, the superintendent shall require fingerprinting of the applicant. Such fingerprints shall be submitted to the division of criminal justice services for a state criminal history record check, as defined in subdivision one of section three thousand thirty-five of the education law, and may be submitted to the federal bureau of investigation for a national criminal history record check.

§ 2. This act shall take effect immediately.

SUBPART B

Section 1. Paragraph (f) of subdivision 7 of section 2590-b of the education law, as added by chapter 345 of the laws of 2009, is amended to read as follows:

(f) A person ~~[who has been convicted of a felony, or has been removed from a city-wide council established pursuant to this section or community district education council for any of the following shall]~~ may be permanently ineligible for appointment to a city-wide council for any of the following:

- (i) an act of malfeasance directly related to his or her service on such city-wide council or community district education council; or
- (ii) conviction of a crime, if such crime is directly related to his or her service upon such city-wide council or community district education council, or if service upon such council would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§ 2. Subdivision 5 of section 2590-c of the education law, as amended by chapter 345 of the laws of 2009, is amended to read as follows:

5. No person may serve on more than one community council or on the city-wide council on special education, the city-wide council on English language learners, or the city-wide council on high schools and a community council. A member of a community council shall be ineligible to be employed by the community council of which he or she is a member, any other community council, the city-wide council on special education, the city-wide council on English language learners, the city-wide council on high schools, or the city board. No person shall be eligible for membership on a community council if he or she holds any elective public office or any elective or appointed party position except that of delegate or alternate delegate to a national, state, judicial or other party convention, or member of a county committee.

A person ~~[who has been convicted of a felony, or has been removed from a community school board, community district education council, or the city-wide council on special education, the city wide council on English language learners, or the city wide council on high schools for any of the following shall]~~ may be permanently ineligible for appointment to any community district education council for any of the following: (a)

1 an act of malfeasance directly related to his or her service on the
 2 city-wide council on special education, the city-wide council on English
 3 language learners, the city-wide council on high schools, community
 4 school board or community district education council; or (b) conviction
 5 of a crime, if such crime is directly related to his or her service upon
 6 the city-wide council on special education, the city-wide council on
 7 English language learners, the city-wide council on high schools, commu-
 8 nity school board or community district education council, or if service
 9 upon such council would involve an unreasonable risk to property or to
 10 the safety or welfare of specific individuals or the general public.

11 Any decision rendered by the chancellor or the city board with respect
 12 to the eligibility or qualifications of the nominees for community
 13 district education councils must be written and made available for
 14 public inspection within seven days of its issuance at the office of the
 15 chancellor and the city board. Such written decision shall include the
 16 factual and legal basis for its issuance and a record of the vote of
 17 each board member who participated in the decision, if applicable.

18 § 3. This act shall take effect immediately, provided that the amend-
 19 ments to subdivision 7 of section 2590-b of the education law made by
 20 section one of this act shall not affect the repeal of such subdivision
 21 and shall be deemed repealed therewith; provided, further, that the
 22 amendments to subdivision 5 of section 2590-c of the education law made
 23 by section two of this act shall not affect the repeal of such subdivi-
 24 sion and shall be deemed to repeal therewith.

25 SUBPART C

26 Section 1. Clauses 1 and 5 of paragraph (c) of subdivision 2 of
 27 section 435 of the executive law, clause 1 as amended by chapter 371 of
 28 the laws of 1974 and clause 5 as amended by chapter 437 of the laws of
 29 1962, are amended to read as follows:

30 (1) a person convicted of a crime [~~who has not received a pardon, a~~
 31 ~~certificate of good conduct or a certificate of relief from disabili-~~
 32 ~~ties~~] if there is a direct relationship between one or more of the
 33 previous criminal offenses and the integrity and safety of bingo,
 34 considering the factors set forth in article twenty-three-A of the
 35 correction law;

36 (5) a firm or corporation in which a person defined in [~~subdivision~~
 37 ~~clause~~ (1), (2), (3) or (4) [~~above~~] of this paragraph, or a person
 38 married or related in the first degree to such a person, has greater
 39 than a ten [~~per centum~~] percent proprietary, equitable or credit inter-
 40 est or in which such a person is active or employed.

41 § 2. This act shall take effect immediately.

42 SUBPART D

43 Section 1. Subdivision 1 of section 130 of the executive law, as
 44 amended by section 1 of part LL of chapter 56 of the laws of 2010, para-
 45 graph (g) as separately amended by chapter 232 of the laws 2010, is
 46 amended to read as follows:

47 1. The secretary of state may appoint and commission as many notaries
 48 public for the state of New York as in his or her judgment may be deemed
 49 best, whose jurisdiction shall be co-extensive with the boundaries of
 50 the state. The appointment of a notary public shall be for a term of
 51 four years. An application for an appointment as notary public shall be
 52 in form and set forth such matters as the secretary of state shall

1 prescribe. Every person appointed as notary public must, at the time of
2 his or her appointment, be a citizen of the United States and either a
3 resident of the state of New York or have an office or place of business
4 in New York state. A notary public who is a resident of the state and
5 who moves out of the state but still maintains a place of business or an
6 office in New York state does not vacate his or her office as a notary
7 public. A notary public who is a nonresident and who ceases to have an
8 office or place of business in this state, vacates his or her office as
9 a notary public. A notary public who is a resident of New York state and
10 moves out of the state and who does not retain an office or place of
11 business in this state shall vacate his or her office as a notary
12 public. A non-resident who accepts the office of notary public in this
13 state thereby appoints the secretary of state as the person upon whom
14 process can be served on his or her behalf. Before issuing to any appli-
15 cant a commission as notary public, unless he or she be an attorney and
16 counsellor at law duly admitted to practice in this state or a court
17 clerk of the unified court system who has been appointed to such posi-
18 tion after taking a civil service promotional examination in the court
19 clerk series of titles, the secretary of state shall satisfy himself or
20 herself that the applicant is of good moral character, has the equiv-
21 alent of a common school education and is familiar with the duties and
22 responsibilities of a notary public; provided, however, that where a
23 notary public applies, before the expiration of his or her term, for
24 reappointment with the county clerk or where a person whose term as
25 notary public shall have expired applies within six months thereafter
26 for reappointment as a notary public with the county clerk, such quali-
27 fying requirements may be waived by the secretary of state, and further,
28 where an application for reappointment is filed with the county clerk
29 after the expiration of the aforementioned renewal period by a person
30 who failed or was unable to re-apply by reason of his or her induction
31 or enlistment in the armed forces of the United States, such qualifying
32 requirements may also be waived by the secretary of state, provided such
33 application for reappointment is made within a period of one year after
34 the military discharge of the applicant under conditions other than
35 dishonorable. In any case, the appointment or reappointment of any
36 applicant is in the discretion of the secretary of state. The secretary
37 of state may suspend or remove from office, for misconduct, any notary
38 public appointed by him or her but no such removal shall be made unless
39 the person who is sought to be removed shall have been served with a
40 copy of the charges against him or her and have an opportunity of being
41 heard. No person shall be appointed as a notary public under this arti-
42 cle who has been convicted, in this state or any other state or territo-
43 ry, of a [~~felony or any of the following offenses, to wit:~~

44 ~~(a) Illegally using, carrying or possessing a pistol or other danger-~~
45 ~~ous weapon; (b) making or possessing burglar's instruments; (c) buying~~
46 ~~or receiving or criminally possessing stolen property; (d) unlawful~~
47 ~~entry of a building; (e) aiding escape from prison; (f) unlawfully~~
48 ~~possessing or distributing habit forming narcotic drugs; (g) violating~~
49 ~~sections two hundred seventy, two hundred seventy a, two hundred seven-~~
50 ~~ty b, two hundred seventy c, two hundred seventy one, two hundred seven-~~
51 ~~ty five, two hundred seventy six, five hundred fifty, five hundred~~
52 ~~fifty one, five hundred fifty one a and subdivisions six, ten or eleven~~
53 ~~of section seven hundred twenty two of the former penal law as in force~~
54 ~~and effect immediately prior to September first, nineteen hundred~~
55 ~~sixty seven, or violating sections 165.25, 165.30 or subdivision one of~~
56 ~~section 240.30 of the penal law, or violating sections four hundred~~

~~seventy-eight, four hundred seventy-nine, four hundred eighty, four hundred eighty-one, four hundred eighty-four, four hundred eighty-nine and four hundred ninety-one of the judiciary law; or (h) vagrancy or prostitution, and who has not subsequent to such conviction received an executive pardon therefor or a certificate of relief from disabilities or a certificate of good conduct pursuant to article twenty-three of the correction law to remove the disability under this section because of such conviction]~~ crime, unless the secretary makes a finding in conformance with all applicable statutory requirements, including those contained in article twenty-three-A of the correction law, that such convictions do not constitute a bar to employment.

§ 2. This act shall take effect immediately.

SUBPART E

Section 1. Paragraphs 1 and 5 of subdivision (a) of section 189-a of the general municipal law, as added by chapter 574 of the laws of 1978, are amended to read as follows:

(1) a person convicted of a crime [~~who has not received a pardon, a certificate of good conduct or a certificate of relief from disabilities]~~ if there is a direct relationship between one or more of the previous criminal offenses and the integrity or safety of charitable gaming, considering the factors set forth in article twenty-three-A of the correction law;

(5) a firm or corporation in which a person defined in [~~subdivision~~ paragraph] (1), (2), (3) or (4) [~~above~~] of this subdivision has greater than a ten [~~per centum~~] percent proprietary, equitable or credit interest or in which such a person is active or employed.

§ 2. Paragraph (a) of subdivision 1 of section 191 of the general municipal law, as amended by section 15 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

(a) Issuance of licenses to conduct games of chance. If such clerk or department [~~shall determine~~] determines:

(i) that the applicant is duly qualified to be licensed to conduct games of chance under this article;

(ii) that the member or members of the applicant designated in the application to manage games of chance are bona fide active members of the applicant and are persons of good moral character and have never been convicted of a crime[~~, or,~~] if [~~convicted, have received a pardon, a certificate of good conduct or a certificate of relief from disabilities pursuant to article twenty-three of the correction law]~~ there is a direct relationship between one or more of the previous criminal offenses and the integrity or safety of charitable gaming, considering the factors set forth in article twenty-three-A of the correction law;

(iii) that such games are to be conducted in accordance with the provisions of this article and in accordance with the rules and regulations of the [~~board~~] gaming commission and applicable local laws or ordinances and that the proceeds thereof are to be disposed of as provided by this article[~~7~~]; and

[~~if such clerk or department is satisfied~~] (iv) that no commission, salary, compensation, reward or recompense whatever will be paid or given to any person managing, operating or assisting therein except as in this article otherwise provided; [~~it~~] then such clerk or department shall issue a license to the applicant for the conduct of games of chance upon payment of a license fee of twenty-five dollars for each license period.

1 § 3. Subdivision 9 of section 476 of the general municipal law, as
2 amended by chapter 1057 of the laws of 1965, paragraph (a) as amended by
3 section 16 of part LL of chapter 56 of the laws of 2010, is amended to
4 read as follows:

5 9. "Authorized commercial lessor" shall mean a person, firm or corpo-
6 ration other than a licensee to conduct bingo under the provisions of
7 this article, who or which [~~shall own~~] owns or [~~be~~] is a net lessee of
8 premises and offer the same for leasing by him, her or it to an author-
9 ized organization for any consideration whatsoever, direct or indirect,
10 for the purpose of conducting bingo therein, provided that he, she or
11 it, as the case may be, shall not be

12 (a) a person convicted of a crime [~~who has not received a pardon or a~~
13 ~~certificate of good conduct or a certificate of relief from disabilities~~
14 ~~pursuant to~~] if there is a direct relationship between one or more of
15 the previous criminal offenses and the integrity or safety of bingo,
16 considering the factors set forth in article [~~twenty-three~~]
17 twenty-three-A of the correction law;

18 (b) a person who is or has been a professional gambler or gambling
19 promoter or who for other reasons is not of good moral character;

20 (c) a public officer who receives any consideration, direct or indi-
21 rect, as owner or lessor of premises offered for the purpose of conduct-
22 ing bingo therein;

23 (d) a firm or corporation in which a person defined in [~~subdivision~~]
24 paragraph (a), (b) or (c) [~~above~~] of this subdivision or a person
25 married or related in the first degree to such a person has greater than
26 a ten [~~percentum (10%)~~] percent proprietary, equitable or credit inter-
27 est or in which such a person is active or employed.

28 Nothing contained in this subdivision shall be construed to bar any
29 firm or corporation [~~which~~] that is not organized for pecuniary profit
30 and no part of the net earnings of which inure to the benefit of any
31 individual, member, or shareholder, from being an authorized commercial
32 lessor solely because a public officer, or a person married or related
33 in the first degree to a public officer, is a member of, active in or
34 employed by such firm or corporation.

35 § 4. Paragraph (a) of subdivision 1 of section 481 of the general
36 municipal law, as amended by section 5 of part MM of chapter 59 of the
37 laws of 2017, is amended to read as follows:

38 (a) Issuance of licenses to conduct bingo. If the governing body of
39 the municipality determines:

40 (i) that the applicant is duly qualified to be licensed to conduct
41 bingo under this article;

42 (ii) that the member or members of the applicant designated in the
43 application to conduct bingo are bona fide active members or auxiliary
44 members of the applicant and are persons of good moral character and
45 have never been convicted of a crime [~~or, if convicted, have received a~~
46 ~~pardon or a certificate of good conduct or a certificate of relief from~~
47 ~~disabilities pursuant to article twenty-three~~] if there is a direct
48 relationship between one or more of the previous criminal offenses and
49 the integrity or safety of bingo, considering the factors set forth in
50 article twenty-three-A of the correction law;

51 (iii) that such games of bingo are to be conducted in accordance with
52 the provisions of this article and in accordance with the rules and
53 regulations of the commission[~~, and~~];

54 (iv) that the proceeds thereof are to be disposed of as provided by
55 this article[~~, and if the governing body is satisfied~~];

1 (v) that no commission, salary, compensation, reward or recompense
2 [~~what-so-ever~~] whatsoever will be paid or given to any person holding,
3 operating or conducting or assisting in the holding, operation and
4 conduct of any such games of bingo except as in this article otherwise
5 provided; and

6 (vi) that no prize will be offered and given in excess of the sum or
7 value of five thousand dollars in any single game of bingo and that the
8 aggregate of all prizes offered and given in all of such games of bingo
9 conducted on a single occasion[~~7~~] under said license shall not exceed
10 the sum or value of fifteen thousand dollars, then the municipality
11 shall issue a license to the applicant for the conduct of bingo upon
12 payment of a license fee of eighteen dollars and seventy-five cents for
13 each bingo occasion[~~7, provided, however, that~~].

14 Notwithstanding anything to the contrary in this paragraph, the
15 governing body shall refuse to issue a license to an applicant seeking
16 to conduct bingo in premises of a licensed commercial lessor where such
17 governing body determines that the premises presently owned or occupied
18 by such applicant are in every respect adequate and suitable for
19 conducting bingo games.

20 § 5. This act shall take effect immediately.

21 SUBPART F

22 Section 1. Paragraphs 3 and 4 of subsection (d) of section 2108 of the
23 insurance law are REPEALED, and paragraph 5 is renumbered paragraph 3.

24 § 2. This act shall take effect immediately.

25 SUBPART G

26 Section 1. Section 440-a of the real property law, as amended by chap-
27 ter 81 of the laws of 1995, the first undesignated paragraph as amended
28 by section 23 of part LL of chapter 56 of the laws of 2010, is amended
29 to read as follows:

30 § 440-a. License required for real estate brokers and salesmen. No
31 person, co-partnership, limited liability company or corporation shall
32 engage in or follow the business or occupation of, or hold himself or
33 itself out or act temporarily or otherwise as a real estate broker or
34 real estate salesman in this state without first procuring a license
35 therefor as provided in this article. No person shall be entitled to a
36 license as a real estate broker under this article, either as an indi-
37 vidual or as a member of a co-partnership, or as a member or manager of
38 a limited liability company or as an officer of a corporation, unless he
39 or she is twenty years of age or over, a citizen of the United States or
40 an alien lawfully admitted for permanent residence in the United States.
41 No person shall be entitled to a license as a real estate salesman under
42 this article unless he or she is over the age of eighteen years. No
43 person shall be entitled to a license as a real estate broker or real
44 estate salesman under this article who has been convicted in this state
45 or elsewhere of a [~~felony, of a sex offense, as defined in subdivision~~
46 ~~two of section one hundred sixty eight a of the correction law or any~~
47 ~~offense committed outside of this state which would constitute a sex~~
48 ~~offense, or a sexually violent offense, as defined in subdivision three~~
49 ~~of section one hundred sixty eight a of the correction law or any~~
50 ~~offense committed outside this state which would constitute a sexually~~
51 ~~violent offense, and who has not subsequent to such conviction received~~
52 ~~executive pardon therefor or a certificate of relief from disabilities~~

1 ~~or a certificate of good conduct pursuant to article twenty-three of the~~
2 ~~correction law, to remove the disability under this section because of~~
3 ~~such conviction] crime, unless the secretary makes a finding in conform-~~
4 ~~ance with all applicable statutory requirements, including those~~
5 ~~contained in article twenty-three-A of the correction law, that such~~
6 ~~convictions do not constitute a bar to licensure.~~ No person shall be
7 entitled to a license as a real estate broker or real estate salesman
8 under this article who does not meet the requirements of section 3-503
9 of the general obligations law.

10 Notwithstanding [~~the above~~] anything to the contrary in this section,
11 tenant associations[~~r~~] and not-for-profit corporations authorized in
12 writing by the commissioner of the department of the city of New York
13 charged with enforcement of the housing maintenance code of such city to
14 manage residential property owned by such city or appointed by a court
15 of competent jurisdiction to manage residential property owned by such
16 city shall be exempt from the licensing provisions of this section with
17 respect to the properties so managed.

18 § 2. This act shall take effect immediately.

19 SUBPART H

20 Section 1. Subdivision 5 of section 336-f of the social services law,
21 as added by section 148 of part B of chapter 436 of the laws of 1997, is
22 amended to read as follows:

23 5. The social services district shall require every private or not-
24 for-profit employer that intends to hire one or more work activity
25 participants to certify to the district [~~that~~] whether such employer has
26 [~~not~~], in the past five years, been convicted of a felony or a misdemea-
27 nor the underlying basis of which involved workplace safety and health
28 or labor standards. Such employer shall also certify as to all
29 violations issued by the department of labor within the past five years.
30 The social services official in the district in which the participant is
31 placed shall determine whether there is a pattern of convictions or
32 violations sufficient to render the potential employer ineligible.
33 Employers who submit false information under this section shall be
34 subject to criminal prosecution for filing a false instrument.

35 § 2. This act shall take effect immediately.

36 SUBPART I

37 Section 1. Subdivision 9 of section 394 of the vehicle and traffic
38 law, as separately renumbered by chapters 300 and 464 of the laws of
39 1960, is amended to read as follows:

40 9. Employees. [~~No licensee shall knowingly employ, in connection with~~
41 ~~a driving school in any capacity whatsoever, any person who has been~~
42 ~~convicted of a felony, or of any crime involving violence, dishonesty,~~
43 ~~deceit, indecency, degeneracy or moral turpitude] A licensee may not
44 employ, in connection with a driving school in any capacity whatsoever,
45 a person who has been convicted of a crime, if, after considering the
46 factors set forth in article twenty-three-A of the correction law, the
47 licensee determines that there is a direct relationship between the
48 conviction and employment in the driving school, or that employment
49 would constitute an unreasonable risk to property or to the safety of
50 students, customers, or employees of the driving school, or to the
51 general public.~~

52 § 2. This act shall take effect immediately.

1

SUBPART J

2 Section 1. Legislative findings. This Subpart will remove an overbroad
3 mandatory suspension of drivers' licenses for six months for people
4 convicted of state and federal drug crimes, that is unnecessary to
5 protect the safety of New York roads, as the vehicle and traffic law has
6 other provisions to suspend licenses when drug use has impaired safe
7 driving. The mandatory suspension, and the fees associated with lifting
8 it, interferes with the ability of people convicted of drug crimes to
9 work, attend treatment and otherwise live productive lives, all of which
10 are necessary for their rehabilitation. At any given time, about 8,000
11 New Yorkers have their licenses suspended because of non-driving related
12 drug convictions. This mandatory suspension was instituted in response
13 to federal law requiring states to either suspend the licenses of people
14 convicted of drug offenses, or pass a resolution expressing opposition
15 to the bill, or lose eight percent of federal highway funding. Concur-
16 rent with this bill, Resolution ___ is being presented to the legisla-
17 ture for their action; the Resolution contains the required statement of
18 opposition to mandatory suspension of driver's licenses for people
19 convicted of drug crimes in order for New York's federal funding for
20 highways to be maintained. By passing the Resolution and removing the
21 mandatory suspension, New York will join 40 other states who have taken
22 this action.

23 § 2. Subparagraphs (v), (vi) and (vii) of paragraph b of subdivision 2
24 of section 510 of the vehicle and traffic law are REPEALED.

25 § 3. This act shall take effect immediately.

26

SUBPART K

27 Section 1. Legislative findings. The legislature finds that law
28 enforcement booking information and photographs, otherwise known as
29 "mugshots," are published on the internet and other public platforms
30 with impunity. An individual's mugshot is displayed publicly even if the
31 arrest does not lead to a conviction, or the conviction is later
32 expunged, sealed, or pardoned. This practice presents an unacceptable
33 invasion of the individual's personal privacy. While there is a well-es-
34 tablished Constitutional right for the press and the public to publish
35 government records which are in the public domain or that have been
36 lawfully accessed, arrest and booking information have not been found by
37 courts to have the same public right of access as criminal court
38 proceedings or court filings. Therefore, each state can set access to
39 this information through its Freedom of Information laws. The federal
40 government has already limited access to booking photographs through
41 privacy formulations in its Freedom of Information Act, and the legisla-
42 ture hereby declares that New York will follow the same principle to
43 protect its residents from this unwarranted invasion of personal priva-
44 cy, absent a specific law enforcement purpose, such as disclosure of a
45 photograph to alert victims or witnesses to come forward to aid in a
46 criminal investigation.

47 § 2. Paragraph (b) of subdivision 2 of section 89 of the public offi-
48 cers law, as amended by section 11 of part U of chapter 61 of the laws
49 of 2011, is amended to read as follows:

50 (b) An unwarranted invasion of personal privacy includes, but shall
51 not be limited to:

52 i. disclosure of employment, medical or credit histories or personal
53 references of applicants for employment;

1 ii. disclosure of items involving the medical or personal records of a
2 client or patient in a medical facility;

3 iii. sale or release of lists of names and addresses if such lists
4 would be used for solicitation or fund-raising purposes;

5 iv. disclosure of information of a personal nature when disclosure
6 would result in economic or personal hardship to the subject party and
7 such information is not relevant to the work of the agency requesting or
8 maintaining it;

9 v. disclosure of information of a personal nature reported in confi-
10 dence to an agency and not relevant to the ordinary work of such agency;

11 vi. information of a personal nature contained in a workers' compen-
12 sation record, except as provided by section one hundred ten-a of the
13 workers' compensation law; ~~or~~

14 vii. disclosure of electronic contact information, such as an e-mail
15 address or a social network username, that has been collected from a
16 taxpayer under section one hundred four of the real property tax law; or

17 viii. disclosure of law enforcement booking information about an indi-
18 vidual, including booking photographs, unless public release of such
19 information will serve a specific law enforcement purpose and disclosure
20 is not precluded by any state or federal laws.

21 § 3. This act shall take effect immediately.

22 SUBPART L

23 Section 1. The executive law is amended by adding a new section 845-c
24 to read as follows:

25 § 845-c. Criminal history record searches; undisposed cases. 1. When,
26 pursuant to statute or the regulations of the division, the division
27 conducts a search of its criminal history records and returns a report
28 thereon, all references to undisposed cases contained in such criminal
29 history record shall be excluded from such report.

30 2. For purposes of this section, "undisposed case" shall mean a crimi-
31 nal action or proceeding identified in the division's criminal history
32 record repository, for which there is no record of an unexecuted warrant
33 of arrest, superior court warrant of arrest, or bench warrant, and for
34 which there is no record of conviction or imposition of sentence or
35 other final disposition, other than the issuance of an apparently unexe-
36 cuted warrant, has been recorded and with respect to which no entry has
37 been made in the division's criminal history records for a period of at
38 least five years preceding the issuance of such report. When a criminal
39 action in the division's criminal history record repository becomes an
40 undisposed case pursuant to this section, the division shall notify the
41 district attorney in the county which has jurisdiction. If the district
42 attorney notifies the division that such case is pending and should not
43 meet the definition of an undisposed case, the case shall not be
44 excluded from such report.

45 3. The provisions of subdivision one of this section shall not apply
46 to criminal history record information: (a) provided by the division to
47 qualified agencies pursuant to subdivision six of section eight hundred
48 thirty-seven of this article, or to federal or state law enforcement
49 agencies, for criminal justice purposes; (b) prepared solely for a bona
50 fide research purpose; or (c) prepared for the internal record keeping
51 or case management purposes of the division.

52 § 2. Subdivision 2 of section 212 of the judiciary law is amended by
53 adding a new paragraph (x) to read as follows:

1 (x) Take such actions and adopt such measures as may be necessary to
 2 ensure that no written or electronic report of a criminal history record
 3 search conducted by the office of court administration, other than a
 4 search conducted solely for the internal recordkeeping or case manage-
 5 ment purposes of the judiciary or for a bona fide research purpose,
 6 contains information relating to an undisposed case. For purposes of
 7 this paragraph, "undisposed case" shall mean a criminal action or
 8 proceeding, or an arrest incident, appearing in the criminal history
 9 records of the office of court administration for which no conviction,
 10 imposition of sentence, order of removal or other final disposition,
 11 other than the issuance of an apparently unexecuted warrant, has been
 12 recorded and with respect to which no entry has been made in such
 13 records for a period of at least five years preceding the issuance of
 14 such report. Nothing contained in this paragraph shall be deemed to
 15 permit or require the release, disclosure or other dissemination by the
 16 office of court administration of criminal history record information
 17 that has been sealed in accordance with law.

18 § 3. This act shall take effect on the one hundred eightieth day after
 19 it shall have become a law and shall apply to searches of criminal
 20 history records conducted on or after such date. Prior to such effective
 21 date, the division of criminal justice services, in consultation with
 22 the state administrator of the unified court system as well as any other
 23 public or private agency, shall undertake such measures as may be neces-
 24 sary and appropriate to update its criminal history records with respect
 25 to criminal cases and arrest incidents for which no final disposition
 26 has been reported.

27 SUBPART M

28 Section 1. The commissioner of the division of criminal justice
 29 services is authorized to direct that records of any action or proceed-
 30 ing terminated in favor of the accused, as defined by section 160.50 of
 31 the criminal procedure law, on or after September 1, 1976 and before
 32 November 1, 1991 maintained by the division of criminal justice services
 33 be sealed in the manner provided for by section 160.50 of the criminal
 34 procedure law. The commissioner of the division of criminal justice
 35 services is further authorized to direct that records of any action or
 36 proceeding terminated by a conviction for a traffic infraction or a
 37 violation, other than a violation of loitering as described in paragraph
 38 (d) or (e) of subdivision 1 of section 160.50 of the criminal procedure
 39 law or the violation of operating a motor vehicle while ability impaired
 40 as described in subdivision one of section 1192 of the vehicle and traf-
 41 fic law on or after September 1, 1980 and before November 1, 1991 main-
 42 tained by the division of criminal justice services be sealed in the
 43 manner provided for by section 160.55 of the criminal procedure law.

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

46 SUBPART N

47 Section 1. The executive law is amended by adding a new section 845-d
 48 to read as follows:

49 § 845-d. Criminal record searches; arrest charges without correspond-
 50 ing convictions or violations. 1. When, pursuant to statute or the regu-
 51 lations of the division, the division conducts a search of its criminal
 52 history records and returns a report thereon, in arrest cycles that

1 result in at least one conviction or violation, all arrest and arraign-
2 ment charges in that cycle that do not result in a corresponding
3 conviction shall be excluded from such report.

4 2. For purposes of this section, "corresponding conviction" shall mean
5 a conviction or violation charge that matches one or more of the arrest
6 or arraignment charges.

7 3. The provisions of subdivision one of this section shall not apply
8 to criminal history records: (a) provided by the division to qualified
9 agencies pursuant to subdivision six of section eight hundred thirty-
10 seven of this article, or to federal or state law enforcement agencies,
11 for criminal justice purposes; (b) prepared solely for a bona fide
12 research purpose; or (c) prepared for the internal record keeping or
13 case management purposes of the division.

14 § 2. Subdivision 2 of section 212 of the judiciary law is amended by
15 adding a new paragraph (y) to read as follows:

16 (y) Take such actions and adopt such measures as may be necessary to
17 ensure that no written or electronic report of a criminal history record
18 search conducted by the office of court administration that contains an
19 arrest cycle and a criminal conviction or violation resulting from that
20 arrest, other than a search conducted for the internal recordkeeping or
21 case management purposes of the judiciary, or produced to the court, the
22 people, and defense counsel in a criminal proceeding, or for a bona fide
23 research purpose, contains information relating to arrest and arraign-
24 ment charges that do not result in a corresponding conviction. For
25 purposes of this section, "corresponding conviction" shall mean a
26 conviction or violation charge that matches one or more of the arrest or
27 arraignment charges.

28 § 3. This act shall take effect immediately.

29 SUBPART O

30 Section 1. This Subpart amends the human rights law to specify that
31 considering arrests that are followed by an order adjourning the crimi-
32 nal action in contemplation of dismissal, which adjournments are not
33 convictions or admissions of guilt under section 170.55 of the criminal
34 procedure law, is an unlawful discriminatory practice for civil
35 purposes. This Subpart amends the human rights law to clarify as well
36 that adjourning the criminal action in contemplation of dismissal is not
37 a pending arrest for purposes of this Subpart, unless the case has been
38 restored to the calendar. This Subpart also amends the same section of
39 the law to add housing and volunteer positions to employment and licens-
40 ing to the civil purposes for which past arrest information that did not
41 result in a conviction or violation can be used.

42 § 2. Subdivision 16 of section 296 of the executive law, as amended by
43 section 48-a of part WWW of chapter 59 of the laws of 2017, is amended
44 to read as follows:

45 16. It shall be an unlawful discriminatory practice, unless specif-
46 ically required or permitted by statute, for any person, agency, bureau,
47 corporation or association, including the state and any political subdi-
48 vision thereof, to make any inquiry about, whether in any form of appli-
49 cation or otherwise, or to act upon adversely to the individual
50 involved, any arrest or criminal accusation of such individual not then
51 pending against that individual which was followed by a termination of
52 that criminal action or proceeding in favor of such individual, as
53 defined in subdivision two of section 160.50 of the criminal procedure
54 law, or by an order adjourning the criminal action in contemplation of

1 dismissal, pursuant to section 170.55, 170.56, 210.46, 210.47, or 215.10
2 of the criminal procedure law, or by a youthful offender adjudication,
3 as defined in subdivision one of section 720.35 of the criminal proce-
4 dure law, or by a conviction for a violation sealed pursuant to section
5 160.55 of the criminal procedure law or by a conviction which is sealed
6 pursuant to section 160.59 or 160.58 of the criminal procedure law, in
7 connection with the licensing, housing, employment, including volunteer
8 positions, or providing of credit or insurance to such individual;
9 provided, further, that no person shall be required to divulge informa-
10 tion pertaining to any arrest or criminal accusation of such individual
11 not then pending against that individual which was followed by a termi-
12 nation of that criminal action or proceeding in favor of such individ-
13 ual, as defined in subdivision two of section 160.50 of the criminal
14 procedure law, or by an order adjourning the criminal action in contem-
15 plation of dismissal, pursuant to section 170.55 or 170.56 of the crimi-
16 nal procedure law, or by a youthful offender adjudication, as defined in
17 subdivision one of section 720.35 of the criminal procedure law, or by a
18 conviction for a violation sealed pursuant to section 160.55 of the
19 criminal procedure law, or by a conviction which is sealed pursuant to
20 section 160.58 or 160.59 of the criminal procedure law. The provisions
21 of this subdivision shall not apply to the licensing activities of
22 governmental bodies in relation to the regulation of guns, firearms and
23 other deadly weapons or in relation to an application for employment as
24 a police officer or peace officer as those terms are defined in subdivi-
25 sions thirty-three and thirty-four of section 1.20 of the criminal
26 procedure law; provided further that the provisions of this subdivision
27 shall not apply to an application for employment or membership in any
28 law enforcement agency with respect to any arrest or criminal accusation
29 which was followed by a youthful offender adjudication, as defined in
30 subdivision one of section 720.35 of the criminal procedure law, or by a
31 conviction for a violation sealed pursuant to section 160.55 of the
32 criminal procedure law, or by a conviction which is sealed pursuant to
33 section 160.58 or 160.59 of the criminal procedure law. For purposes of
34 this subdivision, an action which has been adjourned in contemplation of
35 dismissal, pursuant to section 170.55 or 170.56 of the criminal proce-
36 dure law, shall not be considered a pending action, unless the case has
37 been restored to the calendar.

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

40 SUBPART P

41 Intentionally Omitted

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

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

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PART JJ

Intentionally Omitted

PART KK

Section 1. Section 60.05 of the penal law is amended by adding a new subdivision 8 to read as follows:

8. Shock incarceration participation. (a) When the court imposes a determinate sentence of imprisonment pursuant to subdivision three of section 70.02 of this chapter or subdivision six of section 70.06 of this chapter upon a person who stands convicted either of burglary in the second degree as defined in subdivision two of section 140.25 of this chapter or robbery in the second degree as defined in subdivision one of section 160.10 of this chapter, or an attempt thereof, upon motion of the defendant, the court may issue an order directing that the department of corrections and community supervision enroll the defendant in the shock incarceration program as defined in article twenty-six-A of the correction law, provided that the defendant is an eligible inmate, as described in subdivision one of section eight hundred sixty-five of the correction law. Notwithstanding the foregoing provisions of this subdivision, any defendant to be enrolled in such program pursuant to this subdivision shall be governed by the same rules and regulations promulgated by the department of corrections and community supervision, including without limitation those rules and regulations establishing requirements for completion and such rules and regulations governing discipline and removal from the program.

(b) Paragraph (b) of subdivision seven of section 60.04 of this article shall apply in the event an inmate designated by court order for enrollment in the shock incarceration program requires a degree of medical care or mental health care that cannot be provided at a shock incarceration facility.

§ 2. Subdivision 1 of section 865 of the correction law, as amended by chapter 377 of the laws of 2010, is amended to read as follows:

1. "Eligible inmate" means a person sentenced to an indeterminate term of imprisonment who will become eligible for release on parole within three years or sentenced to a determinate term of imprisonment who will become eligible for conditional release within three years, who has not reached the age of fifty years, who has not previously been convicted of a violent felony as defined in article seventy of the penal law, or a felony in any other jurisdiction which includes all of the essential elements of any such violent felony, upon which an indeterminate or determinate term of imprisonment was imposed and who was between the ages of sixteen and fifty years at the time of commission of the crime upon which his or her present sentence was based. Notwithstanding the foregoing, no person who is convicted of any of the following crimes shall be deemed eligible to participate in this program: (a) a violent felony offense as defined in article seventy of the penal law[7] ; provided, however, that a person who is convicted of burglary in the second degree as defined in subdivision two of section 140.25 of the penal law, or robbery in the second degree as defined in subdivision one of section 160.10 of the penal law, or an attempt thereof, and for whom the sentencing court has issued an order pursuant to subdivision eight of section 60.05 of the penal law enrolling such person in the shock incarceration program, is eligible to participate. (b) an A-I felony offense, (c) any homicide offense as defined in article one hundred

1 twenty-five of the penal law, (d) any felony sex offense as defined in
2 article one hundred thirty of the penal law and (e) any escape or
3 absconding offense as defined in article two hundred five of the penal
4 law.

5 § 3. This act shall take effect on September 1, 2019.

6 PART LL

7 Intentionally Omitted

8 PART MM

9 Intentionally Omitted

10 PART NN

11 Intentionally Omitted

12 PART OO

13 Intentionally Omitted

14 PART PP

15 Section 1. The opening paragraph and paragraph (a) of subdivision 1 of
16 section 1311 of the civil practice law and rules, the opening paragraph
17 as amended by chapter 655 of the laws of 1990 and paragraph (a) as added
18 by chapter 669 of the laws of 1984, are amended to read as follows:

19 A civil action may be commenced by the appropriate claiming authority
20 against a criminal defendant to recover the property which constitutes
21 the proceeds of a crime, the substituted proceeds of a crime, an instru-
22 mentality of a crime or the real property instrumentality of a crime [~~or~~
23 ~~to recover a money judgment in an amount equivalent in value to the~~
24 ~~property which constitutes the proceeds of a crime, the substituted~~
25 ~~proceeds of a crime, an instrumentality of a crime, or the real property~~
26 ~~instrumentality of a crime~~]. A civil action may be commenced against a
27 non-criminal defendant to recover the property which constitutes the
28 proceeds of a crime, the substituted proceeds of a crime, an instrumen-
29 tality of a crime, or the real property instrumentality of a crime
30 provided, however, that a judgment of forfeiture predicated upon clause
31 (A) of subparagraph (iv) of paragraph (b) of subdivision three [~~hereof~~
32 of this section] shall be limited to the amount of the proceeds of the
33 crime. Any action under this article must be commenced within five years
34 of the commission of the crime and shall be civil, remedial, and in
35 personam in nature and shall not be deemed to be a penalty or criminal
36 forfeiture for any purpose. Except as otherwise specially provided by
37 statute, the proceedings under this article shall be governed by this
38 chapter. An action under this article is not a criminal proceeding and
39 may not be deemed to be a previous prosecution under article forty of
40 the criminal procedure law.

41 (a) Actions relating to post-conviction forfeiture crimes. An action
42 relating to a post-conviction forfeiture crime must be grounded upon a
43 conviction of a felony defined in subdivision five of section one thou-
44 sand three hundred ten of this article [~~, or upon criminal activity aris-~~
45 ~~ing from a common scheme or plan of which such a conviction is a part,~~
46 or upon a count of an indictment or information alleging a felony which

1 was dismissed at the time of a plea of guilty to a felony in satisfac-
2 tion of such count. A court may not grant forfeiture until such
3 conviction has occurred. However, an action may be commenced, and a
4 court may grant a provisional remedy provided under this article, prior
5 to such conviction having occurred. An action under this paragraph must
6 be dismissed at any time after sixty days of the commencement of the
7 action unless the conviction upon which the action is grounded has
8 occurred, or an indictment or information upon which the asserted
9 conviction is to be based is pending in a superior court. An action
10 under this paragraph shall be stayed during the pendency of a criminal
11 action which is related to it; provided, however, that such stay shall
12 not prevent the granting or continuance of any provisional remedy
13 provided under this article or any other provisions of law.

14 § 2. The civil practice law and rules is amended by adding a new
15 section 1311-b to read as follows:

16 § 1311-b. Money judgment. If a claiming authority obtains a forfeiture
17 judgment against a defendant for the proceeds, substituted proceeds,
18 instrumentality of a crime or real property instrumentality of a crime,
19 but is unable to locate all or part of any such property, the claiming
20 authority may apply to the court for a money judgment against the
21 defendant in the amount of the value of the forfeited property that
22 cannot be located. The defendant shall have the right to challenge the
23 valuation of any property that is the basis for such an application. The
24 claiming authority shall have the burden of establishing the value of
25 the property under this section by a preponderance of the evidence.

26 § 3. Subdivisions 1, 3 and 4 of section 1312 of the civil practice law
27 and rules, subdivision 1 as added by chapter 669 of the laws of 1984,
28 subdivision 3 as amended and subdivision 4 as added by chapter 655 of
29 the laws of 1990, are amended to read as follows:

30 1. The provisional remedies of attachment, injunction, receivership
31 and notice of pendency provided for herein, shall be available in all
32 actions to recover property [~~or for a money judgment~~] under this arti-
33 cle.

34 3. A court may grant an application for a provisional remedy when it
35 determines that: (a) there is a substantial probability that the claim-
36 ing authority will be able to demonstrate at trial that the property is
37 the proceeds, substituted proceeds, instrumentality of the crime or real
38 property instrumentality of the crime, that the claiming authority will
39 prevail on the issue of forfeiture, and that failure to enter the order
40 may result in the property being destroyed, removed from the jurisdic-
41 tion of the court, or otherwise be unavailable for forfeiture; (b) the
42 need to preserve the availability of the property through the entry of
43 the requested order outweighs the hardship on any party against whom the
44 order may operate; and (c) in an action relating to real property, that
45 entry of the requested order will not substantially diminish, impair, or
46 terminate the lawful property interest in such real property of any
47 person or persons other than the defendant or defendants.

48 4. Upon motion of any party against whom a provisional remedy granted
49 pursuant to this article is in effect, the court may issue an order
50 modifying or vacating such provisional remedy if necessary to permit the
51 moving party to obtain funds for the payment of reasonable living
52 expenses, other costs or expenses related to the maintenance, operation,
53 or preservation of property which is the subject of any such provisional
54 remedy or reasonable and bona fide attorneys' fees and expenses for the
55 representation of the defendant in the forfeiture proceeding or in a
56 related criminal matter relating thereto, payment for which is not

1 otherwise available from assets of the defendant which are not subject
2 to such provisional remedy. Any such motion shall be supported by an
3 affidavit establishing the unavailability of other assets of the moving
4 party which are not the subject of such provisional remedy for payment
5 of such expenses or fees. That funds sought to be released under this
6 subdivision are alleged to be the proceeds, substituted proceeds,
7 instrumentality of a crime or real property instrumentality of a crime
8 shall not be a factor for the court in considering and determining a
9 motion made pursuant to this subdivision.

10 § 4. The opening paragraph of subdivision 2 of section 1349 of the
11 civil practice law and rules, as added by chapter 655 of the laws of
12 1990, is amended to read as follows:

13 If any other provision of law expressly governs the manner of disposi-
14 tion of property subject to the judgment or order of forfeiture, that
15 provision of law shall be controlling, with the exception that, notwith-
16 standing the provisions of any other law, all forfeited monies and
17 proceeds from forfeited property shall be deposited into and disbursed
18 from an asset forfeiture escrow fund established pursuant to section
19 six-v of the general municipal law, which shall govern the maintenance
20 of such monies and proceeds from forfeited property. Upon application
21 by a claiming agent for reimbursement of moneys directly expended by a
22 claiming agent in the underlying criminal investigation for the purchase
23 of contraband which were converted into a non-monetary form or which
24 have not been otherwise recovered, the court shall direct such
25 reimbursement from money forfeited pursuant to this article. Upon appli-
26 cation of the claiming agent, the court may direct that any vehicles,
27 vessels or aircraft forfeited pursuant to this article be retained by
28 the claiming agent for law enforcement purposes, unless the court deter-
29 mines that such property is subject to a perfected lien, in which case
30 the court may not direct that the property be retained unless all such
31 liens on the property to be retained have been satisfied or pursuant to
32 the court's order will be satisfied. In the absence of an application by
33 the claiming agent, the claiming authority may apply to the court to
34 retain such property for law enforcement purposes. Upon such applica-
35 tion, the court may direct that such property be retained by the claim-
36 ing authority for law enforcement purposes, unless the court determines
37 that such property is subject to a perfected lien. If not so retained,
38 the judgment or order shall direct the claiming authority to sell the
39 property in accordance with article fifty-one of this chapter, and that
40 the proceeds of such sale and any other moneys realized as a consequence
41 of any forfeiture pursuant to this article shall be deposited to an
42 asset forfeiture escrow fund established pursuant to section six-v of
43 the general municipal law and shall be apportioned and paid in the
44 following descending order of priority:

45 § 5. Section 1349 of the civil practice law and rules is amended by
46 adding a new subdivision 5 to read as follows:

47 5. Monies and proceeds from the sale of property realized as a conse-
48 quence of any forfeiture distributed to the claiming agent or claiming
49 authority of any county, town, city, or village of which the claiming
50 agent or claiming authority is a part, shall be deposited to an asset
51 forfeiture escrow fund established pursuant to section six-v of the
52 general municipal law.

53 § 6. Subdivision 2 of section 700 of the county law is amended to read
54 as follows:

55 2. Within thirty days after the receipt of any fine, penalty, recovery
56 upon any recognizance, monies and proceeds from the sale of property

1 realized as a consequence of any forfeiture, or other money belonging to
2 the county, the district attorney or the claiming authority shall pay
3 the same to the county treasurer. Not later than the first day of Febru-
4 ary in each year, the district attorney shall make in duplicate a veri-
5 fied true statement of all such moneys received and paid to the county
6 treasurer during the preceding calendar year and at that time shall pay
7 to the county treasurer any balance due. One statement shall be
8 furnished to the county treasurer [~~and the other~~], one to the clerk of
9 the board of supervisors and one to the state comptroller. A district
10 attorney who is not re-elected shall make and file the verified state-
11 ment and pay any balance of such moneys to the county treasurer within
12 thirty days after the expiration of his term.

13 § 7. The general municipal law is amended by adding a new section 6-v
14 to read as follows:

15 § 6-v. Asset forfeiture escrow fund. 1. As used in this section:

16 a. The term "governing board", insofar as it is used in reference to a
17 village, shall mean the board of trustees thereof; insofar as it is used
18 in reference to a town, shall mean the town board thereof; insofar as it
19 is used in reference to a county, shall mean the board of supervisors or
20 the county legislature thereof, as applicable; insofar as it is used in
21 reference to a city, shall mean the "legislative body" thereof, as that
22 term is defined in subdivision seven of section two of the municipal
23 home rule law.

24 b. The term "chief fiscal officer" shall mean:

25 (i) In the case of counties operating under (1) an alternative form of
26 county government or charter enacted as a state statute or adopted under
27 the alternative county government law or by local law, the official
28 designated in such statute, consolidated law or local law as the chief
29 fiscal officer, or, if no such designation is made therein, the official
30 possessing powers and duties similar to those of a county treasurer
31 under the county law as shall be designated by local law.

32 (2) In the case of counties not operating under an alternative form of
33 county government or charter enacted as a state statute or adopted under
34 the alternative county government law or by local law, the treasurer,
35 except that, in the case of counties having a comptroller, it shall mean
36 the comptroller.

37 (ii) In the case of cities, the comptroller; if a city does not have a
38 comptroller, the treasurer; if a city has neither a comptroller nor a
39 treasurer, such official possessing powers and duties similar to those
40 of a city treasurer as the finance board shall, by resolution, desig-
41 nate. A certified copy of such designation shall be filed with the state
42 comptroller and shall be a public record.

43 (iii) In the case of towns, the town supervisor; if a town has more
44 than one supervisor, the presiding supervisor.

45 (iv) In the case of villages, the village treasurer.

46 c. The term "claiming authority" shall mean the district attorney
47 having jurisdiction over the offense or the attorney general for purpose
48 of those crimes for which the attorney general has criminal jurisdiction
49 in a case where the underlying criminal charge has been, is being or
50 could have been brought by the attorney general, or the appropriate
51 corporation counsel or county attorney, where such corporation counsel
52 or county attorney may act as a claiming authority only with the consent
53 of the district attorney or the attorney general, as appropriate.

54 d. The term "claiming agent" shall mean and shall include all persons
55 described in subdivision thirty-four of section 1.20 of the criminal

1 procedure law, and sheriffs, undersheriffs and deputy sheriffs of coun-
2 ties within the city of New York.

3 2. The governing board shall authorize the establishment of an asset
4 forfeiture escrow fund for any claiming agent or claiming authority as
5 is deemed necessary for the monies and proceeds of sale of property
6 realized as a consequence of any forfeiture. The separate identity of
7 such fund shall be maintained.

8 3. There shall be paid into the asset forfeiture escrow fund all
9 proceeds realized as a consequence of any forfeiture action. Such funds
10 shall include, but are not limited to, all funds and any property (real,
11 personal, tangible and/or intangible) that are forfeited pursuant to
12 agreement or otherwise prior to, in lieu of or after the lodging of
13 criminal charges, pre-indictment, post-indictment, or after conviction
14 by plea or trial. Such funds shall also include funds that are forfeited
15 in compromise of charges that are never brought.

16 4. The monies and proceeds in the asset forfeiture escrow fund shall
17 be deposited and secured in the manner provided by section ten of this
18 article. All monies and proceeds so deposited in such fund shall be
19 kept in a separate bank account. The chief fiscal officer may invest the
20 moneys in such fund in the manner provided in section eleven of this
21 article. Any interest earned or capital gains realized on the moneys so
22 deposited or invested shall accrue to and become part of such fund. The
23 separate identity of such fund shall be maintained, whether its assets
24 consist of cash, investments, or both.

25 5. Every claim for the payment of money from the asset forfeiture
26 escrow fund shall specify the purpose of the requested payment and must
27 be accompanied by a written certification that the expenditure is in
28 compliance with all applicable laws. Payments from such fund shall be
29 made by the chief fiscal officer subject to the required certification
30 and the determination of fund sufficiency.

31 6. The chief fiscal officer, at the termination of each fiscal year,
32 shall render a detailed report of the operation and condition of the
33 asset forfeiture escrow fund to the governing board and the state comp-
34 troller. Such report shall be subject to examination and audit. The
35 chief fiscal officer may account for such fund separate and apart from
36 all other funds of the village, town, county, and city.

37 § 8. Section 1352 of the civil practice law and rules, as added by
38 chapter 669 of the laws of 1984, is amended to read as follows:

39 § 1352. Preservation of other rights and remedies. The remedies
40 provided for in this article are not intended to substitute for or limit
41 or [~~supercede~~] supersede the lawful authority of any public officer or
42 agency or other person to enforce any other right or remedy provided for
43 by law. The exercise of such lawful authority in the forfeiture of prop-
44 erty alleged to be the proceeds, substitute proceeds, instrumentality of
45 a crime or real property instrumentality of crime must include the
46 provision of a prompt opportunity to be heard for the owner of seized
47 property in order to ensure the legitimacy and the necessity of its
48 continued retention by law enforcement, as well as clear notice of dead-
49 lines for accomplishing the return of such property.

50 § 9. Subdivision 11 of section 1311 of the civil practice law and
51 rules is amended by adding a new paragraph (d) to read as follows:

52 (d) Any stipulation, settlement agreement, judgement, order or affida-
53 vit required to be given to the state division of criminal justice
54 services pursuant to this subdivision shall include the defendant's name
55 and such other demographic data as required by the state division of
56 criminal justice services.

1 § 10. Subdivision 6 of section 220.50 of the criminal procedure law,
2 as added by chapter 655 of the laws of 1990, is amended to read as
3 follows:

4 6. Where the defendant consents to a plea of guilty to the indictment,
5 or part of the indictment, or consents to be prosecuted by superior
6 court information as set forth in section 195.20 of this chapter, and if
7 the defendant and prosecutor agree that as a condition of the plea or
8 the superior court information certain property shall be forfeited by
9 the defendant, the description and present estimated monetary value of
10 the property shall be stated in court by the prosecutor at the time of
11 plea. Within thirty days of the acceptance of the plea or superior court
12 information by the court, the prosecutor shall send to the commissioner
13 of the division of criminal justice services a document containing the
14 name of the defendant, the description and present estimated monetary
15 value of the property, any other demographic data as required by the
16 division of criminal justice services and the date the plea or superior
17 court information was accepted. Any property forfeited by the defendant
18 as a condition to a plea of guilty to an indictment, or a part thereof,
19 or to a superior court information, shall be disposed of in accordance
20 with the provisions of section thirteen hundred forty-nine of the civil
21 practice law and rules.

22 § 11. Subdivision 4 of section 480.10 of the penal law, as added by
23 chapter 655 of the laws of 1990, is amended to read as follows:

24 4. The prosecutor shall promptly file a copy of the special forfeiture
25 information, including the terms thereof, with the state division of
26 criminal justice services and with the local agency responsible for
27 criminal justice planning. Failure to file such information shall not be
28 grounds for any relief under this chapter. The prosecutor shall also
29 report such demographic data as required by the state division of crimi-
30 nal justice services when filing a copy of the special forfeiture infor-
31 mation with the state division of criminal justice services.

32 § 12. This act shall take effect on the one hundred eightieth day
33 after it shall have become a law and shall apply to crimes which were
34 committed on or after such date.

35 PART QQ

36 Intentionally Omitted

37 PART RR

38 Section 1. The executive law is amended by adding a new section 63-e
39 to read as follows:

40 § 63-e. Office of special investigation. 1. There is established with-
41 in the office of the attorney general an office of special investi-
42 gation. Notwithstanding any other provision of this article, the office
43 of special investigation shall investigate any incident in which the
44 death of a civilian is caused by a police officer, as defined in subdi-
45 vision thirty-four of section 1.20 of the criminal procedure law, while
46 engaged in law enforcement activity, whether or not formally on duty, or
47 in which the attorney general determines there is a significant question
48 as to whether the death was in fact caused by the police officer or
49 whether the police officer was in fact engaged in law enforcement activ-
50 ity. Where an investigation required under this section involves the
51 state police, the attorney general shall appoint an independent special
52 prosecutor, who shall not be a state employee.

1 2. Unless the attorney general determines that there is a significant
2 question as to whether the following circumstances are present, the
3 office of special investigation shall not have investigative authority
4 or criminal jurisdiction if at the time of his or her death, the civil-
5 ian (i) was using, attempting to use, brandishing, or openly carrying a
6 firearm, rifle, shotgun, or machine gun, loaded or unloaded, operable or
7 inoperable, or (ii) was using or attempting to use or reasonably threat-
8 ening to use an instrumentality readily capable of causing serious phys-
9 ical injury in a manner likely to cause imminent physical injury to
10 another person.

11 3. The attorney general has investigative authority and criminal
12 jurisdiction under this section at the time of the death of the civil-
13 ian and he or she retains investigative authority and criminal jurisdic-
14 tion over the incident unless he or she determines that such incident
15 does not meet the requirements of this section. If the attorney general
16 determines the incident does not meet the requirements for the attorney
17 general to have investigative authority and criminal jurisdiction pursu-
18 ant to this section, the attorney general shall, as soon as practicable,
19 provide written notice of his or her determination to the district
20 attorney for the county in which the incident occurred.

21 4. In connection with any particular incident encompassed by this
22 section, the attorney general shall be empowered to subpoena witnesses,
23 compel their attendance, examine them under oath before himself or
24 herself or a magistrate and require that any books, records, documents
25 or papers relevant or material to the inquiry be turned over to him or
26 her for inspection, examination or audit, pursuant to the civil practice
27 law and rules, in connection with such incident. If a person subpoenaed
28 to attend upon such inquiry fails to obey the command of a subpoena
29 without reasonable cause, or if a person in attendance upon such
30 inquiry, without reasonable cause, refuses to be sworn or to be examined
31 or to answer a question or to produce a book or paper, when ordered to
32 do so by the office of special investigation conducting such inquiry, he
33 or she shall be guilty of a misdemeanor.

34 5. The attorney general shall have criminal jurisdiction over any
35 criminal conduct arising from any incident herein, and shall exercise
36 all of the powers and perform all of the duties with respect to such
37 actions or proceedings that a district attorney would otherwise be
38 authorized or required to exercise or perform, including all the powers
39 necessary to prosecute acts and omissions and alleged acts and omissions
40 to obstruct, hinder or interfere with any inquiry, prosecution, trial or
41 judgement arising from the incident. The criminal jurisdiction of the
42 office of special investigation shall displace and supersede the jurisdic-
43 tion of the district attorney where the incident occurred; and such
44 district attorney shall only have the powers and duties reserved to him
45 or her in writing by the attorney general.

46 6. The attorney general shall designate a deputy attorney general for
47 special investigation to exercise the powers and duties of the office of
48 special investigation. The deputy attorney general may designate depu-
49 ties or assistants as necessary and appropriate. The deputy attorney
50 general for special investigation may appear in person or by his or her
51 deputy or assistant before any court or grand jury in connection with
52 proceedings under this section.

53 7. For any incident under this section, the office of special investi-
54 gation shall issue a public report and post the report on its website
55 whenever (i) the office of special investigation declines to present
56 evidence to a grand jury or (ii) the office of special investigation

1 does present evidence to a grand jury but the grand jury declines to
2 return indictment on any charges. The report will include, to the extent
3 possible and lawful, the results of the investigation of the incident.

4 8. In all proceedings conducted by the office of special investigation
5 pursuant to this section, all expenses incurred by the attorney general,
6 including the salary or other compensation of all deputies or assistants
7 employed, shall be charged as provided for under subdivision two of
8 section sixty-three of this article.

9 § 2. The executive law is amended by adding a new section 837-t to
10 read as follows:

11 § 837-t. Use of force reporting. The chief of every police department,
12 each county sheriff, and the superintendent of state police shall
13 report, to the division in a form and manner as defined by the division,
14 any incident where a police officer, as defined in subdivision thirty-
15 four of section 1.20 of the criminal procedure law or a peace officer as
16 defined in section 2.10 of the criminal procedure law, discharges a
17 firearm in the direction of another person, or where his or her action
18 results in the death or serious bodily injury of another person. Serious
19 bodily injury is defined as bodily injury that involves a substantial
20 risk of death, unconsciousness, protracted and obvious disfigurement, or
21 protracted loss of impairment of the function of a bodily member, organ
22 or mental faculty.

23 § 3. Subdivision 4 of section 840 of the executive law is amended by
24 adding a new paragraph (d) to read as follows:

25 (d) Establish a model law enforcement use of force policy suitable for
26 adoption by any law enforcement agency throughout the state. The use of
27 force policy shall include, but not be limited to, information on
28 current law as it relates to use of force and acts or techniques a
29 police officer or peace officer may not use in the course of acting in
30 his or her official capacity. The chief of every local police depart-
31 ment, each county sheriff, and the superintendent of state police shall
32 implement a use of force policy. The use of force policy should be
33 consistent with the model law enforcement policy as required by this
34 section except that a department shall not be limited from imposing
35 further restrictions on the use of force.

36 § 4. This act shall take effect immediately.

37 PART SS

38 Section 1. Subdivision (a) of section 8019 of the civil practice law
39 and rules, as amended by chapter 773 of the laws of 1965, is amended to
40 read as follows:

41 (a) Application. The fees of a county clerk specified in this article
42 shall supersede the fees allowed by any other statute for the same
43 services, except in so far as the administrative code of the city of New
44 York sets forth different fees for the city register of the city of New
45 York and the county clerk of Richmond, and except that such fees do not
46 include the block fees as set out in the Nassau county administrative
47 code or the tax map number verification fees on instruments presented
48 for recording or filing as set out in the Suffolk county administrative
49 code, which are to be charged in addition to the fees specified in this
50 article. This subdivision does not apply to the fees specified in subdivi-
51 sion (f) of section 8021.

52 § 2. Subparagraph (b) of paragraph 1 of subdivision (f) of section
53 8021 of the civil practice law and rules, as amended by chapter 784 of
54 the laws of 1983, is amended to read as follows:

1 (b) if the real estate is in the city of New York or the [~~county~~
 2 counties of Suffolk or Nassau, any block fees allowed by the administra-
 3 tive code of the city of New York or the Nassau county administrative
 4 code or any tax map number verification fees on instruments presented
 5 for recording or filing allowed by the Suffolk county administrative
 6 code;

7 § 3. This act shall take effect immediately.

8 PART TT

9 Intentionally Omitted

10 PART UU

11 Intentionally Omitted

12 PART VV

13 Section 1. Subdivision a of section 13-123 of the administrative code
 14 of the city of New York, as amended by local law number 59 of the city
 15 of New York for the year 1996, is amended to read as follows:

16 a. (1) There shall be a medical board of three physicians. One of such
 17 physicians shall be appointed by the board and shall hold office at the
 18 pleasure of such board, one shall be appointed by the commissioner of
 19 health and shall hold office at the pleasure of such commissioner, and
 20 the third shall be appointed by the commissioner of citywide administra-
 21 tive services and shall hold office at the pleasure of such commission-
 22 er.

23 (2) The board, the commissioner of health and the commissioner of
 24 citywide administrative services shall each have power to appoint one or
 25 more but not exceeding [~~four~~ seven alternate physicians, who shall hold
 26 office at the pleasure of such appointing board or official. Whenever
 27 the board of trustees of the retirement system shall so direct, the
 28 functions, powers and duties of the medical board, in addition to being
 29 performed and exercised by the three physicians appointed pursuant to
 30 paragraph one of this subdivision, shall be performed and exercised by
 31 one or more groups of three physicians as hereinafter prescribed. Each
 32 such group of three physicians shall function separately as the medical
 33 board and each such group may consist partly of a physician or physi-
 34 cians appointed pursuant to paragraph one of this subdivision and partly
 35 of one or more alternate physicians or may consist entirely of alternate
 36 physicians; provided, however, that one of the physicians or alternate
 37 physicians in each such group shall be appointed by the board, one by
 38 the commissioner of health and one by the commissioner of citywide
 39 administrative services.

40 § 2. This act shall take effect immediately.

41 PART WW

42 Section 1. Section 92-d of the general municipal law, as added by
 43 chapter 273 of the laws of 2017, is amended to read as follows:

44 § 92-d. Sick leave for officers and employees with a qualifying World
 45 Trade Center condition. (a) Notwithstanding any other law, rule or regu-
 46 lation to the contrary, officers and employees of the state, a public
 47 authority or any municipal corporation outside of a city with a popu-
 48 lation of one million or more who filed a notice of participation in

1 World Trade Center rescue, recovery or cleanup operations and subse-
2 quently develop a qualifying World Trade Center condition, as defined in
3 section two of the retirement and social security law, [~~while employed~~
4 ~~by the state, a public authority or such municipal corporation or public~~
5 ~~authority~~] shall be granted line of duty sick leave commencing on the
6 date that such employee was diagnosed with a qualifying World Trade
7 Center condition regardless of whether such officer or employee was
8 employed by his or her current employer at the time that such officer or
9 employee participated in World Trade Center rescue, recovery or cleanup
10 operations. The officer or employee shall be compensated at his or her
11 regular rate of pay for those regular work hours during which the offi-
12 cer or employee is absent from work due to his or her qualifying World
13 Trade Center condition. Such leave shall be provided without loss of an
14 officer or employee's accrued sick leave.

15 (b) A public employer shall not take any adverse personnel action
16 against a public employee regarding the employee's employment because
17 either (1) the employee utilizes, or requests to utilize, sick leave or
18 any other available leave due to a qualifying World Trade Center condi-
19 tion, as such term is defined in section two of the retirement and
20 social security law, or (2) the employee utilizes or requests to utilize
21 line of duty sick leave provided by this section.

22 (c) For purposes of this section, an "adverse personnel action" means
23 any discipline, including issuing a notice of discipline, discharge,
24 suspension, demotion, penalization, or discrimination against an employ-
25 ee utilizing line of duty sick leave pursuant to subdivision (a) of this
26 section.

27 § 2. Section 2 of chapter 273 of the laws of 2017, amending the gener-
28 al municipal law relating to granting sick leave for officers and
29 employees with a qualifying World Trade Center condition, is amended to
30 read as follows:

31 § 2. The state shall reimburse any public authority or municipal
32 corporation [~~of less than~~] other than a city with a population of one
33 million people for the cost of any line duty sick leave granted pursuant
34 to this act.

35 § 3. This act shall take effect immediately and shall be deemed to
36 have been in full force and effect on the same date as chapter 273 of
37 the laws of 2017, took effect; and provided that this act shall apply to
38 all claims for reimbursement filed pursuant to section 92-d of the
39 general municipal law, as amended by this act.

40

PART XX

41 Section 1. Legislative intent. The legislature hereby finds and
42 declares that it is in the public interest to enact a cost benefit
43 review process when a state agency enters into contracts for personal
44 services. New York State spends over \$3.5 billion annually on personal
45 service contracts, over \$840 million more than the State spent on these
46 contracts in SFY 2003-04, a 32% increase. Despite an Executive Order
47 that has implemented a post contract review process for some personal
48 service contracts the cost of those contracts continues to escalate
49 every year well above the inflation rate. In addition the State Finance
50 Law does not require state agencies to compare the cost or quality of
51 personal services to be provided by consultants with the cost or quality
52 of providing the same services by the state employees. Numerous audits
53 by the Office of State Comptroller as well as a KPMG study commissioned
54 by the department of transportation have found that consultants hired

1 under personal service contracts can cost between fifty percent and
2 seventy-five percent more than state employees that do the exact same
3 work including the cost of state employee benefits. The Contract Disclo-
4 sure Law (Chapter 10 of the laws of 2006) required consultants who
5 provide personal services to file forms for each contract that outline
6 how many consultants they hired, what titles they employed them in and
7 how much they paid them. A review of these forms show that the average
8 consultant makes about fifty percent more than state employees doing
9 comparable work. It is in the public interest for state agencies to
10 compare the cost of doing work by consultants with the cost of doing the
11 same work with state employees as well as document whether or not that
12 such work can be done by state employees. If state government is to be
13 smarter, more efficient, and transparent then a cost benefit analysis
14 process that makes its findings public should be required by law.

15 § 2. Section 163 of the state finance law is amended by adding a new
16 subdivision 16 to read as follows:

17 16. Consultant services. a. Before a state agency enters into a
18 contract for consultant services which is anticipated to cost more than
19 seven hundred fifty thousand dollars in a twelve month period the state
20 agency shall conduct a cost comparison review to determine whether the
21 services to be provided by the consultant can be performed at equal or
22 lower cost by utilizing state employees, unless the contract meets one
23 of the exceptions set forth in paragraph g of this subdivision. As used
24 in this section, the term "consultant services" shall mean any contract
25 entered into by a state agency for analysis, evaluation, research,
26 training, data processing, computer programming, the design, development
27 and implementation of technology, communications or telecommunications
28 systems or the infrastructure pertaining thereto, including hardware and
29 software, engineering including inspection and professional design
30 services, health services, mental health services, accounting, auditing,
31 or similar services and such services that are substantially similar to
32 and in lieu of services provided, in whole or in part, by state employ-
33 ees, but shall not include legal services or services in connection with
34 litigation including expert witnesses and shall not include contracts
35 for construction of public works. For purposes of this subdivision, the
36 costs of performing the services by state employees shall include any
37 salary, pension costs, all other benefit costs, costs that are required
38 for equipment, facilities and all other overhead. The costs of consult-
39 ant services shall include the total cost of the contract including
40 costs that are required for equipment, facilities and all other overhead
41 and any continuing state costs directly associated with a contractor
42 providing a contracted function including, but not limited to, those
43 costs for inspection, supervision, monitoring of the contractor's work
44 and any pro rata share of existing costs or expenses, including adminis-
45 trative salaries and benefits, rent, equipment costs, utilities and
46 materials. The cost comparison shall be expressed where feasible as an
47 hourly rate, or where such a calculation is not feasible, as a total
48 estimated cost for the anticipated term of the contract.

49 b. Prior to entering any consultation services contract for the priva-
50 tization of a state service that is not currently privatized, the state
51 agency shall develop a cost comparison review in accordance with the
52 provisions of paragraph a of this subdivision.

53 c. (i) If such cost comparison review identifies a cost savings to the
54 state of ten percent or more, and such consultant services contract will
55 not diminish the quality of such service, the state agency shall develop
56 a business plan, in accordance with the provisions of paragraph d of

1 this subdivision, in order to evaluate the feasibility of entering any
2 such contract and to identify the potential results, effectiveness and
3 efficiency of such contract.

4 (ii) If such cost comparison review identifies a cost savings of less
5 than ten percent to the state and such consultant services contract will
6 not diminish the quality of such service, the state agency may develop a
7 business plan, in order to evaluate the feasibility of entering any such
8 contract and to identify the potential results, effectiveness and effi-
9 ciency of such contract, provided there is a significant public policy
10 reason to enter into such consultant services contract.

11 (iii) If any such proposed consultant services contract would result
12 in the layoff, transfer or reassignment of fifty or more state agency
13 employees, after consulting with the potentially affected bargaining
14 units, if any, the state agency shall notify the state employees of such
15 bargaining unit, after such cost comparison review is completed. Such
16 state agency shall provide an opportunity for said employees to reduce
17 the costs of conducting the operations to be privatized and provide
18 reasonable resources for the purpose of encouraging and assisting such
19 state employees to organize and submit a bid to provide the services
20 that are the subject of the potential consultant services contact.

21 d. Any business plan developed by a state agency for the purpose of
22 complying with paragraph c of this subdivision shall include: (i) the
23 cost comparison review as described in paragraph b of this subdivision,
24 (ii) a detailed description of the service or activity that is the
25 subject of such business plan, (iii) a description and analysis of the
26 state agency's current performance of such service or activity, (iv) the
27 goals to be achieved through the proposed consultant services contract
28 and the rationale for such goals, (v) a description of available options
29 for achieving such goals, (vi) an analysis of the advantages and disad-
30 vantages of each option, including, at a minimum, potential performance
31 improvements and risks attendant to termination of the contract or
32 rescission of such contract, (vii) a description of the current market
33 for the services or activities that are the subject of such business
34 plan, (viii) an analysis of the quality of services as gauged by stand-
35 ardized measures and key performance requirements including compen-
36 sation, turnover, and staffing ratios, (ix) a description of the specif-
37 ic results based performance standards that shall, at a minimum be met,
38 to ensure adequate performance by any party performing such service or
39 activity, (x) the projected time frame for key events from the beginning
40 of the procurement process through the expiration of a contract, if
41 applicable, (xi) a specific and feasible contingency plan that addresses
42 contractor nonperformance and a description of the tasks involved in and
43 costs required for implementation of such plan, and (xii) a transition
44 plan, if appropriate, for addressing changes in the number of agency
45 personnel, affected business processes, employee transition issues, and
46 communications with affected stakeholders, such as agency clients and
47 members of the public, if applicable. Such transition plan shall contain
48 a reemployment and retraining assistance plan for employees who are not
49 retained by the state or employed by the contractor. If any part of such
50 business plan is based upon evidence that the state agency is not suffi-
51 ciently staffed to provide the services required by the consultant
52 services contract, the state agency shall also include within such busi-
53 ness plan a recommendation for remediation of the understaffing to allow
54 such services to be provided directly by the state agency in the future.

55 e. Upon the completion of such business plan, the state agency shall
56 submit the business plan to the state comptroller.

1 f. (i) Not later than sixty days after receipt of any business plan,
2 the state comptroller shall transmit a report detailing its review,
3 evaluation and disposition regarding such business plan to the state
4 agency that submitted such cost comparison review. Such sixty-day period
5 may be extended for an additional thirty days upon a showing of good
6 cause.

7 (ii) The state comptroller's report shall include the business plan
8 prepared by the state agency, the reasons for approval or disapproval,
9 any recommendations or other information to assist the state agency in
10 determining if additional steps are necessary to move forward with a
11 consultant services contract.

12 (iii) If the state comptroller does not act on a business plan submit-
13 ted by a state agency within ninety days of receipt of such business
14 plan, such business plan shall be deemed approved.

15 g. A cost comparison shall not be required if the contracting agency
16 demonstrates:

17 (i) the services are incidental to the purchase of real or personal
18 property; or

19 (ii) the contract is necessary in order to avoid a conflict of inter-
20 est on the part of the agency or its employees; or

21 (iii) the services are of such a highly specialized nature that it is
22 not feasible to utilize state employees to perform them or require
23 special equipment that is not feasible for the state to purchase or
24 lease; or

25 (iv) the services are of such an urgent nature that it is not feasible
26 to utilize state employees; or

27 (v) the services are anticipated to be short term and are not likely
28 to be extended or repeated after the contract is completed; or

29 (vi) a quantifiable improvement in services that cannot be reasonably
30 duplicated.

31 h. Nothing in this section shall be deemed to authorize a state agency
32 to enter into a contract which is otherwise prohibited by law.

33 i. All documents related to the cost comparison and business plan
34 required by this subdivision and the determinations made pursuant to
35 paragraph g of this subdivision shall be public records subject to
36 disclosure pursuant to article six of the public officers law.

37 § 3. On or before December 31, 2022 the state comptroller shall
38 prepare a report, to be delivered to the governor, the temporary presi-
39 dent of the senate and the speaker of the assembly. Such report shall
40 include, but need not be limited to, an analysis of the effectiveness of
41 the cost comparison review program and an analysis of the cost savings
42 associated with performing such cost comparison.

43 § 4. This act shall take effect on the ninetieth day after it shall
44 have become a law and shall apply to all contracts solicited or entered
45 into by state agencies after the effective date of this act; provided,
46 however, the amendments to section 163 of the state finance law made by
47 section two of this act shall not affect the repeal of such section and
48 shall be deemed repealed therewith.

49 PART YY

50 Section 1. Subparagraph (viii) of paragraph a of subdivision 10 of
51 section 54 of the state finance law is amended by adding a new clause 3
52 to read as follows:

53 (3) for the state fiscal year commencing April first, two thousand
54 nineteen and in each state fiscal year thereafter, the amount of miscel-

1 laneous financial assistance from the local assistance account received
2 by a village in the fiscal year beginning April first, two thousand
3 seventeen.

4 § 2. This act shall take effect immediately.

5 PART ZZ

6 Section 1. Subdivisions a and e of section 25 of chapter 507 of the
7 laws of 2009, amending the real property actions and proceedings law and
8 other laws relating to home mortgage loans, as amended by chapter 29 of
9 the laws of 2014, are amended to read as follows:

10 a. Sections one, one-a, two and three of this act shall take effect on
11 the thirtieth day after this act shall have become a law and shall apply
12 to notices required on or after such date; [~~provided, however, that~~
13 ~~section one-a of this act shall expire and be deemed repealed 10 years~~
14 ~~after such effective date;~~]

15 e. Section nine of this act shall take effect on the sixtieth day
16 after this act shall have become a law and shall apply to legal actions
17 filed on or after such date; [~~provided, however that the amendments to~~
18 ~~subdivision (a) of rule 3408 of the civil practice law and rules made by~~
19 ~~such section shall expire and be deemed repealed 10 years after such~~
20 ~~effective date;~~]

21 § 2. This act shall take effect immediately.

22 PART AAA

23 Section 1. The education law is amended by adding a new section 239-c
24 to read as follows:

25 § 239-c. New York state gun violence research institute. 1. Institute
26 formation and goals. Subject to amounts available by appropriation, the
27 New York state gun violence research institute, hereinafter the "insti-
28 tute", is hereby created within the university. The purposes of the
29 institute shall include:

30 (a) advising the governor, governmental agencies, the regents, and the
31 legislature on matters relating to gun violence in New York state;

32 (b) fostering, pursuing and sponsoring collaborative gun violence
33 research;

34 (c) increasing understanding by establishing and reporting on what is
35 known and what is not known about gun violence of the state;

36 (d) identifying priority needs for gun violence research and inventory
37 work within New York that currently are not receiving adequate atten-
38 tion, and identifying public or private entities that are best situated
39 to address such needs, thereby leading to better coordination of gun
40 violence research efforts in the state;

41 (e) promoting awareness of existing and new sources of gun violence
42 information and gun violence while educating elected officials, govern-
43 mental agencies, and the general public on gun violence issues through
44 such means as it may determine;

45 (f) organizing and sponsoring meetings on gun violence topics;

46 (g) encouraging the establishment of networks of collaborating experts
47 engaged in related aspects of gun violence research;

48 (h) raising sensitivity to gun violence concerns among state and local
49 government agencies, and serving as a forum for enhanced interagency
50 information sharing and cooperation;

1 (i) recommending priority activities for funding through the gun
2 violence research fund, created pursuant to section ninety-seven-j of
3 the state finance law;

4 (j) working on a continuing basis with policymakers in the legislature
5 and state agencies to identify, implement, and evaluate innovative gun
6 violence prevention policies and programs;

7 (k) recruiting and providing specialized training opportunities for
8 new researchers, including experienced investigators in related fields
9 who are beginning work on gun violence, young investigators who have
10 completed their education, postdoctoral scholars, doctoral students, and
11 undergraduates; and

12 (l) providing copies of their research publications to the legislature
13 and to agencies supplying data used in the conduct of such research as
14 soon as is practicable following publication.

15 2. Research. The institute shall foster, pursue, and sponsor basic,
16 translational, and transformative research, field studies, and all other
17 such activities to research:

18 (a) the nature of gun violence, including individual and societal
19 determinants of risk for involvement in gun violence, whether as a
20 victim or a perpetrator;

21 (b) the individual, community, and societal consequences of gun
22 violence;

23 (c) the prevention and treatment of gun violence at the individual,
24 community, and societal levels; and

25 (d) the effectiveness of existing laws and policies intended to reduce
26 gun violence, and efforts to promote the responsible ownership and use
27 of firearms, rifles, and shotguns.

28 3. Education and information transfer programs. The institute shall
29 foster the collection, transfer, and application of gun violence infor-
30 mation in the state by:

31 (a) fostering access, compatibility, interchange, and synthesis of
32 data about gun violence maintained by public entities, academic and
33 research institutions, and private organizations;

34 (b) employing advanced technology to coordinate for ease of use of the
35 scattered gun violence resources of the state; and

36 (c) supporting the preparation and publication of interpretative works
37 that draw upon gun violence resources.

38 4. Quinquennial reports. The institute shall prepare and submit a
39 report within one year of the effective date of this section and every
40 five years thereafter to the governor and the legislature describing
41 programs undertaken or sponsored by the institute, the status of know-
42 ledge regarding the state's gun violence, and research needs related
43 thereto.

44 5. Executive committee. The institute shall be guided by an executive
45 committee. Members of the committee shall be from varying backgrounds
46 with members selected from the scientific community, academic community,
47 as well as from government service. Such committee shall consist of ten
48 members including the commissioner, the commissioner of criminal justice
49 services, the commissioner of health, the chancellor of the university
50 or their designees, two at large members appointed by the governor, two
51 members appointed by the temporary president of the senate, and two
52 members appointed by the speaker of the assembly. Appointed members
53 shall serve for a term of three years, provided that such members may be
54 reappointed. The executive committee shall:

55 (a) adopt policies, procedures, and criteria governing the programs
56 and operations of the institute;

1 (b) recommend to the governor and legislature appropriate actions to
2 reduce gun violence within the state;

3 (c) develop and implement the research, education and information
4 transfer programs of the institute;

5 (d) identify and rate proposals for gun violence research;

6 (e) submit to the director of the budget, and the chairpersons of the
7 senate finance committee and the assembly ways and means committee on
8 the first day of October, two thousand nineteen and on or before August
9 first each year thereafter, a budget request for the expenditure of
10 funds available from the gun violence research fund, for the purposes
11 established by section ninety-seven-j of the state finance law; and

12 (f) meet publicly at least twice a year. The committee shall widely
13 disseminate notice of its meetings at least two weeks prior to each
14 meeting. The commissioners on the executive committee and the chancellor
15 of the university shall aid in such dissemination.

16 6. Scientific working group. The executive committee shall appoint a
17 scientific working group composed of not more than eight individuals
18 representing governmental agencies, academic or research institutions,
19 educational organizations, the gun industry and related non-profit
20 organizations. Members of the scientific working group shall have know-
21 ledge and expertise in gun violence research and shall serve for a term
22 of three years, provided, however that members may be reappointed for
23 more than one term at the discretion of the executive committee. The
24 scientific working group shall make recommendations to the executive
25 committee with respect to:

26 (a) the identification of priority gun violence research needs in the
27 state;

28 (b) the development and implementation of the institute's research,
29 education, and information transfer programs;

30 (c) the allocation and expenditure of funds from the gun violence
31 research fund created pursuant to section ninety-seven-j of the state
32 finance law; and

33 (d) identification and rating of proposals for gun violence research.

34 7. Institute director. The institute shall have a director who shall
35 be appointed by the executive committee and shall after appointment be
36 an employee of the state university. The institute director shall serve
37 at the pleasure of the executive committee. The institute director shall
38 serve as chief administrative officer of the institute and provide the
39 necessary support for the executive committee.

40 8. Compensation. The members of the executive committee and the scien-
41 tific working group shall serve without additional compensation, but
42 shall be eligible to receive reimbursement for their actual and neces-
43 sary expenses from the gun violence research fund established by section
44 ninety-seven-j of the state finance law, provided however, members of
45 the executive committee representing state agencies may receive
46 reimbursement for their actual and necessary expenses from their respec-
47 tive agencies. Members of the executive committee and scientific working
48 group shall be considered state employees for the purposes of sections
49 seventeen and nineteen of the public officers law.

50 9. Memorandum of understanding. The department, the department of
51 health, the department of motor vehicles, and the division of criminal
52 justice services shall enter into a written memorandum of understanding
53 to facilitate the appropriate implementation of the gun violence
54 research institute and the goals, responsibilities, and programs estab-
55 lished by this section.

1 § 2. The state finance law is amended by adding a new section 97-j to
2 read as follows:

3 § 97-j. Gun violence research fund. 1. There is hereby established in
4 the joint custody of the state comptroller and the commissioner of taxa-
5 tion and finance a fund to be known as the gun violence research fund.

6 2. The gun violence research fund shall consist of all moneys credited
7 or transferred thereto from any other fund or source, including any
8 federal, state, or private funds, pursuant to law for the purposes of
9 gun violence research.

10 3. Moneys in the gun violence research fund may be invested by the
11 comptroller pursuant to section ninety-eight-a of this article, and any
12 income received by the comptroller shall be used for the purposes of
13 such fund.

14 4. The moneys held in or credited to the fund shall be expended for
15 the purposes set forth in this section, and may not be interchanged or
16 commingled with any other account or fund but may be commingled with any
17 other fund or account for investment purposes.

18 5. Moneys in the gun violence research fund, following appropriation
19 by the legislature, shall be available to the New York gun violence
20 research institute for gun violence research, education, and information
21 transfer programs as set forth in section two hundred thirty-nine-c of
22 the education law.

23 6. Moneys shall be payable from the fund on the audit and warrant of
24 the comptroller on vouchers approved by the comptroller.

25 § 3. This act shall take effect on the ninetieth day after it shall
26 have become a law. Effective immediately, the action, amendment and/or
27 repeal of any rule or regulation necessary for the implementation of
28 this act on its effective date are authorized to be made and completed
29 by the commissioner of education on or before such effective date.

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

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